



BALDWIN COUNTY, ALABAMA  
AT LAW

PANTHER OIL & GREASE MANUFACTURING  
COMPANY, a corporation,  
Complainant,

BALDWIN COUNTY, ALABAMA  
STATE OF ALABAMA

N. DYER,

Defendant.

M. M. DYER,

vs.

Plaintiff,

COMPANY, a corporation,  
PANTHER OIL & GREASE MANUFACTURING

NOTARIAL PUBLIC

this 14th day of March, 1940.

Subscribed in my presence and sworn to before me

by suggests the said WILLIS HILL as a commissioner for such purpose.

person to act as commissioner to take such testimony and affirm before

me, E. F. MORTON, Texas, is a Notary Public and a proper and qualified

that WILLIS HILL, whose address is 1814 Hurley Ave

is necessary to take the testimony of said witnesses by deposition.

residents of the City of E. F. MORTON in the State of Texas, and that it

that said witnesses reside out of the State of Alabama, and are each

material witnesses for the Plaintiff in the above entitled cause and

in the above entitled cause. That E. F. MORTON and CARL SPAN are

each deponents and says:

That he is attorney-at-law for the Plaintiff

LLOYD A. MORTON, Attorney-at-Law, Foley, Alabama

AFFIDAVIT

AFFIDAVIT

AL 144

BALDWIN COUNTY, ALABAMA  
IN THE CIRCUIT COURT OF

239

Filed March 12-1940  
J. B. Dyer  
clerk

PANTHER OIL & GREASE MANUFACTUR-  
ING COMPANY, a Corporation,

Plaintiff,

VS.

W. N. DYER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

INTERROGATORIES PROPOUNDED TO THE PLAINTIFF, IN ACCORDANCE WITH  
ARTICLE 10 OF THE CODE OF 1923 OF ALABAMA:

1. Please state the full name, and place of business of Plaintiff.
2. Please state whether or not the Plaintiff is a foreign corporation.
3. Please state whether or not the Plaintiff has qualified to do business in the State of Alabama, and if so, attach a copy of its certificate authorizing it to do business in the State of Alabama.
4. Please state whether or not the Plaintiff has filed with the Secretary of the State of Alabama a certified copy of its Articles of Incorporation, under the seal of the corporation and signed officially by its President and Secretary, designating at least one known place of business in the State of Alabama, and an authorized agent or agents residing thereat.
5. Please state the name or names of your agent or agents that called upon Mr. Dyer. Please state whether or not they were your regularly delegated agents with authority to sell your products in the State of Alabama to any and all purchasers whom you approved.
6. Please state how long you have been doing business, through agents, in the State of Alabama.

BEEBE & HALL,

By: [Signature]

Attorneys for Defendant.

STATE OF ALABAMA,

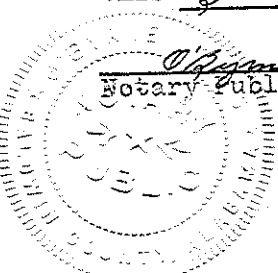
BALDWIN COUNTY.

Before me, the undersigned authority, in and for said County, in said State, personally appeared HUBERT M. HALL, who is known to me and who having been by me first duly sworn, deposes and says, that he is one of the attorneys of record for the Defendant in the above styled cause; that the answers to the above interrogatories will be material testimony for the Defendant in this cause.

[Signature]

Sworn to and subscribed before me  
this 3rd day of July, 1940.

[Signature]  
Notary Public, Baldwin County, Ala.



July 3, 1940



I have executed this writ by handing a copy to Lloyd Magney, do attorney for Panther Oil and Grease Manufacturing Company a Corporation. this the 5<sup>th</sup> day of July 1940. W.R. Stuart Clerk By John L Davis, D.C.

532

INTERROGATORIES PROPOUNDED  
TO PLAINTIFF:

PANTHER OIL & GREASE MANU-  
FACTURING COMPANY, a  
Corporation,

Plaintiff,

VS.

W. N. DYER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Filed July 3, 1940  
R.S. Dyer, Register

PANTHER OIL & GREASE  
MFG. CO., a Corporation,

Plaintiff,

VS.

W. N. DYER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

And now comes the Defendant and for answer to the Plaintiff's complaint, and to each count thereof, separately and severally, says:

1. That the facts therein alleged are untrue.

2. That he admits that he entered into an agreement with the Plaintiff company whereby it would ship to him certain of the Plaintiff's products, on consignment, to be remitted for as sold by the Defendant; that the Defendant accepted said goods on said condition and has remitted for the merchandise sold.

