

Defendants.

IN THE

(CIRCUIT COURT OF
(
(BALWIN COUNTY, ALA.

2- In answer to the second Interrogatory plaintiff says Ernest Corte admitted to the plaintiff on January 6, 1935 out by J.A. Malone's farm, three miles east of Fairhope, Baldwin County, Alabama, that they owed the plaintiff the bill owed on and promised to pay the plaintiff. Plaintiff states his oldest son, Enis Jansen and his daughter, Ruby, were present, also Arbard [redacted] of Fairhope and Harvard Gooden also of Fairhope. *Will Malone*
these men, whose names below next

4- In answer to the fourth Interrogatory the plaintiff says he did keep a statement of the itemized account.

M. J. Larsen
Plaintiff.

Subscribed and sworn to before me this 8th day of June,

1935.

before me this 8th day of June
L. G. Bowen
 Notary Public.
Smith Co., Ala.

EXHIBIT "A"

A. A. CORTE AND SONS in account with M. J. Jansen.

May 9, 1930 Statement as follows:

86 Hampers of #1 Cukes @ \$1.60 per Hamper	\$ 137.60
25 Hampers of #2 Cukes @ \$1.10 per Hamper	27.50
405 Sacks of #1 Potatoes @ \$2.20 per Sack	891.00
64 Sacks #2 Potatoes @ \$1.00 per Sack	64.00
	<u>1120.10</u> TOTAL

EXHIBIT "A"

Handwritten signature: M. J. Jansen

Handwritten signature: A. A. Corte

Handwritten signature: [illegible]

Handwritten signature: [illegible]

Handwritten signature: [illegible]

Third June 18 1935
 Robert L. Luck
 Cherry

M. J. JENSEN,

Plaintiff,

-vs-

A. A. CORTE and A. A.
CORTE & SONS ET AL,

Defendants.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Now come the Defendants and file this, their Demurrer to each count of the Complaint, separately and severally, and assign as grounds therefor:-

1st. Thatsaid count states no cause of action.

2nd. That it appears that said count is barred by the Statute of Limitations of three years.

3rd. It does not allege that said account was agreed upon by and between the parties.

Hybart, Heard & Rason
Attorneys for Defendants.

126
~~120734~~
Ruck
DEMURRER.

M. J. JANSEN,

Plaintiff,

-VS-

A. A. CORTE and A. A.
CORTE & SONS ET AL,

Defendants.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Filed April 10, 1935

Robert S. Ruck
Clerk.

120734
Ruck

THE STATE OF ALABAMA,
Baldwin County.

No. 126

CIRCUIT COURT

Term, 1932

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of
M. J. Ganss Plaintiff in the suit,
 you cause to be made the sum of _____ Dollars,
 costs of suit, created by said Plaintiff for that, whereas, on the 30 day of
March 1936, the said Plaintiff recovered by the Judgment of the said Circuit Court
 of said County, against A. A. Caste, Deceased

..... Defendant
to the suit, the sum of Dollars,
besides Twenty Nine and 10/100 Dollars, cost of suit;
~~upon which Judgment an Execution has been issued and returned by the Sheriff, "No Property Found."~~

AND HAVE YOU THAT MONEY ready to render to

Clerk of said Court, and make return of this Writ and the execution thereof, according to law.

Witness my hand, this 15 day of Feb 1937

Resluer Clerk.

[illegible]

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within Execution, I have at

o'clock M., this 21st day of May, 1937, levied

Collected \$35.00 Cost, as named
herein from, M. J. Jansen and
turned same over to R. S. Duck Clerk

M. H. Wilkins
Sheriff

Sheriff.

COLLECT COSTS FROM

The State of Alabama
BALDWIN COUNTY

I hereby certify that the within
and costs in this case are correct, and there was
waiver of exemption as to personal prop-
erty under the Constitution and Laws of
Alabama.

This day of 1937

Clerk

Received in office Feb.

24 1937

M. H. Wilkins

Sheriff

Sheriff's Execution Docket, Page 90

Sheriff's Fee Book, Page

5/21/37
No. 126
Page
Jansen
Jansen

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

M. J. Jansen

Plaintiff

vs
G. A. Carlson

Defendant

Civil Execution for Costs
Against Plaintiff.

Costs, \$35.00

Civil Fee Book, Page

Execution Docket, Page

Filed Feb. 25, 1937

R. S. Duck, Clerk.

G. H. Bowen

Plaintiff's Attorney.

Hubert Chan

Defendant's Attorney.

STATE OF ALABAMA

I
*

COUNTY OF BALDWIN

I

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons A. A. Corte, E. D. Corte, J. A. Corte, A. I. S. Corte, F. A. Corte, A. R. Corte, Julius Corte, Albert Corte, individually and trading as A. A. Corte & Sons, to appear within thirty (30) days from the service of this writ in the Circuit Court, to be held in said County at the place of holding same, then and there to answer the complaint of M. J. Jansen.

WITNESS my hand this the 4 day of March, 1935.

Robert A. Duck
Clerk.

M. W. Jansen,

PLAINTIFF : Circuit Court of Baldwin County,

VS.

: Alabama.

A. A. Corte, B. D. Corte,
J. A. Corte, A. I. Corte,
F. A. Corte, A. R. Corte,
Julius Corte, Albert Corte,
individually and trading as
A. A. Corte & Sons.,

: Law Side.

DEFENDANTS :

COUNT 1

Plaintiff claims of the Defendants \$1,120.00 due by account by the Defendants to the Plaintiff on or about June 1, 1930 which sum of money, together with the interest thereon is still due and unpaid.

Plaintiff alleges that the Defendants promised from time to time during a period between June, 1930 and January 6, 1935 to pay the Plaintiff said claim, but has failed to do so and the same remains due and unpaid.

COUNT 2

Plaintiff claims of the Defendants \$1,120.00 due by account stated by the defendants to the Plaintiff on or about June, 1930 which sum of money with the interest thereon at 8% per annum is still due and unpaid.

Plaintiff demands trial by jury.

J. G. Bowen
ATTORNEY FOR PLAINTIFF

J. G. Bowen
ATTORNEY FOR PLAINTIFF

M. J. JANSEN, PLAINTIFF

VS.

A. A. CORTE, ET ALS, DEFENDANTS)

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

BAY MINETTE, ALABAMA.

Comes the Plaintiff in the above entitled cause and begs leave of the Court to amend his complaint by adding Counts Three and Four thereto, as hereinafter set out and filed herewith in the court.

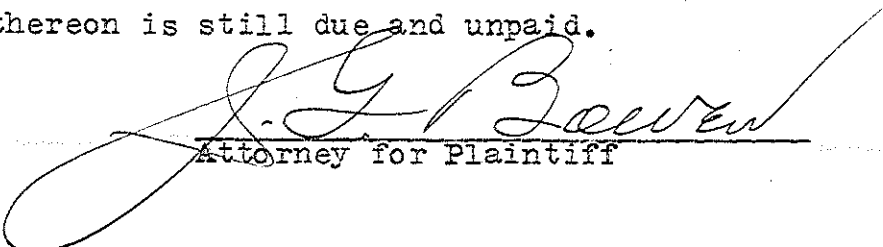

Attorney for Plaintiff

Count 3

The Plaintiff claims of the Defendants \$1,120.00, (one thousand one hundred twenty dollars), due from them by account on or about June 1st, 1930, which sum of money with the interest thereon is still due and unpaid.

Count 4

The Plaintiff claims of the Defendants \$1,120.00, (one thousand one hundred twenty dollars), due from them for merchandise, goods and chattels, sold by the Plaintiff to the Defendants on or about June 1st, 1930; which sum of money with the interest thereon is still due and unpaid.


Attorney for Plaintiff

Motion Deck
RECORDED
Deck
7-436
Mot. 52

MOTION BY PLAINTIFF

FOR LEAVE TO AMEND COMPLAINT

BY ADDING COUNTS THREE AND

FOUR THERETO.

M. J. JANSEN, PLAINTIFF

VS.

A. A. CORTE, ET ALS,
DEFENDANTS

J. G. Bowen,
Attorney for Plaintiff

Filed this 9 day of Feb. 1936

Robert D. Buck
Clerk-Registrar

M. J. JANSEN,

Plaintiff,

-vs-

A. A. CORTE and A. A.
CORTE & SONS ET AL,

Defendants.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

Now come the Defendants in the aforesaid cause and propound to the Plaintiff under the statute the following interrogatories:-

1st. Please state your name, age and residence. Please attach to your answer to these interrogatories an itemized statement of the account that you claim against the Defendants which you allege is the basis of your suit, showing all debits and all credits and the respective dates of each transaction, attaching same and marking it Exhibit "A" to your answer to these interrogatories.

2nd. If you claim that a promise was made to you by the Defendants to pay your alleged account, please state who made this promise to you and who was present at the time, and where the conversation took place and which one of the Defendants you had your conversation with. If you claim that you had more than one conversation relative to said account in which the Defendants, or one of them, admitted the correctness of your account, please give in detail each and every conversation that you had with the Defendants, or either one of them, in regard to the payment of your said account, stating in regard to each transaction or conversation the place where the conversation or agreement was had, the party or parties defendant with whom you had said agreement, and who was present at the time that said conversation or agreement to pay your alleged indebtedness was had.

3rd. If you claim to have a stated account against the Defendants, please explain how and when said account was stated or delivered to the Defendants. If you claim you mailed said stated account to the Defendants, to whom did you address

(page two)

your letter, when did you address your letter and from what post-office did you mail your letter, or, if you state that you delivered it by hand, to whom did you deliver it, and when and where?

4th. Did you keep a copy of said stated account? If so, please attach a copy of the same to these interrogatories, making the same a part of your answer, marking the same Exhibit "B".

Idyhart, Heard & Shason
Attorneys for Defendants.

STATE OF ALABAMA,

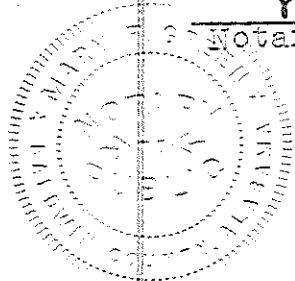
BALDWIN COUNTY.

Before me, Mary E. Green, a Notary Public in and for said State and County, personally appeared John Shason, one of the Attorneys for Defendants in the above styled cause, who, being duly sworn deposes and says:-

That the Defendants are desirous of obtaining the answer of the Plaintiff, M. J. Jansen, to the foregoing Interrogatories, and that said answer when made will be material testimony for the Defendants in the aforesaid cause.

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 10th day of April, 1935.

Mary E. Green
Notary Public, Baldwin County,
State of Alabama.

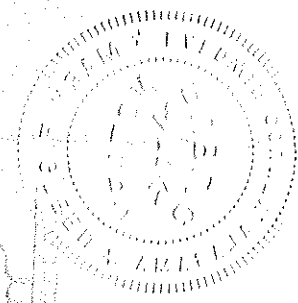


31/1 *Do not forget mail*
Robert S. Duck
126
INTERROGATORIES.

Rec'd in office
April 11 1935

M. J. Jansen
Sheriff

M. J. JANSEN,
Plaintiff,
"VS"
A. A. CORTE and A. A. CORTE
& SONS ET AL,
Defendants.



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

Filed April 10, 1935
Robert S. Duck
Clerk.

Received 17 Day of April 1935
and on 17 Day of April 1935
I served a copy of the within interrogatories
on J. H. Dawson
by service on _____

By F. L. HOLCOMBE, Sr., Sheriff
Birmingham

STATE OF ALABAMA

BALDWIN COUNTY

!
*
!

TO ANY SHERIFF OF THE STATE OF ALABAMA: --

You are hereby commanded to summons A.A. CORTE, E. D.
Corte, J. A. Corte, A. I. Corte, F. A. Corte, A. R. Corte,
Julius Corte, Albert Corte, individually and trading as
A. A. Corte & Sons, to appear within thirty (30) days from
the service of this writ in the Circuit Court, to be held
in said County at the place of holding same, then and there
to answer the complaint of M. J. Jansen.

WITNESS my hand this the 4 day of March, 1935.

J. A. Corte
Clerk.

M. J. Jansen,

PLAINTIFF : Circuit Court of Baldwin County,

VS.

: Alabama.

A. A. Corte, E. D. Corte,
J. A. Corte, A. I. Corte,
F. A. Corte, A. R. Corte,
Julius Corte, Albert Corte,
individually and trading as
A. A. Corte & Sons.,

: Law Side.

DEFENDANTS :

COUNT 1

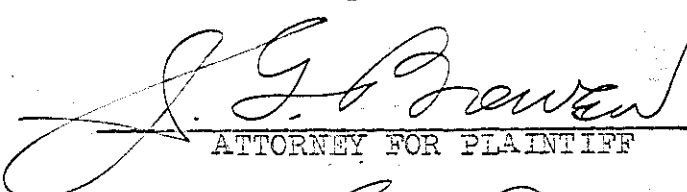
Plaintiff claims of the Defendants \$1,120.00 due by account by the Defendants to the Plaintiff on or about June 1, 1930 which sum of money, together with the interest thereon is still due and unpaid.

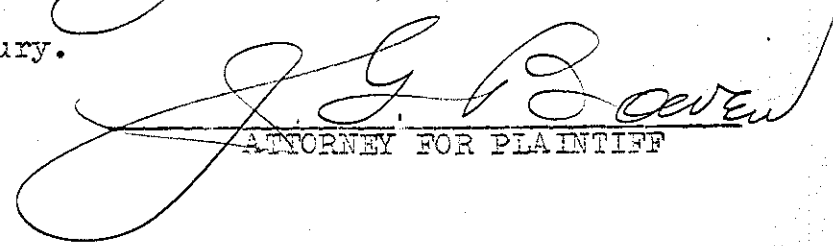
Plaintiff alleges that the Defendants promised from time to time during a period between June, 1930 xx and January 6, 1935 to pay the Plaintiff said claim, but has failed to do so and the same remains due and unpaid.

