

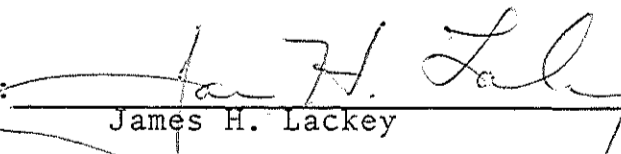
ALABAMA TRACTOR COMPANY,	:	IN THE CIRCUIT COURT
SOUTH, INC., a corporation	:	OF BALDWIN COUNTY
Plaintiff,	:	ALABAMA
VS:	:	AT LAW
C. LEON BAGGETT	:	
and L.L. BAGGETT,	:	
Defendants.	:	CASE NO. 9530

Comes now the defendants in the above styled cause, and for answer to the complaint as heretofore filed, set-out the following separate and several pleas, separately and severally:

1. Not guilty.
2. Not indebted.
3. The general issue.

4. And by way of set-off, the defendants claim of the plaintiff TWO THOUSAND FIVE HUNDRED AND 00/100 (\$2,500.00) DOLLARS as damages for the breach of a written warranty wherein the plaintiff warranted to the defendants that it would repair or replace each part of a new case bulldozer, which the plaintiff had sold to the defendants on June 1, 1969, which was proven to their satisfaction to have been defective in material or workmanship, and the defendants aver that on, to-wit, August 30, 1969, they returned to the plaintiff the aforesaid piece of machinery which a numerous defective parts and/or workmanship, and the plaintiff failed or refused to repair or replace said parts, for all to the defendants damages of the foresaid.

COLLINS, GALLOWAY & MURPHY

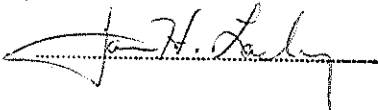
BY: 
James H. Lackey

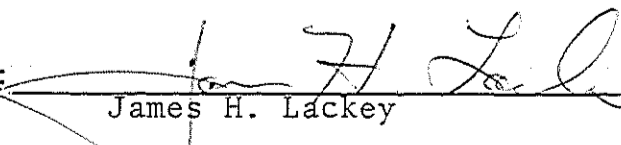
Defendants demand trial by jury.

COLLINS, GALLOWAY & MURPHY

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16 day of Nov, 1970, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.



BY: 
James H. Lackey

FILED

NOV 17 1970

Alabama Tractor Company,
South Inc., a corporation
Plaintiff

vs

C. Leon Baggett and
L. L. Baggett
Defendants

In the Circuit Court
of Baldwin County
Alabama
At Law

Case No: 9530

Answer

Comes now the Defendants in the above styled cause, and replies their pleas as heretofore filed in this cause, and in addition to those pleas files ~~and~~ additional pleas number 5 and 6 as set out below:

5. That the said note upon which the Plaintiff sues is based on no consideration, therefore the Plaintiff can not recover of these Defendants.

6. The said note sued upon by the Plaintiff is void for want of consideration.

Collins, Galloway + Murphy

By Taken Marking

Filed: April 11, 1972.

Jeffrey J. MacLaren
Judge.

ALABAMA TRACTOR COMPANY, SOUTH, X
INC., a corporation

PLAINTIFF

VS

C. LEON BAGGETT and L. L. BAGGETT

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

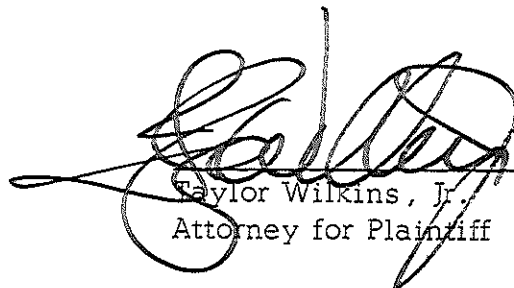
CASE NO: 9530

AMENDMENT

Comes now the Plaintiff in the above styled cause, and amends his original bill of complaint heretofore filed in this cause by amending Count I as set out below, and in all respects, the Plaintiff adopts and ratifies all other allegations contained in his original bill of complaint:

I.

The Plaintiff claims of the Defendants, jointly and severally, the sum of FOUR THOUSAND TWO HUNDRED SEVENTY-THREE AND 20/100 (\$4,273.20) DOLLARS as balance due on a note for FOUR THOUSAND FIVE HUNDRED TWENTY-FOUR AND NO/100 (\$4,524.00) DOLLARS made by them on September 12, 1969, and payable November 15, 1969, with interest thereon.


