

COMPLAINT

DONALD V. GAAR, JR., INDIVIDUALLY )  
AND D/B/A FOLEY AUTO PARTS )  
Plaintiff )

VS

HERBERT THOMAS )  
Defendant )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

*M. 5933*

I.

The plaintiff claims of the defendant the sum of Three Hundred Forty Three and 15/100(\$343.15)Dollars, due from him by account, to-wit: the 15th day of October, 1962, which sum of money, with interest thereon, is still unpaid.

II.

The plaintiff claims of the defendant Three Hundred Forty Three and 15/100(\$343.15)Dollars, due from him for merchandise, goods, and chattels sold by the plaintiff to the defendant on, to-wit: the 15th day of October, 1962, which sum of money, with interest thereon, is still unpaid.

*James A. Davis*  
Attorney for Plaintiff

There is attached hereto as Exhibit "A" and made a part hereof an itemized statement of account verified by Donald V. Gaar, Jr., a competent witness, sworn to before a Notary Public, which statement shows the amount due on this account as of the 15th day of October, 1962, and due at present.

The defendant lives at Magnolia Springs, Alabama.

FILED  
FEB 17 1964  
ALICE J. DUCK, CLERK  
REGISTER

BALDWIN COUNTY

Ronald V. Haar Jr.

13 day of February, 1964.

Notary Public, Baldwin County, Alabama



*Foley Auto Parts*  
"Your NAPA Jobber is a Good Man to Know"

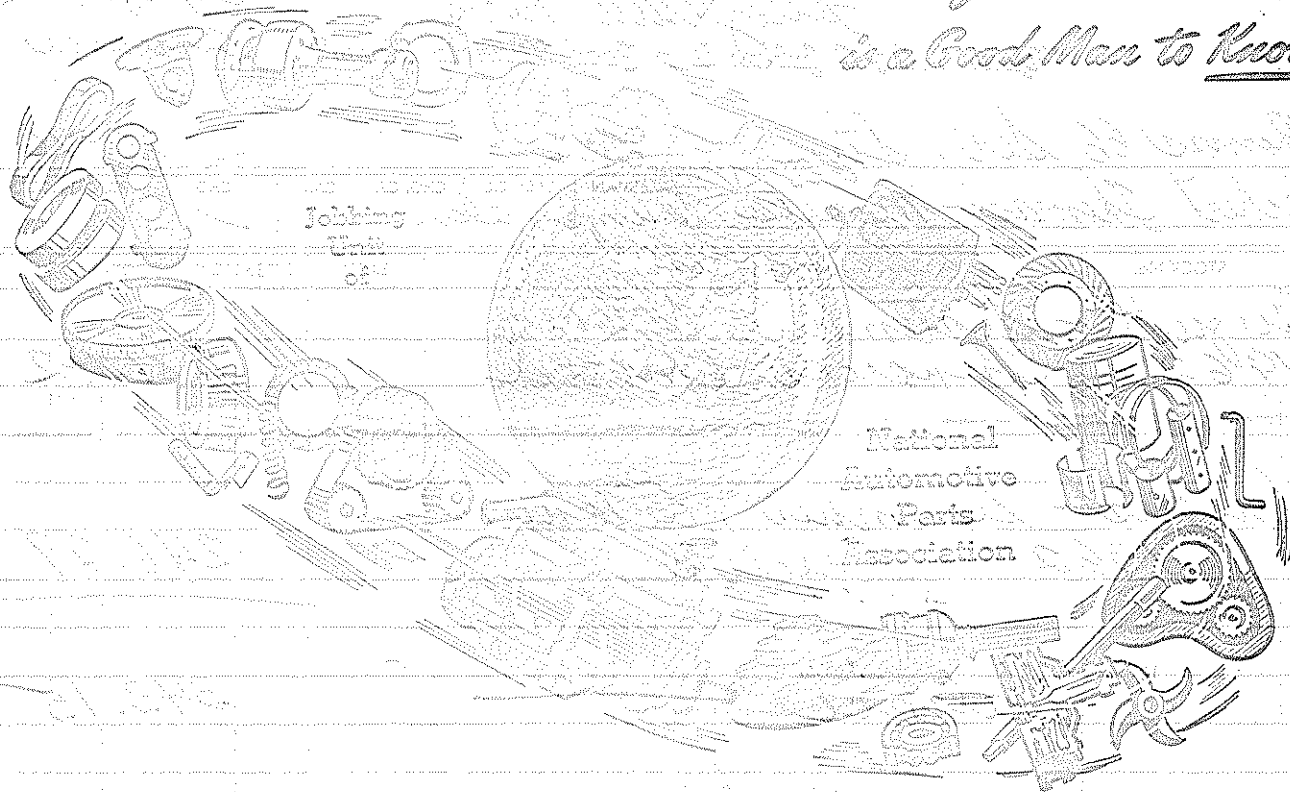
*Copy - Invoice*

Sold To *Thomas 66 Ser. Sta.* Cust's Order No. \_\_\_\_\_ Date *10-16* 19*63*  
Address *Herbert Thomas - Magnolia Springs, Ala.*

