

482

SUMMONS

STATE OF ALABAMA §
BALDWIN COUNTY §

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, NO. 482

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 12 day of November, 1938.

R. S. Dush
Clerk of the Circuit Court

By Pauline Thompson
Deputy Clerk

COMPLAINT

McCOWN OIL COMPANY, Incorporated, a Corporation,	§	IN THE CIRCUIT COURT OF
	§	BALDWIN COUNTY, ALABAMA
Plaintiff,	§	AT LAW, NO. <u>482</u>
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 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; 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.

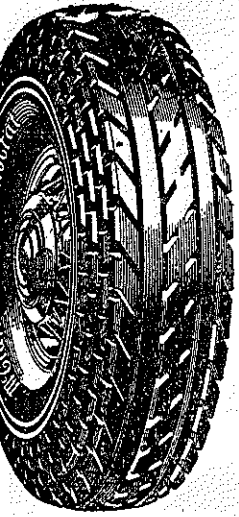
Count Three

The Plaintiff claims of the Defendant the sum of seventy four and 42/100 dollars (\$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 ninety nine 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
Attorneys for the Plaintiff



Mobile, Ala., 193

Mr. H. A. Stuart,
Bay Minette, Alabama.IN ACCOUNT
WITH**McCown Oil Co. Inc.**

TIRE DEPARTMENT

Cor. Government and Bayou Sts.

Dexter
69

TELEPHONES

Dexter
1244**McCLAREN TIRES**

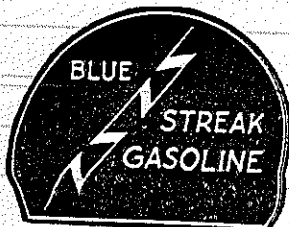
TERMS AS PER AGREEMENT AT TIME OF SALE

Charges

23	2 32-6 Autocrat Tires	\$47.58
30	Tube Repair	.75
7	Tube Repair	1.00
8	Tube Repair	1.00
8	Boot	.75
15	2 30-5 Super Tires & Tubes	52.34
19	30-5 Super Tires & Tubes	28.18
28	Tube Repair	1.00
20	Tube Repair	.75
20	32-6 Autocrat Tires	35.22
24	" " Adj	15.96
30	" " Adj	14.97
		<u>\$199.50</u>

Credits

26	\$25.00	
15	5.08	
20	35.00	
23	25.00	
23	25.00	
6	<u>10.00</u>	<u>- 125.08</u>
	Total.....	\$ 74.42



McCown Oil Company, Inc.

Government and Bayou Streets

Mobile, Ala.,

State of Alabama)
County of Mobile)

Before me, the undersigned authority, personally appeared

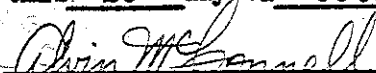
L.M. McCown, known to me, who being first duly sworn,
deposeth and saith that he is Vice-President of the McCown
Oil Company, Incorporated, and that the statement of the account of
H.A. Stuart, with the McCown Oil Company,
Incorporated, is true and correct, and that affiant has knowledge of
this claim and its correctness and that the balance shown thereby
\$ 74.42, with interest from January 6, 1938,
is justly due to the McCown Oil Company, Incorporated, from the said
H.A. Stuart, after allowing all proper
credits, and that affiant has authority to make this affidavit.

McCown Oil Company, Incorporated,

By 

Sworn to and subscribed before me,

this 29 day of October 1938


Notary Public, Mobile County, Ala.

Mobile's Master One Stop Service Station

FIRESTONE PRODUCTS

:-:

SHELL GAS and LUBRICANTS

"Trade With Home Folks"

At Law, No. 4892 **RECORDED**
Book 8-29

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

vs.

H. A. STUART,
Defendant.

Original Bill of Complaint
on
common counts

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Filed in Office this 12
day of November, 1938.

R. S. Duck
Clerk

by Leslie Hall
Deputy Clerk.

LESLIE HALL
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

not
Executed this 14th
day of November 1938
by giving a copy of
within summons
on H. A. Stuart

On H. A. Stuart
Sheriff
By H. A. Stuart
D. A.

McCOWN OIL COMPANY, Incorporated,
A Corporation,

Plaintiff,

Vs.

H. A. Stuart,

Defendant.

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

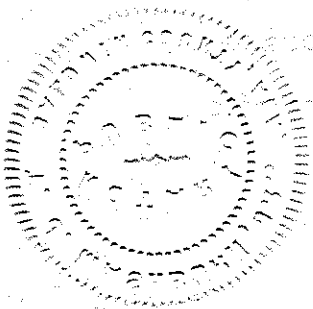
Before me, the undersigned authority, within and for said County in said State, personally appeared H. S. A. Stuart, who, after being first duly and legally sworn by me, deposes and says: That the itemized statement filed with and attached to the Complaint in this cause is incorrect in that it fails 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.

H. A. Stuart

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

J. J. Mashburn, Jr.

Notary Public, Baldwin County, Alabama.



Filed February 9, 1934
R. S. Buck, Clerk
By *Arthur Thompson*, Deputy

Applicant

RECORDED

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. Mashburn, 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.

T. J. Mashburn, Jr.
ATTORNEY FOR DEFENDANT.

The Defendant demands a trial by jury.

T. J. Mashburn, Jr.
ATTORNEY FOR DEFENDANT.

At Law, No.

482 RECEIVED

Quincy

McGOWN OIL COMPANY,

INCORPORATED, A CORPORATION,

Plaintiff,

VS.

H. A. STUART,

Defendant.

PLEAS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Filed in this office this 23
of December, 1938.

R. H. DICK

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at

o'clock, M., this day of 194 levied

COLLECTION 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
property under the Constitution and Laws of
Alabama.

This day of 194

Clerk.

Received in office

194

Sheriff

Sheriff's Execution Docket, Page

Sheriff's Fee Book, Page

Returned this 14th day
of April 1942 no property
of the Plaintiff found
in my County
W. R. Stuart Sheriff
By M. B. Hamilton Esq.

No. 482 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

McGOWIN OIL COMPANY, INCORPORATION
a corporation

Plaintiff

vs.

H. A. STUART

Defendant

Civil Execution for Costs
Against Plaintiff

Costs - - - - \$ 11.70

Civil Fee Book Page

Execution Docket Page

Filed December 31, 1942

By R. A. Stuart Clerk.

T. J. Mashburn

Plaintiff's Attorney

Defendant's Attorney

Received in Sheriff's Office

this 31 day of Dec, 1942

W. R. STUART, Sheriff