Taylor Wilkins, Jr.
Attorney for Plaintiff

Filed
4-10-72
Ernie B. Blackmon
Circuit Clerk

ALABAMA TRACTOR COMPANY, SOUTH
INC., a corporation,

PLAINTIFF

VS

C. LEON BAGGETT and L. L. BAGGETT

DEFENDANTS

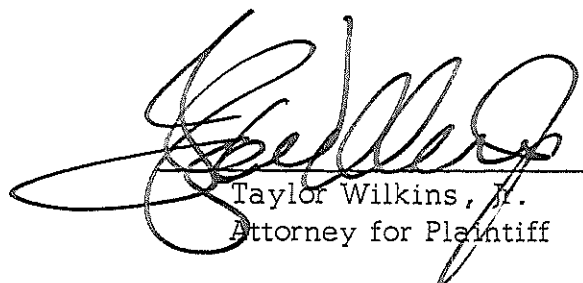
X IN THE CIRCUIT COURT OF
X BALDWIN COUNTY, ALABAMA
X AT LAW
X
X
X CASE NO: 9530
X

AMENDMENT

Comes now the Plaintiff in the above styled cause, and amends his original bill of complaint heretofore filed in this cause by adding Count II as set out below, and in all respects, the Plaintiff adopts and ratifies Count I as filed in the Plaintiff's original bill of complaint.

II.

The Plaintiff claims of the Defendants, jointly and severally the sum of TWO THOUSAND ONE HUNDRED EIGHTY-EIGHT AND 64/100 (\$ 2,188.64) DOLLARS due from them for work and labor performed by the Plaintiff on a Case 1150 Dozer, Serial #SN-7109695, on the 30th day of August, 1969, said work and labor performed at the request of the Defendants, which sum of money with the interest thereon is still unpaid.


Taylor Wilkins, Jr.
Attorney for Plaintiff

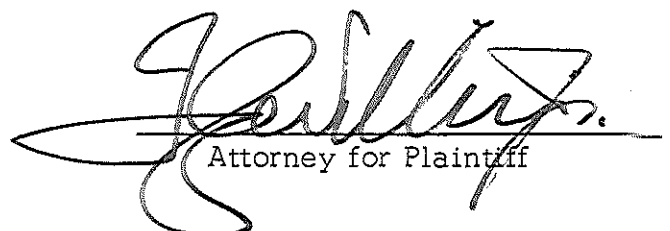
I, the undersigned Taylor Wilkins, Jr., do hereby certify that I have on this the 7th day of January, 1972, forwarded a true and exact copy of the foregoing amendment to Mr. Tom Galloway, attorney at law, Mobile, Alabama, attorney of record for the Defendants, by mailing him a copy of the same in the United States Post Office, properly addressed, with the postage paid thereon.

Done this the 7th day of January, 1972.

FILED

JAN 7 1972

EUNICE B. BLACKMON CIRCUIT
CLERK


Attorney for Plaintiff

Ala. Charter
vs Baggett
p 9530

- ~~1. Bishop, Ethel, Merchant, 456 S. Section St., Fairhope, Ala. D4~~
- ~~2. Clay, Ray, Ast. Cstdn. VAW, 504 Equality St., Fairhope, Fairhope, Ala.~~
- ~~3. Coleman, Carolyn F., Housewife, 1801 Auburn Av., Bay Minette, Ala.~~
- ~~4. Crosby, Wm., N. Crosby Lbr. Co., 608 Nixon Av., Bay Minette, Ala.~~
- ~~5. Davidson, Audrey N., Clk. West Bros., 310 Mango St., Bay Minette, Ala.~~
- ~~6. Dorch, Alexander, Fisherman, 701 Dan Horne Lane, Fairhope, Ala.~~
- ~~7. Graves, Susie, Housewife, 914 S. Dobson, Bay Minette, Ala.~~
- ~~8. Higgins, Robert, Salesman, 40 S. Section St., Fairhope, Ala. D6~~
- ~~9. Hollingsworth, George H., Bob White Chev., 503 1st St., Bay Minette, Ala. D1~~
- ~~10. Lee, Richard E., Merc. Stockton, Stockton, Ala. P5~~
- ~~11. Leon, Willie, Musician Grand Hotel, 253 S. Section Fairhope, Ala. Point Clear D8~~
- ~~12. Lewis, Dollie S., Housewife, 1105 Marks Av., Bay Minette, Ala.~~
- ~~13. Long, Lee, Merc., Rabon St., Bay Minette, Ala. P7~~
- ~~14. McGurke, Edith S., Housewife, Tensaw, Alabama~~
- ~~15. McKenzie, Gene E., Purch Agt. Pinto Island Mtls. 113 Orange St., Fairhope, Ala. D3~~
- ~~16. McMillan, Raymond, Farmer, Stockton, Stockton, Alabama P4~~
- ~~17. Parker, Gertrude M., Bkpr. Bald, Co. Sav. & Loan, 8 North School St., Fairhope D9~~
- ~~18. Passmore, Lousie S., School Sec. P. O. Box 247, Silverhill, Ala.~~
- ~~19. Phillips, Maetha L., Vanity Fairh Star Rt. Stockton Atmore, Ala. P2~~
- ~~20. Pipkin, James E., PNAS Stockton, Ala. Pensacola, Fla.~~
- ~~21. Powell, John O., Kaiser Almn. 110 S. Day St., Bay Minette, Ala. D7~~
- ~~22. Robinson, Marlene B., Housewife, 155 Orange St., Fairhope~~
- ~~23. Rost, Charles H., Mech. NASS 22 Fig St., Fairhope, Ala. Pensacola, Fla. D5~~
- ~~24. Smith, Sidney K., Retired Lee St., Bay Minette, Ala.~~
- ~~25. Stephens, Robert T., Acct. Chevron Asphalt, 374 Ridgewood Cir. Fairhope, Ala. D2~~
- ~~26. Vick, Lloyd, Janitor F'Hope High School, 306 Delmar, Fairhope, Ala.~~
- ~~27. Washington, John Ed., Retired, Blacksher Rt., Bay Minette, Ala. P8~~
- ~~28. Watts, McFarlan, Logger, 101 Banyan St., Bay Minette, Ala. P6~~
- ~~29. York, Annie W., Maid BCHS Tensaw, Ala. Bay Minette, Ala. P3~~

P. XXXXX XXX -

D. XXXXX -XXX/

29
12

3178
9

9530

ALABAMA TRACTOR COMPANY, SOUTH,
INC., a corporation

Plaintiff

VS

C. LEON BAGGETT and
L. L. BAGGETT

Defendants

X

X

X

X

X

X

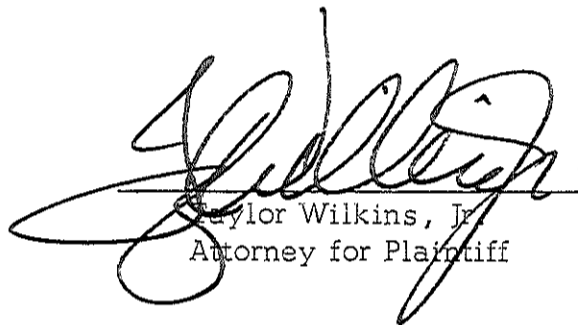
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 9530

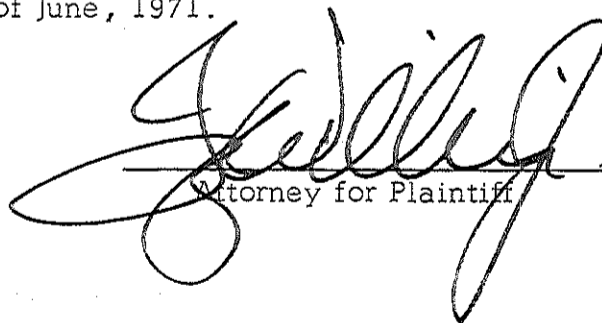
ANSWER

Comes now the Plaintiff in the above styled cause, and for answer
to Plea Four (4) filed by the Defendant, the Plaintiff pleads Not Guilty.


Taylor Wilkins, Jr.
Attorney for Plaintiff

I, the undersigned, Taylor Wilkins, Jr., do hereby certify that I
have on this the 4th day of June, 1971, forwarded a true and exact copy of the
foregoing answer to James H. Lackey, Mobile, Alabama, attorney of record
for the Defendants, by mailing him a copy of the same in the United States
Post Office, properly addressed, with the postage paid thereon.

DONE this 4th day of June, 1971.


