

SCOTT COUNTY MILLING COMPANY,  
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. 2965

BOOK 016 PAGE 417

COUNT ONE

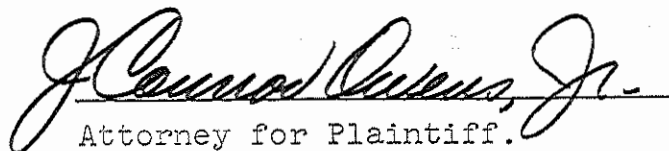
Plaintiff claims of the Defendant the sum of \$1,108.70, together with the interest thereon, due by account by and between the Plaintiff and Defendant on, to-wit, the 30th day of April, 1954, which sum of money together with the interest thereon is still due and unpaid.

COUNT TWO

Plaintiff claims of the Defendant the sum of \$1,108.70, 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 \$1,108.70, 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  
serve a copy of the within W. V. Phillips  
on W. V. Phillips

By service on  
TAYLOR WILKINS, Sheriff  
By W. A. Tolbert D. S.  
mio

*Use the jury  
Panel for the  
Defendant.*

*W. A. Tolbert*  
*For Clerk*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN LAW. NO. 2965.

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SCOTT COUNTY MILLING COMPANY,  
INC.

VS.

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

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SUMMONS AND COMPLAINT

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FILED  
JUN 29 1956  
AMCE L. DUCK, Clerk

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
101 Court House Square  
BAY MINETTE, ALABAMA

SCOTT COUNTY MILLING COMPANY,  
INC., a Corporation,  
  
PLAINTIFF,

VS

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

BOOK 018 PAGE 418  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
  
AT LAW

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

SCOTT COUNTY MILLING COMPANY,  
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  
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.

4.

Now Comes the Defendant 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.

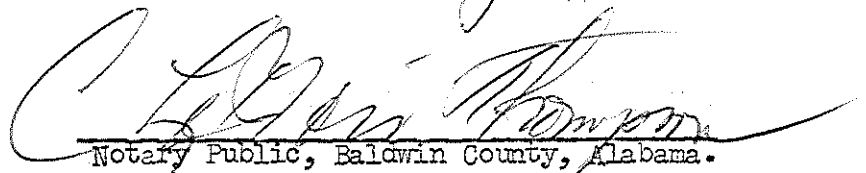
*W. V. Phillips*  
Defendant  
*C. E. Mims*  
Attorney for Defendant

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 18 day of Aug, 1956.

  
Notary Public, Baldwin County, Alabama.

SCOTT COUNTY MILLING COMPANY,  
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.

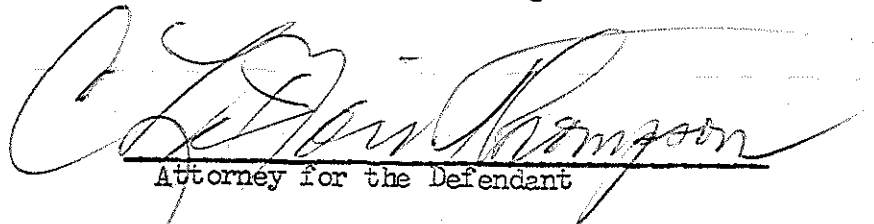
As to Count One Defendant denies the allegations alleged therein.

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

SCOTT COUNTY MILLING COMPANY,  
INC., a Corporation

Plaintiff

VS

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

Defendant

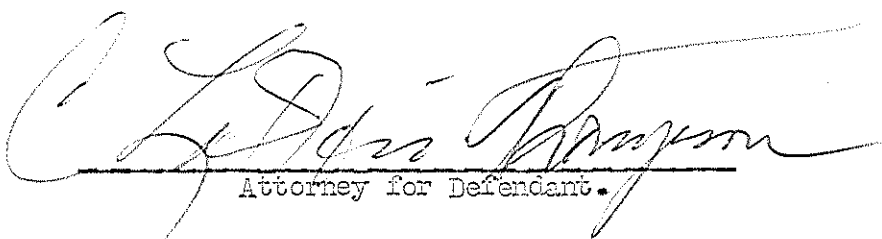
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. \_\_\_\_\_

Comes the Defendant and demands a trial by jury in said cause.

  
Attorney for Defendant.

HORACE LONG, doing business as  
McMillan-Harrison Fertilizer  
Company, a partnership,

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. 2965

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 irrevelant.
2. That the allegations of said paragraph are prolix.
3. That said defendant has waived his right to plead  
specially by entering heretofore 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

SCOTT COUNTY MILLING COMPANY,  
INC., a Corporation

Plaintiff

vs

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

Defendant

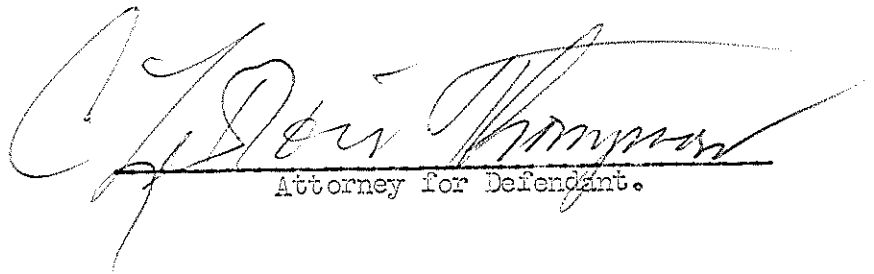
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 2965

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.

  
Attorney for Defendant.

FILED

JUN 29 1956

ALICE J. DUCK, Clerk



SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,  
Baldwin County.

Circuit Court, Baldwin County

No. 2965

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  
Corp. Defendant.

by Scott County Milling Company, Inc., a corporation

Plaintiff

Witness my hand this 29 day of June 1956.

Alice J. Duck

Clerk

BOOK  
Old  
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