HIGGINS & HIGGINS

ATTORNEYS AT LAW 421-425 GREYSTONE BUILDING 104 ST. JOSEPH STREET

MOBILE, ALABAMA

June 28th. 1954

JOHN R. HIGGINS LEE E. HIGGINS

> Mrs. Alice Duck, Clerk Circuit Court, At Law Court House Bay Minette, Alabama

> > Silverhill Farmers Assn Vs: Louis R. Phillips,

No. 2232

Dear Mrs. Duck:

Please issue an alias summons in the above cause and ask the Sheriff to serve the defendant at the following new address:

> Stallworth Turpentine Still near Maibis Plantations

It will be appreciated if you will advise when service is had in this matter.

Very truly yours,

JRH:m

Notrie 20 Sherriff.

Please read

HIGGINS & HIGGINS

ATTORNEYS AT LAW
421-425 GREYSTONE BUILDING

JOHN R. HIGGINS LEE E. HIGGINS 104 ST. JOSEPH STREET MOBILE. ALABAMA

August 11th, 1954

Mrs. Alice Duck, Clerk Circuit Court, At Law Court House Bay Minette, Alabama

Re:

Silverhill Farmers Assn.

Louis R. Phillips,

No. 2232

Dear Mrs. Duck:

We enclose herewith for filing amendment to complaint in the above cause.

As this amendment tacitly confesses defendant demurrer previously filed there would appear to be no need for the Court to rule on those demurrers.

We enclose herewith a stamped, self-addressed envelope and would very much appreciate your advising us when this matter will be set down for trial.

Very truly yours,

John R. Higgins

JRH:m

SILVERHILL FARMERS ASSOCIATION, IN THE CIRCUIT COURT OF INC., a corporation,

Plaintiff,

Vs.

LOUIS R. PHILLIFS,

Defendant.

No.

COUNT ONE

Plaintiff claims of defendant One Thousand Six Hundred and Ten Dollars(\$1,610.00) due from him by account on the 4th day of February, 1950, which sum of money, with interest thereon, is still unpaid.

COUNT TWO

Plaintiff claims of defendant One Thousand Six Hundred and Ten Dollars (\$1,610.00) due from him for merchandise, goods and chattels sold by the plaintiff to the defendant from the 17th day of October, 1949 to the 4th day of February, 1950, which sum of money, with interest thereon, is still unpaid.

COUNT THREE

Plaintiff claims of defendant One Thousand Six Hundred and Ten Dollars (\$1,610.00) due from him on account stated on the 19th day of February, 1952, which sum of money, with interest thereon, is still unpaid.

Attorneys for Flaintiff

This suit is brought on an itemized, verified statement of account, which is attached hereto, and which will be offered in evidence at the trial of this cause.

Attorneys for Plaintiff

Address of Defendant: Stapleton, Alabama. FILE 0 6-29-5-4

ALICE I. BUCK. Clerk

Filed 6-29-54

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Defendant lives at

The State of Alabama Baldwin County

CIRCUIT COURT

SILVERHILL FARMERS ASSOCIATION, INC., A CORP

Plaintiffs

vs.

LOUIS R. PH	ILLIPS	
·/›		
		Defendants
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Summons and Complaint

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Defendant's Attorney

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SILVERHILL FARMI	ERS ASSOCIATION.	Ĭ	
	Plaintiff,	X .	IN THE CIRCUIT COURT OF
vs. Louís R. PHILLI	es,	Ĭ	BALDWIN COUNTY, ALABAMA
	Defendant.	I	

Comes the Defendant in the above styled cause and demurs to the amended complaint filed by the Plaintiff in said cause on August 12, 1954, and assigns the following separate and several grounds, viz:

- 1. That said complaint as amended does not state a cause of action.
- 2. That Count Two of said complaint as amended does not sufficiently set out when the articles of merchandise were sold by the Plaintiff to the Defendant.

FILED

3-20-54

ALICE 1. OUCK, Clerk

Attorneys for Defendant.

DEMURRER

SILVERHILL FARMERS ASSOCIATION, INC., A Corporation,

Plaintiff,

vs.

LOUIS R. PHILLIPS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

Filed this Waday of August, 1954.

Crock Puch

SILVERHILL FARMERS ASSOCIATIONL INC., a corporation.

Plaintiff,

IN THE CIRCUIT COURT OF . BALDWIN COUNTY, ALABAMA.

Vs.

LOUIS R. PHILLIPS,

Defendant.

At Law

No. 2232.

Comes the Plaintiff in the above entitled cause and amends its complaint previously filed herein as follows:

COUNT ONE: By deleting from Count One thereof the words "4th day of February, 1950 and substituting in lieu thereof the words "19th day of February, 1952".

COUNT TWO: By deleting from Count Two thereof the words "4th day of February, 1950" and substituting in lieu thereof the words "19th day of February, 1952".

COUNT THREE: By adding between the words "account stated" and the words "on the 19th day of February, 1952" the words "between the Plaintiff and the Defendant".

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ALICE J. OUCK. Clerk

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AUG 1. MCH. Clerk

HIGGINS & HIGGINS

ATTORNEYS AT LAW
421-425 GREYSTONE BUILDING
104 ST. JOSEPH STREET
MOBILE, ALABAMA

JOHN R. HIGGINS LEE E. HIGGINS

April 17th, 1954

Mrs. Alice Duck, Clerk Circuit Court, Bay Minette, Alabama.

Re: Silverhill Farmers Assn., Inc.,

Vs: Louis R. Phillips,

Dear Mrs. Duck:

Enclosed herewith please find complaint to be filed in the above cause.

Should the Sheriff have any difficulty serving the defendant, he may obtain additional information as to defendant's address by contacting Mr. H. E. Marker, Secretary of the Plaintiff.

Very truly yours,

JRH:m

Encl.

Siverhill Farmers Associatives Inc. 4 Cay

Louis & Philips

STATE OF ALABAMA, COUNTY OF BALDWIN.

TO ANY SHERIFF OF THE STATE OF ALABAMA

You are hereby commanded to summon P. E. HEARNE and DONALD LAWRENCE MEADS, or DONALD LAWRENCE MEADE, individually, and as partners, doing business as H & M TRUCK LINES, 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 AYRES C. LITTLE AND CLYDE LITTLE, PARTNERS, doing business as LITTLE MOTOR COMPANY.

Witness my hand this 20th day of April, 1954.

acceptanche

COMPLAINT.

AYRES C. LITTLE AND CLYDE LITTLE, PARTNERS, doing business as LITTLE MOTOR COMPANY,

Plaintiffs,

vs.

P. E. HEARNE AND DONALD LAWRENCE MEADS, OR DONALD LAWRENCE MEADE, Individually, and as partners, doing business as H & M TRUCK LINES,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

NO.

COUNT ONE.

The plaintiffs claim of the defendants EIGHT HUNDRED AND FIFTY (\$850.00) DOLLARS as damages, for that, on, to-wit: The 5th day of March, 1954, at about 10:30 P. M., at a point about 6.3 miles East of Mobile, Alabama, near the west end of the Blakely River Bridge, on U. S. Highway No. 31 and 90, a public highway in Baldwin County, Alabama, the defendant, DONALD LAWRENCE MEADS OR DONALD LAWRENCE MEADE, an agent, servant, or employee of the defendants, P. E. HEARNE AND DONALD LAWRENCE MEADS OR DONALD LAWRENCE MEADE, doing business as H. & M. TRUCK LINES, who was then and there acting within the line and scope of his employment, so negligently operated a motor vehicle then and there as to cause said motor vehicle to run over, upon or against an automobile belonging to the plaintiffs; and plaintiffs aver that, as a proximate consequence thereof, numerous parts of their

