

#### SUMMONS

STATE OF ALABAMA 🕽 BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW, NO.

### TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon H. A. Stuart, of Bay Minette, Baldwin County, Alabama, to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, at the place of holding the same, then and there to answer to the complaint of McCown Oil Company, Incorporated, a Corporation.

Witness my hand, this \_\_\_\_\_\_ day of Movember, 1938.

By Deputy Clerk

### COMPLAINT

McCOWN OIL COMPANY, Incorporated, 🐧 IN THE CIRCUIT COURT OF a Corporation,

Plaintiff, DALDWIN COUNTY, ALABAMA

AT LAW, NO.

VS.

H. A. STUART,

Defendant.

### Count One

The Plaintiff claims of the Defendant the sum of seventy four and 42/100 dollars (\$74.42) due from him by account on, to-wit: the 5th day of January, 1938, which sum of money, with interest thereon from, to-wit: the 5th day of January, 1938, is still due and unpaid; and the Plaintiff alleges that a verified statement of said account is hereunto attached and is, by reference, made a part hereof, and that the said verified statement of account will be used as evidence against the said Defendant.

### Count Two

The Plaintiff claims of the Defendant the sum of seventy four and 42/100 dollars (\$74.42) due from him by account stated between the Plaintiff and the Defendant on, to-wit: the 6th day of January, 1938, which sum of money, with interest thereon from, to-wit: the 6th day of January, 1938, is still due and unpaid.

#### Count Three

The Plaintiff claims of the Defendant the sum of seventy four and 42/100 collars (\$74.42) for merchandise, goods, and chattels sold by the Plaintiff to the Defendant on, to-wit: April 23, 1936; on to-wit: April 30, 1936; on, to-wit: May 7, 1936; on, to-wit: June 8, 1936; on, to-wit: June, 15, 1936; on, to-wit: June 19, 1936; on, to-wit: July 28, 1936; on, to-wit: August 20, 1936; on, to-wit: August 24, 1936; and on, to-wit: September 30, 1936; all together totaling a bill of one hundred minety mine and

50/100 dollars (\$199.50), against which latter sum the plaintiff admits credits as follows; to-wit: May 26, 1936, \$25.00; June 15, 1936, \$5.08; August 20, 1936, \$35.00; September 23, 1936, \$25.00; November 23, 1936, \$25.00; and January 6, 1938, \$10.00, all together totaling a credit of one hundred twenty five and 08/100 dollars (\$125.08), leaving a balance due of seventy four and 42/100 dollars (\$74.42) which sum of money, with interest thereon from, to-wit: January 6, 1938, is still due and unpaid.

OUTLAW & SEALE

Attorneys for the Plaintiff



Mobile, Ala.,

Mr. H. A. Stuart,

Bay Minette, Alabama.

# IN ACCOUNT MCCOWN Oil Co. Inc.

TIRE DEPARTMENT

Cor. Government and Bayou Sts.

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### McCown Oil Company, Inc.

Government and Bayou Streets

Mobile, Ala.,

)	
County of Mobile)	
Before me, the unde	rsigned authority, personally appeared
	known to me, who being first duly sworn,
deposeth and saith that he i	s Vice-President of the McCown
Oil Company, Incorporated, a	nd that the statement of the account of
H.A. Stuart	, with the McCown Oil Company,
Incorporated, is true and co	errect, and that affiant has knowledge of
this claim and its correctne	ess and that the balance shown thereby
\$_74.42 <b>,</b>	with interest from January 6, 1958,
is justly due to the McCown	Oil Company, Incorporated, from the said
H.A. Stuart	, after allowing all proper
credits, and that affiant ha	s authority to make this affidavit.
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	By Store Comments
Section 1.	•
Sworn to and subscribed before	re me,
this 29 day of October	1938
alvin Mannoll	··
Notary Public. Mobile County	r. Ala.

At Law, No. 485 RECONDED

McCOWN OIL COMPANY, INCOR-PORATED, A Corporation, Plaintiff,

H. A. STUART, Defendant.

Original Bill of Complaint

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common counts

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

day of November, 1938. Filed in Office this

ATTORNEY AT LAW BAY MINETTE, ALABAMA LESLIE HALL

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McCOWN OIL COMPANY, Incorporated, A Corporation,

Plaintiff,

BALDWIN COUNTY, ALABAMA. AT LAW, NO.

IN THE CIRCUIT COURT OF

Vs.

H. A. Stuart,

Defendant.

Before me, the undersigned authority, within and for said County in said State, personally appeared H. S.A. Stuart, who, after being first duly and legally sworm by me, deposes and says: That the itemized statement filed with and attached to the Complaint in this cause is incorrect in that it fails to credit him with the following payments made by check, to-wit: June 15, 1936, \$29.92 and June 21, 1936, \$25.00. Affiant further deposes and says that the balance due the Plaintiff in this cause is \$19.50 and not \$74.42.

Sworm to and subscribed before me on this the 8 day of February, 1939.

J. J. Mashburn, Ar.

Notary Public, Baldwin County, Alabama.

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McCown oil company, incorporated, A corporation,

Plaintiff,

Vs.

H. A. STUART.

Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.
AT LAW, NO.

Comes the Defendant, H. A. Stuart, by his attorney, T. J. Mashburm, Jr., and for answer to said complaint and to each and every count therein, separately and severally, says:

- 1. The allegations of said Complaint are untrue.
- 2. That he has paid the debt, for the recovery of which this suit was brought, before the action was commenced.

J. A. Mishberry A. ATTORNEY FOR DEFENDANT.

The Defendant demands a trial by jury.

ALTOPNEY FOR DEFENDANT.

At Law, No. 482 TOTOTA

McGOWN OIL COMPANY,

Plaintiff,

INCORPORATED, A CORPORATION,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Filed in this office this

of December, 1938. 

8

## THE STATE OF ALABAMA, No. 182 Baldwin County

### CIRCUIT COURT

November Term, 1941

To Any Sheriff of the State of Alabama, Greeting:

Megiorative Oil Company. Inc Regretable a corporation Plaintiff in the suit, you cause to be made the sum of \$11.70 Dollars, costs of suit, created by said Plaintiff — for that, whereas, on the\$Ind	The Control of the Co				the goods and chattels, lands and tenem		•	Same of Same o
Rovember 1941, the said Plaintiff—recovered by the Judgment of the said Circuit Court of said County, against H. A. STUART  Defendant—  to the suit, the sum of \$11.70 Dollars, besides—  Lound and make return with this Writ and the Execution thereof, according to law. Witness my hand this \$25   1   1   1   1   1   1   1   1   1					100		7.	
Revember   1941, the said Plaintiff   recovered by the Judgment of the said Circuit Court of said County, against   E. A. STUART							•	
to the suit, the sum of	costs of suit, created by said Plaintif	, for	that	, wł	nereas, on the 3rd	-day	oî	Newson Community of the Stage o
besides— Dollars, costs 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 R. S. Duck Clerk of said Court, and make return with this Writ and the Execution thereof, according to law.  Witness my hand this Judgment and complaint \$1.25	November 1941, the said	l Plai	ntiff	re	ecovered by the Judgment of the said Circu	t Cou	ırt	
to the suit, the sum of	of said County, against H.	A. ST	'UAR'	T_			_	ers.
besides Dollars, costs 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 with this Writ and the Execution thereof, according to law.  Witness my hand this Judgment of Sheriff Salura Dollars, costs 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 R. S. Duck  Clerk of said Court, and make return with this Writ and the Execution thereof, according to law.  Witness my hand this Judgment of Sheriff Salura Dollars, costs of suit; upon which Judgment of Salura Dollars, costs of suit; upon which Judgment of Salura Dollars, costs of suit; upon which Judgment of Salura Dollars, costs in Salura Dollars, costs of suit; upon which Judgment of Salura Dollars, costs of suit; upon which Judgment of Salura Dollars, costs in Salura Dollars, costs in Salura Dollars, costs in Salura Dollars, costs of suit; upon which Judgment of Salura Dollars, costs in Salura D		·		···	Defen	lant_		
besides Dollars, costs 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 R. S. Duck Clerk of said Court, and make return with this Writ and the Execution thereof, according to law.  Witness my hand this day of December 1945  Clerk  CLERK'S FEES   1   Cts   SHERIFF FEES   2   Cts    CLERK'S FEES   2   Cts   SHERIFF FEES   3   Cts    CLERK'S FEES   2   Cts   SHERIFF FEES   3   Cts    CLERK'S FEES   3   Cts    CLERK'S FEES   4   Cts    CLERK'S FEES   5   Cts    SHIRLIFF FEES   5   Cts    SHIRLIFF FEES   5   Cts    CLERK'S FEES   5   Cts    CLERK'S FEES   5   Cts    CLERK'S FEES   5   Cts    CLERK'S FEES   5   Cts    SHIRLIFF FEES   5   Cts    SHIRLIFF FEES   5   Cts    SHIRLIFF FEES   5   Cts    CLERK'S FEES   5   Cts    CLERK'S FEES   5   Cts    CLERK'S FEES   5   Cts    SHIRLIFF FEES   5   Cts    CLERK'S FEES   5				 фтт				
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 R.S. Duck Clerk of said Court, and make return with this Writ and the Execution thereof, according to law.  Witness my hand this Gay of Personal Property Summons and complaint \$1.25								
AND HAVE YOU THAT MONEY ready to render to R. S. Duck Clerk of said Court, and make return with this Writ and the Execution thereof, according to law.  Witness my hand this Aday of December 1971  Clerk  CLERK'S FEES	besides				Dollars, costs	of su	it;	
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COLLECTION COSTS FROM	The State of Alabama,  BALDWIN COUNTY  I hereby certify that the within and costs in this case are correct, and there waswaiver of exemption as to personal property under the Constitution and Laws of Alabama.	This day of 194  Received in office 194  Sheriff's Execution Docket, Page Sheriff's Fee Book, Page Autural Autural Autural	of the family sund
THE STATE OF ALABAMA, BALDWIN COUNTY	CIRCUIT COURT  MOCOWIN OIL COMPANY, INCORPORATION  a corporation  VS.	A Poo	