

JIM MINOTE, d/b/a
TRAILWAY SERVICE STATION

Plaintiff

vs

W. N. STUCKEY LUMBER CO., INC., a
corporation, WHIT N. STUCKEY, JR.,
individually and as the agent, ser-
vant or employee of W. N. STUCKEY
LUMBER COMPANY, INC., GULF-VIROLA,
INC., a corporation and WILSON
HAYES, as officer or agent of
GULF-VIROLA, INC.

Defendants

X
X
X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

6495

-1-

The plaintiff claims of the defendants the sum of Two
Hundred Ten and 44/100 (\$210.44) Dollars due on a check drawn
by the defendants payable to the plaintiff reading as follows:

W. N. Stuckey Lumber Co., Inc.
Bay Minette, Alabama

Date 6/19 1964 8646

Pay to the order of Trailway Service Sta. \$210.44
Two Hundred Ten and 44/100 Dollars

FIRST NATIONAL BANK
of Bay Minette
BAY MINETTE, ALABAMA

W. N. Stuckey Lumber Co., INC.
General Account

(Signed) Whit N. Stuckey, Jr.

which check was returned because of insufficient funds, which
check is the property of the plaintiff.

-2-

The plaintiff claims of the defendants Two Hundred Ten
and 44/100 Dollars (\$210.44) for money on the 19th day of June,
1964, received by the defendants to the use of the plaintiff
which sum of money with interest thereon is still unpaid.

-3-

The plaintiff claims of the defendants the sum of Four
Hundred Sixty-six and 36/100 Dollars (\$466.36) due on a check
drawn by the defendants payable to the plaintiff reading as
follows:

W. N. Stuckey Lumber Co., Inc.
Bay Minette, Alabama

Date 7/17 1964 8654

Pay to the order of Trailway Service Station \$466.36
Four Hundred Sixty-six and 36/100 Dollars

FIRST NATIONAL BANK
of Bay Minette
BAY MINETTE, ALABAMA

W. N. Stuckey Lumber Co., Inc.
General Account

(Signed) Whit N. Stuckey, Jr.

-4-

The plaintiff claims of the defendants Four Hundred Sixty-six and 36/100 Dollars (\$466.36) for money on the 17th day of July, 1964, received by the defendants to the use of the plaintiff which sum of money with interest thereon is still unpaid.

-5-

The Plaintiff claims of the defendants the sum of One Hundred Twenty-one and 71/100 Dollars (\$121.71) due on a check drawn by the defendants payable to the plaintiff reading as follows:

W. N. Stuckey Lumber Co., Inc.
Bay Minette, Alabama

Date 7/31 1964 8660

Pay to the order of Trailway Service Station \$121.71
One Hundred Twenty-one and 71/100 Dollars

FIRST NATIONAL BANK
of Bay Minette
BAY MINETTE, ALABAMA

W. N. Stuckey Lumber Co., Inc.
General Account

(Signed) Whit N. Stuckey, Jr.

-6-

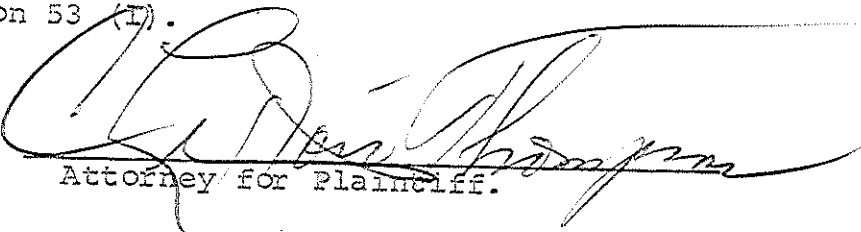
The Plaintiff claims of the defendants One Hundred Twenty-one and 71/100 Dollars (\$121.71) for money on the 31st day of July, 1964, received by the defendants to the use of the plaintiff which sum of money with interest thereon is still unpaid.

-7-

Plaintiff claims of the defendants a reasonable attorney fee on each of the above counts as provided in Title 39, Section 53 (1).

-8-

The Plaintiff claims of the defendants damages in the amount of Seven Hundred Dollars (\$700.00) in accordance with the provisions of Title 39, Section 53 (1).


Attorney for Plaintiff.

JIM MINOTE, d/b/a
TRAILWAY SERVICE STATION

Plaintiff

vs

W. N. STUCKEY LUMBER CO., INC., a
corporation, WHIT N. STUCKEY, JR.,
Individually and as the agent, ser-
vant or employee of W. N. STUCKEY
LUMBER COMPANY, INC., GULF-VIROLA,
INC., a corporation and WILSON
HAYES, as officer or agent of
GULF-VIROLA, INC.

