

CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

March 18, 1957

Mrs. Alice J. Duck, Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Summons and Complaint in the suit
of H. Kennedy -vs- George Barnard, and Summons and
Complaint in the suit of H. Kennedy -vs- V. O. Barnett.

Yours very truly,

C. G. Chason

CGC:fm

encls. 4

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

May 13, 1957

Mrs. Alice J. Duck, Clerk of Court
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith Amendment to the Bill of Complaint
of H. Kennedy -vs- V. O. Barnett, along with a copy thereof.
Please deliver the copy to Beebe & Swearingen, Attorneys
for the Defendant.

Yours very truly,



C. G. Chason

CGC:fm

encls. 2

H. KENNEDY, | IN THE CIRCUIT COURT OF
 Plaintiff, |
 VS | BALDWIN COUNTY, ALABAMA,
V. O. BARNETT |
 Defendant, | AT LAW

Comes the defendant in the above styled cause and demurring to plaintiff's complaint says:

One: Said complaint does not state a cause of action.

Two: Said complaint does not allege that the account sued on is due.

Three: Said complaint does not allege when the said account sued on is due.

Four: For ought that appears from the said complaint the account sued on is not due.

Beebe & Swearingen

By W. C. Beebe
Attorneys for defendant

Defendant demands a trial by jury of the above styled cause.

Beebe & Swearingen

By W. C. Beebe
Attorneys for defendant

STATE OF ALABAMA)
BALDWIN COUNTY) IN THE CIRCUIT COURT . . LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:-

You are hereby commanded to summon V. O. Barnett to appear within thirty (30) days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of H. Kennedy.

WITNESS my hand this the 22 day of March, 1957.

David J. Wicks
Clerk

- COMPLAINT -

H. KENNEDY,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
-vs-)	BALDWIN COUNTY, ALABAMA
)	
V. O. BARNETT,)	AT LAW
)	
Defendant.)	

COUNT I

The Plaintiff claims of the Defendant Two Hundred Sixty-three and 64/100 Dollars (\$263.64) due from him by account, a verified copy of which is attached hereto and specifically made a part hereof, which sum of money, with the interest thereon, is still unpaid.

W. H. Adams
Attorney for Plaintiff

Filed
3-22-57

STATE OF ALABAMA)
BALDWIN COUNTY) IN THE CIRCUIT COURT . . LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:-

You are hereby commanded to summon V. O. Barnett to appear within thirty (30) days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of H. Kennedy.

WITNESS my hand this the 7th day of March, 1957.

David H. Wick
Clerk

- COMPLAINT -

H. KENNEDY,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
-VS-)	BALDWIN COUNTY, ALABAMA
)	
V. O. BARNETT,)	AT LAW
)	
Defendant.)	

COUNT I

The Plaintiff claims of the Defendant Two Hundred Sixty-three and 64/100 Dollars (\$263.64) due from him by account, a verified copy of which is attached hereto and specifically made a part hereof, which sum of money, with the interest thereon, is still unpaid.

Filed
3-22-57

W. H. Hason
Attorney for Plaintiff

Mr. V. O. Barnett
Summerdale, Alabama

IN ACCOUNT WITH

H. Kennedy

<u>Date</u>	<u>Quantity</u>	<u>Merchandise</u>	<u>Charge</u>	<u>Credit</u>	<u>Balance</u>
1951		Balance Brought Forward			\$567.10
1952					
3-11	1 Ton	4-10-7	\$ 44.00		
3-11	6 lbs Marketeen Cukes		13.50		624.60
3-11	1 Ton	4-10-7	44.00		668.60
3-24	25 lbs	S. F. Dixie 18	4.80		673.40
4-18	6 Sacks	Soda & Garden Seed	20.68		698.48
4-29	6% Interest \$535.00 for Jan. Apr. 1952		10.70		709.18
6-7		Ck. # 17930	20.00		729.18
6-13	Credit Cukes			379.19	349.99
		Old GroCrop Acct	1.79		351.78
1953					
5-14	50 lbs	Cocs Copozim Spray	5.82		357.60
6-4		Cukes (credit)		6.00	351.60
1955					
11-18		Beans (credit)		87.96	263.64

STATE OF ALABAMA

BALDWIN COUNTY

Before me David L. McKown, a Notary Public in and for said County in said State, personally appeared H. Kennedy, who being by me first duly and legally sworn, deposes and says: That he is the H. Kennedy who is the owner of the foregoing account; that the foregoing statement of account against V. O. Barnett is just, true and correct, and that there is now due on said account the sum of \$263.64, after deducting and allowing all just credits and off-sets.

H. Kennedy

Sworn to and subscribed before me,
a Notary Public, on this the 7th
day of March, 1957.

David L. McKown
Notary Public, Baldwin County

State of Alabama

My Commission Expires December 19, 1959

Received 22 day of Mar 1957
at 2 o'clock of Apr 1957
I served a copy of the within ACC
on V. O. Barnett
By service on _____

TAYLOR WILKINS, Sheriff
By Children D. S.

Summerdale

Sheriff claims 60 miles at
Ten Cents per mile Total \$ 6.00
TAYLOR WILKINS, Sheriff
BY Children
DEPUTY SHERIFF

3171 ✓

SUMMONS AND COMPLAINT

H. KENNEDY,
Plaintiff,

-VS-

V. O. BARNETT,
Defendant.

((()))

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

((()))

FILED
MAR 22 1957
ALICE J. BUCK, Clerk

H. KENNEDY,

Plaintiff,

-vs-

V. O. BARNETT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 3171

AMENDED BILL OF COMPLAINT

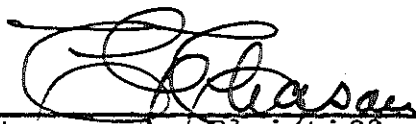
Comes the Plaintiff in the above styled cause and amends the Bill of Complaint heretofore filed therein, by adding there- to the following Count:-

COUNT II

The Plaintiff claims of the Defendant, V. O. Barnett, Two Hundred Sixty-three and 64/100 Dollars (\$263.64) due by Promiss- ory Waive Note made by V. O. Barnett on the 7th day of February, 1949, and payable to H. Kennedy on the 1st day of June, 1949, along with the interest legally chargeable thereon.

The Plaintiff avers that in and by the terms of said note the Defendant waived all right of exemption as to personal prop- erty against the payment of said Note, and cost of collection thereof, under the Laws of the State of Alabama, and that Defend- ant agreed to pay all expenses, Attorney's Fees, or other costs of collection, and the Plaintiff further claims of the Defendant the further and additional sum of Sixty Dollars (\$60.00) as such Attorney's fee.

Filed
5-16-57


Attorney for Plaintiff

AMENDED BILL OF COMPLAINT

H. KENNEDY,

Plaintiff,

-VS-

V. O. BARNETT,

Defendant.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 3171

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FILED

MAY 16 1957

ALICE A. BUCK, Clerk

CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA

H. KENNEDY

Plaintiff

VS

V. O. BARNETT

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 3171

1.

The defendant, for answer to the complaint, saith that the note upon which the action was founded, is barred by the Statute of Limitations.

2.

The defendant, for answer to the complaint, saith that there has been a failure of the consideration for the note upon which the action was founded.

3.

The defendant for answer to the said complaint, saith that he has paid the debt, for the recovery of which this suit was brought, before the action was commenced.

FILED
DEC 3 1959

ALICE J. DUCK, Clerk

WILTERS, BRANTLEY AND NESBIT

BY:

Robert M. Brantley
Attorney for the Defendant