

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.

July 12, 1971

P. O. Box 4492
TELEPHONE
432-0568
AREA CODE 205

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Southern Can Company
Vs: Ralph E. Jaye d/b/a
Bon Secour Shell Fish, et al
Our File No. 1407-C
Case No. 9823

Dear Mrs. Blackmon:

Please find enclosed the amended complaint we wish you to file. Please file same and note that it has been filed on the enclosed copy of this letter. A self-addressed, stamped envelope is enclosed for your convenience.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY: 

Wilson M. Hawkins, Jr.

WMHJr/jk
Enclosures

COLLINS, GALLOWAY & SMITH

ATTORNEYS AT LAW

SUITE 525, BEL AIR OFFICE MALL II
3100 COTTAGE HILL ROAD
MOBILE, ALABAMA 36606

September 11, 1974

FRED G. COLLINS
THOMAS M. GALLOWAY
ROBERT H. SMITH
THOMAS M. GALLOWAY, JR.

M. THOMAS MURPHY (1924 - 1956)

TELEPHONE
(205) 476-4493

Mrs. Eunice B. Blackmon, Clerk
Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Southern Can Company
Vs: Ralph E. Jaye d/b/a Bon
Secour Shell Fish
Case No. 9823 1/2

Dear Mrs. Blackmon:

Please find enclosed a "Motion for Order Compelling Party to Answer Interrogatories" in this matter. Please file this and indicate that the same has been done by returning the copy of this letter in the enclosed self-addressed stamped envelope.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & SMITH

By: 

Thomas M. Galloway, Jr.

TMGJr/fs

Encl:

\$ 1,765.16

Tallahassee, Georgia

City and State

July 1, 19 70

Date

For value received, I/We promise to
(On demand, six months after date, etc.)

pay to the order of Southern Can Company, Tallahassee, Georgia

(Name and address of creditor)

One Thousand Seven Hundred Sixty Five & 16/100 DOLLARS,

with interest from July 1, 1970 until paid at the rate of Eight
(Date)

per cent, per annum, payable in twelve installments of
(Number)

One Hundred Fifty DOLLARS each, on the 10th

day of each month, beginning October 10, 19 70,

with a final payment due on the 10th day of October

19 71, in the sum of One Hundred Fifteen & 16/100 Dollars, plus accrued interest

DOLLARS.

Failure to pay any installment on this note, as herein provided, shall render at the option of the holder hereof, all remaining installments at once due and exigible, without any putting in default.

The makers of this note and the endorsers, guarantors and sureties hereon, hereby severally waive presentment for payment, demand, notice of non-payment, protest, and all pleas of division and discussion, and agree that the time of payment hereof may be extended from time to time, one or more times, without notice of such extension or extensions, and without previous consent, hereby binding themselves, in solido, unconditionally and as original promisors, for the payment hereof, in principal, interest, costs, and collection or attorney's fees. No delay on the part of the holder hereof, in exercising any rights hereunder, shall operate as a waiver of such rights.

In the event it becomes necessary to place this note in the hands of a collection agency to recover the amount hereof, I/We agree to pay 25% of the amount of this note as collection agency fee, and which fees are agreed to be part of the principal obligation of this note.

It is further understood that should it become necessary to place this note in the hands of an attorney for collection or suit, I/We agree to pay 25% on the amount of this note as attorney's fees, which fees are agreed to be part of the principal obligation of this note, and which shall be due in lieu of the collection agency fees.

NAME OF CORPORATION OR COMPANY

Bon Secour Shell Fish

By Ralph E. Jones Title

Individually

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS

THOMAS M. GALLOWAY

M. THOMAS MURPHY (1924-1956)

ROBERT H. SMITH

WILSON M. HAWKINS, JR.

May 5, 1971

P. O. Box 4492

TELEPHONE

432-0568

AREA CODE 205

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Southern Can Company
Vs: Ralph E. Jaye d/b/a
Bon Secour Shell Fish, et al

Dear Mrs. Blackmon:


Please find enclosed copy of the complaint we wish you to file against Mr. Ralph Jaye. Please file the same and note that it has been filed on the enclosed copy of this letter. A self-addressed, stamped envelope is enclosed for your convenience.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY.