Attorney for Plaintiff

FILED

JUN 9 1971

UNICE B. BLACKMON CIRCUIT
CLERK

ALABAMA TRACTOR COMPANY,
SOUTH, INC., a corporation,

Plaintiff,

VS:

C. LEON BAGGETT
and L.L. BAGGETT,

Defendants.

: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY, ALABAMA
:
: AT LAW

: CASE NO. 9 5 3 0

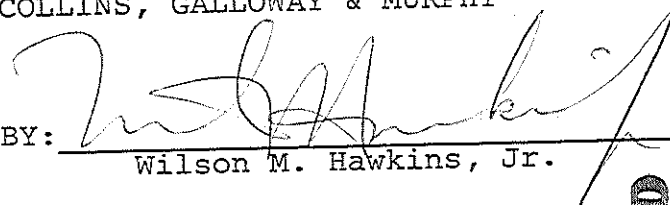
Comes now the defendants in the above styled cause,
and amends their answer to the complaint as heretofore filed,
to set-out the following separate and several pleas, separately
and severally:

1. Not guilty.
2. Not indebted.
3. The general issue.

4. And by way of set-off, the defendants claim of
the plaintiff SIX THOUSAND AND 00/100 (\$6,000.00) DOLLARS as
damages for the breach of a written warranty wherein the
plaintiff warranted to the defendants that it would repair or
replace each part of a new case bulldozer, which the plaintiff
had sold to the defendants on June 1, 1969, which was proven
to their satisfaction to have been defective in material or
workmanship, and the defendants aver that on, to-wit, August
30, 1969, they returned to the plaintiff the aforesaid piece
of machinery which had numerous defective parts and/or
workmanship, and the plaintiff failed or refused to repair
or replace said parts, for all to the defendants' damages
of the aforesaid.

COLLINS, GALLOWAY & MURPHY

BY:


Wilson M. Hawkins, Jr.

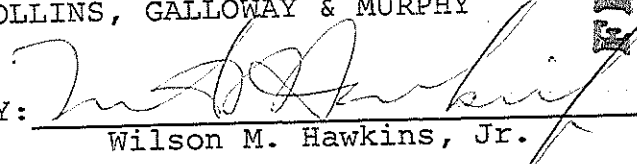
Defendants demand trial by jury.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 4th
day of April, 1972, served a copy of
the foregoing pleading on counsel for all
parties to this proceeding by mailing the
same by United States Mail, properly ad-
dressed, and first class postage prepaid.

COLLINS, GALLOWAY & MURPHY

BY:


Wilson M. Hawkins, Jr.

FILED

APR 6 1972

EUNICE B. BLACKMON
CLERK

We the Jury rule in favor of the
defendants for the sum of 1.00 in Damages.

James E. Pipkin
FOREMAN

Let the jury find for the Defendants and
against the Plaintiff on the Defendants
Counter Claim and added their damages
at \$1.00.

James E. Pipkin
Foreman

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW
958 DAUPHIN STREET
MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)

ROBERT H. SMITH
WILSON M. HAWKINS, JR.

P. O. Box 4492
TELEPHONE
432-0568
AREA CODE 205

April 4, 1972

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Alabama Tractor Company
Vs: C. Leon Baggett & L.L. Baggett
Case No. 9530

Dear Mrs. Blackmon:

Please file the enclosed "Amended Answer" in the above referenced case. Also please indicate that you have done so by returning the enclosed copy of this letter in the self-addressed, stamped envelope.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY: 

Wilson M. Hawkins, Jr.

WMHJr/jkl
Enclosures

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 9530

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon C. LEON BAGGETT

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette against.....

C. LEON BAGGETT and L. L. BAGGETT

Defendants

by ALABAMA TRACTOR COMPANY, SOUTH, INC., a corporation

Plaintiff

Witness my hand this

30

day of

Sept

1920

Alice J. Weck

Clerk

No.....

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

ALABAMA TRACTOR COMPANY,.....

SOUTH, INC., a corporation
Plaintiffs

vs.

G. LEON BAGGETT and
L. L. BAGGETT
Defendants

SUMMONS AND COMPLAINT

Filed 19.....

..... Clerk

TAYLOR WILKINS, JR.,
Plaintiff's Attorney

.....
Defendant's Attorney

Defendant lives at

Phillippsville Road

P. O. Box 182

..... Bay Minette, Alabama.....

Recieved In Office

..... 19.....

..... Sheriff

I have executed this summons

this 19.....

by leaving a copy with

.....

