

48

OGBURN-DAVISON COMPANY,
A Corporation,

Plaintiff,

-vs-

PERDIDO NAVAL STORES, a
Partnership composed of
J. S. Havard and C. R. Week-
ley, and J. S. HAVARD and
C. R. WEEKLEY, Individually,

Defendants.

IN THE CIRCUIT COURT-AT-LAW

STATE OF ALABAMA

BALDWIN COUNTY.

Now come the Defendants and plea, separately and severa-
ly to each count of the Complaint, and say:-

1st. Non-assumpsit.

2nd. That they deny the allegations of the Complaint.

3rd. That the demand which is the basis of this suit
was paid by the Defendants to the Plaintiff prior to the bringing
of the same.

Hyatt Heard & Son
Attorneys for Defendants.

48
Aunt
~~RECORDED~~
P L E A.

OGBURN-DAVISON COMPANY,
A Corporation,

Plaintiff,

-VS-

BERDIDO NAVAL STORES, a
Partnership composed of J.
S. Havard and C. R. Weekley,
and J. S. HAVARD and C. R.
WEEKLEY, Individually,

Defendants.

IN THE CIRCUIT COURT-AT LAW

STATE OF ALABAMA

BALDWIN COUNTY.

Filed August 20, 1934.

M. A. Stone
Clerk, USA

H 48

PLAINTIFF

VS.

Perdido Naval Stores Co.

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25	1	55	Transcript to Supreme Court, 15c per hundred words		5	60
Copies of same, when over 200 words, 15c per 100	30		30	Copies, 5c per hundred words			
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words			
Entering Sheriff's Return on Summons and Complaint	20		30	Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		45	Witness Certificate	25		
Subpoena for Witness	30			Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50		50	Entering Order of Court not above named	30		
Filing	10		30	Administering Oath	25		
Trial and Incidents	75		25	Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30		98	Copy of any paper not above named, 15c per hundred words			
Order for Continuance	10			Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50			Issuing Writ of Prohibition	75		
Docketing Execution	25			Issuing copies of same, 15c per 100 words			
Issuing copy of same	50			Filing Mandamus and Entering Return	15		
Entering Sheriff's Return on Execution, 15c per hundred words	20	1	50	Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words	30			Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30			Total Clerk's Fees			
Order to Dismiss Cause	30			SHERIFF'S FEES			
Order to Set Aside Dismissal	30			Serving and Returning Summons	\$1 50		
Order Overruling Motion to Set Aside Dismissal	75			Serving and Returning Subpoenas	65		
Order Granting New Trial	30			Collecting Execution for Costs	1 50		
Order Overruling Motion for New Trial	30			Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion for Continuance	30			Executing Writ of Possession	2 50		
Order Overruling Motion to Set Aside Default	30			Levying Attachment	3 00		
Order for Notice to Non-Resident Defendant	30			Entering and Returning Attachment	25		
Issuing Notice for Publication and Copy 20c per hundred words				Entering and Returning Execution	25		
Order to Give Security for Costs	30			Summoning and Returning Garnishee	1 50		
Order to Give Additional Bond	30			Taking and Approving Garnishee Bond	75		
Order to Execute Writ of Inquiry	30			Serving and Returning Writs	1 50		
Order of Sale in Attachment	30			Serving and Returning Summons on Forcible Entry	1 00		
Order for Leave to Amend Complaint	30			Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Pleas	30			Taking and Approving Bonds of Every Kind	1 00		
Order for Leave to Amend Writ of Process	30			Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30			Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10			Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75			Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same, per hundred words	15			Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50			Making Deed	2 50		
Endorsing each Pet. Deposition Opened	10			Serving Attachment for Contempt of Court	1 50		
Taking Bond in Garnishment on Summons	75			Collecting Money on Execution			
Summons to Garnishee	50			Empanelling Jury	75		
Copies of same, 20c per hundred words				Sheriff's Commission for Property Sold under Attachment			
Notice to Defendant in Garnishee on Summons, and copy, per hundred words	20			Seizing Personal Property on Writ of Detinue	3 00		
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50			Total Sheriff's Fees			
Filing Attachment	10			RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00			Judgment			
Issuing Copies of Attachment Writ, 15c per hundred words				Interest			
Filing Certiorari and Entering Return	15			Clerk's Fees			
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees			
Issuing Writ of Certiorari	75			Justice's Fees			
Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75			Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75			Printer's Fees			
Taking Appeal Bond and Filing same	75			Stenographer's Fees	5 00		
				Answer of Garnishee			
				Trial Tax	3 00		
TOTAL FORWARDED				Total	\$		

Received payment this _____ day of _____ 193 _____

ATTEST

Clerk Circuit Court, Baldwin County, Ala.