Wilson M. Hawkins, Jr.

WMHJr/jk
Enclosures

9823

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.

December 31, 1971

P. O. BOX 4492
TELEPHONE
432-0568
AREA CODE 205

Mrs. Eunice B. Blackmon
Circuit Court Clerk
Baldwin County Court House
Bay Minette, Alabama

Re: Southern Can Company
Vs: Ralph E. Jaye, d/b/a
Bon Secour Shell Fish, et al
Case No. 9823 ~~172~~

Dear Mrs. Blackmon:

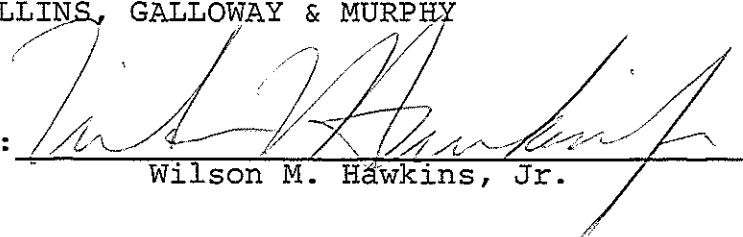
Please issue a writ of discovery in the above
referenced matter against the defendant, Ralph E. Jaye,
d/b/a Bon Secour Shell Fish in Bon Secour, Alabama.

Enclosed are the necessary papers to proceed
with this matter.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY: 
Wilson M. Hawkins, Jr.

WMHJr/jkl

No return yet!

SOUTHERN CAN COMPANY,
Plaintiff,
VS:
RALPH E. JAYE, d/b/a
BON SECOUR SHELL FISH, et al,
Defendant.

: IN THE CIRCUIT COURT OF
: BALDWIN COUNTY, ALABAMA
: AT LAW
:
: CASE NO. 9823 ~~172~~

REQUEST FOR DISCOVERY ASSETS

The plaintiff herein having recovered at the September 16, 1971, term, a judgment against the defendant in the above styled cause for the sum of TWO THOUSAND ONE HUNDRED EIGHTY-FIVE AND 77/100 (\$2,185.77) DOLLARS and costs in the amount of FIFTY-FIVE AND 30/100 (\$55.30) DOLLARS, and execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "No Property Found", the plaintiff now requests in writing that the Clerk of this Court issue a notice to the above named defendant requiring him, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of his assets of every kind, character and description wheresoever located as provided by Title 7, Section 903 of the Code of Alabama.

COLLINS, GALLOWAY & MURPHY

BY:



Wilson M. Hawkins, Jr.
ATTORNEY FOR PLAINTIFF

SOUTHERN CAN COMPANY,
Plaintiff,

VS:

RALPH E. JAYE, d/b/a
BON SECOUR SHELLFISH, et al,
Defendant.

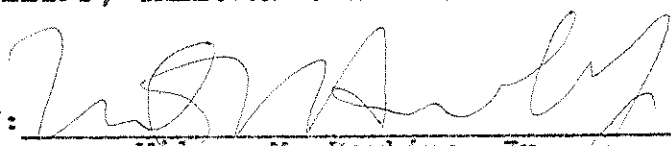
: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY, ALABAMA
:
: AT LAW
:
:
: CASE NO. 9823 1/2

REQUEST FOR DISCOVERY ASSETS

The plaintiff herein having recovered at the September 16, 1971, term, a judgment against the defendant in the above styled cause for the sum of TWO THOUSAND ONE HUNDRED EIGHTY-FIVE AND 77/100 (\$2,185.77) DOLLARS and costs in the amount of FIFTY-FIVE AND 30/100 (\$55.30) DOLLARS, and execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "No Property Found", the plaintiff now requests in writing that the Clerk of this Court issue a notice to the above named defendant requiring him, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of his assets of every kind, character and description wheresoever located as provided by Title 7, Section 903 of the Code of Alabama.