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....., Sheriff

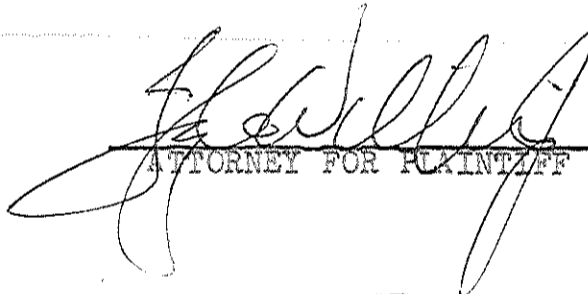
..... Deputy Sheriff

ALABAMA TRACTOR COMPANY, SOUTH, : IN THE CIRCUIT COURT OF
INC., a corporation, :
PLAINTIFF, : BALDWIN COUNTY, ALABAMA
VS : AT LAW
C. LEON BAGGETT and :
L. L. BAGGETT, :
DEFENDANTS.: CASE NO.

I.

The Plaintiff claims of the Defendants, jointly and severally, the sum of FOUR THOUSAND FIVE HUNDRED TWENTY-FOUR and NO/100 (\$4,524.00) DOLLARS as balance due on a note for FIVE THOUSAND (\$5,000.00) DOLLARS made by them on September 12, 1969, and payable November 15, 1969, with interest thereon.

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


ATTORNEY FOR PLAINTIFF

FILED

OCT 30 1970

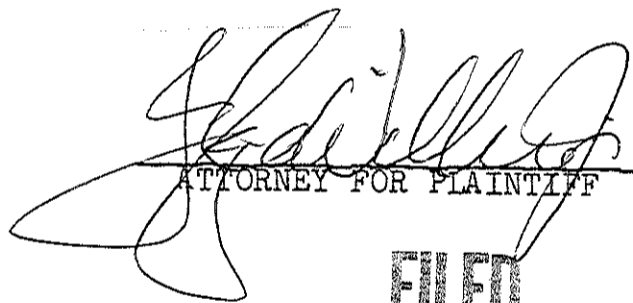
ALICE J. DUCK CLERK
REGISTER

ALABAMA TRACTOR COMPANY, SOUTH, : IN THE CIRCUIT COURT OF
INC., a corporation, :
PLAINTIFF, : BALDWIN COUNTY, ALABAMA
VS : AT LAW
C. LEON BAGGETT and :
L. L. BAGGETT, :
DEFENDANTS.: CASE NO. 9530

I.

The Plaintiff claims of the Defendants, jointly and severally, the sum of FOUR THOUSAND FIVE HUNDRED TWENTY-FOUR and NO/100 (\$4,524.00) DOLLARS as balance due on a note for FIVE THOUSAND (\$5,000.00) DOLLARS made by them on September 12, 1969, and payable November 15, 1969, with interest thereon.

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


ATTORNEY FOR PLAINTIFF

FILED

OCT 3 0 1970

ALICE J. DUCK CLERK
REGISTER

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

} No.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon L. L. BAGGETT & C. Leon Baggett

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette against.....

C. LEON BAGGETT and L. L. BAGGETT .. Defendants.....

by ALABAMA TRACTOR COMPANY, SOUTH, INC., a corporation.....

....., Plaintiff.....

Witness my hand this 30 day of Oct 1970

Alice J. Welch Clerk

24 L L Baggett 11-2-70
Leon " M.F.

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

ALABAMA TRACTOR COMPANY,

SOUTH, INC., a corporation

Plaintiffs

vs.

C. LEON BAGGETT and
L. L. BAGGETT

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

FILED

Clerk

OCT 30 1970

ALICE J. DICK CLERK
Sheriff claims 30 REGISTER
miles at

Ten Cents per mile Total \$ 3.00

TAYLOR WILKINS, Sheriff

BY Tolbert
DEPUTY SHERIFF

TAYLOR WILKINS, JR.

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
Phillipsville Road
P. O. Box 182
Bay Minette, Alabama

Received In Office

Nov 3 1970

Taylor Wilkins Sheriff

I have executed this summons

this Nov 5 1970

by leaving a copy with

C. Leon Baggett

L. L. Baggett

C. Leon Baggett

Not Found

This County

Returned 5 day of November 1970
Not found in my county after diligent search and

Subscribed by C. Leon Baggett
Taylor Wilkins, Sheriff

BY Tolbert
Deputy Sheriff

W. G. Tolbert Deputy Sheriff