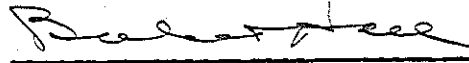
3. That the Plaintiff company entered into an agreement with the Defendant to ship him certain products on consignment, which were to be held by the Defendant and remitted for as sold, with the condition that the Defendant would, for his services, receive 25% in merchandise for all goods sold; that the Defendant received the said goods on said condition, and has sold and has remitted for all merchandise sold.

4. That the Plaintiff company shipped merchandise to the Defendant on consignment, to be remitted for by the Defendant as sold, and as a part of said contract, sent employees here to contact prospective purchasers of his products, and that said agents made certain representations or warranties to said prospective purchasers, thereby inducing them to purchase said products from the Defendant; that the Defendant, in accordance with the agreement with the Plaintiff, delivered the said products, but when the purchasers found that it was not in accordance with the representations of the representatives of the Plaintiff company, the said products, in accordance with the agreement entered into with the Plaintiff, were returned to the Defendant and given credit therefor, and that the Plaintiff company has not given the Defendant credit for said products.

5. That the Plaintiff company entered into an agreement to ship to the Defendant its products, on consignment, to be remitted for as sold, delivered to Foley; that the Plaintiff company shipped some of its products to the

Defendant, at Foley, and that the Defendant was called upon to pay the freight thereon; that the Defendant, in accordance with the agreement, has remitted to the Plaintiff company all amounts due in accordance with said agreement.

6. That the Plaintiff is a foreign corporation, and has not qualified to do business, and was not qualified to do business in the State of Alabama, at the time the contract was entered into.

  
Attorneys for Defendant.

RECORDED

8-384

ANSWER:

PANTHER OIL & GREASE MFG.  
COMPANY, a Corporation,

Plaintiff,

VS.

W. N. DYER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

*Filed Sept. 11, 1939.  
R. S. Duck, Registrar.  
By: Wallace Thompson,  
Deputy.*

CIRCUIT COURT. (LAW)

- Term, 1944

No. 592 vs.

CLERK'S FEES:	AMOUNT	SUMMARY OF FEES, COSTS, AND JUDGMENT	AMOUNT
Fees in Circuit Court—		Fees and Costs in Circuit Court:	
Docketing Cause, One Fee only of.....	.25	Clerk's Fees .....	1080
Issuing Summ. and Complt., each.....	1.25	Ex-Clerk's Fees .....	300
Issuing Alias or Branch Summons & Complaint, each	1.25	Sheriff's Fees .....	
Making Copies Thereof, Minimum, each .....	.30	Ex-Sheriff's Fees .....	
Making Copies Thereof, over 200 Words, per 100 words	.15	Witness Fees .....	
Entering Sheriff's Returns, each .....	.20	Commissioner's Fees .....	
Entering Appearances, each .....	.20	Garnishee's Fees .....	
Certifying Affidavits, each .....	.25	Publisher's Fees .....	
Issuing Attachments with Bond, each .....	1.00		
Orders of Publication, each .....	.50	Court Reporter's Fees, Per Day or fraction thereof	5.00
Copy of Same, each .....	.50	Trial Tax .....	3.00
Issuing Summ. to Garnishee, each .....	.50		
Copy of Same, Per 100 Words .....	.15		
Swearing Garnishee, Etc., Per 100 words, .15, Minimum .....	.50		
Release of Garnishee, each .....	.25		
Issuing Scire Facias or Similar Notice, each .....	.75		
Copies of Same, Per 100 Words.....	.15		
Making Copy of Interrogatories, Per 100 Words, .15; Minimum .....	.50		
Commission to Take Depositions, each .....	.75	Fees and Costs in Inferior Court:	
Filing Depositions, Each Pkg., .....	.10	Clerk of Inferior Court Fees .....	
Endorsing Each Package of Depositions Opened ....	.10	Sheriff's Fees .....	
Issuing Subpoenas, Each .....	.30	Justice of Peace Fees .....	
Issuing Witness Certificates, each .....	.25	Constable's Fees .....	
Entering Continuances, each .....	.10		
Filing Papers, each .....	.10	Fees and Costs in Inferior Court .....	
Other Orders of Court, each .....	.30		
Trial and Incidents .....	.75	Total Fees and Costs .....	
Entering Judgment, each .....	.30	Judgment .....	
Complete Record, Per 100 Words .....	.15	10 Per Cent Damages .....	
Taking Bonds, each .....	.75	Interest .....	
Certificate of Appeal .....	.25	Total Judgment .....	
Transcript to Supreme Court, Per 100 Words .....	.15		
Additional Copies of Same, Per 100 Words .....	.05	Total Fees, Costs and Judgment .....	
Issuing Executions or Copy Thereof, each .....	.50		
Entering Sheriff's Return, Per 100 Words, .15; Minimum .....	.20		
		Total .....	
Total Clerk's Fees .....	1020		
SHERIFF'S FEES:			
Serving and Returning Summons or Writ, each .....	1.50		
Levying Attachment, each .....	3.00		
Entering and Returning Same, each .....	.25		
Seizing Personal Property Under Writ of Detinue ..	3.00		
Taking and Approving Bonds, each.....	1.00		
Summoning Garnishee and Return, each .....	1.50		
Serving and Returning Sci. Fa. or Notice, Each ....	1.50		
Serving and Returning Subpoenas, each .....	.65		
Serving Contempt Attachment, each .....	1.50		
Impanelling Jury.....	.75		
Collecting Execution for Costs Only, each.....	1.50		
Coms. for Collecting Money on Executions .....			
Executing Writs of Possession, each.....	5.00		
Making Deed to Real Estate Sold, each. ....	2.50		
Total Sheriff's Fees .....	300		



STATE OF ALABAMA }  
BALDWIN COUNTY }

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summons W. N. Dyer to appear within thirty days on 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 Panther Oil & Grease Mfg. Company.

WITNESS MY HAND this 7<sup>th</sup> day of August, 1939.

R. S. Duck

Clerk.

By Arthur Thompson, Deputy Clerk.  
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PANTHER OIL & GREASE MFG. CO.,  
a corporation,  
Plaintiff,

vs.

W. N. DYER,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

COMPLAINT

ONE

The plaintiff claims of the defendant FOUR HUNDRED AND NINTY ONE & 55/100 (\$491.55) DOLLARS due from him by account between the dates of January 30th, 1937 and April 29th, 1938 which sum of money, with the interest thereon, is still unpaid.

TWO

Plaintiff claims of the defendant FOUR HUNDRED AND NINTY ONE & 55/100 (\$491.55) DOLLARS for merchandise, goods and chattels sold by the plaintiff to the defendant between the dates of January 30th, 1937 and April 29th, 1938 which sum of money, together with the interest thereon, is still unpaid.

Plaintiff files with this complaint an itemized statement of account, verified by the affidavit of a competent witness.

Stuart Tompkins  
Attorney for Plaintiff.

Plaintiff demands a trial by jury.

W N DYER

(Debtor)

FOLEY ALA.

(Address)

IN ACCOUNT WITH

PANTHER OIL & GREASE MFG. CO.

Fort Worth, Texas

(Creditor)

STATE OF TEXAS )  
COUNTY OF TARRANT ) ss: AFFIDAVIT TO ITEMIZED ACCOUNT

Before me, the undersigned Notary Public in and for Tarrant County, State of Texas, on this day personally appeared C. HARRIS, known to me to be of lawful age and a resident of Tarrant County, Texas, who being by me duly sworn, states on oath that SHE is CLERK for Panther Oil & Grease Mfg. Co., a corporation organized under and existing by virtue of the laws of the State of Texas, domiciled and doing business with offices in the City of Fort Worth, County of Tarrant, and State of Texas, and as such is familiar with the records and accounts of said Corporation, and that the foregoing and annexed account for the sum of FOUR HUNDRED NINETY ONE AND 55/100 Dollars (\$491.55), is to the best of the knowledge and belief of said affiant, just and true; that it is unpaid and that all just and lawful offsets, payments, and credits have been allowed.

C. Harris

Subscribed and sworn to before me, this 14th day of July  
A.D. 1939.

My commission expires  
May 31, 1941

J. D. Blackwell  
(Notary Public in and for  
Tarrant County, Texas.)

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW	PANTHER OIL & GREASE MFG. CO., a corporation, Plaintiff, vs. W. N. DYER, Defendant.	RECORDED 8-384	COMPLAINING	Filed August 7, 1939 R.S. Rusk, Clerk By <i>Walter Thompson</i> , Attorney at Law. LLOYD A. MAGNEY ATTORNEY AT LAW FOLEY, ALABAMA
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8-8-39

*W. N. Dyer*

Executed 188-  
by serving  
Complaint  
By Sheriff

Executed 8-71-39 by  
serving a copy of the  
within summons & complaint  
on Wm. Syer  
W.R. Stuart Sheriff  
By G. M. Hall - D.S.

March 26, 1940.  
1217 Hurley St.,  
Ft. Worth, Texas.

AIR MAIL

Mr. R.S. Duck, Registrar and Clerk,  
Circuit Court,  
Baldwin County,  
Bay Minette, Ala.

Dear Sir:-

RE: Panther Oil & Grease Mfg. Co.,  
VS  
W.N. Dyer

Received your letter of the 21st with which you sent me Commission for taking depositions of E.L. Byers and Carl Shanks, connected with the Panther Oil & Grease Mfg. Co.

