

ESTATE OF H. C. JORDAN,  
Deceased, by the Merchants National  
Bank, Trust Department, as the  
Executor/Trustee of said Estate,

Plaintiff,

vs

JOHNNY E. MICKELSON

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9960

COUNT ONE

The Plaintiff claims of the Defendant the sum of TWO HUNDRED NINETY-  
FOUR & 90/100, (\$ 294.90), DOLLARS, due from him  
for work and labor done for the Defendant by the Plaintiff on  
to-wit January 10, 1970, at his or her request, which sum  
of money with the interest thereon is still unpaid.

An itemized statement of account, verified by the Affidavit  
of a competent witness is attached hereto and made a part hereof  
as Plaintiff's Exhibit "A".


COUNT TWO

The Plaintiff claims of the Defendant the sum of TWO HUNDRED NINETY-  
FOUR & 90/100, (\$294.90), DOLLARS, due from him  
by account on to-wit January 10, 1970, which sum of money  
with the interest thereon is still unpaid.

An itemized statement of account, verified by the Affidavit  
of a competent witness is attached hereto and made a part hereof  
as Plaintiff's Exhibit "A".

SERVICE OF PROCESS may be  
had on the Defendant at:

Box 324  
Loxley, Alabama  
Employed at: Mason Motor Co.  
Robertsdale, Ala.

  
FRED F. SMITH, JR.

Attorney for the Plaintiff  
P.O. Box 487  
Fairhope, Alabama

FILED

AUG 2 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

COUNTY OF MOBILE

STATE OF ALABAMA

Be it remembered, that on this 11 day of June  
A. D., 19 71, personally appeared before me, the undersigned authority,  
Walter I. Cleverdon known to me  
who being duly sworn, upon his oath stated that he is Assistant Trust Officer  
of The Merchants National Bank of Mobile  
{ a corporation organized and doing business under the laws of the State of  
{ and has been duly authorized by said corporation to make this affidavit  
{ a partnership composed of

~~as sole trader doing business as~~ Executor/Trustee of H.C. Jordan, Deceased, Estate  
and that as such he makes this affidavit; that he is familiar with the books and business of  
said Merchants National Bank; that the attached account against  
JOHNNY E. MICKELSON of P. O. Box 324, Loxley, Alabama 36551  
is just and correct, within the knowledge of this affiant, that the items thereon stated and com-  
posing the said account were sold and delivered to said JOHNNY E. MICKELSON

at { its  
their } special instance and request, that credit has been duly given for all payments and  
his  
just and lawful offsets to which said account is entitled as thereon stated, and that the balance  
thereof, amounting to the sum of TWO HUNDRED NINETY-FOUR AND 90/100 Dollars  
(\$294.90) with interest from to-wit January 10 19 70 is justly due and  
remains unpaid.

The Merchants National Bank of Mobile  
as Executor/Trustee X

I hereby certify under my official seal that I am authorized as a Notary Public to  
administer oaths under the laws of the State of Alabama  
and that the foregoing was subscribed and sworn to before me on the day and year  
first above stated.

Assistant Trust Officer

Madeline Marie Bacon

Notary Public

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 9960

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOHNNY E. MICKELSON

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.....

JOHNNY E. MICKELSON

....., Defendant.....

by ESTATE OF H. C. JORDAN, Deceased by the Merchants National Bank, Trust Department

..... as the Executor/ Trustee of said Estate ..... Plaintiff.....

Witness my hand this..... 2nd ..... day of August ..... 1971.....

*Eunice B. Blackmon* Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ESTATE OF H. C. JORDAN, DECEASED

Plaintiffs

vs.

JOHNNY E. MICKELSON

Defendants

SUMMONS AND COMPLAINT

Filed Aug. 2, 1971

Eunice B. Blackmon Clerk

AUG 04 1971

SHERRIFF

Fred F. Smith, Jr.

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Loxley, Ala

Received In Office

August 4 1971

Sheriff

I have executed this summons

this Aug. 13 1971

by leaving a copy with

Johnny E. Mickelson

Sheriff claims 40 miles at  
Ten Cents per mile Total \$ 4.00  
TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

Taylor Wilkins Sheriff

HJB rosen Deputy Sheriff

40 mi R.T.  
Sally

ESTATE OF H. C. JORDAN, deceased  
by the Merchants National Bank, Trust  
Department, as the Executor/Trustee  
of said Estate,

PLAINTIFF

VS

JOHNNY E. MICKELSON

DEFENDANT

X IN THE CIRCUIT COURT OF  
X BALDWIN COUNTY, ALABAMA

X AT LAW

X

X

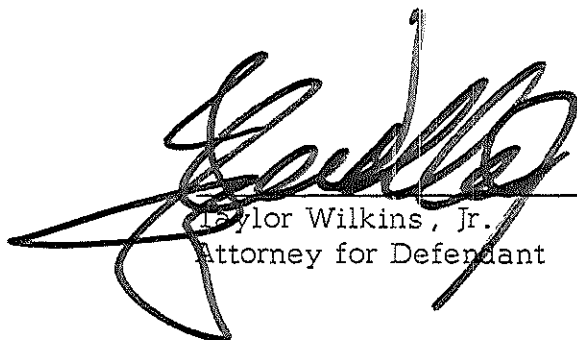
X CASE NO: 9960

X

DEMURRER

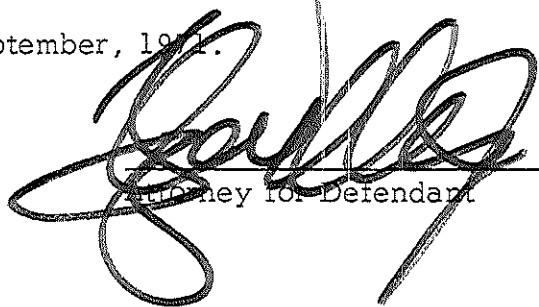
Comes now the Defendant, Johnny E. Mickelson, in the above styled  
cause, and files this demurrer to each and every count thereof in the Plaintiff's  
complaint and sets down and assigns the following grounds separately and  
severally:

1. Defendant alleges that Plaintiff has failed to state a cause of action  
in said bill of complaint.

  
Taylor Wilkins, Jr.  
Attorney for Defendant

I, the undersigned, Taylor Wilkins, Jr., do hereby certify that I have  
on this the 8th day of September, 1971, forwarded a true and exact copy of the  
foregoing demurrer to Mr. Fred Smith, Jr., Attorney at Law, P. O. Box 487,  
Fairhope, Alabama, attorney of record for the Plaintiff, by mailing the same in the  
United States post Office, properly addressed, with the postage paid thereon.

DONE this the 8th day of September, 1971.

  
Attorney for Defendant

FILED

SEP 9 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

9960 N.I.

ESTATE OF H. O. JORDAN, deceased  
by the Merchants National Bank, Trust  
Department, as the Executor/Trustee  
of said Estate,  
PLAINTIFF  
VS  
JOHNNY E. MICKELSON  
DEFENDANT  
CASE NO: 9960  
AT LAW  
IN THE CIRCUIT COURT OF  
SALTDWN COUNTY, ALABAMA

DEMURRER

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1. Defendant alleges that Plaintiff has failed to state a cause of action  
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Taylor Wilkins, Jr.  
Attorney for Defendant

WELD

RE 9 922

CLERK OF CIRCUIT COURT