Circuit Court, Baldwin County

H 48

Glen Danner Co Inc.

PLAINTIFF

VS.

Pardito Naval Stores Co

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	1 25	1	50	Transcript to Supreme Court, 15c per hundred words		5	60
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Docketing Cause 25c. Ent. Appearance, 20c	45		45	Witness Certificate	25		
Subpoena for Witness	30			Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50		50	Entering Order of Court not above named	30		
Filing	10		10	Administering Oath	25		
Trial and Incidents	75		75	Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30			Copy of any paper not above named, 15c per hundred words			
Order for Continuance	10		10	Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50		50	Issuing Writ of Prohibition	75		
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Issuing copy of same	50		50	Filing Mandamus and Entering Return	15		
Entering Sheriff's Return on Execution, 15c per hundred words	20		20	Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words	30	1	50	Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30			Total Clerk's Fees			
Order to Dismiss Cause	30			SHERIFF'S FEES			
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Filing Deposition	10			Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75			Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same. per hundred words	15			Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50			Making Deed	2 50		
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Filing Certiorari and Entering Return	15			Clerk's Fees			
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees			
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Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75			Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75			Printer's Fees			
Taking Appeal Bond and Filing same	75			Stenographer's Fees	5 00		
TOTAL FORWARDED				Answer of Garnishee			
				Trial Tax	3 00		
				Total	\$		

563

date 10/10

16076

Received payment this _____ day of _____ 193_____

ATTEST

Clerk Circuit Court, Baldwin County, Ala.

Circuit Court, Baldwin County

No. 48

Jan 10 10

John D. Dumas

VS.

Perdido Norment

Civil Cost Bill

Paid _____ 193 _____

Clerk.

STATE OF ALABAMA,
COUNTY OF BALDWIN.

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

You are hereby commanded to summon PERDIDO NAVAL STORES, a partnership composed of J. S. HAVARD AND C. R. WEEKLEY, and J. S. HAVARD AND C. R. WEEKLEY, individually, to appear before the Circuit Court of said County, at the place of holding the same, within thirty days from the service of this writ, then and there to answer the complaint of OGBURN-DAVISON COMPANY, INC., a Corporation, hereto attached.

WITNESS my hand this the ____ day of ____, 1934.

CLERK

: : : : : : : :

OGBURN-DAVISON COMPANY, INC.,
a Corporation,

Plaintiff,

vs.

PERDIDO NAVAL STORES, a partnership composed of J. S. HAVARD and C. R. WEEKLEY, and J. S. HAVARD and C. R. WEEKLEY, individually,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.

COUNT ONE: Plaintiff claims of the Defendants the sum of One Hundred Twenty-Nine and 88/100 (\$129.88) Dollars, due from them by account on, to-wit, the 19th day of January, 1933, which sum of money, with the interest thereon, is still due and unpaid.

COUNT TWO: Plaintiff claims of the Defendants the sum of One Hundred Twenty-Nine and 88/100 (\$129.88) Dollars, due from them by account stated between Plaintiff and Defendants on, to-wit, the 19th day of January, 1933, which sum of money, with the interest thereon, is still due and unpaid.

COUNT THREE: Plaintiff claims of the Defendants the sum of One Hundred Twenty-Nine and 88/100 (\$129.88) Dollars, for merchandise, goods and chattels sold the Defendants on, to-wit, the 19th day of January, 1933, which sum of money, with the interest thereon, is still due and unpaid.

An itemized statement of the account, verified by the affidavit of a competent witness, is filed with the original summons and complaint in this cause.

D. J. L. L.
ATTORNEYS FOR PLAINTIFF

Defendants' address:

C. R. Weekley, Dyas, Ala.
J. S. Havard, Perdido, Ala.

STATE OF ALABAMA:

COUNTY OF MOBILE

Personally appeared before me, J. A. Zylant
a Notary Public in and for said State and County, W. F. Davison,
who being by me first duly sworn, deposes and says that he is the
Secretary and Treasurer of the Ogburn-Davison Co., Inc., and has
personal knowledge of the account between said Company and
J. S. Havard and C. R. Weekly doing business as Perdido Naval
Stores Co., Perdido, Alabama and he says that he is authorized
to make this affidavit for and on behalf of the said Company.

Affiant further says that the attached statement of the account
is just, true and correct, and the balance shown thereby namely,
\$142.20 is still due and owing after all proper credits have
been allowed said J. S. Havard and C. R. Weekly doing business as
Perdido Naval Stores Co. by the said Ogburn-Davison Co., Inc.,
Mobile, Alabama.

W. F. Davison
SECRETARY & TREASURER

SUBSCRIBED AND SWORN BEFORE ME
THIS 6th DAY OF April 1934

J. A. Zylant
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA



Invoice Of Aug. 29 1932

1 Bbl 98s	Mobile Beauty Flour	1	3 40	3 40
1 Bbl 48s	" " "	1	3 60	3 60
3 Bbl 24s	" " "	3	3 80	11 40
1 CS 48s	AMBOY MILK	1	2 25	2 25
1 CS 96	AMBOY MILK	1	2 25	2 25

22.90

INVOICE OF SEPT. 1, 1932

2 SK #255	RICE	2	2 55	5 10
2 SK 96#	MEAL	2	1 20	2 40
2 CS 36s	SALT	2	70	1 40
1 CS 12s	VICKS SALVE	1	2 80	2 80

11 70

INVOICE OF SEPT 14, 1932

1 BBL 98#	MOBILE BEAUTY FLOUR	1	3 50	3 50
3 BBL 24s	MOBILE BEAUTY FLOUR	3	3 90	11 70
2 BBL 48s	MOBILE BEAUTY FLOUR	2	3 70	7 40
4 SK 25#	COARSE SALT	4	28	1 12

23 72

INVOICE OF SPET SEPT 28, 1932

1 CS 48/1	CHUM SALMON	4	90	3 60
3 BBL 24s	MOBILE BEAUTY FLOUR	3	3 80	11 40
1 BBL 48	MOBILE BEAUTY FLOUR	1	3 60	3 60
1 BBL 98	MOBILE BEAUTY FLOUR	1	3 40	3 40
1 SK 96#	MEAL	1	1 15	1 15
25 #	SPECIAL BLEND COFFEE	25	16	4 00
1 CS 24/16oz	PEANUT BUTTER	2	1 20	2 40

29 55

INVOICE OF OCT. 12, 1932

2 BBL 24s	MOBILE BEAUTY FLOUR	2	4 00	8 00
1 BBL 48s	MOBILE BEAUTY FLOUR	1	3 80	3 80
2 BBL 98s	MOBILE BEAUTY FLOUR	2	3 60	7 20
1 #	M 8# PAPER BAGS	1	61	81
1 #	M 14# PAPER BAGS	2	65	1 33
1 #	M 2# PAPER BAGS	1	70	35
1 CS 48/30s	ARGO GLOSS STARCH	1	60	1 60
1	GROSS PENNY PENCILS	1	1 10	1 10
4	DOZ COMPOSITION BOOKS 5¢	4	30	1 20
2	DOZ NARROW 5½X9 PENCILS TABLETS	38		76

26 15

INVOICE OF NOV 3, 1932

1 CS	STANDARD SNUFF 10¢	1	5 90	5 90
1cs	STANDARD SNUFF 15¢	1	5 80	5 80
2 #	APPLE TOBACCO	2	66	1 32
2 #	BLOOD HOUND TOBACCO	2	52	1 04