In checking this, I find that you sent me interrogatories on E.L. Byers only. Noticing this, I called the Panther Oil & Grease Mfg. Co. and asked them if they intended taking the deposition of Carl Shanks. They explained to me that it was their understanding that his deposition was to be taken and I presume that to be true, as the Commission is for E.L. Byers and Carl Shanks.

Wish you would please check this and see if you haven't overlooked enclosing the interrogatories for Carl Shanks and, if so, please send them to me as quickly as possible, as the Panther Oil & Grease Mfg. Co. tells me they understand these depositions should be in your possession on or before April 8th.

Would it be possible for you to mail the interrogatories on Carl Shanks to me Air Mail? Possibly that would be the quickest way.

Will appreciate your prompt reply.

Yours very truly,

*Vila Hill*

Vila Hill.

VH:J



## STATEMENT

**PANTHER OIL & GREASE MFG. CO.**  
**FORT WORTH, TEXAS**

W. H. Dyer  
Foley, Ala.

TEAR OFF HERE. MAIL TOP PART OF STATEMENT WITH YOUR REMITTANCE. KEEP BODY OF STATEMENT FOR YOUR RECORD.

PANTHER OIL &amp; GREASE MFG. CO., FORT WORTH, TEXAS

DATE	TERMS OR DESCRIPTION	CHARGES	CREDITS	NEW BALANCE
1-30-37	5-30-37	226.03		
	3-30-37	127.50		353.53
2-9-37	4-9-37	23.63		377.16
	3% - 4-9-37	170.00		547.16
3-24-37	CM 4333 5-24-37	256.98		804.16
7-19-37	Check		403.00	403.16
9-25-37	Banknight Check		100.00	
	Freight		144.96	156.20
10-30-37	3% 3-1-38	118.13		276.33
11-30-37	CM 6097		49.88	226.45
12-9-37	Check		25.00	201.45
12-30-37	CM 6313		5.00	196.45
1-18-38	CM 6633 Pmt. on Pecans		6.12	190.33
4-29-38	7-15-38	441.00		631.33
7-13-39	CM 1881		139.78	491.55

We render Statements for all bills "DUE and NOT DUE" as per our Ledger on the first of each month. This gives opportunity for correction of errors.

**THE GREASE**  
**IN THE**  
**SILVER DRUM**

THE LAST AMOUNT SHOWING IN THE BALANCE COLUMN IS THE AMOUNT YOU OWE

The State of Alabama, { S. D. Page No. \_\_\_\_\_  
Baldwin County { Case No. 532 Spring, 1941 Term, 193 \_\_\_\_\_  
CIRCUIT COURT

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Walter Miller (Bon Secour) F. A. Lipscombe,  
John Styron, E. Dennis, Silas Powers (Foley)

if to be found in your County, at the instance of the Defendant  
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,  
by 8:30 o'clock of the forenoon, on the 15th day of April 1941 193\_\_\_\_, and from day to  
day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain  
cause pending, wherein Panther Oil & Grease Manufacturing Co., Plaintiff

and W. N. Dyer Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this 27th day of March, 1941. 193\_\_\_\_

R. E. Dyer

CLERK.

Received in office this 27 day of

March

1941

W R Stuart

None

SHERIFF

I have executed this writ

John Brown - 4-10-41

F. A. Johnson - 4-8-41

Silas Powell - 4-4-41

Walter Miller - 4-8-41

B. Dennis - 4-11-41

15  
ORIGINAL

No. 532

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THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

PANTHER OIL & GREASE MANUFACTURING

CO., a Corp.,

Plaintiff

VS.

W. N. DYER,

Defendant

CIVIL SUBPOENA

Issued this 27th day of

March, 1941 193

Clerk.

W R Stuart

SHERIFF

By M. B. Hamilton



THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No. ....

Case No. 532

CIRCUIT COURT

Spring, 1940 Term, 193

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Walter Miller, (Bon Secour) F. A. Lipscombe,

John Styron, B. Dennis, Silas Powers (Poley)

if to be found in your County, at the instance of the Defendant

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 11th day of April-1940 193

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein Panther Oil & Grease Co., Plaintiff

and W. N. Dyer Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 8th day of April, 1940 193

R. S. Dyer Clerk.

Received in office this 8<sup>th</sup> day of

April 1940

193

W.R. Stuart.

Sheriff.

I have executed this writ by serving

copy on 4/9/40.

John Styron

Walter Miller

F.E. LeCombe

B. Dennis

Seles Powers

W.R. Stuart

Sheriff.

ORIGINAL

No. 532

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

PANTHER OIL & GREASE CO.,

Plaintiff

VS.

W. N. DYER

Defendant

CIVIL SUBPOENA

Issued this ..... day of

193

Clerk.