

FOLEY, ALA., 2-12.

1951

## FOLEY HARDWARE COMPANY

Wm Schneider

Foley, Ala.

"HERE TO HELP SATISFY THE NEEDS OF OUR PROSPEROUS COUNTY"

5-5-1947	1 Shovel		40	
8-25	Leads		20	
	Surveys		10	
	Line		1 20	
	Rod		5 50	
	1 Net		1 15	
1-17-48	1 Ban Har Deep Freeze		9 00	
5-31	1 Hoe		1 50	
6-7	Paid on acct			40 00
8-9	" " "			10 00
	Balance due on above account		550 05	
	July		1 00	
				<u>562 05</u>

FOLEY, ALA., 2-12

1951

## FOLEY HARDWARE COMPANY

Southern Motor Service

Foley, Ala

"HERE TO HELP SATISFY THE NEEDS OF OUR PROSPEROUS COUNTY"

7-7-47-	Garbage Can	1 45
	" "	1 50
	1 3/4 SH. Eel	20
	1 3/4 45° "	20
7-8	Drill	60
7-12	Tractor Parts	7 53
7-15	2 Qts Enamel	3 50
7-17	✓ Drill	50
	1- 4" Cast Iron	3 25
7-21	2 - 20 372	10 50
7-26	2 - Bits	40
8-9	1 Saws/Hdls-	3 10
	1 Blade	1 95
	2 Bits-	30
8-13	1- 3 55	85
8-18	1 Nipple Return	
	Pipe and Fittings	302
8-19	Box Iron	50
8-27	1 Blade	100
	10 1/2 lbs Steel	1 58
9-11	14 lbs Iron	1 44

18

FOLEY, ALA. 2-17

1951

## FOLEY HARDWARE COMPANY

Southern Metal Service

Foley, Ala

"HERE TO HELP SATISFY THE NEEDS OF OUR PROSPEROUS COUNTY"

9-13	Revers-	10
10-1	2 Taps	130
2-5-48	12 lbs Cold Roll	240
	3 1/2 lbs Angle	370
	Cutting	20
11. 31	1 Pr. Wheelbarrow	600
	Rod Iron	15
		5634
	Sales Tax	114
		5748
Total owing us		\$619.53

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

March 3, 1952

1688

Mrs. Alice J. Duck  
Clerk in Circuit Court  
Bay Minette, Alabama.

Re: Foley Hardware Company, Plaintiff  
vs: William Schneider, individually  
and doing business as Southern Motor  
Service, Defendant. No. 1688.

Dear Mrs. Duck:

Since I am ill today I do not know whether I will be able to be in court tomorrow. It all depending upon whether I get better or get worse. If I should not be there kindly present the enclosed affidavit and motion for judgment to the court.

Yours very truly,

  
FOREST A. CHRISTIAN

FAC/ve

MOTION TO AMEND MOTION TO ENFORCE PENALTY

FOLEY HARDWARE COMPANY,

PLAINTIFF

VS:

WILLIAM SCHNEIDER, Individually,  
and doing business as SOUTHERN  
MOTOR SERVICE,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
AT LAW. NO. 1688

TO THE HONORABLE JUDGE OF SAID COURT:

Comes the Plaintiff and amends his motion to enforce penalty filed on the \_\_\_\_\_ day of December, 1951, in the above cause, and moves the Court to:

1. Require the Defendant to answer said interrogatories on or before a certain day to be fixed by the Court;
2. to impose upon the Defendant such penalties as are provided by law for Defendant's failure to answer said interrogatories; and,
3. to render judgment by default against the said defendant without further or additional notice to the Defendant.

*Foley Hardware*  
\_\_\_\_\_  
Attorney for Plaintiff

TO H. M. HALL,  
ATTORNEY OF RECORD FOR THE DEFENDANT

Please take notice that the above motion has been filed in the Circuit Court of Baldwin County, Alabama, and that said motion is set for hearing on the 14 day of January, 1952.

*Foley Hardware*  
\_\_\_\_\_  
Attorney for Plaintiff.

I hereby certify that I have mailed a copy of the foregoing motion and notice to Defendant's attorney of record, this the 14<sup>th</sup> day of January, 1952.

*Foley Hardware*  
\_\_\_\_\_  
Of Counsel for Plaintiff

CLERK OF COURT FOR DISTRICT

*Handwritten signature*

1952

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MOTION TO AMEND MOTION TO ENFORCE PENALTY

FOLEY HARDWARE COMPANY,  
PLAINTIFF

VS:

WILLIAM SCHNEIDER, INDIVIDUALLY  
AND DOING BUSINESS AS SOUTHERN  
MOTOR SERVICE,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW NO. 1688

FILED

JAN 21 1952

ALICE J. DUCK, Clerk

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STATEMENT

LAW OFFICE OF  
FOREST A. CHRISTIAN

FOLEY, ALABAMA.

September 17, 1951.

Dear Mrs. Duck:

I just mailed interrogatories in the case of Foley Hardware vs. William Schneider and I should have attached these statements. Will you kindly do so for me.

Yours very truly,

FOREST A. CHRISTIAN

FAC:VDT

*Will  
be attached  
to interrogatories*

FOLLY HARDWARE COMPANY,

PLAINTIFF

IN THE CIRCUIT COURT OF

VS:

BALDWIN COUNTY, ALABAMA

WILLIAM SCHNEIDER, individually,  
and doing business as SOUTHERN  
MOTOR SERVICE,

AT LAW.

DEFENDANT

INTERROGATORIES FILED BY THE PLAINTIFF TO THE DEFENDANT.

Now comes the plaintiff and files the following interrogatories to the defendant, WILLIAM SCHNEIDER;

1. You will find attached to these interrogatories a statement rendered by the FOLLY HARDWARE COMPANY dated February 12, 1951. Is this statement a true and correct statement of your account?

2. If this statement is not correct, please state what items are in error.

3. Are you entitled to credits other than those shown in said statement to wit:

6-16-47	- -	one nipple return	- - -	.18¢
6-2-48	- -	paid on account	- - -	\$40.00
8-9-48	- -	paid on account	- - -	\$10.00

4. If you state that you are entitled to other credits, please state the dates of these credits and the amounts thereof.

5. Were payments made by cash or check and do you have a receipt for these payments and what date were these payments made?

*W. J. Christian*  
Attorneys for the Plaintiff.

AFFIDAVIT

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

Before me, GUS SCHULTZ, a notary public in and for said County in said State, personally appeared FOREST A. CHRISTIAN, known to me, who being first duly sworn, deposes and says that he is of counsel for the plaintiff in the above styled cause; that the answers to the foregoing interrogatories truthfully made will be material evidence for the plaintiff in the trial of said cause.

*Gus Schultz*

Sworn to and subscribed to by me  
this the 17th day of September, 1951.

*Gus Schultz*



1688

POLEY HARDWARE COMPANY,

PLAINTIFF

VS:

WILLIAM SCHNEIDER, individually,  
and doing business as SOUTHERN  
MOTOR SERVICE,

DEFENDANT.

INTERROGATORIES FILED BY THE  
PLAINTIFF TO THE DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

FILED

SEP 19 1951

ALICE A. OUCK, Clerk

*[Faint, mostly illegible text and handwritten notes, possibly including a signature]*

SUMMONS

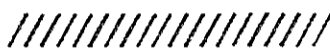
THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

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

YOU ARE HEREBY COMMANDED to summon WILLIAM SCHNEIDER, individually, and doing business as SOUTHERN MOTOR SERVICE, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against WILLIAM SCHNEIDER, individually, and doing business as SOUTHERN MOTOR SERVICE, by the FOLEY HARDWARE COMPANY.

WITNESS my hand this the 31<sup>st</sup> day of July, 1951.

David J. - [Signature]  
Clerk



COMPLAINT

FOLEY HARDWARE COMPANY, )  
PLAINTIFF )  
VS: )  
WILLIAM SCHNEIDER, individually, )  
and doing business as SOUTHERN )  
MOTOR SERVICE, )  
DEFENDANT )  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

COUNT I:

The Plaintiff claims of the Defendant the sum of SIX HUNDRED NINETEEN & 53/100 DOLLARS (\$619.53), together with interest thereon, due from him by account on, to wit: August 9, 1948, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The Plaintiff claims of the Defendant the sum of SIX HUNDRED NINETEEN & 53/100 DOLLARS (\$619.53), together with interest thereon, due from him on account stated between the Plaintiff and the Defendant on, to wit: August 9, 1948, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The Plaintiff claims of the Defendant, the sum of SIX HUNDRED NINETEEN & 53/100 DOLLARS (\$619.53), together with interest thereon, due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant, on, to wit: August 9, 1948, which sum of money, with interest thereon, is still unpaid.

[Signature]  
Attorney for Plaintiff

The Defendant lives at Foley, Alabama.

8-18-51

Received in Sheriff's Office  
This day of July 1951  
TAYLOR WILKINS, Sheriff

7701688 RECORDED

Executed Aug, 18, 1951  
By Serving copy on

William Schneider

Sheriff  
Taylor Wilkins

By  
Edleigh Steadham

SUMMONS AND COMPLAINT

FOLEY HARDWARE COMPANY,

PLAINTIFF

VS:

WILLIAM SCHNEIDER, INDIVIDUALLY,  
AND DOING BUSINESS AS SOUTHERN  
MOTOR SUPPLY,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

FILED  
JUL 31 1951  
ALICE J. WALKER, Clerk

LAW OFFICE OF  
FOREST A. CHRISTIAN,  
FOLEY, ALABAMA

Bay Dorette, Ala.  
March 28, 1952  
We are in favor of two bill  
being paid with instead of 6 of being  
paid. We the jury find for the  
Plaintiff and assess his damages  
at \$601.22.

Foreman  
Larkin H. Harris

ORDER

FOLEY HARDWARE COMPANY,  
 PLAINTIFF  
 VS:  
 WILLIAM SCHNEIDER, Individually,  
 and doing business as SOUTHERN  
 MOTOR SERVICE,  
 DEFENDANT

IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA  
 AT LAW NO. 1688

Upon the consideration of the Amended Motion it, &

Considered, ordered and adjudged that the Plaintiff be permitted to  
 amend his Motion to Enforce Penalty, and that the Defendant be given ten (10)  
 days from this date to answer said interrogatories.

This the 21<sup>st</sup> day of January, 1952.

*Jeffery P. Masberry, Jr.*  
 Circuit Judge

RECORDED

FOLEY HARDWARE COMPANY  
 BALDWIN COUNTY, ALABAMA  
 VS.  
 WILLIAM SCHNEIDER  
 SOUTHERN MOTOR SERVICE  
 BALDWIN COUNTY, ALABAMA

RECORDED

ORDER

FOLEY HARDWARE COMPANY,

PLAINTIFF

VS:

WILLIAM SCHNEIDER, INDIVIDUALLY,  
AND DOING BUSINESS AS SOUTHERN  
MOTOR SERVICE,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1688

FILED

JAN 21 1952

ALICE J. DUCK, Clerk

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FOLEY HARDWARE COMPANY

PLAINTIFF

VS

WILLIAM SCHNEIDER, individually,  
and doing business as SOUTHERN  
MOTOR SERVICE,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 1688

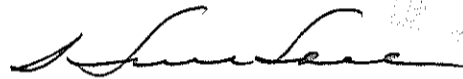
Now comes the Defendant and for answer to the Plaintiff's complaint  
and to each count thereof separately and severally says:

1.

That the facts therein alleged are untrue.

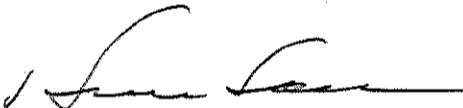
2.

The account sued on was paid in full before the commencement of  
this suit.



Attorney for the Defendant

The defendant demands a trial by jury.



Attorney for the Defendant

RECORDED

TOLEY HARDWARE COMPANY

PLAINTIFF

VS

WILLIAM SCHNEIDER, individually,  
and doing business as Southern  
Motor Service.

DEFENDANT

ANSWER

FILED

SEP 12 1950

ALICE L. DUCK, Clerk

AFFIDAVIT OF GRACE PORTER

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

GRACE PORTER, First being duly sworn, deposes and says as follows:

I am and have been bookkeeper for the Foley Hardware Company for several years and am familiar with the transaction with William Schneider. On January 27, 1948 he purchased from us a special ordered Ben-Hur Deep Freeze Unit for \$602.00, which includes sales tax, and he made small payments on this box, the last payment being made on August 9, 1948, in the amount of \$10.00. The balance due on this account is \$562.05, plus three and one-half years' interest, which amounts to \$118.03, for a total of \$680.08.

Grace Porter - Affiant  
Affiant

Sworn to and subscribed before me,  
a Notary Public in and for Baldwin  
County, Alabama, this the 28<sup>th</sup>  
day of February, 1952.

[Signature]  
Notary Public

RECORDED



RECORDED

FILED

MAR 4 1952

ALICE J. DUCK, Clerk

*[Handwritten signature]*

1952

1952

1952

*[Handwritten signature]*

1952

1952

1952

1952

1952

MOTION FOR JUDGMENT FOR FAILURE TO ANSWER INTERROGATORIES

FOLEY HARDWARE COMPANY,

PLAINTIFF

VS:

WILLIAM SCHNEIDER, INDIVIDUALLY,  
AND DOING BUSINESS AS SOUTHERN

MOTOR SERVICE,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 1688

Comes the Plaintiff and moves the Court to render Judgment by Default in the amount of FIVE HUNDRED SIXTY TWO & 0/100 DOLLARS (\$562.05) principal, plus accrued interest to date of ONE HUNDRED EIGHTEEN & 03/100 DOLLARS (\$118.03), for a total of SIX HUNDRED EIGHTY & 08/100 DOLLARS (\$680.08) against the defendant, without further or additional notice to the defendant, for the reason that on the 21st day of January, 1952, an order was issued by this Honorable Court that the defendant be given ten (10) days to answer said interrogatories, and defendant has failed to comply with said order.

There is attached hereto and made a part hereof an affidavit of a competent witness, sworn to before a notary public.

*[Handwritten Signature]*  
Attorney for Plaintiff

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RECORDED

MOTION FOR JUDGMENT FOR FAILURE  
TO ANSWER INTERROGATORIES

FOLEY HARDWARE COMPANY,  
PLAINTIFF

VS:

WILLIAM SCHNEIDER, INDIVIDUALLY,  
AND DOING BUSINESS AS SOUTHERN  
MOTOR SERVICE,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 1688

FILED

MAR 4 1952

ALICE J. DUCK, Clerk

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1688