Defendants

X

X

X

X

X

X

X

X

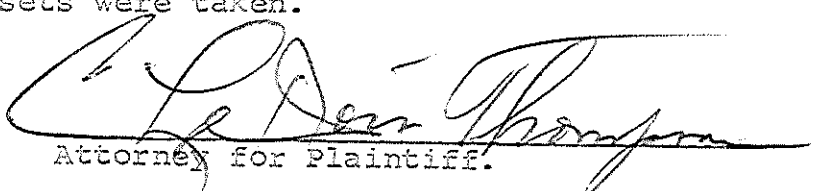
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Comes the plaintiff in the above styled cause and propounds
the following interrogatories to the defendant, Whit N. Stuckey,
Jr.:

1. Are you Whit N. Stuckey, Jr., defendant in this cause?
2. What was your official capacity with W. N. Stuckey
Lumber Company, Inc., on June 19, 1964?
3. What was your official capacity on July 17, 1964, with
W. N. Stuckey Lumber Company, Inc?
4. What was your official capacity on July 31, 1964, with
W. N. Stuckey Lumber Company, Inc.?
5. Give the date, if you know, when the assets of W. N.
Stuckey Lumber Company, Inc., were turned over to the control
or ownership of Gulf-Virola, Inc.
6. State, if you know, the names of the officers of
Gulf-Virola, Inc.
7. State, if you know, the officers of W. N. Stuckey Lumber
Company, Inc., on June 19, 1964, and on July 31, 1964.
8. List the identification of the bank accounts of W. N.
Stuckey Lumber Company, Inc., and the banks in which said
accounts were located on June 19, 1964, July 17, 1964, and July
31, 1964.
9. List the deposits made in the bank account and the
deposits in each of the other accounts from June 17, 1964,
through July 31, 1964.
10. State in substance the assets of W. N. Stuckey Lumber
Company, Inc., which were taken over by Gulf-Virola, Inc., and
the date on which said assets were taken.

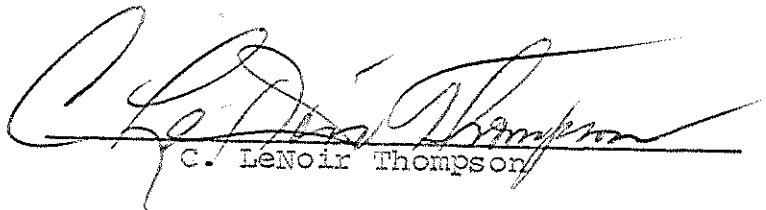

Attorney for Plaintiff.

STATE OF ALABAMA

BALDWIN COUNTY

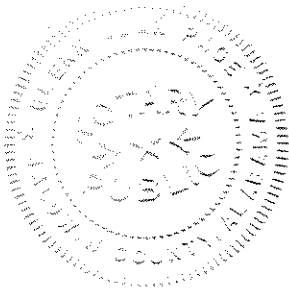
Before me, the undersigned Notary Public, in and for said State and County, personally appeared C. LeNoir Thompson, who being by me first duly sworn, deposes on oath and says as follows:

My name is C. LeNoir Thompson and I am one of the attorneys of record for the plaintiff and as such, I am authorized to make this affidavit. I further state that the answer of the defendant to the foregoing interrogatories will, if truthfully made, be material evidence for the plaintiff on the trial of said cause.

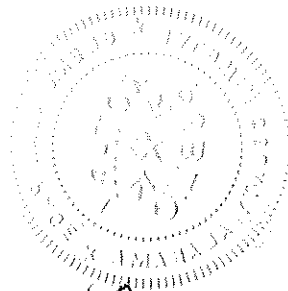

C. LeNoir Thompson

Subscribed and sworn to before me by the said C. LeNoir Thompson on this the 30th day of April, 1965.


Notary Public, Baldwin County, Alabama



FILED
APR 30 1965
ALICE J. DICK, CLERK
REGISTER



Received 3 day of May 1965

and on 29 day of May 1965

I served a copy of the within 29 C. Interrog
on W. A. Stucky & Co

By service on W. A. Stucky

TAYLOR WILKINS, Sheriff

By W. A. Tolbert D. S.

om

Received 3 day of May 1965

and on 28 day of May 1965

I served a copy of the within 29 C. Interrog
on Gulf-Virola Inc.

By service on Wilcox Hays, atty.

