

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon L. L. Ratcliff to appear within thirty days from the service of this writ in the Circuit Court, to be held for said county at the place of holding the same, then and there to answer the complaint of Thomas D. Kreis.

WITNESS my hand this 12 day of September, 1968.

Alice J. Beck
Clerk

Defendant may be served at Ratcliff Restaurant, Gulf Shores, Alabama.
* * * * *

THOMAS D. KREIS,
Plaintiff,
VS.
L. L. RATCLIFF,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
720.8301

C O M P L A I N T
COUNT ONE

The plaintiff claims of the defendant One Hundred Fifteen Dollars (\$115.00) for work and labor done for the defendant by the plaintiff from the first day of August, 1968, to the fifteenth day of August, 1968, at his request which sum of money with the interest thereon is still unpaid.

COUNT TWO

The plaintiff claims of the defendant One Thousand Dollars (\$1,000.00) damages for an assault and battery committed by the defendant on the plaintiff, viz.: on the 15th day of August, 1968.

FILED

SEP 4 1968

ALICE J. BECK

Alice J. Beck
Attorney for Plaintiff

Ex 9-11-68

Gulf Shores

70.8301

Received 4th day of Sept 1968
and on 17th day of Sept 1968
I served a copy of the within 42C
on L. L. Hatchiff
By service on alone

TAYLOR WILKINS, Sheriff
By Jim Eastburn D. S.

Gulf Shores

Sheriff claims 100 miles at
Ten Cents per mile Total \$ 10.00
TAYLOR WILKINS, Sheriff
BY Eastburn
DEPUTY SHERIFF

Thomas O. Kreis

VS

L. L. Hatchiff

FILED

SEP 4 1968

ALICE J. DUCK CLERK
REGISTER

Joe R. Owens

FILED

NOV 19 1968

ALICE J. DUCK CLERK
REGISTER

THOMAS D. KRIES,

Plaintiff,

VS.

L. L. RATCLIFFE,

Defendant.

IN THE

CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA. AT LAW.

NO. 8301

November 18, 1968

THOMAS D. KRIES, THE PLAINTIFF, BEING FIRST DULY SWORN, TESTIFIED
AS FOLLOWS:

Examination by Mr. Owen.

Q. Is this Thomas D. Kries?

A. Yes sir.

Q. You are the Plaintiff in this case, are you not?

A. Yes sir.

Q. Were you employed by L. L. Ratcliffe about the first
two weeks of August of 1968?

A. Yes sir.

Q. What kind of employment was that, Mr. Kries?

A. I worked as a cook.

Q. How old are you?

A. 26.

Q. Had you had any experience as a cook before?

A. I have. I have had four years in the Coast Guard and I
have worked on ships - -

Q. Did you enter into an agreement with Mr. Ratcliffe for the
amount he would pay you for your work and labor?

A. Yes sir, \$75.00 a week and he paid me for three days, and
then was to pay me within two weeks.

Q. What is the balance due that he owes you?

A. Approximately \$110.00 to \$115.00.

Q. I believe you left your employment on August 15, 1968, did
you not?

A. I did.

Q. Will you tell the Judge what happened on that date to cause

you to leave?

A. Well at that time I worked the morning shift and would take off an hour or so and work at night and he had another cook, who I understand was an ex-convict, and I went on in and this man was drinking and he was constantly drinking on the job and it made it hard for me to work and I had tried to stay away from him - - Well, it's a long story, but I was to put a prime rib roast in the oven that morning, which I did, and it was ready for serving that night and this cook had an order for it, and I didn't want to put it out. This went on - - This had been building up for about a week; in fact, he has lost several people during the period - the two weeks I was working people were in and out all of the time - just couldn't work with this ex-convict, and I told Mr. Ratcliffe I couldn't work under those conditions and I was going to quit and I took off my apron and he started calling me all kinds of names and swung at me and wouldn't let me get my books and two shirts and I had to force my way out of the Restaurant and on the outside this ex-convict was ready to jump on me and he swung at me again while I was getting in my car and one of the waitresses told him not to hit me and I told him that I wanted to go home, that I didn't want to fight; I said: "I'm just here to make some money to go to school on and it took me about 15 or 20 minutes before I could get to my car and all of this time he was calling me names I had never been called before in my life, and it was hard for me not to pick up something and hit him or go back and cause him bodily harm.

Q. Did you ever hit him?

A. I didn't; I couldn't protect myself, because if I had resisted he and the ex-convict both would have jumped on me; the ex-convict wasn't a stable individual and

I could not get to my car and I had to leave or I would have been seriously injured - I am sure of that.

Q. This sum of money which you have testified to is still unpaid with the interest on it?

A. It is still unpaid; yes sir.

Q. Still unpaid - -

A. Yes sir; I went at that time to the Sheriff and I asked the Sheriff if I should go ahead and file charges against this man and he said "No", and I went to see the Judge in Bay Minette the following day and told him about it; I was concerned and didn't want any trouble; I was afraid for my life. I was living there at the time and I was afraid for my life getting out of there and this is all new to me, so I didn't know what to do. I went to see the Judge - -

Q. The Justice of the Peace?

A. Yes sir, the Justice of the peace, and I told him all I wanted was my money and that was it; I didn't want any trouble and he went down to see Ratcliffe and a couple of days after that and that week-end he came to the Trailer to see me and he offered me \$75.00 and I told him that is not what Mr. Ratcliffe owes me and I'm not going to accept that, and under the circumstances, the way I was treated, and the names I was called, I was bitter and I felt that I was entitled to my full compensation and I don't expect to accept no less now, because I feel like I have earned it.

C E R T I F I C A T E:

I hereby certify that the foregoing is a true and correct transcript of the testimony as taken by me, in open Court on Monday, November 18, 1968.

Louise Buchanan
Court Reporter