

SUMMONS

STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons CARL L. LARKIN, 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 the place of holding same by THE PURE OIL COMPANY, an Ohio Corporation, A DIVISION of Union Oil Company of California, a California Corporation.

Witness my hand this the 22 day of November, 1965.

Alice J. Durr
Clerk

* * * * *

COMPLAINT

THE PURE OIL COMPANY, an)
Ohio Corporation, a division)
of Union Oil Co. of California, a)
California Corp., PLAINTIFF,)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS:

AT LAW

CARL L. LARKIN,

DEFENDANT.)

6766

COUNT I:

The Plaintiff claims of the Defendant ONE HUNDRED THIRTY-NINE & 08/100 DOLLARS (\$139.08), due from him by account on, to wit: the 16th day of June, 1965, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The Plaintiff claims of the Defendant ONE HUNDRED THIRTY-NINE & 08/100 DOLLARS (\$139.08), due from him on account stated between the Plaintiff and the Defendant on, to wit: the 16th day of June, 1965, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The Plaintiff claims of the Defendant ONE HUNDRED THIRTY-NINE & 08/100 DOLLARS (\$139.08), due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to wit: the 16th day of June, 1965, which sum of money, with interest thereon, is still unpaid.

There is attached to the original 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 11th day of November, 1965.

Forest A. Christian
Forest A. Christian, Attorney for
the Plaintiff, Foley, Alabama

Defendant's address:

Carl L. Larkin
P. O. Box 192
Elberta, Alabama

FILED

NOV 22 1965
ALICE J. DURR, CLERK
REGISTER

Allegation re Merger

Now comes UNION OIL COMPANY OF CALIFORNIA, a California corporation, and files this, its original petition, and for cause of action would show the following:

I

That the plaintiff is a California corporation authorized to do business in the State of Alabama.

II

That on the 16th day of July, 1965, THE PURE OIL COMPANY, an Ohio corporation, was merged into UNION OIL COMPANY OF CALIFORNIA, a California corporation, and that effective on such date, by the terms of the Agreement of Merger between the two companies and by operation of law, UNION OIL COMPANY OF CALIFORNIA, as the surviving corporation, became vested with all rights, claims, property, choses or things in action and all and every other interest of THE PURE OIL COMPANY, and, therefore, brings this action as successor in interest to the claim of THE PURE OIL COMPANY, hereinafter alleged.

Allegation re Merger

Now comes UNION OIL COMPANY OF CALIFORNIA, a California corporation, and files this, its original petition, and for cause of action would show the following:

I

That the plaintiff is a California corporation authorized to do business in the State of Alabama.

II

That on the 16th day of July, 1965, THE PURE OIL COMPANY, an Ohio corporation, was merged into UNION OIL COMPANY OF CALIFORNIA, a California corporation, and that effective on such date, by the terms of the Agreement of Merger between the two companies and by operation of law, UNION OIL COMPANY OF CALIFORNIA, as the surviving corporation, became vested with all rights, claims, property, choses or things in action and all and every other interest of THE PURE OIL COMPANY, and, therefore, brings this action as successor in interest to the claim of THE PURE OIL COMPANY, hereinafter alleged.

STATE OF OHIO)
) SS
COUNTY OF FRANKLIN)

H. F. Bell being first duly sworn, says that he is Collection
Manager of Pure Oil Company, A Division of Union Oil Company
of California, A California Corporation; that there is due and owing to
Union Oil Company of California, from Carl L. Larkin
on an account for goods, wares and merchandise sold and delivered,
statement of account showing balance due which is attached hereto and
made a part hereof; that there are no off-sets or counter claims, and
that no part of said claim has been paid; and that to the best of his
knowledge, information and belief, there is justly due and owing to
Union Oil Company of California, from said Carl L. Larkin
the sum of One Hundred Thirty-Nine and 08/100 (\$139.08) Dollars

Affiant further states that it is unable to determine whether or not
the defendant herein is in the military service of the United States.

PURE OIL COMPANY, A DIVISION OF
UNION OIL COMPANY OF CALIFORNIA

H. F. Bell

Collection Manager

Subscribed and sworn to before me

this 16th day of November, 1965.

W. R. Tucker, Jr.

W. R. TUCKER, JR.
NOTARY PUBLIC, FRANKLIN COUNTY, OHIO
MY COMMISSION EXPIRES SEPT. 25, 1969

FILED
NOV 22 1965

CLERK
REGISTER

6766

SUMMONS AND COMPLAINT

THE PURE OIL COMPANY, an Ohio
corporation, a division of Union
Oil Company of California, a
California Corporation, PLAINTIFF,

VS:

CARL L. LARKIN,
Echeta, Ala.

DEFENDANT.

Received 22 day of Nov 1965
and on 23 day of Nov 1965
I served a copy of the within S & C
on Carl L. Larkin
By service on Carl L. Larkin

TAYLOR WILKINS, Sheriff
By Jm Eastburn D. S.
Foley, Ala.

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
By Jm Eastburn
DEPUTY SHERIFF

FILED
NOV 22 1965
AIDE & DUCK, CLERK
REGISTER