

J. T. GIBBONS, INC., a
Corporation,

Plaintiff

VERSUS

W. V. PHILLIPS, individually
and Doing Business as
Phillips-Mims Feed & Flour
Co.,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW

NO.

2964

BOOK 016 PAGE 100

COUNT ONE

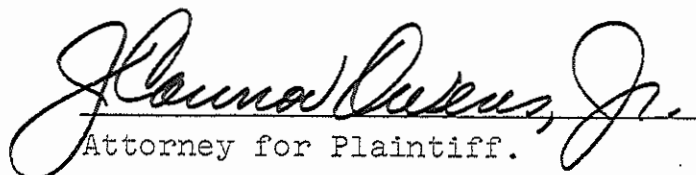
Plaintiff claims of the Defendant the sum of \$3,822.56, together with the interest thereon, due by account by and between the Plaintiff and Defendant on, to-wit, the 30th day of April, 1954, which sum of money together with the interest thereon is still due and unpaid.

COUNT TWO

Plaintiff claims of the Defendant the sum of \$3,822.56, together with the interest thereon, due by account stated by and between the Plaintiff and Defendant on, to-wit, the 30th day of April, 1954, which sum of money together with the interest thereon is still due and unpaid.

COUNT THREE

Plaintiff claims of the Defendant the sum of \$3,822.56, together with the interest thereon due for goods, wares, and merchandise sold by the Plaintiff to the Defendant on, to-wit, the 30th day of April, 1954 and for several years previous thereto, at Defendant's request, which sum of money together with the interest thereon, is still due and unpaid.


Attorney for Plaintiff.

Received 29 day of June 1956
and on 29 day of June 1956
I served a copy of the within

on W. V. Phillips
By service on

TAYLOR WILKINS, Sheriff
By W. A. Tolbert D. S.
& m

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN LAW. NO. 2964.

J. T. GIBBONS, INC.

vs.

W. V. PHILLIPS, individually,
and d/b/a Phillips-Mims
Feed & Flour Co.

SUMMONS AND COMPLAINT

FILED

JUN 29 1956

ALICE J. DUCK, Clerk

J. CONNOR OWENS, JR.

ATTORNEY AT LAW

101 Court House Square

BAY MINETTE, ALABAMA

J.T. GIBBONS, INC., A
Corporation,
Plaintiff

versus

W. V. PHILLIPS, individually
and doing business as
Phillips-Mims Feed & Flour Co.,
Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO.

COUNT ONE

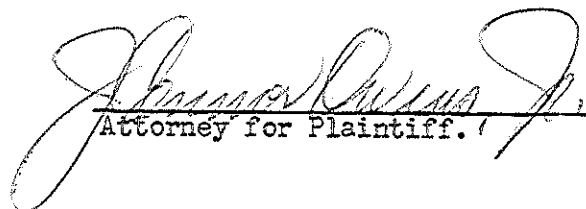
Plaintiff claims of the Defendant the sum of \$5178.66, together with the interest thereon, due by account by and between the Plaintiff and Defendant on, to-wit, the 30th day of April, 1954, which sum of money together with the interest thereon is still due and unpaid.

COUNT TWO

Plaintiff claims of the Defendant the sum of \$5178.66, together with the interest thereon, due by account stated by and between the Plaintiff and Defendant on, to wit, the 30th day of April, 1954, which sum of money together with the interest thereon is still due and unpaid.

COUNT THREE

Plaintiff claims of the Defendant the sum of \$5178.66, together with the interest thereon due for goods, wares, and merchandise sold by the Plaintiff to the Defendant on, to wit, the 30th day of April, 1954, and for several years previous thereto, at Defendant's request, which sum of money together with the interest thereon, is still due and unpaid.


Attorney for Plaintiff. ~~Atty~~

Filed 9-12-56
Alice Jenkins
clerk

J. T. GIBBONS, INC., a
Corporation,

Plaintiff

vs

W. V. PHILLIPS, individually
and Doing Business as
Phillips-Hims Feed & Flour
Co.,

Defendant

IN THE CIRCUIT COURT OF

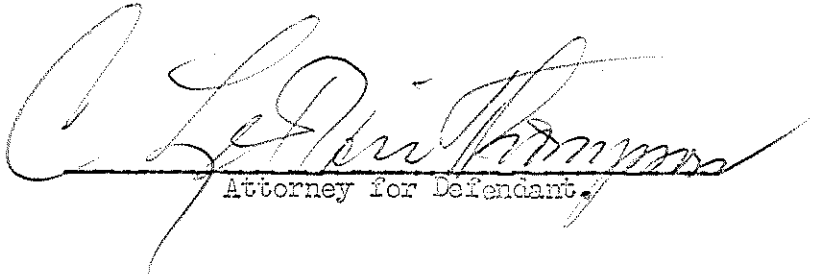
BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 2964

Comes W. V. Phillips Defendant in said cause and moves the court to
dismiss the complaint filed therein inasmuch as the Plaintiff is a foreign
corporation and has deposited no costs with this court.

FILED
JUN 29 1956
ALICE J. DUCK, Clerk


Attorney for Defendant.

J. T. GIBBONS, INC., a
Corporation,

PLAINTIFF

VS

W. V. PHILLIPS, individually
and Doing Business as
Phillips-Mims Feed & Flour
Co.,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. _____

Comes the Defendant in the above styled cause and for answer to said complaint filed in said cause shows unto this Honorable Court as follows:

1.

