

1059

CERTIFICATE OF JUDGMENT

Printed by The Baldwin Times, Bay Minette, Ala.

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT, Term, 19.....

FUEL OIL SUPPLY CO. ASOR Corp

Plaintiff....

Vs.

NOLAN JOHNSON

Defendant ..

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County,

Alabama, do hereby certify that on the 26th day of June, 1947,

a Judgment was rendered by said Court in the above stated cause, wherein

FUEL OIL SUPPLY CO. a corp

was Plaintiff and

NOLAN JOHNSON

was Defendant, in

favor of the said Plaintiff and against the said Defendant for the sum of

ONE THOUSAND TWO HUNDRED FIFTY-NINE 75/100 DOLLARS

and for the sum of ELEVEN 80/100 DOLLARS,

the costs in said suit, and that Rickarby and Rickarby

are the Attorneys of record for the Plaintiff

in said cause.

Witness my hand this 28th day of June, 1947.

Clerk, Circuit Court, Baldwin County, Alabama.

STATE OF ALABAMA:
COUNTY OF BALDWIN:

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon NOLAN JOHNSON,
Defendant, to appear within thirty days from 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 the FUEL OIL COMPANY, a Corp.,
Plaintiff.

Witness my hand this 25 day of April, 1947.

Alfred J. Smith Clerk

COMPLAINT

FUEL OIL SUPPLY CO. Corp.
Plaintiff

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA

VS

NOLAN JOHNSON
Defendant

COUNT ONE: The Plaintiff claims of the Defendant the
sum of ONE THOUSAND TWO HUNDRED FIFTY NINE and 75/100 (\$1,259.75)
DOLLARS damages for that at the time of committing the grievances
hereinafter mentioned the Plaintiff was possessed of a tractor
and tank trailer and was having same driven west along Highway
104 approximately one mile west of Silverhill in Baldwin County,
Alabama, and the Defendant then so negligently and suddenly drove
a Pontiac car out into said highway from Erickson's filling
station without first seeing that the way was clear and so
unskillfully and improperly conducted the said Pontiac car that
the same would then necessarily and inevitably have been run
over by said tractor and tank trailer of the Plaintiff and not
have only damaged his vehicle but also that of the Plaintiff's
if the said tractor and tank trailer of the Plaintiff had then
continued and remained upon the said highway as aforesaid;
wherefore the Plaintiff acting through his agent one

Eugene Madison the driver of said tractor and trailer in a reasonable and necessary endeavor under the circumstances to avoid the said damage, reasonable and necessarily and with proper and reasonable care and skill in that behalf, guided and conducted his said vehicle off one side of the said highway, and in so doing his said vehicle without any negligence, unskillfulness, or default of the Plaintiff, but solely and immediately in consequence of the negligence, violence and improper conduct of the Defendant as aforesaid, were damaged whereby the Plaintiff was put to expense in repairing his said tractor and tank trailer and was deprived of the use of his said vehicle for a long time, towit fifty-one days. The Plaintiff further states that the Defendant was operating said Pontiac car without driver's license contrary to the Laws of the State of Alabama.

COUNT TWO: The sum of ONE THOUSAND TWO HUNDRED FIFTY NINE and 75/100 (\$1,259.75 DOLLARS damages for that the Defendant so negligently operated his Pontiac car on Highway 104 approximatley one mile west of Silverhill in Baldwin County Alabama that he caused the Plaintiff's GMC ^{Tractor and} tank trailer to run off said road and jack-knife and in consequence of the negligence of Defendant the vehicle of the Plaintiff was damaged whereby the Plaintiff was put to expense in repairing his said tractor and tank trailer and was deprived of the use of his said vehicle for a long time, towit fifty-one days. The Plaintiff further states that the Defendant was operating said Pontiac car without driver's license contrary to the Laws of the State of Alabama.


Plaintiff's Attorneys

Defendants address:
Nolan Johnson
Silverhill, Alabama

1059

FUEL OIL SUPPLY CO,
A. Corp.,
Plaintiff

VS

NOLAN JOHNSON,
Defendant

FILED

APR 25 1947

ALICE J. DUCK, Clerk

RICKARBY & RICKARBY
Attorneys for Plaintiff

Received by the Office
on 26 Apr 1947
TAYLOR WILKINS, Sheriff

Executed May 15 1947
by serving copy of within Sanderson and
Complaint on

Nolan Johnson

Taylor Wilkins
By J. J. Hall, Sheriff

STATE OF ALABAMA:
COUNTY OF BALDWIN:

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon NOLAN JOHNSON,
Defendant, to appear within thirty days from 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 the FUEL OIL COMPANY, a Corp.,
Plaintiff.

Witness my hand this 24 day of August 1947.

Alvin J. Smith Clerk

COMPLAINT

FUEL OIL SUPPLY CO. Corp.
Plaintiff

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA

VS

NOLAN JOHNSON
Defendant

COUNT ONE: The Plaintiff claims of the Defendant the
sum of ONE THOUSAND TWO HUNDRED FIFTY NINE and 75/100 (\$1,259.75)
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if the said tractor and tank trailer of the Plaintiff had then
continued and remained upon the said highway as aforesaid;
wherefore the Plaintiff acting through his agent one

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Plaintiff's Attorneys

Defendants address:
Nolan Johnson
Silverhill, Alabama

1059

FUEL OIL SUPPLY CO,
A Corp., Plaintiff

vs

NOLAN JOHNSON,
Defendant

FILED

APR 23 1947

ALICE J. DUCK, Clerk

RICKARBY & RICKARBY
Attorneys for Plaintiff

*Executed
May 15-1947.*

STATE OF ALABAMA:
COUNTY OF BALDWIN:

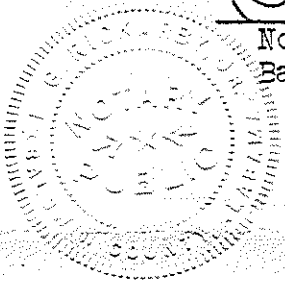
IN THE
CIRCUIT COURT OF
BALDWIN COUNTY
ALABAMA

Before me the undersigned notary public personally appeared LEE SCHNITZER, who being first duly sworn deposes and says that the attached itemized statement correctly shows the damages the Fuel Oil Supply Company Corp. received as the result of the accident with Nolan Johnson and that the charges for repairs and loss of the use of said car are true and correct according to the best of his knowledge, information, and belief, and amounts to ONE THOUSAND TWO HUNDRED FIFTY-NINE DOLLARS AND SEVENTY-FIVE CENTS.

L. W. Schnitzer

Subscribed and sworn to before me this the 13 day of June,
1947

[Signature]
Notary Public
Baldwin County Alabama



FAIRHOPE, ALA.

DATE March 12th, 1947

1504/40 Mr. Nolan Johnson
Silverhill, Alabama

CONTRACT NO.

ORDER No.

REQ. NO.

TERMS

DELIVERED TO

DATE _____

INV. NO.	ORDER NO.	ITEM	QUANTITY	UNIT PRICE	TOTAL
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12-18-46

TRACTOR

1	-	Steering Columne	4.30
1	-	Steering Worm Shaft	22.45
		Bolts and Nuts	1.00
1	-	3 x 4 Sheest of sheetmetal	5.00
		Angle Iron for saddle tanks	7.00
		Removing and installing engine to drive line	50.00
		Removing and installing air brake system	25.00
		Repairing discharge pump	25.00
		Remove, reinstall cab and straighten	95.00
		Removing and installing saddle tanks and repairing same	43.00
		Fifth wheel	92.00
2 pcs.		6" I Beam Runners 8'0"	
		6' of 3 x 6 x 3 Z Bar (cross- member)	62.50
		6 sq. ft. 1/4" Plate Trussetts	
		3'0" of 6" I Beam Crossmembers	
		6 Angle Clips	
		4'0" of 1/4" F Bar	
		Labor	210.00

(CONTINUED)

L. W. SCHNITZER, OWNER

FUEL OIL SUPPLY CO.

FAIRHOPE, ALA.

DATE March 12th, 1947

~~SOLD TO~~

Mr. Nolan Johnson
Silverhill, Alabama

~~CONTRACT NO.~~

~~ORDER NO.~~

~~REC. NO.~~

~~TERMS~~

~~DELIVERED TO~~

Page No. 2

DATE	INV. NO.	ORDER NO.	ITEM	QUANTITY	UNIT PRICE	TOTAL
12-18-46			<u>TRAILER</u>			
			Straightening and aligning trailer		235.00	
12-18-46 to 2-15-47						
TOTAL OF FIFTY ONE (51) WORKING DAYS - LOSS OF REVENUE ON TRACTOR \$7.50 PER DAY					382.50	
GRAND TOTAL						-\$1,259.75

FUEL OIL SUPPLY CO. CORP
Plaintiff

VS

NOLAN JOHNSON
Defendant

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY
ALABAMA

TO MRS ALICE J. DUCK
Clerk of Said Court

The Defendant having failed to plead, answer or demur to the Complaint in this cause within the time prescribed by law, Plaintiff hereby demands judgment by default for the amount stated in the Complaint and requests that such demand be noted in the docket and within five days thereafter that the papers in the case, including affidavit be sent to the Judge of this Court, together with certificate showing Defendant's default, and the request for judgment in vacation for Plaintiff's damages in the sum of ONE THOUSAND TWO HUNDRED FIFTY-NINE DOLLARS AND SEVENTY-FIVE CENTS.

Attorneys for Plaintiff

FUEL OIL SUPPLY CO. CORP
Plaintiff

VS

NOLAN JOHNSON
Defendant

MOTION FOR
JUDGMENT BY DEFAULT

FILED

JUN 125 1947

Alice E. DUCH, Clerk

1059