

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

2626

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon JOHN J. PHILLIPS, doing business as ROBERTSDALE WELDING CO., 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, Alabama, at Bay Minette, against JOHN J. PHILLIPS, doing business as ROBERTSDALE WELDING CO., by BEARING AND TRANSMISSIONS SUPPLY CO., INC.

Witness my hand this the 4th day of June, 1955.

Alice J. Black
Clerk

COMPLAINT

BEARING & TRANSMISSIONS SUPPLY CO., INC.,)	
PLAINTIFF)	IN THE CIRCUIT COURT OF
VS:)	BALDWIN COUNTY, ALABAMA
JOHN J. PHILIPS, doing business as)	AT LAW
ROBERTSDALE WELDING CO.)	
DEFENDANT)	

COUNT I

The plaintiff claims of the defendant TWO HUNDRED EIGHTY THREE & 00/100 DOLLARS (\$283.00) due from him by account on, to wit: the 28th day of May, 1954, which sum of money, with interest thereon, is still unpaid.

COUNT II

The plaintiff claims of the defendant TWO HUNDRED EIGHTY THREE & 00/100 DOLLARS (\$283.00), due from him on account stated between the plaintiff and the defendant on, to wit: the 28th day of May, 1954, which sum of money, with interest thereon, is still unpaid.

COUNT III

The plaintiff claims of the defendant TWO HUNDRED EIGHTY THREE & 00/100 DOLLARS (\$283.00), due from for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 28th day of May, 1954, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 13th day of April, 1955.

Wm. G. Phillips
Attorney for Plaintiff

The defendant lives in Robertsedale, Ala.

COUNTY OF JEFFERSON
STATE OF ALABAMA

86-188 (10-7-53)

Be it remembered, that on this 31st day of May
A. D., 1955, personally appeared before me, the undersigned authority,
Mr. William M. Spencer, III known to me
who being duly sworn, upon his oath stated that he is President
of Bearings & Transmissions Supply Company, Inc.
{ a corporation organized and doing business under the laws of the State of Alabama
{ and has been duly authorized by said corporation to make this affidavit
{ a partnership composed of
a sole trader doing business as
and that as such he makes this affidavit; that he is familiar with the books and business of
said Bearings & Transmissions Supply Company, Inc.; that the attached account against
Robertsdale Welding Shop of Robertsdale, Alabama
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 Robertsdale Welding Shop
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 eighty-three Dollars
(\$283.00) with interest from 19 is justly due and
remains unpaid.

William M. Spencer, III 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.

James B. Allen
Notary Public

County of Jefferson State of Alabama
My commission expires April 10 A. D. 19 57

BEARING & TRANSMISSION SUPPLY CO. 0

PLAINTIFF 0

VS 0

JOHN J. PHILLIPS, d/b/a 0
ROBERTSDALE WELDING CO. 0

DEFENDANT 0

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

MOTION TO SET ASIDE JUDGMENT BY DEFAULT.

Comes your Petitioner, John J. Phillips, Defendant in the above styled cause and moves the court to set aside judgment by default heretofore rendered in this cause and for grounds therefor shows unto the Court as follows:

That the Defendant retained counsel to represent him in this matter prior to the time the default judgment in this cause was taken; that they failed to neglected to enter an appearance for him prior to the date of the default judgment.

That your Petitioner, John J. Phillips, has a meritorious defense to this suit.

Sworn to and subscribed before me this 1st day of August, 1955.

John M. Brantley
Notary Public, Baldwin County, Alabama

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

July 15, 1955

Hon. H. M. Hall
Circuit Judge
Bay Minette, Alabama

Re: Bearing & Transmission Supply Co.
Vs: John J. Phillips
Case No. 2626

Dear Judge:

Kindly render a judgment in the case mentioned above, principal \$283.00, interest \$17.00, for a total of \$300.00. There is attached to the original complaint a sworn to itemized statement of account.

Yours very truly,



FOREST A. CHRISTIAN

BEARING & TRANSMISSIONS SUPPLY
CO., INC.,

PLAINTIFF

VS

JOHN J. PHILIPS, doing business
as Robertsdale Welding Co.

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

For answer to the Plaintiff's complaint the Defendant says he is
not indebted to the Plaintiff in the amount sued for nor in any amount.

Wiltors & Brantley

BY:

Robert M Brantley
Attorneys for the Defendant

The Defendant demands a trial by jury.

Wiltors & Brantley

BY:

Robert M Brantley
Attorneys for the Defendant