

4256

Boyer Ford Sales Inc.,  
Plaintiff,

VS

George A. Hill and  
Sam H. Hill,

Defendants,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

Comes now the Defendant, George A. Hill, and for answers to the Plaintiff's Complaint files this his plea in abatement and for grounds thereof says:

1.

For ought appears, the Plaintiff is a foreign corporation who has not qualified to do business in the State of Alabama.

2.

The Plaintiff having made reference in Paragraph 4 to a certain paragraph in an alleged contract, has failed to set out that provision of the contract in full.

3.

For ought appears, in count 2 of the Complaint the service upon which the judgment was obtained was constructive service and not enforceable in the State of Alabama.

WILTERS & BRANTLEY

BY: 

Attorneys for the Defendant

Boyer Ford Sales Inc.,

Plaintiff,

VS

George A. Hill and  
Sam H. Hill,

Defendants,

Plea in Abatement

FILED

DEC 20 1960

ALICE J. DUCK, CLERK  
REGISTER

STATE OF ALABAMA  
COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon George A. Hill and Sam H. Hill to appear and plead, answer or demur within thirty days to the Bill of Complaint filed in the Circuit Court of said County by Boyer Ford Sales, Inc. as Plaintiff and against George A. Hill and Sam H. Hill, as Defendants.

Witness my hand this 13 day of May 1960.

Miss J. Luck  
Clerk

Boyer Ford Sales, Inc.  
*a Corporation* Plaintiff

Vs

George A. Hill and  
Sam H. Hill

Defendants

§ In the Circuit Court of  
§ Baldwin County, Alabama  
§ At Law. No. 4256  
§  
§  
§  
§

1.

The Plaintiff claims of the Defendants Seven Hundred Forty-Four and 80/100 Dollars due from them for merchandise, goods and chattels sold by the Plaintiff to the Defendants on to-wit January 16, 1959, which sum of money, with the interest thereon, is still due and unpaid.

2.

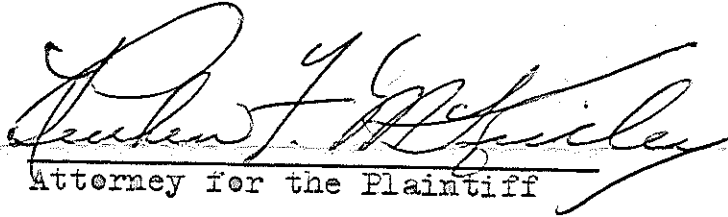
The Plaintiff claims of the Defendants Seven Hundred Forty-Four and 80/100 dollars due from them on a Judgment obtained against them by the Plaintiff on to-wit September 4, 1959 in the Superior Court of Island County, State of Washington.

3.

The Plaintiff claims of the Defendants Seven Hundred Forty-Four and 80/100 dollars due from them on a written Conditional Sales Contract dated January 16, 1959 whereby the Defendants agreed to pay Seven Hundred Ninety Five Dollars for a Ford, 1953 V-8 Customline automobile. Default having been made in said contract by the Defendants, there is left a balance due of the above stated amount to the Plaintiff by the Defendants.

4.

The Plaintiff claims of the Defendants Two Hundred Dollars as a reasonable Attorney's fee as provided for in Section 6 b of the said contract mentioned in Count 3 above.

  
Attorney for the Plaintiff

FILED  
MAY 13 1960  
ALICE J. DUCK, Clerk

4256

Boyer Ford Sales, Inc.

Plaintiff

Vs

George A Hill and  
Sam H. Hill

Defendants

Received 13 day of May 1960  
and on 20 day of June 1960  
I served a copy of the within S & C  
on George A Hill and  
Sam H Hill  
By service on George A Hill

TAYLOR WILKINS, Sheriff

By W. A. Talbot  
Omar

*Sam H Hill  
not found in this  
County*

SUMMONS AND COMPLAINT

FILED

MAY 13 1960

ALICE J. DUCK, Clerk

Boyer Ford Sales Inc.,  
PLAINTIFF

VS

GEORGE A. HILL AND  
SAM H. HILL

DEFENDANTS

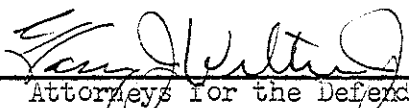
)  
) IN THE CIRCUIT COURT OF  
)  
) BALDWIN COUNTY, ALABAMA,  
)  
) AT LAW  
)  
)  
)  
)

Comes now the Defendant, George A. Hill, and for answer to the Plaintiff's Complaint files this his plea in abatement and for grounds thereof says:

1.

The Plaintiff does not allege whether he is a corporation, individual or a partnership.

Wilters & Brantley

BY:   
Attorneys for the Defendant,  
George A. Hill.

4256

BOYER FORD SALES INC.

PLAINTIFF

VS

GEORGE A. HILL AND  
SAM H. HILL

DEFENDANTS

PLEA IN ABATEMENT

Boyer Ford Sales Co., Inc. a  
Corporation,

Plaintiff

vs.

George A. Hill and  
Sam H. Hill,

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

CASE NO. 4256

Comes now the Defendant, George A. Hill, and for answer to  
the Plaintiff's Complaint in each count thereof separately and  
severally says:

1.

That he is not guilty of the matters alleged therein.

2.

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

3.

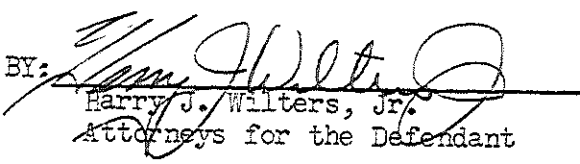
That the debt for which the suit has been filed has already  
been reduced to a judgment, and said judgment was obtained  
on the 4th day of September, 1959 in the Superior Court of  
Island County, State of Washington, hence this cause should  
be dismissed.

4.

The Defendant pleas Resadjudicata.

WILTERS & BRANTLEY

BY:

  
Harry J. Wilters, Jr.  
Attorneys for the Defendant



Boyer Ford Sales Co., Inc., a  
Corporation,

Plaintiff

Vs.

George A. Hill and  
Sam H. Hill,

Defendants

Answer

*Filed 3/8/61  
18 weeks  
Jury*