

2987

CHARLES MANN,

Plaintiff,

-vs-

HENRY STYRON, RALPH STYRON,
and RAYMOND STYRON, individ-
ually and D/B/A STYRON FARMS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

PLEA IN ABATEMENT

Come the Defendants, Henry Styron, Ralph Styron and Raymond Styron, individually and as partners doing business as Styron Farms, and appearing solely and specially for the purpose of filing this Plea In Abatement, and for no other purpose, sayeth:-

That in 1952 they entered into a partnership known as Styron Farms, which partnership was and is to this date solely composed of Henry Styron, Ralph Styron and Raymond Styron. That James Styron is not, nor has he ever been, a partner in Styron Farms, nor was he in any wise employed by Styron Farms, or acting as an agent, servant or employee thereof, on the 16th day of July, 1954, nor was he at that time, nor at any time prior or subsequent thereto, authorized to sign any instrument evidencing any indebtedness, in the name or in behalf of Styron Farms, nor was he in any wise authorized to incur any indebtedness against the partners thereof individually.

These Defendants therefor show that the action instituted in the name of Charles Mann should be against James Styron, individually and not against the partnership or partners thereof.

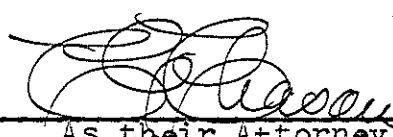
Wherefor Defendants sayeth, that as to Styron Farms, a partnership, and as to Henry Styron, Ralph Styron and Raymond Styron, individually, this suit should be abated and should not be allowed to proceed.

Henry Styron, Ralph Styron and
Raymond Styron, individually,
and doing business as Styron
Farms,

STATE OF ALABAMA

BALDWIN COUNTY

By


As their Attorney

C. G. C.

Before me, FRANCES G. MALLORY, a Notary Public in

and for said County and said State, personally appeared ~~H. S. Styron~~
Styron, who, being known to me, and being by me first duly sworn,
deposes and says: That he is one of the defendants in the above
styled cause, and is one of the partners in Styron Farms, a
partnership, and has personal knowledge of the facts stated in
the foregoing Plea, and that said statements of fact therein
contained are true.

H. S. Styron

Sworn to and subscribed before
me, a Notary Public, on this the
25th day of September, 1956.

Frances G. Mallory
Notary Public, Baldwin County
State of Alabama

SUBPOENA DUCES TECUM

CHARLES MANN,

PLAINTIFF

VS:

JAMES STYRON, HENRY STYRON,
RALPH STYRON and RAYMOND
STYRON, INDIVIDUALLY, AND
DOING BUSINESS AS STYRON
FARMS,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN J. HAUPT, Cashier of the State Bank of Elberta, Elberta, Alabama, at the instance of FOREST A. CHRISTIAN, Attorney for CHARLES MANN, Plaintiff, to be and appear before this Court on or before the 20th day of November, 1956, at 10:00 o'clock A.M., and to bring with him and produce at the said time and place to be used as evidence the signature card for Styron Farms which was in effect on July 16, 1954, and then and there to testify concerning all and singular those things of which he may have knowledge or the said instrument or writing doth import.

The said JOHN J. HAUPT, Cashier of the STATE BANK OF ELBERTA, Elberta, Alabama, shall produce said signature card at his convenience for inspection by the said FOREST A. CHRISTIAN, Attorney for Charles Mann, as provided for in Title 7, Sec. 490, Code of Alabama, upon the service of this subpoena.

Witness my hand this the 9th day of November, 1956.


Clerk

Affis Court Seal:

SUBPOENA DUCES TECUM

CHARLES MANN,

PLAINTIFF

VS:

JAMES STYRON, HENRY STYRON,
RALPH STYRON and RAYMOND STYRON,
INDIVIDUALLY AND DOING BUSINESS
AS STYRON FARMS,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ANTHONY SMITH, Cashier of the FARMERS & MERCHANTS BANK of Foley, Alabama, at the instance of FOREST A. CHRISTIAN, Attorney for CHARLES MANN, Plaintiff, to be and appear before this Court on or before the 20th day of November, 1956, at 10:00 o'clock A. M., and to bring with him and produce at the said time and place to be used as evidence the signature card for Styron Farms which was in effect on July 16, 1954, and then and there to testify concerning all and singular those things of which he may have knowledge or the said instrument or writing doth import.

The said ANTHONY SMITH, Cashier of the FARMERS & MERCHANTS BANK of Foley, Alabama shall produce said signature card at his convenience for inspection by the said FOREST A. CHRISTIAN, Attorney for Charles Mann, as provided for in Title 7, Sec. 490, Code of Alabama, upon the service of this subpoena.

Witness my hand this the 3rd day of November, 1956.

Alfred J. Hensch
Clerk

Affix Court Seal:

SUMMONS

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

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

YOU ARE HEREBY COMMANDED to summon JAMES STYRON, HENRY STYRON, RALPH STYRON and RAYMOND STYRON, individually and d/b/a STYRON FARMS, 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 JAMES STYRON, HENRY STYRON, RALPH STYRON and RAYMOND STYRON, individually, and d/b/a STYRON FARMS, by CHARLES MANN.

Witness my hand this the 16 day of July, 1956.


Clerk of Court

* * * * *

COMPLAINT

CHARLES MANN,)	
)	
PLAINTIFF)	
)	IN THE CIRCUIT COURT OF
VS:)	
)	BALDWIN COUNTY, ALABAMA
JAMES STYRON, HENRY STYRON,)	
RAEPH STYRON AND RAYMOND)	AT LAW
STYRON, individually, and)	
D/B/A STYRON FARMS)	
)	
DEFENDANTS.)	

The Plaintiff claims of the Defendants the sum of TWO THOUSAND & 00/100 DOLLARS (\$2,000.00), due by promissory note made by the defendants on the 16th day of July 1954, and payable to NATHAN ROSENBERG on October 16, 1956, and endorsed, transferred and assigned to the said plaintiff for value with interest thereon.

Said note also provides for a reasonable attorney's fee and waives all exemption under the laws and Constitution of the State of Alabama or any other State as to personal property. Plaintiff alleges the reasonable attorney's fee is \$350.00.


Attorney for Plaintiff

Received 26 day of July 19 56
and on _____ day of _____ 19 _____

Received a copy of the within do
on James Styron 7/13/56
Ralph Styron 8/2/56
by service on Henry Styron 8-27-56
Raymond Styron 9-4-56
TAYLOR WILKINS, Sheriff
By Charles Mann D. S.

201211-4

Sheriff claims 288 miles
Total 288.80
TAYLOR WILKINS, Sheriff
BY Charles Mann
DEPUTY SHERIFF

NO. 7987

RECORDED

SUMMONS & COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CHARLES MANN,
PLAINTIFF

VS:

JAMES STYRON, HENRY STYRON,
RALPH STYRON AND RAYMOND
STYRON, individually, and
D/B/A STYRON FARMS.
DEFENDANTS

2868

FILED

JUL 26 1956

ALICE J. DICK, CLERK

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA