

LYONS, PIPES AND COOK

ATTORNEYS AT LAW

516-519 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H. LYONS
SAM W. PIPES, III
WALTER M. COOK

P. O. BOX 265

July 24th, 1957.

Mrs Alice Duck, Clerk,
Circuit Court, Baldwin County,
Bay Minette, Alabama.

Dear Mrs Duck:-

Enclosed herewith please find complaint which we ask that
you file in the case of S. H. Spann, as Receiver of
James Talcott, Inc, vs. Mitchell and Nall, Inc.

We do not wish a trial by jury.

Thanking you,

Yours very truly,

Lyons, Pipes and Cook.

Sam W. Pipes III
Sam W. Pipes III.
ENCL.

CC.

Messrs Fisher and Hepner,
Pensacola, Fla.

S. H. SPANN, as Receiver for
the use and benefit of

JAMES TALCOTT, INC., a corp-
oration, under and by virtue of
Chancery Decree dated March 8,
1956, of the Escambia County
Circuit Court, Florida,

PLAINTIFF

VS

MITCHELL AND NALL, INC., a
corporation,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. _____

Comes the defendant in the above styled cause and for
answer to plaintiff's complaint and each count thereof separately
and severally says:

1. The matters therein alleged are untrue.
2. That the debt sued on has been paid.

BEEBE & SWEARINGEN

Filed
6-30-59

BY

W.C. Beebe
Attorneys for defendant.

S.. H. SPANN, as Receiver
for the use and benefit of

JAMES TALCOTT, INC., a Corporation,
under and by virtue of Chancery Decree
dated March 8, 1956, of the Escambia
County Circuit Court, Florida,

PLAINTIFF.

VS.

MITCHELL AND NALL, INC., A Corporation,
DEFENDANT.

)
IN THE CIRCUIT COURT

)
of

(
BALDWIN COUNTY, ALA.

)
AT LAW. NO _____

)
COUNT ONE.

The plaintiff claims of the defendant Two thousand seven hundred and seventy-five and 80/100 (\$2775.80) Dollars, due from it by account between the defendant and Hugh Gilmore Refrigeration Service, Inc., a Corporation, on, to-wit, the 30th day of November, 1954, which sum of money, with interest thereon, is still unpaid and is the property of the plaintiff.

COUNT TWO

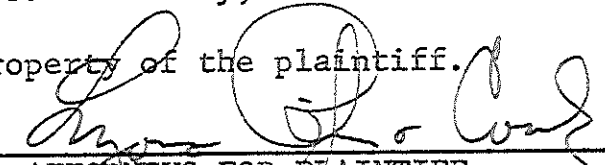
The plaintiff claims of the defendant Two thousand seven hundred and seventyfive and 80/100 (\$2775.80) Dollars, due from it on account stated between the defendant and Hugh Gilmore Refrigeration Service, Inc., a Corporation, on, to-wit, the 30th day of November, 1954, which sum of money, with interest thereon, is still unpaid and is the property of the plaintiff.

COUNT THREE.

The plaintiff claims of the defendant Two Thousand seven hundred and seventy-five and 80/100 (\$2775.80) Dollars, due from it for merchandise, goods and chattels sold by Hugh Gilmore Refrigeration Service, Inc., a Corporation, to the defendant on, to-wit, the 30th day of November, 1954, which sum of money, with interest thereon, is still unpaid and is the property of the plaintiff.


OF COUNSEL

Defendant' address:
Bay Minette, Ala.


ATTORNEYS FOR PLAINTIFF,
517 FIRST NATIONAL BANK BLDG.
MOBILE, ALABAMA.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 3294

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Mitchell & Nall Inc., A Corporation

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

Mitchell & Nall, Inc. A Corporation, Defendant

by S. H. Spann, as Receiver for the use of James Talcott, A Corp., under and by

virtue of Chancery Decree dated March 8, 1956 of the Escambia Circuit Court, Florida, Plaintiff

Witness my hand this 25th day of July 1957

Alice J. Clark, Clerk

S. H. SPANN, as Receiver
for the use and benefit of

JAMES TALCOTT, INC., a corporation,
under and by virtue of Chancery
Decree dated March 8, 1956, of
the Escambia County Circuit Court,
Florida,

PLAINTIFF

VS

MITCHELL AND NALL, INC., a
corporation,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO

Comes the defendant in the above styled cause and demurring
to plaintiff's complaint and each count thereof separately and
severally says:

1. That the said complaint does not state a cause of
action.

2. That the said complaint does not allege sufficient
facts to apprise the defendant of what it is called upon to answer.

3. That the said complaint is vague and indefinite.

Filed
8-21-57

Beebe & Swearingen

By *W. C. Swearingen*
Attorneys for defendant.