COLLINS, GALLOWAY & MURPHY

BY:


Wilson M. Hawkins, Jr.
ATTORNEY FOR PLAINTIFF

SOUTHERN CAN COMPANY,

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

RALPH E. JAYE, d/b/a/
BON SECOUR SHELL FISH, et al,
Defendant

AT LAW, CASE NO. 9823

NOTICE TO DEFENDANT

TO: Ralph E. Jaye, d/b/a BON SECOUR SHELL FISH, et al

Take notice that upon the written request of Wilson M. Hawkins, Jr., Attorney for the Plaintiff, filed in this Court in this cause, you are commanded to file in this Court within thirty days from the service of this notice a statement in writing, under oath, of employment, wages and assets, including money, choses in action, notes, bonds and accounts and all other property, real, personal or mixed or any interest therein, including wages due or payable, with a detailed description of same, the location and reasonable value of each item thereof, together with a detailed list or statement of any and all liens, mortgages or incumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, incumbrances or mortgages.

Be governed accordingly.

Dated this 6th day of January 1971.

Ernie B. Blackmon
Clerk of Circuit Court of
Baldwin County, Alabama.

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

COUNTY OF BALDWIN

BALDWIN COUNTY, ALABAMA

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

YOU ARE HEREBY COMMANDED to serve a copy of the above notice upon Ralph E. Jaye, d/b/a Bon Secour Shell Fish Defendant, and make due return thereon, according to law.

Witness my hand this the 6 day of January, 1971.

Ernie B. Blackmon
Clerk, Circuit Court of
Baldwin County, Alabama

Received 11 day of Jan 19 72
and on 28 day of March 19 72
I served a copy of the within Notice of writ of discovery
on Ralph E. Jaye, d/b/a Bon Secour

By service on Mrs. Ralph Jaye

TAYLOR WILKINS, Sheriff
By [Signature] D. S.

Sheriff claims 86 miles at
Ten Cents per mile Total \$ 8.60
TAYLOR WILKINS, Sheriff
BY [Signature] DEPUTY SHERIFF

Collins, Galloway MUurphy
P. O. Box 4492

CASE NO. 9823

SOUTHERN CAN COMPANY, A CORP.

VS:

RALPH E. JAYE, d/b/a BON SECOUR
SHELL FISH, et al

Notice of Writ of Discovery

JAN 11 1972

1. SHERIFF WILKINS

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924 - 1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.
THOMAS M. GALLOWAY, JR.

July 11, 1974

P. O. BOX 4492
TELEPHONE
432-0568
AREA CODE 205

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Southern Can Company
Vs: Ralph E. Jaye d/b/a Bon
Secour Shell Fish
Case No. 9823 1/2

Dear Mrs. Blackmon:

Please file the enclosed "Interrogatories to Defendant" in the above referenced matter. Also, please indicate that the same has been done by returning the carbon copy of this letter in the enclosed self-addressed, stamped envelope.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY:


Wilson M. Hawkins, Jr.

WMHJr/jkl
Enclosures

98231

AFFIDAVIT FOR GARNISHMENT
ON JUDGMENTTHE STATE OF ALABAMA }
MOBILE COUNTY
BALDWIN

CIRCUIT COURT

Eunice B. Blackmon
Personally appeared before me, ~~John E. Mandeville~~, Clerk of the Circuit Court in and for ~~Mobile~~ Baldwin County and State aforesaid Wilson M. Hawkins, Jr.