TAYLOR WILKINS, Sheriff

By W. A. Tolbert D. S.

om

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon W. N. Stuckey Lbr. Co., Inc., a corp.,

Whit N. Stuckey, Jr., individually and as the agent, servant or employee
of W. N. Stuckey Lumber Company, Inc., Gulf-Virola, Inc., a corp.,
and Wilson Hayes, as officer or agent of Gulf-Virola, 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, State of Alabama, at Bay Minette, against W. N. Stuckey Lbr. Co., Inc., a corp., Whit N. Stuckey, Jr., ind. and as the agent, servant or employee
of W. N. Stuckey Lbr. Co., Inc., Gulf-Virola, Inc., a corp., and
Wilson Hayes, as officer or agent of Gulf-Virola, Inc. Defendant.....

by Jim Minote, d/b/a Trailway Service Station.....

..... Plaintiff.....

Witness my hand this 30 day of Apr 1965

EX-5-29-65

Henry J. French..... Clerk

No. 64-95

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

JIM HINOTE, d/b/a TRAILWAY

SERVICE STATION

Plaintiffs

vs.

W.N. STUCKEY LUMBER CO., INC.,

A CORP., ET AL

Defendants

1. SUMMONS AND COMPLAINT

2. Interrogatories

Filed 4-30 1965

G. J. [Signature] Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

May 3 1965

Sheriff

I have executed this summons

this May 29 1965
by leaving a copy with

Ralph L. Cobbs

Buttner

W. N. Stuckey Jr.

Sheriff claims 2 miles 33

80

John C. [Signature] mile total

WILKINS

BY [Signature]

DEPUTY SHERIFF

Jay W. Wilkins Sheriff

W. A. [Signature] Deputy Sheriff

4 miles north of Bay

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Tolbert M. Brantley, who after being by me first duly sworn, deposes and says: That on the 29th day of June, 1965, in the Circuit Court of Baldwin County, Alabama, Jim Hinote, d/b/a Trailway Service Station, recovered a judgment against W. N. Stuckey Lumber Co., Inc., a Corp., Whit N. Stuckey, Jr., Individually and as the agent, servant or employee of W. N. Stuckey Lumber Company, Inc., Gulf-Virola, Inc., a corporation and Wilson Hayes, as officer or agent of Gulf-Virola, Inc., for the sum of \$693.78, and the further sum of \$18.00, cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that R. P. Baer and Company, a corporation, has or is believed to have in their possession or under their control, money or effects belonging to the Defendant or that they are believed to be indebted to the defendant, or to be liable to them on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

Tolbert M. Brantley

Sworn to and subscribed before me this ____ day of July, 1965.

Notary Public, State of Alabama at Large

STATE OF ALABAMA

649572

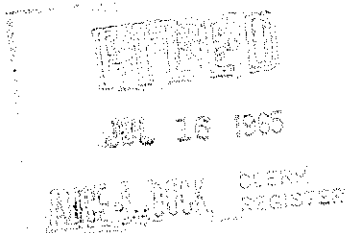
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Tolbert M. Brantley, who after being by me first duly sworn, deposes and says: That on the 29th day of June, 1965, in the Circuit Court of Baldwin County, Alabama, Jim Hinote, d/b/a Trailway Service Station, recovered a judgment against W. N. Stuckey Lumber Co., Inc., a Corp., Whit N. Stuckey, Jr., Individually and as the agent, servant or employee of W. N. Stuckey Lumber Company, Inc., Gulf-Virola, Inc., a corporation and Wilson Hayes, as officer or agent of Gulf-Virola, Inc., for the sum of \$693.78, and the further sum of \$18.00, cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that R. P. Baer and Company, a corporation, has or is believed to have in their possession or under their control, money or effects belonging to the Defendant or that they are believed to be indebted to the defendant, or to be liable to them on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

Tolbert M. Brantley
Tolbert M. Brantley

Sworn to and subscribed before me this 5th day of July, 1965.

James B. Hedge
Notary Public, State of Alabama at Large



JIM HINOTE, d/b/a
TRAILWAY SERVICE STATION,
Plaintiff,

Vs.

W. N. STUCKEY LUMBER CO.,
INC., A Corp., et al,
Defendants,

Vs.

R. P. BAER AND COMPANY,
a corporation,
Garnishee.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETING:

You are hereby commanded to notify W. N. Stuckey Lumber Co.,
Inc., a corporation, et al, that on the 16 day of July,
1965, a writ of garnishment in the above stated case was issued
to R. P. Baer and Company, a corporation, as garnishee.

And you will return this writ according to law.

Witness my hand this 16 day of July, 1965.

Rene J. French
Clerk

Received in office ___ day of ___, 1965.

Sheriff

Executed by serving a copy of the within writ on the ___ day of
_____, 1965.