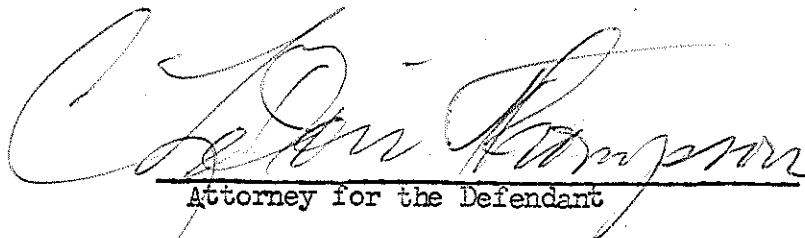
As to Count One Defendant denies the allegations alleged therein.

2.

As to Count Two Defendant denies the allegations alleged therein.

3.

As to Count Three Defendant denies the allegations alleged therein.


Attorney for the Defendant

J. T. GIBBONS, INC., a
Corporation,

PLAINTIFF,

VS

W. V. PHILLIPS, individually
and Doing Business as
Phillips-Mims Feed & Flour Co.,

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.

BOOK 016 PAGE 194

Comes W. V. Phillips, Defendant in the above styled cause and amends
his answer filed in the above styled cause to read as follows:

J. T. GIBBONS, INC., a
Corporation,

PLAINTIFF,

VS

W. V. PHILLIPS, individually
and Doing Business as
Phillips-Mims Feed & Flour Co.,

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.

Comes the Defendant in the above styled cause and for answer to said
complain filed in said cause shows unto this Honorable Court as follows:

1.

As to Count One Defendant denies the allegations alleged therein.

2.

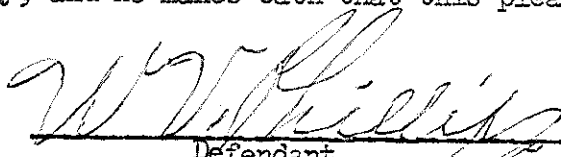
As to Count Two Defendant denies the allegations alleged therein.

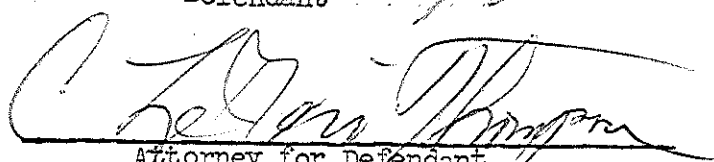
3.

As to Count Three Defendant denies the allegations alleged therein.

4.

Now comes the dDefendant and for further answer to said complaint,
and to each count thereof, separately and severally, and says that when the
debt sued on in this case was contracted, he was not a member of the Firm of
Phillips-Mims Feed & Flour Company, and he makes oath that this plea is true.


Defendant

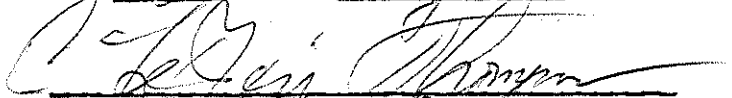

Attorney for Defendant

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority personally appeared W. V. Phillips

who is also known as William V. Phillips, and who being duly sworn deposes and says that the statement made in Count Four of the above answer is true and correct.

Subscribed and sworn to before me this
the 18 day of August, 1956.


Notary Public, Baldwin County, Alabama.

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J. T. GIBBONS, INC., a
corporation,

Plaintiff

vs.

W. V. PHILLIPS, individually
and doing business as Phillips-
Mims Feed and Flour Co.,

Defendant

IN THE CIRCUIT COURT OF


BALDWIN COUNTY, ALABAMA

IN LAW. No. 2964

MOTION TO STRIKE

Comes now the plaintiff and moves to strike Paragraph 4
of the defendant's amended answer and sets forth the following
grounds:

1. That the allegations of said paragraph are irrelevant.
2. That the allegations of said paragraph are prolix.
3. That said defendant has waived his right to plead
specially by heretofore entering a plea to the general issue.
4. That said special plea was not filed within the time
required by Title 7, Section 377, of the Code of Alabama, 1940.


Attorney for Plaintiff

J. T. GIBBONS, INC., a
Corporation,

Plaintiff

vs

W. V. PHILLIPS, individually
and Doing Business as
Phillips-Mims Feed & Flour
Co.,

Defendant

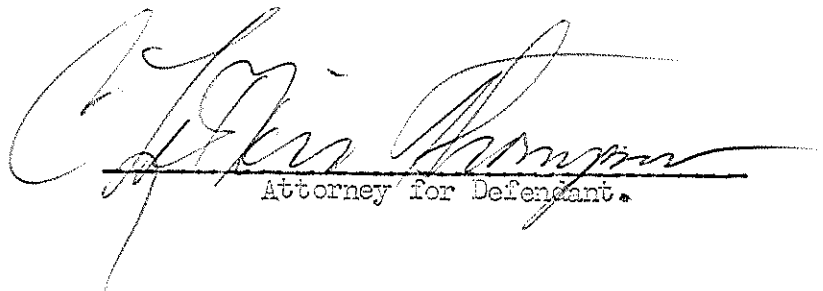
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. _____

Comes the Defendant and demands a trial by jury insaid cause.


Attorney for Defendant.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No. 2964

July TERM, 1956

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon W. V. Phillips, individually and
doing business as Phillips-Mims Feed and Flour 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, State of Alabama, at Bay Minette, against W. V. Phillips
individually and doing business as Phillips-Mims Feed and Flour Co.
Defendant.

by J. T. Gibbons, Inc., a corporation

Plaintiff

Witness my hand this 29th day of June 1956.

Alice J. Duck, Clerk

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