COUNT 2

Plaintiff claims of the Defendants \$1,120.00 due by account stated by the defendants to the Plaintiff on or about June, 1930 which sum of money with the interest thereon at 8% per annum is still due and unpaid.

Plaintiff demands trial by jury.


ATTORNEY FOR PLAINTIFF


ATTORNEY FOR PLAINTIFF

126

M. J. Jansen,

PLAINTIFF

VS.

A. A. Corte, E. D. Corte,
J. A. Corte, A. I. Corte,
F. A. Corte, A. R. Corte,
Julius Corte, Albert Corte,
individually and trading as
A. A. Corte & Sons.,
DEFENDANTS

CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA.

LAW SIDE.

DEFENDANTS' ADDRESS: Live in
Fairhope, Alabama and office in
Loxley, Alabama

Also

March 4 1935

Returned

Rec in office B/4/35

M. H. Wilkins
Sheriff

Executed March 15 - 1935
by serving copy of within Summons and
Complaint on

A. A. Corte, E. D. Corte,
J. A. Corte, A. I. Corte,
F. A. Corte, Julius
Corte & Albert Corte
M. H. Wilkins, Sheriff
By C. N. Anderson, Deputy Sheriff

M. J. JANSEN,

Plaintiff,

-VS-

A. A. CORTE ET AL,

Defendants.

IN THE CIRCUIT COURT--AT LAW

STATE OF ALABAMA

BALDWIN COUNTY.

Now come the Defendants in the above entitled cause, and file the following additional Interrogatories to the Plaintiff, M. J. Jansen:-

1-A. At the time that you claim; that is, May 9th, 1930, to have delivered to the Defendants eighty-six hampers of No. 1 Cukes, and for which you were to receive one & 60/100 Dollars (\$1.60) per hamper, to whom did you deliver said cukes? Did the Defendants or their agent execute and deliver to you a receipt for said cukes? If so, please attach to your Answer to these Interrogatories a copy of said receipt. Did you deliver said 86 hampers of No. 1 Cukes on May 9th, 1930, or were these cukes delivered over a period of a day or two around May 9th, 1930. If you say that the 86 hampers of cukes were delivered about May 9th, 1930; that is, on a day or two around that date, where did you deliver said cukes and please state on what date they were delivered. Please give us the name of the individual or the member of the Defendants' partnership that you delivered these cukes to.

2-A. At the time that you claim; that is, May 9th, 1930, to have delivered to the Defendants 25 hampers of No. 2 Cukes, and for which you were to receive \$1.10 per hamper, to whom did you deliver said cukes? Did the Defendants or their agent execute and deliver to you a receipt for said cukes? If so, please attach to your answer to these Interrogatories a copy of said receipt. Did you deliver said 25 hampers of No. 2 Cukes on May 9th, 1930, or were these cukes delivered over a period of a day or two around May 9th, 1930? If you say that the 25 hampers of cukes were delivered about May 9th, 1930; that is, on a day or two around that date, please state on what date they were delivered. Where did you deliver said cukes? Please give us the name of the individual

(page two)

or the member of the Defendant's partnership that you delivered these cukes to.

3-A. Please attach to your Answers to these Interrogatories copy of all receipts that the Defendants gave you for cukes during the cucumber season for the year 1930. How many hampers of cukes did you sell and deliver to the Defendants during the cucumber season of 1930. Make a detailed statement of the delivery of cucumbers by you to the Defendants during the cucumber season for the year 1930.

Hyatt & Casar
Attorneys for Defendants.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, Mary E. Green, a Notary Public in and for said State and County, personally appeared John Casar, one of the Attorneys for Defendants in the above styled cause, who, being duly sworn deposes and says:-

That the Defendants are desirous of obtaining the answer of the Plaintiff, M. J. Jansen, to the foregoing Interrogatories, and that said answer when made will be material testimony for the Defendants in the above said cause.

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 9th day of July, 1935.

Mary E. Green
Notary Public, Baldwin County,
State of Alabama.

Rep in office
7/10/35
M. J. Jansen

P-35

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Jensen

INTERROGATORIES.

M. J. JANSEN,
Plaintiff,

-VS-

A. A. CORTE ET AL,
Defendants.

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

Filed July 10, 1935
Robert L. Quach
Clerk.

LAW OFFICES
HYBART, HEART
& CHASON
BAY MINETTE, ALABAMA

Received 15 Day of July 1935
and at 16 Day of July 1935
I served a copy of the within Interrogatories
on J. L. Barrett

My service on
J. L. Barrett, Esq.
Bay Minette, Ala.
per Minute