SALESMAN	CASH CR.	CHG. CR.	CASH	CHG.	PD. ON ACCT.	DIST.
				<input checked="" type="checkbox"/>		

QUANTITY	STOCK No.	DESCRIPTION	EACH	EXTENSION	TOTAL
<i>August - September, October 1962</i>		<i>Invoices Charged</i>			<i>589.42</i>
<i>August - September, October 1962</i>		<i>- Credits</i>			<i>246.27</i>
		<i>Balance</i>	<i>1</i>		<i>343.15</i>

*Your HAPA Jobber  
is a Good Man to Know!*



Jobbing  
the  
of

National  
Automotive  
Parts  
Association

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. \_\_\_\_\_

\_\_\_\_\_ TERM, 19\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Herbert Thomas

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 \_\_\_\_\_

Herbert Thomas \_\_\_\_\_, Defendant.

by Donald V. Gaer, Jr., individually and d/b/a Foley Auto Parts \_\_\_\_\_

\_\_\_\_\_, Plaintiff.

Witness my hand this 17 day of Feb 19 64

Alfred J. Smith \_\_\_\_\_, Clerk

**STATE of ALABAMA**

**Baldwin County**

**CIRCUIT COURT**

Donald V. Gaar, Jr. individually

and d/b/a Foley Auto Parts

Plaintiffs

vs.

Herbert Thomas

Defendants

**Summons and Complaint**

Filed        19      

**FILED**  
FEB 17 1964

**ALICE J. DUCK, CLERK  
REGISTER**

       Clerk

James A. Brice

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Magnolia Springs, Alabama

**Received In Office**

2/17, 1964

Taylor Wilkins  
Sheriff.

I have executed this summons

this Feb 19 1964

by leaving a copy with

Herbert Thomas

Sheriff claims 72 miles at  
per mile Total \$ 7.20  
BY Taylor Wilkins Sheriff  
       DEPUTY SHERIFF

Taylor Wilkins  
Sheriff.

Carlisle Wilkins  
Deputy Sheriff.

Foley

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

P.O. Box 298

WHITEHALL 3-3601

February 13, 1964

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

Dear Mrs. Duck,

Enclosures:

1. Garnishment, Providence Hospital, Plaintiff, Robert Couch,  
5786 1/2 Defendant, Hale Manufacturing Co., Garnishee
2. Summons and Complaint, Donald V. Gaar, Jr., Vs Herbert Thomas
3. Summons and Complaint, Donald V. Gaar, Jr., Vs Douglas White
4. Summons and Complaint, Donald V. Gaar, Jr. Vs Leroy Stabler

Sincerely,

  
James A. Brice

jab:mm  
enc/

DONALD V. GAAR, JR.,  
individually and d/b/a  
FOLEY AUTO PARTS

Plaintiff

-VS-

HERBERT THOMAS

Defendant

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

) CASE NO. 5933  
)  
)

### DEMURRERS

Comes now the Defendant in the above styled cause and demurs to the Bill of Complaint filed herein and assigns the following grounds separately and severally.

#### I

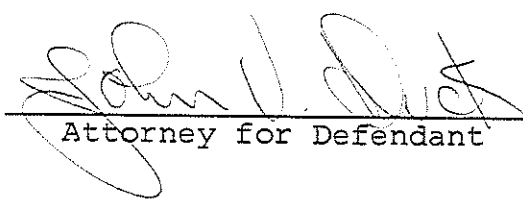
That the said Bill of Complaint does not state a cause of action.

#### II

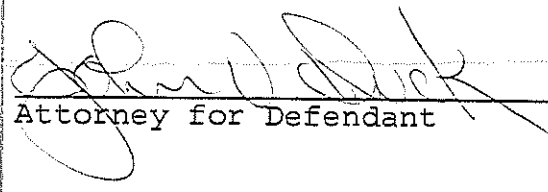
From all that appears the account is not itemized as sworn to by the Plaintiff Donald V. Gaar Jr.

#### III

That the said itemized statement attached to the Bill of Complaint does not itemize any merchandise goods and chattels.

  
Attorney for Defendant

Defendant respectfully demands  
a trial by Jury.

  
Attorney for Defendant

FILED

FEB 26 1964

ALICE J. DUCK, CLERK  
REGISTER

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