

CECIL G. CHASON

Attorney at Law

CHARLES H. SIMS III
ASSOCIATE

October 24, 1969

P. O. DRAWER 458
216 W. LAUREL AVENUE
FOLEY, ALABAMA 36535
PHONE 205/943-3171

Mrs. Alice J. Duck
Circuit Clerk
Baldwin County
Bay Minette, Alabama 36507

RE: Freeman Equipment, Inc., A
Corp. vs. W. C. Miller, et al
Case No. 8883

Dear Mrs. Duck:

Enclosed is Demurrer in the above style cause, a copy
of which I have this day mailed to the Hon. Wilson Hayes.
Please file.

Yours very truly,



Charles H. Sims, III

CHS, III:ec
enc:

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. C. Miller individually and d/b/a Miller Septic Tank Company to appear within thirty days from the service of this writ, in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of Freeman Equipment, Inc. a Corporation.

Witness my hand this the 17 day of September, 1969.

Alice J. Duck
CLERK

FREEMAN EQUIPMENT, INC.,

A Corporation

PLAINTIFF

VS

W. C. MILLER INDIVIDUALLY
AND d/b/a MILLER SEPTIC
TANK COMPANY

DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 8883

The Plaintiff claims of the Defendant the sum of THREE-HUNDRED FORTY-FOUR and FOURTEEN/100 (\$344.14) DOLLARS as balance due on a note for SIX-HUNDRED EIGHTEEN and SIXTY-NINE/100 (\$618.69) DOLLARS made by him on October 8, 1964 and payable December 8, 1964 with interest thereon.

The note contains provision for a reasonable Attorney's fee and waiver of exemption whereof Plaintiff claims benefit.

W. C. Miller
Attorney for Plaintiff

Defendant may be found at

Rt. 3, Foley, Alabama

FILED

SEP 17 1969

ALICE J. DUCK CLERK
REGISTER

no. 8883

Freeman Equipment Co.

VS

W.C. Miller.
Galt Hwy.

1-

FILED

SEP 17 1969

ALICE J. DUCK

CLERK
REGISTER

W. H. Hayes

DEPUTY SHERIFF
BY W.C. Miller
TAYLOR WILKINS, Sheriff
Ten Cents per mile Total \$ 1.00
Sheriff claims 100 miles at

Received 17 day of Sept 1969
and on 8 day of Oct 69
I served a copy of the within etc
on W.C. Miller

By service on

TAYLOR WILKINS, Sheriff
By W.C. Miller D.S.

FREEMAN EQUIPMENT, INC.,

A Corporation,

Plaintiff

VS

W. C. MILLER INDIVIDUALLY
AND d/b/a MILLER SEPTIC
TANK COMPANY,

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

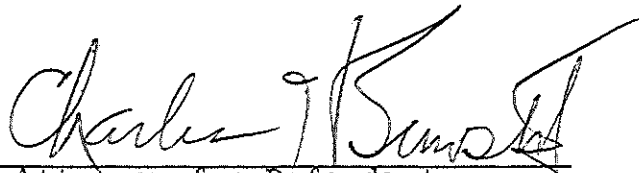
AT LAW

NUMBER: 8883

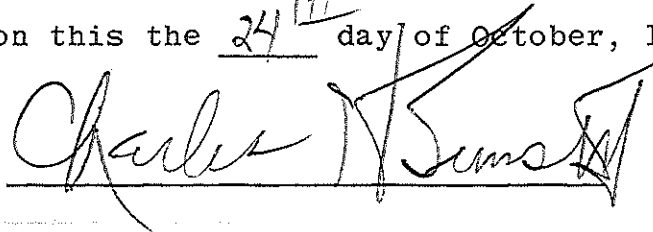
DEMURRER

Comes now the Defendant and demurs to the Complaint and for grounds of said Demurrer, sets down and assigns the following separately and severally:

1. For that said Count does not sufficiently describe the alleged promissory note which is made the basis of the claim against the Defendant.
2. For that said count does not state a cause of action against the Defendant.
3. For that said count is vague and indefinite and does not sufficiently apprise the Defendant of the claim which is made against him.


Attorney for Defendant

I hereby certify that I have mailed a copy of the foregoing Demurrer to the Honorable Wilson Hayes by placing the same, properly addressed and postage prepaid, in the United States Post Office, Foley, Alabama, on this the 24TH day of October, 1969.



FILED

OCT 27 1969

ALICE J. DUCK CLERK
REGISTER

02-10-51

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