Your File No. 70-92

Our File No.

Law Offices

E. G. RICKARBY 35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532 Code 205 Telephone: 928-9836

Mailing Address P. O. BOX 471

April 30, 1970

Mrs. Alice J. Duck Clerk of the Circuit Court Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Robbins Machinery Company vs. Woodrow Wilson

Enclosed find Summons and Complaint in the above styled cause, together with check for deposit for costs.

Please process and oblige.

Yours very truly,

DAB/jlb

Encls.

5-29-70

LAW OFFICES

RICKARBY & BENTON

ATTORNEYS AT LAW 35 SOUTH SECTION STREET P. O. BOX 471 FAIRHOPE, ALABAMA 36532

TELEPHONE (205) 928-2308

April 15, 1971

Mrs. Eunice B. Blackmon Clerk of the Circuit Court Bay Minette, Alabama 36507

Re: Robbins Machinery Company

v. Woodrow Wilson Case No. 9238

Dear Eunice:

E. G. RICKARBY

DANIEL A. BENTON

Enclosed is an amendment to the complaint filed in the above-styled cause. Please file.

I have sent a copy of this to Mr. Owens, the attorney of record for the defendant.

Yours very truly,

Daniel A. Benton

DAB:w Enc. Law Offices

Your File No. 70-92

E. G. RICKARBY 35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532 Code 205 Telephone: 928-9836

Mailing Address P. O. BOX 471

June 11, 1970

Mrs. Alice J. Duck Clerk of the Circuit Court Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Robbins Machinery Co.

vs. Woodrow Wilson #9238

Enclosed find original and carbon of Answers to Interrogatories filed in the above styled cause.

Yours very truly,

2008

DAB/jc Encls. 6-24-70

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JURY LIST - JULY SESSION CIVIL TERM, 1971 - JULY 12, 1971

-Andrews, Guy C., Natural Gas Co, 410 5th St., Bay Minette, Ala. P Bigham, William, Retired Serviceman, P. O. Silverhill 4 Chandler, Ace, R.E.A., Silverhill, Robertsdale 5 Childress, J. Bruce, Fisherman, Rt. 3, Foley 6 Cooper, James I, Merchant, P. O. Box., Silverhill 7. Davison, Johnnie Mae, Cafe Operator, Robertsdale,

8. Dickman, Peggy T., Housewife, Brady Rd., Bay Minette

9. Eddins, Rachael, Housewife, Hurricane Rd., Bay Minette 10. Gandy, Bobby Carol, Housewife, Bay Minette

11. Gandy, Tom, Gulf Lumber Co., Stockton Hwy, Bay Minette,
12. Hart, Jerry B., Faulkner State University 400 Mixon Ave., Bay Minette 13. Hogan, C. J., Furniture Store, 117 W. 12th St., Bay Minette 14. Hollinger, Louise B., Board of Education, Bay Minette 15. Jones, Willie, Hogan Furniture, 1101 Lower St., Bay Minette

16. Jones, Sanford, Retired, Bensacola Hwy., Bay Minette, Ala.

17. Kennedy, J. C., Insurance Agent, 603 E 6th Bay Minette

18. Means, Henry, RTD., Cross Road, Bay Minette

19. Moorer, Lee Ella, Housewife, 412 Old Hurricane Rd., Bay Minette -Normand, Sage A., Entertainer Brand Hotel, Fairhope, Ala. 27 21. Pouder, Ellis C., Mgr. Steber Chev., Point Clear, Eairhope Reid, Larry M., Kaiser Altum. Hwy 31 S. Bay Minette 23 Rider, Daniel I., Forester, Stapleton, Ala.,) 524. Rider, Raymond D., Elec., 61 Mershon St., Fairhope
25. Riggs, Stephen S., Radio Sta. Opr., Fairhope 26. Rogers, Claude M., Insurance Salesman-Cross Roads, Bay Minette 27—Sheldon, Edwin, Brick Layer 558 Mobile St., Fairhope, Alaw D 28. Slaugher, June M., Nurse Bay Minette Inf., Tensaw, Ala.

29. Watts, Evelyn K., Civil Defense, 101 Banyan St., Bay Minette 30. Wiggins, James, Merchant, Stapleton, Ala. Bay Minette P3. Overstreet, Earl A., Newport Pine Grove Rd. Bay Minette 32. Page, Glenn A., Jr. Insurance 802 E. 5th St. Bay Minette -33. Taylor, Bennie W., Office Staphens Acceptance Loan Co. 810 E. 9th St. Bay Minette 34. Metron Mary D., Bay Slacks, Box 117 Stapleton, Ala. P4 35. Dean, Joh, Clk, Bald. Co. Fax Gollector, Stapleton 36 Ryan, Kathleen E., Housewife, Hwy 31 S. Bay Minette 37. Kennedy, Eloise D., Housewife, 603 E. 6th St. Bay Minette 38. Vick, Mary K., Cash, Greer Gro 600 W. 7th St. Bay Minette 39. Miller, Harold J., Jr. 6 White Ave. Fairhope 40. McMillan, Minnie Lou, Widow, Stockton, Alabama

38 Jan 43

P. XXXXX XXXXX XXX D. XXXXX XXXXX XXX

ROBBINS MACHINERY COMPANY,)	IN THE CIRCUIT COURT OF
a corporation,)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	AT LAW
vs.)	
WOODROW WILSON,)	CASE NO. 9238
Defendant)	

AMENDMENT TO COMPLAINT

Comes now the Plaintiff in the above styled cause and amends the Complaint heretofore filed in the above-styled cause by adding the following, to-wit:

COUNT I

The Plaintiff claims of the Defendant THREE THOUSAND ONE HUNDRED FIFTY-TWO AND 48/100 DOLLARS (\$3,152.48) due him by account on, to-wit, the 18th day of November, 1968, which sum of money with interest thereon is still unpaid. The account sued on is evidenced by an itemized and verified statement filed herewith.

COUNT II

The Plaintiff claims of the Defendant the sum of THREE THOUSAND ONE HUNDRED FIFTY-TWO AND 48/100 DOLLARS (\$3,152.48) due from him by account stated between the Plaintiff and the Defendant on, to-wit, the 18th day of November, 1968, which sum of money with interest thereon is still unpaid.

COUNT IV

The Plaintiff claims of the Defendant the sum of THREE THOUSAND ONE HUNDRED FIFTY-TWO AND 48/100 DOLLARS (\$3,152.48) due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to-wit, the 18th

day of November, 1968, which sum of money with interest thereon is still unpaid.

DANIEL A. BENTON Attorney for Plaintiff

OF COUNSEL:

RICKARBY & BENTON Fairhope, Alabama

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a capy of this sleading to depositing in the United States that a capy of this sleading envolupe with adequate posings propried that are and properly Contraction of the Contraction o

Alternoy (or April 1998) Alt. 35532

FILED

APR 20 1971

EUNICE B. BLACKMON CIRCUIT

500 NORTH 28th STREET

P.O. BOX 2664

BIRMINGHAM, ALABAMA - 35202

PHONE 205 - 323-8971

ranch	855 Bell Street - Montgomery, Alabama		Phone 205 - 265-6765
	April 24, 1970	Section and soliday states of some	S. Salas S. Salas Sa
		1 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m	H 7 1970
		lager Lightness organisation of the Assessed	
	Statement of Account Woodrow Wilson Daphne, Alabama		
	Contract dated ll-18-68 covering l Troja 204A Loader S/N 64-1685 with Cummins I S/N 533485, l7.5 x 25 tires $2\frac{1}{4}$ cu. yd bucket with Cab.	Engine	\$16,435.49
	Sale of Repossessed Loader to Davis Construction Company dated 10-14-69	\$18,000.00	
	Less: Repair orders & reconditioning of machine for resale.		
	W.O. 9706 324.57		
	W.O. 9819 59.68 W.O. 9396 1,698.90		
	W.O. 9644 152.06		
	W.O. 9337 217.30		
	W.O. 8073 <u>2,264.48</u>	4,716.99	13,283.01
	Amount Due		\$ 3,152.48
	•		*

State of Alabama 0 b

6, the medersigned, an authorized cierk of EDBERTS MACHINERY COMPARY, more than the merchandles therein observed point duly sworn, depose and any that the within bill is just and true; that the merchandles therein observed point and of the value charged and oftened by the and that no part has yet been paid.

subseribed and sworn to before me this 2 4 day of Upul 18.

3-17 19 74

annie Mae Robbins

CONDITIONAL SAI	E CONTRACT NOTE	
500 North 28th Street	Date:	19 68
(Address of Saller)		ed ed
The undersigned ("Buyer") hereby purchases from Seller the property	described below (the "property") on the follo	wing terms and conditions:
Description of Property Purchased (Include make, year, model identification, model and serial numbers or marks):	(1) CASH SALE PRICE	14,995.49
1 - Model 204A Projan Loader S/N	(2) Down payment in Cash (3) Down payment in Goods (Trade-in Allowance)	2,995.49
04-1035 With Coming Model IN	(4) Unpaid Balance [Ítems (1)—(2)—(3)]	12.000.00
130-Cl Engine S/N 533485 -	(5) Insurance and other Benefits	
17.5 x 25 tires 21 cm, vd backer	(6) Official or Documentary Fees	·
W/Cab.	Describe and Itemize	12,000.00
	(8) Finance Charge (Time Price Differential)	1,440.00
	(9) Contract Price (Time Balance) [Items (7)+(8)] \$ (10) TIME SALES PRICE [Items (2)+(3)+(9)]	13.440.68
The property purchased shall remain personalty and not become par		37 170 61
(Street and Number)		Alahama
Buyer, jointly and severally if more than one, hereby agrees and (hereinafter collectively called "Holder") hereof at the office of Cree	(City) (County) promises to pay to the order of Seller or	(State) any assignee or endorsee
as the Holder hereof may from time to time appoint the own of		
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to obtain a partial refund of the time price differential	ance the full amount due and under No other agreement, oral or written.	certain conditions
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BUYER ACKNOWLEDGES RECEIPT OF A SIGNED, TRUE AN Co-Maker:	D EXACT EXECUTED COPY OF THIS CON-	TRACT NOTE.
OU MARCI.	(Print Name of Buyer, Maker,	Here) (SEAL)
(Witness as to Buyer's and Co-Maker's Signature) ROBBIAS MACHINERY COMPANY	Of Corporation an Authorized Office State	100
Accepted: ROBBINS MACHINERY COMPANY (Print Name of Seller Here)		d have Partners sign.)
By J.K. Von V-Pres.	Buyer's Address: (Street and Number)	A. **
(If Corporation on Authorized Officer should sign, stating his Title and attach Corporate Seal. If Partnership, first sign Firm Name and have Partners sign.)	(City) (County)	(State)
This instrument was prepared by		
A-L-2 (10-66) (See Instructions		

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DATE					
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500 NORTH 28TH STREET — BIRMINGHAM, ALA. 35202 PHONE 323-8971 P.O. BOX 2664

BRANCH 855 BELL STREET, MONTGOMERY, ALABAMA PHONE 265 - 6765 HATE

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500 NORTH 28TH STREET
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500 NORTH 28TH STREET
P. O. BOX 2664
BIRMINGHAM 2, ALABAMA

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500 NORTH 28TH STREET
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500 NORTH 28TH STREET
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ROBBINS MA HINERY COMPANY

500 NORTH 28TH STREET P. O. BOX 2664 BIRMINGHAM 2, ALABAMA

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500 NORTH 28TH STREET
P. O. BOX 2664
BIRMINGHAM 2, ALABAMA

Mileage From To Miles Chg. N/C LABOR Starting Time Started Finished Time Done By (Mech.—Weld-Burn-Machine) Chg. N/C	CUSTOMER	:: Used Eg	quip I	ns.	U/C	41-3-	4		PORT NO. <u>WO-8013</u>		
CUSTOMER P. O. NO. Date returned shop Time P.M. TYPE & CAUSE OF FAILURE: Quan. Part No. Part Description Che. N/C Jurnich partin & labor to remark line peak. Algor Steering After Wash DR-41-34 Bill (1963). Quan. Part No. Part Description Che. N/C Jurnich partin & labor to remark line peak. Algor Steering After Wash. P.M. DR-41-34 Bill (1963). Quan. Part No. Part Description Che. N/C Jurnich partin & labor to remark. Labor Che. N/C LABOR Starting Time Time Time Done By (Mech.—Weid Burn-Machine) Cha. N/C LABOR Starting Time Time Time Done By (Mech.—Weid Burn-Machine) Cha. N/C	TYPE REPA	IR: 204-A	Trosan	5/10	1-64	1-168	<u> </u>				A.M. P.M.
Jurich parts & labor to remain Lisebes, Right Steering able is give DR-41-34 B377953. Casy, Firsber, Lucket, leader Frame, electrical wirespepace CR-21-01 Lacy Cleaner, Lower on engine CR-27-23 Lower Cover on engine CR-27-23 Lower Cleaner, Cover on engine CR-27-23 Lower Cover on engine CR-27-23 Lower CR-27-23 Lowe			V								A.M.
LABOR Linehes, Right Steering after wight DR-41-34 Casey, Tiraber, Lucket, leader frame, electrical wires, pepace (A-21-01 #2,23.72, dir. Cleans, howmster, ratteries (R-27-22 152.26) Lining gear Cover on league, (A-27-23 515.45) Cartal and filters. CR-5.29 1525.30 Miseage From To Mises Che N/C (A-27-23 515.45) Cartal #236.47 Complete #-30.69 LABOR Starting Time Time Total Total Tome Done By (Mech. Weld-Burn-Machine) Che N/C		TYPE & CAUSI	OF FAILU	RE:		Quan.	Part	Part No. Part Description			N/C
LABOR Linehes, Right Steering after wight DR-41-34 Casey, Tiraber, Lucket, leader frame, electrical wires, pepace (A-21-01 #2,23.72, dir. Cleans, howmster, ratteries (R-27-22 152.26) Lining gear Cover on league, (A-27-23 515.45) Cartal and filters. CR-5.29 1525.30 Miseage From To Mises Che N/C (A-27-23 515.45) Cartal #236.47 Complete #-30.69 LABOR Starting Time Time Total Total Tome Done By (Mech. Weld-Burn-Machine) Che N/C	Furnish	partsdel	alian to	Neue	nh					,	
LABOR Starting Time Time Total Done By (Mech. Weld-Burn-Machine) Ch. 21-C1 #2,23.7.2. #2,23.7.2. #2,23.7.2. #2,23.7.2. #2,23.7.2. #2,23.7.2. #3,23.7.2. #4,23.7. #4,23.7.2. #4,23.7.	Gurapea,	right stee	ering ap	le ii	· join		DR-4	1-34	#3469.53		
Timing getts Cower on Engine Registration control courses, Change Ch. 27.23 St. 45. St. 45. St. 45. Ch. 27.23 St. 45. St. 45. St. 45. Ch. 27.23 St. 45. St. 45. St. 45. Ch. 5.29 I \$2.35.30 Ch. 5.29 I \$2.5.30 LABOR Starting Time Time Total Time Date Started Finished Time Done By (Mech Weld-Burn-Machine) Chg. N/C	frame	, electrica	Luire	agreg	Vace						
Mileage From To Miles Chg. N/C LABOR Starting Time Time Total Time Done By (Mech.—Weld-Burn—Machine) Chg. N/C Mileage Time Time Total Time Done By (Mech.—Weld-Burn—Machine) Chg. N/C	timing g	ear Couer	on lng	ine.					152.26 310.40 515.45		
Mileage From To Miles Chg. N/C Jotal # 2449-53 Complete 4-30-69		ez Che	roge				52.80				
From To Miles Chg. N/C Jatal #, 2364, 4ff Starting Time Total Done By (Mech Weld-Burn-Machine) Chg. N/C	aux and	Giller	•				CR.5	29	1525.30		
Starting Time Total Job Type Work (Mech.—Weld—Burn—Machine) Chg. N/C		. LiM	cage			Management of the Control of the Con		/			
Starting Time Started Finished Time Done By Type Work (Mech.—Weld-Burn-Machine) Chg. N/C	l'rom	То	Miles	Chg.	N/C			X	Total # 2269.48	2	
Starting Date Started Time Total Job Type Work (Mech.—Weld—Burn—Machine) Chg. N/C							7.	IJ	Complete 4-306	9	
Starting Date Started Time Total Job Type Work (Mech.—Weld—Burn—Machine) Chg. N/C											
Date Started Finished Time Done By (Meeti.—weid=Butin=Machine)						Jo	ob.		Type Work	Chq.	N/C
	Date	Started	Finished	11	me	Don	сву		(Mech weid - Burn - Machine)		
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APPROVED BY Theinton			-								

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