said automobile, both front and rear, were broken and damaged and the said automobile was rendered a total loss; the front fenders, headlights, radiator, hood, windshield and left front and rear panels were broken and damaged beyond repair, the frame was bent, the motor was bent and broken beyond repair, the wheels were bent and broken, the glass in the wandows was broken; and plaintiffs aver that said automobile was not repairable and was rendered a total loss; And plaintiffs aver that all of their said damages were proximately caused by the said negligence of the said defendant? DONALD LAWRENCE MEADS OR DONALD LAWRENCE MEADE, an agent, servent or employee of the defendants, P. B. HEARNE AND DONALD HAWRENCE MEADS, OR DOWALD LAWRENCE MEADE, individually, and as partners, doing business as H & M TRUCK LINES, while acting within the line and scope of his employment as such agent, servant, or employee, in and about the negligent operation of said motor vehicle at the time and place and on the occasion aforesaid; wherefore, plaintiffs sue.

Lifering of Plaintiffs.

Plaintiffs respectfully request that this cause be tried by a jury.

Attorney ros Plaintiffs.

STATE OF ALABAMA, COUNTY OF BALDWIN.

TO ANY SHERIFF OF THE STATE OF

You are hereby commanded to summon P. E. HEARNE and DONALD LAWRENCE MEADE, individually, and as partners, doing business as H & M TRUCK LINES, 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 AYRES C. LITTLE AND CLYDE LITTLE, PARTNERS, doing business as LITTLE MOTOR COMPANY.

Witness my hand this 200 day of April, 1954.

deice french

COMPLAINT.

AYRES C. LITTLE AND CLYDE LITTLE, PARTHERS, doing business as LITTLE MOTOR COMPANY,

Plaintiffs.

VS.

P. E. HEARNE AND DONALD LAWRENCE MEADS, OR DONALD LAWRENCE MEADE, Individually, and as partners, doing business as H & M TRUCK LINES,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

NO.

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Liftorney for Plaintiffs.

Plaintiffs respectfully request that this cause be tried by a jury.

Jeffair J. Marlebury for Plaintiffs.

STATE OF ALABAMA, 0 0 TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon P. E. HEARNE and DONALD LAWRENCE MEADE, individually, and as partners, doing business as H & M TRUCK LINES, 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 AYRES C. LITTLE AND CLYDE LITTLE, PARTNERS, doing business as LITTLE MOTOR COMPANY.

Witness my hand this 20th day of April, 1954.

Duck rench

COMPLAINT.

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AYMES C. LITTLE AND CYLDE LITTLE, PARTNERS, doing business as LITTLE MOTOR COMPANY,

Plaintiffs,

VS.

P. E. HEARNE AND DONALD LAWRENCE MEADS, OR DONALD LAWRENCE MEADE, Individually, and as partners, doing business as H & M TRUCK LINES,

BALDWIN COUNTY, ALABAMA.

IN THE CIRCUIT COURT OF

AT LAW.

No.

Defendants. -

COUNT ONE.

The plaintiffs claim of the defendants EIGHT HUNDRED AND FIFTY (\$850.00) DOLLARS as damages, for that, on, to-wit: The 5th day of March, 1954, at about 10:30 P. M., at a point about 6.3 miles East of Mobile, Alabama, near the west end of the Blakely River Bridge, on U. S. Highway No. 31 and 90, a public highway in Baldwin County, Alabama, the defendant, DONALD LAWRENCE MEADS OR DONALD LAWRENCE MEADE, an agent, servant or employee of the defendants, P. E. HEARNE AND DONALD LAWRENCE MEADS OR DONALD LAWRENCE MEADE, doing business as H. & M. TRUCK LINES, who was then and there acting within the line and scope of his employment, so negligently operated a motor vehicle then and there as to cause said motor vehicle to run over, upon or against an automobile belonging to the plaintiffs; and plaintiffs aver that, as a proximate consequence thereof, numerous parts of their

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Autorney for Plaintiffs.

Plaintiffs respectfully request that this cause be tried by a Jury.

FILED apr, 20, 1954

ALICE 1. DUCK, Clerk

Adtorney for Plaintiffs.