14 06

INVOICE OF NOV 3, 1932

1 BBL 24	MOBILE BEAUTY FLOUR	1	3 80	3 80
1 BBL 48	MOBILE BEAUTY FLOUR	1	3 60	3 60
1 CTN	GRANGER ROUGH CUT	1	96	96
1 CTN	GEORGE WASHINGTON	2	96	1 92
1 CTN	U S MARINE IN PINS	2	99	1 98
1 CTN	PRINCE ABBERT	2	1 53	3 06
2 CTN	GOLDEN GRAIN 5¢	4	48	1 92
1 CTN	BULL DURHAM	2	48	96
2 #	BROWN MULE TOBACCO	2	52	1 04
1 CTN	LUCKY STRIKE CIGARETTES	1	1 37	1 37
1 CTN	CHESTERFIELD CIGARETTES	1	1 37	1 37
				21 98
	ALA TAX			37

22 35

INVOICE OF NOV 10, 1932

3 BBL 24	MOBILE BEAUTY FLOUR	3	3 70	11 10
1 BBL 48	MOBILE BEAUTY FLOUR	1	3 50	3 50
1 BBL 98	MOBILE BEAUTY FLOUR	1	3 30	3 30

17 90

STATEMENT OF ACCOUNT OGBURN-DAVISON CO INC
 AGAINST J. S. HAVARD R. WEEKLY DOING BUSINESS AS
 PERDIDO NAVAL STORES CO

INVOICE OF NOV 25, 1932

1 BBL 48 MOBILE BEAUTY FLOUR	1	3 50	3 50
3 BBL 24 MOBILE BEAUTY FLOUR	3	3 70	<u>11 10</u>

14 60

INVOICE OF JAN 19, 1933

2 CTN 20 GRANDE CIGARETTES	2	95	1 90
1 CTN 40 G B CIGARETTES BOOKS	1	2 00	2 00
2 # APPLE TOBACCO	2	66	1 32
2 # MULE TOBACCO	2	52	1 04
2 # BLOOD HOUND TOBACCO	2	52	1 04
1 CTN 5 1/2 GOLDEN GRAIN TOBACCO	2	48	96
1 CTN BULL DURHAM TOBACCO	2	48	96
1 SK NO 69 RICE	1	2 40	2 40
1 SK 96 MEAL	1	1 05	1 05
1 BBL MOBILE BEAUTY FLOUR 24	1	3 70	3 70
1 BBL MOBILE BEAUTY FLOUR 48	1	3 60	<u>3 60</u>

TAX

88

20 85

INVOICE OF JAN 19, 1933

1 CS 36 1/2 LAMP CHIMNEYS	1	1 85	1 85
100 MONTEREY CIGARS	100	19 00	<u>1 90</u>

TAX

10

3 85

SUB TOTAL

207.63

LESS CASH CREDITS NOV 12, 1932 15.00
 NOV 23, 1932 13.60
 Feb. 8, 1933 10.00

38.60

169.03

LESS BALDWIN COUNTY CERTIFICATE SERIES D NO 59 6-17-32

43.50 ACCEPTED LESS 10%

39.15

ADD INTEREST TO APRIL 5, 1934

129.88

12.32

142.20

Original

Asset Page 81

RECORDED

Agnew Davidson
Company Inc

VS

Perdido Naval Stores

Executed June 25th
1934 by serving
Copy of the within
Summons and
Complaint on
J. B. Harvard and
C. R. Weekly at
Perdido Naval Stores
& C. R. Weekly and
J. B. Harvard individually
W. R. Stunt
Sheriff

W. A. Jones
Clerk

OGBURN-DAVISON COMPANY,
INC., a Corporation,

Plaintiff,

-vs-

PERDIDO NAVAL STORES, a
Partnership composed of
J. S. Havard and C. R.
Weekley and J. S. Havard
and C. R. Weekley, Indi-
vidually,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Come the Defendants in the above styled cause and demur
to the Complaint in this cause filed, and to each and every count
thereof, separately and severally, and as grounds therefor say:-

FIRST:

That said Complaint does not state a cause of action.

Hyatt, Head & Pason
Attorneys for Defendants.

Amel
DEMURRER.

1
(8/11)
OGBURN-DAVISON COMPANY, INC.,
A Corporation,

Plaintiff,

-vs-

PERDIDO NAVAL STORES, a Partner-
ship composed of J. S. Havard
and C. R. Weekley and J. S.
HAVARD and C. R. WEEKLEY, Indi-
vidually,

Defendants.

IN THE CIRCUIT COURT-LAW SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

Filed July 25th, 1934

W. A. Stone
Clerk.

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA