JURY LIST - APRIL CIVIL TERM - APRIL 10, 1972

9698

Shirley Hall vs E.B. Irvin Jr.

1. Bishop, Ethel, Merchant, 456 S. Section St., Fairhope, Ala. P1
2. Clay, Ray, Ast. Cstdn. VAW, 504 Equality St., Fairhpe, Fairhope, Ala.
3. Coleman, Carolyn F., Housewife, 1801 Auburn Av., Bay Minette, Ala.
4. Crosby, Wm., N., Crosby Lbr. Co., 608 Mixon Av., Bay Minette, Ala. P6
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.
9. Hollingsworth, George H., Bob White Chev., 503 1st St., Bay Minette, Ala.
10. Lee, Richard E., Merc. Stockton, Stockton, Ala. P8
11. Leon, Willie, Musician Grand Hotel, 253 S. Section Fairhope, Ala. Point Clear D5
12. Lewis, Dollie S., Housewife, 1105 Marks Av., Bay Minette, Ala.
13. Long, Lee, Merc., Rabon St., Bay Minette, Ala. D3
14. McGurie, Edith S., Housewife, Tensaw, Alabama
15. McKenzie, Gene E., Purch Agt. Pinto Island Mtls. 113 Orange St., Fairhope, Ala.
16. McMillan, Raymond, Farmer, Stockton, Stockton, Alabama
17. Parker, Gertrude M., Bkpr. Bald, Co. Sav. & Loan, 8 North School St., Fairhope P4
18. Passmore, Lousie S., School Sec. P. O. Box 247, Silverhill, Ala.
19. Phrillips, Maetha L., Vanity Fairh Star Rt. Stockton- Atmore, Ala.
20. Pipkin, James E., PNAS Stockton, Ala. Pensacola, Fla.
21. Powell, John O, Kaiser Almn. 110 S. Day St., Bay Minette, Ala.
22. Robinson, Marlene B., Housewife, 155 Orange St., Fairhope
23. Rost, Charles H., Mech. NASS 22 Fig St., Fairhope, Ala. Pensacola, Fla. D6
24. Smith, Sidney K., Retired Lee St., Bay Minette, Ala. D4
25. Stephens, Robert T., Acct. Cheveron Asphalt, 374 Ridgewood Cir. Fairhope, Ala. P5
26. Vick, Lloyd, Janitor F'Hope High School, 306 Delmar, Fairhope, Ala. P3
27. Washington, John Ed., Retired, Blacksher Rt., Bay Minette, Ala.
28. Watts, McFarlan, Logger, 101 Banyan St., Bay Minette, Ala.
29. York, Annie W., Maid BCHS Tensaw, Ala. Bay Minette, Ala.
30. White, Elaine, Beauty Shop, Perdido D1
31. Brown, Hilary, Bay Minette,
32. Dean, Mary, Housewife, Bay Minette D7
33. Eddins, Laura Lee, Clerk, Bay Minette P7
34. Weekley, Eleanor, Housewife, Perdido D8
35. Demko, Glenda, Housewife, Bay Minette
36. Bryars, Dollie Mae, Clerk, Bay Minette P2
37. Gabel, Dennis, Telephone SCB, Winterhaven Ct., Fairhope
38. Chastang, J. D., Paper Mill, Cross Roads Rt., Mobile
39. Rider, Hannis Monsanto, 207 Townsend Ave., Bay Minette, Pensacola
40. Irvin, Edward D., Mach. Opr. Kaiser Almn. 603 E. 7th St., Bay Minette D2
41. McDade, Adelaide D., Ala. State Emp. Serv. 523 Stimpson Ave., Fairhope P9

P XXXXX XXXX

D XXXXX XXX

41
12
29
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17

9698

WILSON HAYES
LAWYER
P. O. BOX 300
BAY MINETTE, ALABAMA
36507

TELEPHONE 937-5506

March 29, 1971

Mrs. Eunice Blackmon, Clerk
Circuit Court, Baldwin County
Bay Minette, Alabama 36507

Re: Hall Vs. Gwin, et al.
Case #9698

Dear Eunice:

Please file the enclosed amended complaint in the above noted case.

With kind regards, I am

Yours very truly,

Wilson Hayes

WH/ms
Enc.

cc w/enc: Mr. Norborne C. Stone

WILSON HAYES
LAWYER
P. O. BOX 300
BAY MINETTE, ALABAMA
36507
TELEPHONE 937-5506

February 16, 1971

9698

Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama 36507

Dear Eunice:

Enclosed is the Court's record of Criminal Case Number 5375, Shirley Ann Hall. Also enclosed is a suit styled Shirley Ann Hall Vs. E. B. Gwin, et al.

Please file the suit and have it served on Defendants.

With kind regards, I am

Yours very truly,

Wilson Hayes

WH/ms
Enc.

SHIRLEY ANN HALL, who sues by her next friend, Rita Hall,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	
E. B. GWIN, JR., BEDSOLE'S OF FAIRHOPE a/k/a BEDSOLE'S DEPARTMENT STORE, a/k/a BEDSOLE'S DRY GOODS COMPANY, INC. a corporation, JOHN DOE and RICHARD ROE, whose names are otherwise unknown to Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Defendants.	X	AT LAW NO.9698

DEMURRER

Comes now the Defendant, E. B. Gwin, Jr., by his attorneys, and demurs to the Complaint heretofore filed against him and to each count thereof, separately and severally, and assigns the following separate and several grounds in support thereof:

1. The Complaint fails to state a cause of action.

2. The Complaint fails to allege that Shirley Ann Hall is a minor.

3. The Complaint fails to allege any facts conferring upon Rita Hall any right to sue for Shirley Ann Hall.

Respectfully submitted,

CHASON, STONE & CHASON

By: [signature]
Attorneys for Defendant
E. B. Gwin, Jr.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 5 day of March, 1971.

[signature]

FILED

MAR 5 1971

EUNICE B. BLACKMON CIRCUIT CLERK

SHIRLEY ANN HALL, who sues by her next friend, Rita Hall,

Plaintiff,

vs.

E. B. GWIN, JR. , BEDSOLE'S OF FAIRHOPE a/k/a BEDSOLE'S DEPARTMENT STORE, a/k/a BEDSOLE'S DRY GOODS COMPANY, INC. , a corporation, JOHN DOE and RICHARD ROE, whose names are otherwise unknown to Plaintiff,

Defendants.

* * * * * * * * * * * * * * * * * *

DEMURRER

* * * * * * * * * * * * * * * * * *

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. BOX 120
BAY MINETTE, ALABAMA

SHIRLEY ANN HALL, who sues by her next friend, Rita Hall,

Plaintiff,

vs.

E. B. GWIN, JR. , BEDSOLE'S OF FAIRHOPE a/k/a BEDSOLE'S DEPARTMENT STORE, a/k/a BEDSOLE'S DRY GOODS COMPANY, INC. , a corporation, JOHN DOE and RICHARD ROE, whose names are otherwise unknown to Plaintiff,

Defendants.

* * * * * * * * * * * * * * * * * *

DEMURRER

* * * * * * * * * * * * * * * * * *

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. BOX 120
BAY MINETTE, ALABAMA

SHIRLEY ANN HALL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
E. B. GWIN, JR., BEDSOLE TRADING CO., INC., d/b/a BEDSOLE'S OF FAIRHOPE, d/b/a BEDSOLE'S DEPARTMENT STORE,	X	AT LAW NO. 9698
Defendants.	X	

Come now the Defendants in the above styled cause and for answer to the Complaint heretofore filed against them, say as follows:

1. Not guilty.

CHASON, STONE & CHASON

By: Albert L. Stone, Jr.
Attorneys for Defendants

Filed
4-12-72
Eunice B. Blackmon
Circuit Clerk

We, the jury find in favor of the Plaintiff damages in the amount $1800.00 We the jury find for the Pl. and against the Defendants and assess her damages at $1800.00.

J. D. Thompson

SHIRLEY ANN HALL, who sues by her next friend, Rita Hall,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	
E. B. GWIN, JR., BEDSOLE'S OF FAIRHOPE a/k/a BEDSOLE'S DEPARTMENT STORE, a/k/a BEDSOLE'S DRY GOODS COMPANY, INC. , a corporation, JOHN DOE and RICHARD ROE, whose names are otherwise unknown to Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Defendants.	X	AT LAW NO.9698

PLEA

Comes now Bedsole Dry Goods Company, Inc., a corporation, by its attorneys, and appearing specially for the purpose of filing this plea and for no other different object or purpose and pleads to the Complaint heretofore filed against Bedsole's of Fairhope a/k/a Bedsole's Department Store, a/k/a Bedsole's Dry Goods Company, Inc., a corporation, as follows:

1. Nul tiel corporation.

Respectfully submitted,

CHASON, STONE & CHASON

By: _____
Attorneys for Defendant
Bedsole Dry Goods Company, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 5 day of March, 19__.

_____

FILED

MAR 5 1971

EUNICE B. BLACKMON CIRCUIT CLERK

9698

SHIRLEY ANN HALL, who sues by her next friend, Rita Hall,

Plaintiff,

vs.

E. B. GWIN, JR., BEDSOLE'S OF FAIRHOPE a/k/a BEDSOLE'S DEPARTMENT STORE, a/k/a BEDSOLE'S DRY GOODS COMPANY, INC., a corporation, JOHN DOE and RICHARD ROE, whose names are otherwise unknown to Plaintiff,

Defendants.

* * * * * * * * * * * * * * * * *

PLEA

* * * * * * * * * * * * * * * * *

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. BOX 120
BAY MINETTE, ALABAMA

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon E. B. Gwin, Jr., Bedsole's of Fairhope a/k/a Bedsole's Department Store, a/k/a Bedsole's Dry Goods Company, Inc., a Corporation, John Doe and Richard Roe, whose names are otherwise unknown to Plaintiff 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 Shirley Ann Hall who sues by her next friend, Rita Hall.

Witness my hand this 12 day of February, 1971.

All Defendants may be served: Eunice B. Blackmon
Clerk

Bedsoles of Fairhope
Fairhope, Alabama

* *

SHIRLEY ANN HALL who sues by her next friend, Rita Hall,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
Vs.	)	AT LAW
E. B. GWIN, JR., BEDSOLE'S OF FAIRHOPE a/k/a BEDSOLE'S DEPARTMENT STORE, a/k/a BEDSOLE'S DRY GOODS COMPANY, INC., a Corporation, JOHN DOE and RICHARD ROE, whose names are otherwise unknown to Plaintiff,	)	NUMBER: 9698
Defendants.	)	
	I	

The Plaintiff claims of the Defendants Twenty-five Thousand Dollars ($25,000), for maliciously, and without probable cause therefor, causing the Plaintiff to be arrested under a warrant issued by Arrie S. Godwin, a Justice of the Peace on the 18th day of June, 1970, on a charge of "issuing worthless checks", also called "false pretense", which charge, before the commencement of this action, has been judicially investigated, and said prosecution ended, and the Plaintiff discharged.

II

The Plaintiff claims of the Defendants Twenty-Five Thousand Dollars ($25,000) damages for unlawfully causing the Plaintiff to be arrested and imprisoned, on a charge of "issuing worthless checks" also called "false pretenses" for one day, viz on the 27th day of June, 1970.

Attorney for Plaintiff
Wilson Hayes

Plaintiff demands trial by Jury
this 17th day of February, 1971.

FILED

FEB 17, 1971

EUNICE B. BLACKMON CIRCUIT CLERK

NUMBER: 9698

Shirley Ann Hall who sues by her next friend, Rita Hall,

Plaintiff,

Vs.

E. B. Gwin, Jr., Bedsole's of Fairhope a/k/a Bedsole's Department Store, a/k/a Bedsole's Dry Goods Company, Inc., a Corporation, John Doe and Richard Roe, whose names are otherwise unknown to Plaintiff,

Defendants.

In the Circuit Court of Baldwin County, Alabama
At Law

All Defendants may be served:

Bedsoles of Fairhope
Fairhope, Alabama

FILED

FEB 17 1971

EUNICE B. BLACKMON CIRCUIT CLERK

VOL 68 PAGE 406

Received this 11 day of Feb 1971 and on 20 day of Feb 1971 I served a copy of the within SC on E. B. Gwin, Jr. - Bedsoles of Hope - John Doe - Richard Roe

By service on E. B. Gwin & Bedsoles - & John Doe & Richard Doe

TAYLOR WILKINS, Sheriff
By C. C. Cook
D.S.

Sheriff claims $5.00 for 440 miles at Ten Cents per mile Total $ 14.00

TAYLOR WILKINS, Sheriff
By C. C. Cook
DEPUTY SHERIFF

SHIRLEY ANN HALL,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	AT LAW
E. B. GWIN, JR., BEDSOLE TRADING CO. INC. d/b/a BEDSOLE'S OF FAIRHOPE d/b/a BEDSOLE'S DEPARTMENT STORE,	X	NUMBER: 9698
Defendants.	X	

Comes now Plaintiff in the above styled cause and files this, her motion, and says:

1. That heretofore in this cause Plaintiff filed interrogatories to be answered under oath by E. B. Gwin, Jr., which interrogatories were served on or accepted by Defendants' Counsel on to-wit December 11, 1971.

2. That more than sixty days have elapsed since such service.

3. That the cause is set for trial on the 12th day of April, 1972.

4. That the interrogatories are necessary for the prosecution of Plaintiff's cause.

WHEREFORE Plaintiff does move the Court, as made and provided by Title 7, Section 486, Alabama 1940 as amended, recompiled 1958, to make and enter an order requiring Defendant, E. B. Gwin, Jr., to answer the said interrogatories within five days or suffer Judgment by Default and such other penalty as the Court may assess.

Respectfully moved.

Wilson Hayes
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3rd 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 addressed, with first class postage prepaid.

FILED

APR 4 1972

EUNICE B. BLACKMON CIRCUIT CLERK

SHIRLEY ANN HALL,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	AT LAW
E. B. GWIN, JR., BEDSOLE TRADING CO. INC. d/b/a BEDSOLE'S OF FAIRHOPE d/b/a BEDSOLE'S DEPARTMENT STORE,	X	NUMBER: 9698
Defendants.	X	

This day came Plaintiff by her Attorney and moved the Court to require Defendant, E. B. Gwin, Jr., to answer interrogatories heretofore propounded to him or suffer judgment against him or other penalty as may be assessed, it is therefore

ORDERED that Defendant, E. B. Gwin, Jr., answer interrogatories heretofore propounded to him by the 10th day of April, 1972 or suffer Judgment by Default.

Done this 4th day of April, 1972.

Telfair J. Mashburn
Telfair J. Mashburn, Judge
Circuit Court, In Equity
Baldwin County, Alabama

FILED

APR 4 1972

EUNICE B. BLACKMON CIRCUIT CLERK

SHIRLEY ANN HALL, a minor, who sues by her mother and next friend, Rita Hall,	ß	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
Plaintiff,	ß	
Vs.	ß	AT LAW
E. B. GWIN, JR., BEDSOLE TRADING CO. INC. d/b/a BEDSOLE'S OF FAIRHOPE d/b/a BEDSOLE'S DEPARTMENT STORE,	ß	NUMBER: 9698
Defendants.	ß	

Comes now Plaintiff and amends her complaint to read as follows:

SHIRLEY ANN HALL,	ß	IN THE CIRCUIT COURT OF
Plaintiff,	ß	BALDWIN COUNTY, ALABAMA
Vs.	ß	AT LAW
E. B. GWIN, JR., BEDSOLE TRADING CO. INC. d/b/a BEDSOLE'S OF FAIRHOPE d/b/a BEDSOLE'S DEPARTMENT STORE,	ß	
Defendants.	ß	NUMBER: 9698

I

The Plaintiff claims of the Defendants Twenty-five Thousand Dollars ($25,000), for maliciously, and without probable cause therefor, causing the Plaintiff to be arrested under a warrant issued by Arrie S. Godwin, a Justice of the Peace on the 18th day of June, 1970, on a charge of "issuing worthless checks", also called "false pretense", which charge, before the commencement of this action, has been judicially investigated, and said prosecution ended, and the Plaintiff discharged.

Attorney for Plaintiff
Wilson Hayes

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 15th day of Oct, 1971, 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, with first class postage prepaid.

FILED

OCT 15 1971

EUGENE D. BLACKSHER CIRCUIT CLERK

SHIRLEY ANN HALL, who sues by her next friend, Rita Hall,	)	
Plaintiff,	)	IN THE CIRCUIT COURT OF
Vs.	)	BALDWIN COUNTY, ALABAMA
E. B. GWIN, JR., et al,	)	AT LAW
Defendants.	)	NUMBER: 9698

Comes now Plaintiff and amends her complaint to read as follows:

SHIRLEY ANN HALL, a minor, who sues by her mother and next friend, Rita Hall,	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	AT LAW
Vs.	)	
E. B. GWIN, JR., BEDSOLE TRADING CO. INC. d/b/a BEDSOLE'S OF FAIRHOPE d/b/a BEDSOLE'S DEPARTMENT STORE,	)	NUMBER: 9698
	)	
Defendants.	)	

I

The Plaintiff claims of the Defendants Twenty-five Thousand Dollars ($25,000), for maliciously, and without probable cause therefor, causing the Plaintiff to be arrested under a warrant issued by Arrie S. Godwin, a Justice of the Peace on the 18th day of June, 1970, on a charge of "issuing worthless checks", also called "false pretense", which charge, before the commencement of this action, has been judicially investigated, and said prosecution ended, and the Plaintiff discharged.

II

The Plaintiff claims of the Defendants Twenty-Five Thousand Dollars ($25,000) damages for unlawfully causing the Plaintiff to be arrested and imprisoned, on a charge of "issuing worthless checks" also called "false pretenses" for one day, viz on the 27th day of June, 1970.

Wilson Hayes

Attorney for Plaintiff
Wilson Hayes

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 29th day of March, 1971, 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, with first class postage prepaid.

Wilson Hayes