

2071

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon L. Irwin, Individually and doing business as L. Irwin & Son, 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 same, then and there to answer the complaint of Raymond L. Merchant.

Witness my hand this 25th day of August, 1953.

Adolph. H. H. H.
Clerk.

Raymond L. Merchant,	I	
Plaintiff,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
L. Irwin, Individually and	I	AT LAW.
doing business as L. Irwin	I	
& Son,	I	
Defendant.	I	

COUNT ONE:

The Plaintiff claims of the Defendant Two Hundred Sixty and 93/100 Dollars (\$260.93) for money on the 20th day of June, 1953, received by the Defendant to the use of the Plaintiff, which sum of money, with interest thereon, is still unpaid.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Two Hundred Sixty and 93/100 Dollars (\$260.93), due on the following checks drawn by the Defendant on the dates, for the amounts, and to the persons shown, all of which checks were endorsed by the Payees hereinafter named to the Plaintiff, and paid by him, viz:

<u>Payee</u>	<u>No.</u>	<u>Date</u>	<u>Amount</u>
O. Brewton	1157	6/10/53	\$ 20.00
Frank Henderson	3916	6/19/53	27.68
Carey McGhee	3930	6/19/53	9.73

<u>Payee</u>	<u>No.</u>	<u>Date</u>	<u>Amount</u>
Hay Honeywood	3931	6/19/53	\$ 22.61
Frank Henderson	3932	6/19/53	3.40
Osborn Fisher	3936	6/19/53	15.03
Tilda Walker	3948	6/19/53	16.50
Teddy Walker	3949	6/19/53	7.48
Carey Tanner	3951	6/19/53	20.09
James Shaw	3952	6/19/53	15.09
Hilbert McCary	3956	6/19/53	14.42
Thomas McGee	3958	6/19/53	12.36
Cecile McGhee	4136	6/12/53	35.35
Eugene Mixon	4138	6/12/53	11.56
Walter Bumpers	4139	6/12/53	13.26
Jordan Lee	4144	6/12/53	8.72
Jordan Lee	4152	6/17/53	7.65

and said checks were presented by the Plaintiff for payment at the bank upon which the same were drawn and which bank returned said checks with a notation thereon that payment had been stopped. And the Plaintiff alleges that said checks, together with interest thereon, are still due and unpaid.

COUNT THREE:

The Plaintiff claims of the Defendant the sum of Two Hundred Sixty and 93/100 Dollars (\$260.93) for that during the month of June, 1953 the Plaintiff did draw a number of checks on the Farmers & Merchants Bank of Foley, Alabama, a list of which checks is attached hereto, marked "Exhibit A", and by reference made a part hereof, all of which checks were endorsed by the Payees shown thereon to the Plaintiff and which checks were honored by the Plaintiff and cashed by him, and that he presented all of said checks for payment at the Farmers & Merchants Bank of Foley, Alabama, within a reasonable time after the date thereof, and was informed by said Bank that payment on all of said checks had been stopped. The Plaintiff further alleges that he has not been paid the amounts shown on said checks and that the total amount thereof, together with the interest thereon, is still due and unpaid, hence this suit.

Chason & Stone

By: _____

Attorneys for Plaintiff.

"EXHIBIT A"

Payee	No.	Date	Amount
O. Brewton	1157	6/10/53	\$ 20.00
Frank Henderson	3916	6/19/53	27.68
Carey McGhee	3930	6/19/53	9.73
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Jordan Lee	4144	6/12/53	8.72
Jordan Lee	4152	6/17/53	7.65

Received in Sheriff's Office
this 25 day of Aug, 1953
TAYLOR WILKINS, Sheriff

MS 2071

and on 25 day of Aug 1953
26 day of Aug 1953

served a copy of the within

in

By service on L. Irwin

TAYLOR WILKINS, Sheriff
By Ed High Steadman D.S.

RAYMOND L. MERCHANT,

Plaintiff,

vs.

L. IRWIN, Individually and doing
business as L. IRWIN & SON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO: _____

SUMMONS AND COMPLAINT

FILED

AUG 25 1953

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

RAYMOND L. MERCHANT,

Plaintiff,

-vs-

L. IRWIN, Individually and
doint business as L. IRWIN
& SON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

Comes the Defendant in the above styled cause and demurs to the Bill of Complaint heretofore filed therein and each count thereof, separately and severally, and for grounds therefor sets out the following:-

1. Said Complaint does not state a cause for action.

Defendant demands trial by Jury.


Attorney for Defendant.

2071

RECORDED

FILED

OCT 14 1953

ALICE L. DICK, Clerk

RECEIVED

RECEIVED

NOTES FOR THE RECORD

RECORDED

THE FOLLOWING IS A SUMMARY OF THE PROCEEDINGS OF THE COURT IN THE CASE OF THE PEOPLE VS. JAMES EARL RAY, ET AL. IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT, IN AND FOR THE COUNTY OF SHELBY, TENNESSEE, ON THE 10TH DAY OF OCTOBER, 1953.

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