

HERBERT ENGLAND, doing business
as H. England Lumber Company,

Plaintiff,

VS.

A. MCKINLEY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2765

DEMURRER

Now comes the Defendant and for demurrer to the Complaint,
and to each and every count thereof separately and severally, says:

1. It does not state a cause of action.

J. B. Blackburn
Attorney for Defendant.

Defendant demands a trial of this cause by jury.

J. B. Blackburn
Attorney for Defendant.

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

AMENDMENT TO BILL OF COMPLAINT

Comes the Plaintiff in the above styled cause and by leave of the Court first had and obtained makes this his amendment to the Bill of Complaint filed in said cause by amending each count thereof as follows:

COUNT ONE

By deleting that portion of the count which states the 28th day of February, 1955 and substituting therefor the 7th day of July, 1955.

COUNT TWO

By deleting that portion of the count which states the 2nd day of August, 1955 and substituting therefor the 7th day of July, 1955.

COUNT THREE

By deleting that portion of the count which states the 28th day of February, 1955 and substituting therefor the 7th day of July, 1955.

Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETINGS:

You are hereby commanded to summon Mr. A. McKINLEY to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed against him in Circuit Court, at Law, in said County of said State by HERBERT ENGLAND, d/b/a H. ENGLAND LUMBER COMPANY.

Herein fail not. Due return make of this writ as the law directs.

Witness this 2nd day of October, 1955.

Rebecca A. Duck
Clerk of Court

Defendant lives
Loxley, Alabama

HERBERT ENGLAND, d/b/a
H. ENGLAND LUMBER COMPANY,
Plaintiff

vs.

A. McKINLEY,
Defendant

IN THE CIRCUIT COURT OF

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COUNT ONE:

The Plaintiff claims of the Defendant the sum of Five Hundred Thirty Six Dollars and Seven Cents (\$536.07), due him by account on, to-wit, the 28th day of February, 1955, which sum of money, with interest thereon, is still unpaid.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Five Hundred Thirty Six Dollars and Seven Cents (\$536.07), due from him on account stated between Plaintiff and Defendant on, to-wit, the 2nd day of August, 1955, which sum of money, with interest thereon, is still unpaid.

COUNT THREE:

The Plaintiff claims of the Defendant the sum of Five Hundred Thirty Six Dollars Seven Cents (\$536.07), due from him for merchandise, goods and chattels sold by Plaintiff to Defendant on, to-wit, 28th day of February, 1955, which sum of money, with interest thereon, is still unpaid.

Itemized statement of account
verified by affidavit attached
to original.

James M. Butler
Attorney for Plaintiff.

James M. Butler
Attorney for Plaintiff

received 2 day of Nov 1955
and on 29 day of Nov 1955
served a copy of the within Bill of Complaint

A. McKinley
by service on _____

TAYLOR WILKINS, Sheriff

By Charles H. Henshaw, S.

Loxley
40 miles

Loxley x

No. 2765

BILL OF COMPLAINT

HERBERT ENGLAND d/b/a H.
ENGLAND LUMBER COMPANY,
Plaintiff

vs.

A. MCKINLEY,
Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW
FILED

NOV 2 1955

ALICE J. DUCK, Clerk

ERNEST M. BAILEY

ATTORNEY AT LAW

FAIRHOPE, ALABAMA