Deputy

Defendant's Address;

Bay Minette, Alabama

Executed

July 19, 1965

414

6495 1/2

Jim Hmate

vs

W. M. Stucky

notice

Received 16 day of July 1965
and on 19 day of July 1965
I served a copy of the within notice
on W. M. Stucky, L.H.O.
By service on Wilson Hayes
TAYLOR WILKINS, Sheriff
W. A. Falbert

om

STATE OF ALABAMA

BALDWIN COUNTY

WRIT ON JUDGMENT

TO ANY SHERIFF OF THE STATE OF ALABAMA: Greeting:

Whereas Tolbert M. Brantley has made affidavit as required by law that on the 29th day of June, 1965, in the Circuit Court of Baldwin County, Alabama, Jim Hinote, d/b/a Trailway Service Station, recovered a judgment against W. N. Stuckey Lumber Co., Inc., a corp., Whit N. Stuckey, Jr., Individually and as the agent, servant or employee of W. N. Stuckey Lumber Company, Inc., Gulf-Virola, Inc., a corporation and Wilson Hayes, as officer or agent of Gulf-Virola, Inc., a corporation, for the sum of \$693.78, and the further sum of \$18.00, cost of suit, and that he believes the process of garnishment is necessary to obtain satisfaction of said judgment, and that R. P. Baer and Company, a corporation, has or is believed to have in their possession or under their control, money or effects belonging to the defendant, or to be liable to them on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

These are therefore to command you, that you summon the said R. P. Baer and Company, a corporation, to be and appear on the ____ day of _____, 1965, in the Circuit Court of Baldwin County, Alabama, to be holden for said county, within thirty days after the service of this writ of garnishment, then and there to answer on oath, whether at the time of the service of this writ, or at the time of making their answer, they have in their possession, or under their control any money or effects belonging to the defendant; and whether they are indebted to said defendant, or are liable to them on any contract.

for the payment of money or the delivery of personal property or
on a contract for the payment of money which may be discharged by
the delivery of personal property, or which is payable in per-
sonal property.

Witness, Circuit Clerk of said Court at office, this 16
day of July, 1965.

Pierce J. Luck
Clerk

Executed
July 22, 1965

R. P. Baw and Company may be served:

Sege Lyons
Lyons, Piper & Cook
Attorneys at Law
Mobile, Alabama

6495 1/2 2939

Jim Anote

VS

W. W. Stuckey

Warrickment

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

JUL 21 10 55 AM '65

BY

Walters & Brantley

Received 16 day of July 1965
d on 22 day of July 1965
served copy of the within W. W. Stuckey
H. P. Baer & Co.

by service on S. G. Lyons
Raylo Bridges
TAYLOR WILKINS, Sheriff
By J. H. Edwards D. S.

JIM HINOTE, d/b/a TRAILWAY
SERVICE STATION

Plaintiff

vs

W. N. STUCKEY LUMBER CO., INC.,
a corporation, WHIT N. STUCKEY,
JR., individually and as the
agent, servant or employee of
W. N. STUCKEY LUMBER CO., INC.,
GULF-VIROLA, INC., a corporation
and WILSON HAYES, as officer, or
agent of GULF-VIROLA, INC., a
corporation

Defendants

R. P. BAER & COMPANY, a
corporation

Garnishee

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

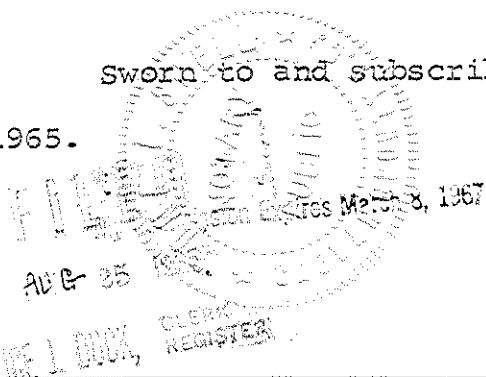
Personally appeared before me, Edua L. Snell

a Notary Public, in and for said State and County, Richard P. Baer, II, who is personally known to me, who being by me duly sworn on oath says, that he is the agent of R. P. Baer & Company for making answers in garnishment cases, and as such agent has authority to make answer for the garnishee in the above-stated case, and answering the garnishment therein he says that the garnishee is not now indebted to the defendant in any sum whatever, and was not indebted to it at the time of the service of this garnishment, nor at any time intervening between the time of service of the garnishment and the making of this answer, and that it will not be indebted in the future to the said defendants by any contract then or now existing, and that it will not be liable to the defendants for the delivery of personal property by any contract then or now existing, for the delivery of personal property, nor for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and that it has not in its possession or under its control money or effects belonging to the defendants.

Richard P. Baer, II

Richard P. Baer, II

Sworn to and subscribed before me this 3rd day of August,
1965.



Edua L. Snell
Notary Public

Edmonton N.C.
Chowan Co.