

WARE & WHITE, INC.,
A Corporation,

PLAINTIFF

VS

MACON DRUGS, INC.,

DEFENDANT

Ø

Ø

IN THE CIRCUIT COURT OF

Ø

BALDWIN COUNTY, ALABAMA,

Ø

AT LAW

Ø

NO. 3430

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Comes now the Defendant and amends his answer to the Plaintiff's
Bill of Complaint by adding Counts 3 and 4 as follows:

3.

He is not guilty of the matters alleged therein.

4.

That he has paid the debt for the recovery of which this suit was
brought, before the action was commenced.

Wilters & Brantley

BY:

Henry J. Wilters, Jr.
Attorneys for the Defendant

WARE & WHITE, INC.,
A CORPORATION,

PLAINTIFF

VS

MACON DRUGS, INC.,

DEFENDANT

IN THE CIRCUIT COURT OF

BAIDWIN COUNTY, ALABAMA,

AT LAW

CASE NO. 3430

Comes now the Defendant in the above styled cause and files the following pleas separately and severally to each count of the Plaintiff's Complaint:

1.

Not guilty.

2.

The Defendant does not owe the amount sued for.

Wilters & Brantley

BY:

Robert M Brantley
Attorneys for the Defendant

WARE & WHITE, INC.,

PLAINTIFF

VS

MACON DRUG, INC.,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 3430

Comes now the Defendant in the above styled cause and files this its
Plea in Abatement and for grounds thereof says as follows:

1.

The Complaint fails to show in what capacity the Plaintiff is suing.

2.

The Complaint fails to show who is bringing this suit.

3.

The Complaint fails to show whether or not the Plaintiff is a corporation.

Wilters & Brantley

BY: W. J. Wilters, Jr.
Attorneys for the Defendant

n SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon MACON DRUGS, INC., 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, Alabama, at Bay Minette, against MACON DRUGS, INC. by WARE & WHITE, INC. *a Georgia Corporation*

Witness my hand this the 19 day of December, 1957.

Alvin J. Duck
Clerk

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COMPLAINT

WARE & WHITE, INC., *a Georgia Corporation*
PLAINTIFF

VS:

MACON DRUGS, INC.,
DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COUNT I:

The plaintiff claims of the defendant THREE HUNDRED TEN & 17/100 DOLLARS (\$310.17), due from it by account on, to wit: the 23rd day of October, 1956, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant THREE HUNDRED TEN & 17/100 DOLLARS (\$310.17), due from it on account stated between the plaintiff and the defendant on, to wit: the 23rd day of October, 1956, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant THREE HUNDRED TEN & 17/100 DOLLARS (\$310.17) due from it for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 23rd day of October, 1956, which sum of money, with interest thereon, is still unpaid.

There is attached hereto and made a part hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 18th day of November, 1957.

Julius A. Smith
Attorney for Plaintiff

Defendant's address is
Robertsdale, Alabama.

and on 28 day of Dec 1957
I served a copy of the within 5/c
on Macon Drugs, Inc.
By service on Bill Macon
TAYLOR WILKINS, Sheriff
By Edleigh Shadham

Robertsdale, Ala.

Sheriff claims 50 miles @
Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY Edleigh Shadham
DEPUTY SHERIFF

No. 3430

SUMMONS AND COMPLAINT

WARE & WHITE, INC.,

PLAINTIFF

VS:

MACON DRUGS, INC.

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

FILED

DEC 19 1957

ALICE J. BUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA