

ESTATE OF H. C. JORDAN, X
Deceased, by the Merchants
National Bank, Trust Depart- X
ment, as the Executor-Trustee
of said Estate, X

Plaintiff, X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

vs.

X

AT LAW CASE NO. 9967

DAVID B. OWEN, X

Defendant. X

DEMURRER

Comes now the Defendant in the above styled cause, by
and through his attorneys of record, and demurs to the Complaint
heretofore filed against him in this cause, and to each County
thereof, separately and severally, and for grounds thereof assigns
the following, separately and severally:

1. The Complaint and each Count thereof fails to
state a cause of action.

Respectfully submitted,

CHASON, STONE & CHASON

BY:

Edward E Ball

Attorneys for Defendant

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 19 day

of Aug, 19 71

Edward E Ball

FILED

AUG 19 1971

EUNICE B. BLACKMON
CIRCUIT
CLERK

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

Plaintiff,

vs

DAVID B. OWEN

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW :

CASE NO. 9967

COUNT ONE

The Plaintiff claims of the Defendant the sum of One Hundred
Eighty-one & 00/100, (\$ 181.00), DOLLARS, due from him
for work and labor done for the Defendant by the Plaintiff on
to-wit September 15, 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 One Hundred
Eighty-one & 00/100, (\$ 181.00), DOLLARS, due from him
by account on to-wit September 15, 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".



FRED F. SMITH, JR.

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

SERVICE OF PROCESS may be
had on the Defendant at:

336 Powell Street
Bay Minette, Alabama

FILED

AUG 2 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

COUNTY OF MOBILE

STATE OF ALABAMA

Be it remembered, that on this 14th day of June
A. D., 1971, 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 _____

a 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

DAVID B. OWEN of 336 Powell Street, Bay Minette, Alabama
is just and correct, within the knowledge of this affiant, that the items thereon stated and com- 36507
posing the said account were sold and delivered to said DAVID B. OWEN

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 ONE HUNDRED EIGHTY-ONE AND NO/100 Dollars
(\$ 181.00) with interest from to-wit September 15, 1970 is justly due and
remains unpaid.

The Merchants National Bank of Mobile
as Executor/Trustee

By [Signature] X
Assistant Trust Officer

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.

Madeline Marie Baucum
Notary Public

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 9967

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon DAVID B. OWEN

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.....

DAVID B. OWEN, 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..

Ernie B. Blackmon Clerk

No. 9967

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ESTATE OF H. C. JORDAN, Deceased,

Plaintiffs

vs.

DAVID B. OWEN

Defendants

SUMMONS AND COMPLAINT

Filed Aug. 2, 1971

Eunice B. Blackmon Clerk

AUG 04 1971

RECEIVED

Fred F. Smith, Jr.

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Bay Minette, Ala

Received In Office

August 4 1971

Sheriff

I have executed this summons

this Aug - 6 1971

by leaving a copy with

David B. Owen

Sheriff claims _____ miles at

Ten Cents per mile Total \$ _____
TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

Taylor Wilkins Sheriff

W. B. Zeller Deputy Sheriff