

SUMMONS AND COMPLAINT

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CLYDE PHILLIPS and OTIS PHILLIPS to appear within thirty days from the service of this writ in the Circuit Court to be held for the said County at the place of holding the same, then and there to answer the complaint of E. M. KING, JR., MRS. ETHEL H. RAY and LOUISE C. BROOKS, a partnership, d/b/a ATMORE EQUIPMENT COMPANY.

Witness my hand, this 17th day of June, 1953.

David J. Burch  
Clerk

E. M. KING, JR., MRS. ETHEL H. RAY and LOUISE C. BROOKS, a partnership, d/b/a ATMORE EQUIPMENT COMPANY,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW

Plaintiff.

CASE NO. 2018

VS.

CLYDE PHILLIPS and OTIS PHILLIPS,  
individually. CLYDE PHILLIPS and  
OTIS PHILLIPS, a partnership, d/b/a  
CLYDE and OTIS PHILLIPS,

Defendants.

The Plaintiff claim of the Defendants the sum of FOUR HUNDRED, EIGHTY ONE AND 20/100 DOLLARS (\$481.20) due from them by account on, to-wit, the 21st. day of April, 1951, which sum of money with the interest thereon is still unpaid.

An itemized statement of the account sued on, verified by the affidavit of a competent witness, is hereto attached as Exhibit "A" and made a part hereof.

WILTERS & BRANTLEY

BY: William M. Brantley

Attorneys for Plaintiff

# Exhibit "A" CURRENT ACCOUNT

Mail Statement To

Customer

Clyde & Otis Phillips  
Little River, Ala.

| Date Entry | Invoice No.      | Description | Charges | Credits | Balance |
|------------|------------------|-------------|---------|---------|---------|
| 1-7-50     |                  |             | 19.27   |         | 19.27   |
| 1-7-50     |                  |             |         | 5.00    | 14.27   |
| 1-14-50    |                  |             |         | 5.00    | 9.27    |
| 1-28-50    |                  |             | 22.92   |         | 32.19   |
| 1-28-50    |                  |             |         | 10.00   | 22.19   |
| 2-18-50    |                  |             |         | 6.00    | 16.19   |
| 2-23-50    |                  |             |         | 100.00  | 83.89   |
| 2-25-50    |                  |             |         | 25.00   | 108.80  |
| 2-25-50    |                  |             | 162.20  |         | 53.40   |
| 2-27-50    |                  |             | 500.00  |         | 553.40  |
| 3-18-50    |                  |             |         | 40.00   | 513.40  |
| 4-3-50     |                  |             | 28.26   |         | 541.66  |
| 4-5-50     |                  |             |         | 5.00    | 536.66  |
| 4-5-50     |                  |             | 15.10   |         | 551.76  |
| 4-11-50    |                  |             |         | 30.00   | 521.76  |
| 4-10-50    |                  |             | 22.84   |         | 544.60  |
| 4-12-50    |                  |             | 3.11    |         | 547.71  |
| 4-22-50    |                  |             |         | 10.00   | 537.71  |
| 5-13-50    |                  |             |         | 15.00   | 522.71  |
| 5-23-50    |                  |             |         | 50.00   | 472.71  |
| 6-5-50     |                  |             |         | 25.00   | 447.71  |
| 6-5-50     |                  |             |         | 50.00   | 397.71  |
| 6-5-50     |                  |             | 331.50  |         | 729.21  |
| 6-5-50     |                  |             | 19.68   |         | 748.89  |
| 6-24-50    |                  |             |         | 25.00   | 723.89  |
| 9-16-50    |                  |             |         | 20.00   | 703.89  |
| 10-20-50   | (Saw reassessed) |             |         | 186.50  | 517.39  |
| 10-23-50   |                  |             |         | 25.00   | 492.39  |
| 3-19-51    |                  |             |         | 6.19    | 486.20  |
| 4-21-51    |                  |             |         | 5.00    | 481.20  |
|            |                  |             |         |         |         |
|            |                  |             |         |         |         |
|            |                  |             |         |         |         |
|            |                  |             |         |         |         |
|            |                  |             |         |         |         |

## Customer

| Date Entry                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Invoice No. | Description | Charges | Credits | Balance |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|---------|---------|---------|
| STATE OF ALABAMA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |             |             |         |         |         |
| - ESCALBIA COUNTY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |             |             |         |         |         |
| Before me <u>Douglas S. Webb</u> , a Notary Public in and for said county in said state personally appeared <u>Thomas R. Kirby</u> , who is known to me and who being by me first duly sworn doth depose and say as follows:                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |         |         |         |
| That he is the bookkeeper for the <u>Atmore Equipment Company of Atmore, Alabama</u> and as such he is well acquainted with their books of account; that the above statement of the account of <u>Clyde &amp; Otis Phillips</u> is a true and correct itemized statement of the account of <u>Clyde &amp; Otis Phillips</u> with the said Atmore Equipment Company and that after all due credits are given there is now due to the said Atmore Equipment Company by the said <u>Clyde &amp; Otis Phillips</u> the sum of <u>\$481.20</u> Dollars together with interest from the <u>21st</u> day of <u>April</u> 195 <u>1</u> . |             |             |         |         |         |
| Sworn to and subscribed before me on this the <u>13th</u> day of <u>April</u> 195 <u>3</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |             |         |         |         |
| <div style="text-align: right;"> <u>Thomas R. Kirby</u><br/> <u>Douglas S. Webb</u> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |             |         |         |         |
| <div style="text-align: right;"> Notary Public, Escambia County, Alabama.<br/> My commission expires Oct. 8, 1955.<br/> Bonded by The Employers Liability Assurance Corporation </div>                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |             |         |         |         |

Received in  
this 17 day of June 1953  
TAYLOR WILKINS, Sheriff

W 2019

SUMMONS AND COMPLAINT

E. M. KING, et al

Plaintiff.

CLYDE and OTIS PHILLIPS, et al

Defendants.

Received 19 day of June 1953  
and on 19 day of June 1953  
I served a copy of the within  
on Clyde Phillips  
By service on Otis Phillips

TAYLOR WILKINS, Sheriff  
By John Phillips

FILED  
JUL 17 1953  
ALICE J. DUCK, Register