

MERTS EQUIPMENT COMPANY,
A Corporation,

PLAINTIFF,

-VS-

G. W. WHITE, JR.
Individually and doing
business as
HAWCO DITCHING & CONSTRUCTION
COMPANY,

DEFENDANT.

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IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA

AT LAW

C O M P L A I N T

COUNT I

The Plaintiff claims of the Defendant THREE HUNDRED AND FIFTY-SIX DOLLARS AND FIFTY-FIVE CENTS (\$356.55) due from him by account on, to-wit, the 23rd day of June, 1956; which sum of money is still unpaid.

COUNT II

The Plaintiff claims of the Defendant THREE HUNDRED AND FIFTY-SIX DOLLARS AND FIFTY-FIVE CENTS (\$356.55) due from him on accounts stated between the Plaintiff and Defendant on, to-wit, the 23rd day of June, 1956; which sum of money is still unpaid.



E. G. RICKARBY,
Attorney for Plaintiff

Note: The account sued on is evidenced by an itemized and verified statement filed herewith.



E. G. RICKARBY,
Attorney for Plaintiff

MERTS EQUIPMENT COMPANY

NEW & REBUILT

CONTRACTORS' EQUIPMENT, GASOLINE AND OIL ENGINES
ROAD MACHINERY, MINE AND QUARRY EQUIPMENT, PUMPS
IRRIGATION EQUIPMENT
300 SOUTH SLAPPEY DRIVE
ALBANY, GEORGIA

P. O. Box
331

Telephone
ME. 5-4536

February 1, 1957

Hawco Ditching & Construction Co.
Magnolia Springs, Ala.

Jaeger Model 75 Air Compressor, Ser. No. C-12421 - Value -	\$1,750.00
Jaeger Model 75 Air Compressor, Ser. No. C-11382 - Value -	1,450.00
2 Lengths of 3/4" x 50' Air Hose with couplings - Value for both	75.50
Gardner-Denver Paving Breaker, Ser. No. E-905 - Value	325.00
Thor Model 25 Paving Breaker, Ser. No. 109706 - value -	325.00
TOTAL VALUE	<u>\$3925.50</u>

The above items were delivered on
a rental agreement and the bonding
company paid

	<u>3311.45</u>
Balance Still Due	\$ 614.05
Invoice 9/1/55-Rental of Drill	103.00
" 5/25/55 - Points & Spades	24.62
" 10/11/55 -Rental of Drill	36.05
	<u>\$ 777.72</u>
Less Payments	421.17
BALANCE STILL DUE	<u>\$356.55</u>

Personally appeared before me M. B. Merts, Pres., of
Merts Equipment Co., who upon oath states that the above
account is correct and unpaid.

MERTS EQUIPMENT COMPANY

M. B. Merts
M. B. Merts
President

Sworn to and subscribed before

E. G. RICKARBY

BANK BUILDING
FAIRHOPE, ALABAMA

March 23, 1957

Mrs. Alice Duck
Circuit Court
Bay Minette, Alabama

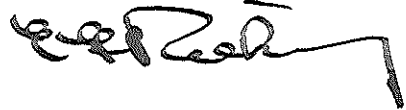
Dear Mrs. Duck:

Inre: Merts Equipment Co.
Vs G. W. White, Jr.
Our File: 4014

In this case we are handing you Summons and Complaint together with itemized and verified statement of account, and deposit for costs in the sum of \$20.00.

Please process and oblige.

Yours very truly,



EGR/ts

Encl.

4-4-57

cc: (dup) Client

MERTS EQUIPMENT COMPANY,
A CORPORATION

Plaintiff

vs.

G.W. WHITE, JR.
individually and doing
business as HAWCO DITCHING
AND CONSTRUCTION COMPANY

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

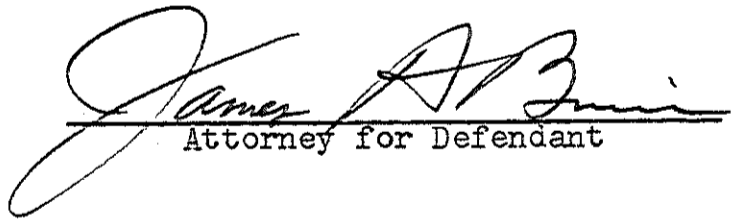
Comes now the defendant in the above styled cause, and appearing specially and only for the purpose of the separate and several pleas in abatement, files, separately and severally, to the complaint, and to count one and count two of the complaint, separately and severally, the following separate and several pleas in abatement.

PLEA 1.

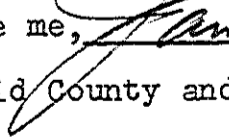
The defendant alleges that the account upon which the complaint heretofore filed in this case is based, was an account between the plaintiff and Hawco Ditching and Construction Company, a Mississippi corporation.

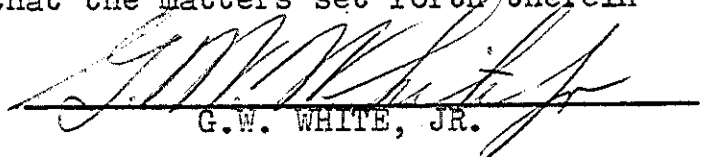
PLEA 2.

The defendant alleges that he is not a proper party to this action.

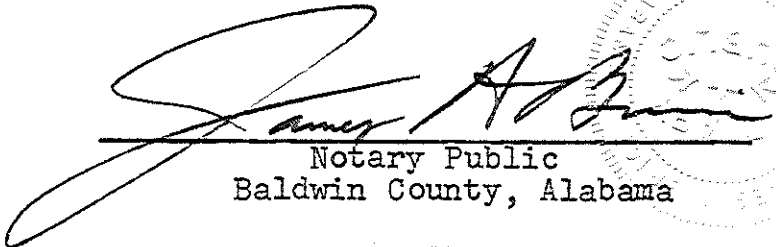

Attorney for Defendant

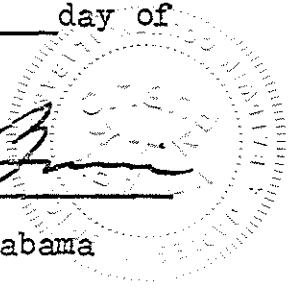
STATE OF ALABAMA)
COUNTY OF BALDWIN)

Before me,  a Notary Public in and for said County and said State, personally appeared G.W. White, Jr., known to me, who, being by me first duly sworn, on oath deposes and says that he is the same G.W. White, Jr. named in the bill of complaint filed by Merts Equipment Company, a corporation, to which the foregoing plea in abatement is attached; that he has read the foregoing separate and several pleas in abatement, and that the matters set forth therein are true and correct.


G.W. WHITE, JR.

Subscribed and sworn to before me, this 13 day of May, 1957.


Notary Public
Baldwin County, Alabama



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