who being duly sworn, on oath says, that on the 16th day of September, 1971
in the Circuit Court of ~~Mobile~~ Baldwin County, in Case No. 9823 The Plaintiff Southern Can-
..... Company

recovered a judgment against Ralph E. Jaye d/b/a Bon Secour Shell Fish, et al

..... is the Defendant, whose address
is Bon Secour, Alabama

for the sum of TWO THOUSAND ONE HUNDRED EIGHT-FIVE AND 77/100 (\$2,185.77) ----

Dollars, besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect;

that Tony Wallace individually and d/b/a WALLACE SEAFOOD and Tony Wallace

individually and d/b/a WALLACE SHRIMP COMPANY on Bon Secour, Alabama and

WALLACE SHRIMP COMPANY, a corporation, and WALLACE SEAFOOD, a corporation,

on Bon Secour, Alabama

whose address is Bon Secour, Alabama

is supposed to be indebted to or have effects of the said Ralph E. Jaye

in its possession or under its

control, and that he believes process of Garnishment against the said Tony Wallace individually

and d/b/a WALLACE SEAFOOD and Tony Wallace individually and d/b/a WALLACE

SHRIMP COMPANY on Bon Secour, Alabama and WALLACE SHRIMP COMPANY, a corpora-
tion, and WALLACE SEAFOOD, a corporation

is necessary to obtain satisfaction of said judgment.

COLLINS, GALLOWAY & MURPHY

BY: Wilson M. Hawkins, Jr.

Sworn to and subscribed this 26th

day of October A.D., 1971

Keith E. Stevens
Notary Public, Mobile County ~~CLERK~~
Alabama

FILED

OCT 29 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

**AFFIDAVIT FOR GARNISHMENT
ON JUDGMENT**

THE STATE OF ALABAMA
MOBILE COUNTY
BALDWIN

CIRCUIT COURT

Personally appeared before me, Eunice B. Blackmon Baldwin
~~John E. Mandeville~~, Clerk of the Circuit Court in and for ~~Mobile~~ County
and State aforesaid Wilson M. Hawkins, Jr.

who being duly sworn, on oath says, that on the 16th day of September, 1971
in the Circuit Court of Baldwin Mobile County, in Case No. 9823 The Plaintiff Southern Can
Company

recovered a judgment against Ralph E. Jaye d/b/a Bon Secour Shell Fish, et al
is the Defendant, whose address
is Bon Secour, Alabama
for the sum of TWO THOUSAND ONE HUNDRED EIGHT-FIVE AND 77/100 (\$2,185.77)----
Dollars, besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect;
that Tony Wallace individually and d/b/a WALLACE SEAFOOD and Tony Wallace
individually and d/b/a WALLACE SHRIMP COMPANY on Bon Secour, Alabama and
WALLACE SHRIMP COMPANY, a corporation, and WALLACE SEAFOOD, a corporation,
on Bon Secour, Alabama
whose address is Bon Secour, Alabama

is supposed to be indebted to or have effects of the said Ralph E. Jaye
in its possession or under its
control, and that he believes process of Garnishment against the said Tony Wallace individually
and d/b/a WALLACE SEAFOOD and Tony Wallace individually and d/b/a WALLACE
SHRIMP COMPANY on Bon Secour, Alabama and WALLACE SHRIMP COMPANY, a corpora-
tion, and WALLACE SEAFOOD, a corporation
is necessary to obtain satisfaction of said Judgment.

COLLINS, GALLOWAY & MURPHY

Wilson M. Hawkins, Jr.
BY: Wilson M. Hawkins, Jr.

Sworn to and subscribed this 26th
day of October A.D., 19 71

Laith E. Stevens
Notary Public, Mobile County ~~Alabama~~
Alabama

No.

CIRCUIT COURT

VS.

**AFFIDAVIT FOR GARNISHMENT
ON JUDGMENT**

Filed in Office,

FILED

19

OCT 29 1971

Clerk.

~~EUNICE B. BLACKMON~~ ^{CIRCUIT}
CLERK



THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

.....October..... TERM, 19..71..

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular...Sept., 16..... Term, 1971..... of the Circuit Court of Baldwin County, to-wit: On the16th..... day of September....., 19.71..., being a regular day of said term,SOUTHERN CAN COMPANY.....

recovered judgment against RALPH E. JAYE, d/b/a Bon Secour Shell Fish, et al

for the sum of \$2185.77

of-- Collins, Galloway & Murphy
 and affidavit having been made/by Wilson M. Hawkins, Jr.,
 that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

TONY WALLACE, Ind. & d/b/a WALLACE SEAFOOD & TONY WALLACE Ind. & d/b/a WALLACE SHRIMP COMPANY at Bon Secour, Ala., and WALLACE SHRIMP COMPANY, A Corp. and WALLACE SEAFOOD, a corp., Bon Secour, Ala.

has or is believed to have in their possession, or under their control money or effects belonging to said defendant Ralph E. Jaye..... or that it is, or is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon TONY WALLACE, Ind. & d/b/a WALLACE SEAFOOD & TONY WALLACE Ind. & d/b/a WALLACE SHRIMP COMPANY at Bon Secour, Ala & WALLACE SHRIMP CO. A Corp. & WALLACE SEAFOOD a corp., Bon Secour, Ala.

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from the service of the garnishment, or at the making their answer, or at any time intervening the time of serving the garnishment, and making the answer they was indebted to said defendant Ralph E. Jaye and whether they will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existing they is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether they have not in their possession or under their control money or effects belonging to the defendant. Ralph E. Jaye

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

Eunice B. Blackmon,
 Witness,, Clerk of said Court, this 29th..... day of October..... A. D. 1971

Issued29th.....day of October..... A. D., 19..71

ATTEST:

Eunice B. Blackmon Clerk

Received 29 day of October 1971
and on 10 day of Nov 1971
I served a copy of the within writ
on Tony Wallace d/b/a Wallace Seafood
Tony Wallace d/b/a Wallace Shrimp Co. Wallace
By service on Tony Wallace (owner) Wallace
Taylor Wilkins, Sheriff
Ex Roger Wagon D.S.

8 24
34 4
344
Sheriff clerk
Den Center mile Total 34 10
Taylor Wilkins, Sheriff
By DeWitt

CIRCUIT COURT, BALDWIN COUNTY

No. 9823 1/2

SOUTHERN CAN COMPANY

VS. } GARNISHMENT ON JUDGMENT

RALPH E. JAYE, Defendant

TONY WALLACE, Ind. & d/b/a WALLACE SEAFOOD,
TONY WALLACE, Ind. & d/b/a WALLACE SHRIMP CO.
WALLACE SHRIMP CO., A Corp.
WALLACE SEAFOOD, a corp.

Issued 29th day of October 1971

Returnable day of 19

OCT 29 1971

Collins, Galloway & Murphy P. O. Box 4492
Mobile, Ala. Attorney

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

TO RALPH E. JAYE Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

SOUTHERN CAN COMPANY Plaintiff.....

versus RALPH E. JAYE, d/b/a BON SECOUR SHELL FISH, et al Defendant.....,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

R. Tony Wallace, Ind. & d/b/a WALLACE SEAFOOD & Tony Wallace Ind. & d/b/a WALLACE
SHRIMP CO., Bon Secour, Alabama and WALLACE SHRIMP COMPANY, a corp & WALLACE SEAFOOD,
a corp.
has..... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the

.29th day ofOctober....., 19.71...

Emilio B. Blackman
.....
Clerk of the Circuit Court.

CASE NO. 9823½

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

RALPH E. JAYE

SOUTHERN CAN COMPANY,

Plaintiff....

VS.

RALPH E. JAYE

OCT 29 1971

IA Sheriff Defendant....

Collins, Galloway & Murphy, Attys.
P. O. Box 4492 - Mobile

By service on

Received 29 day of October 1971
and on 10 day of Nov 1971
I served a copy of the within Notice
on Ralph E Jaye

TAYLOR WILKINS, Sheriff

Shorthair 86
Ten Cents per mile Total \$ 8.46
BY Taylor Wilkins Sheriff
DEPUTY SHERIFF

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.

October 26, 1971

P. O. Box 4492
TELEPHONE
432-0568
AREA CODE 205

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

*issued
10-29-71*

Re: Southern Can Company
Vs: Ralph E. Jaye d/b/a
Bon Secour Shell Fish, et al
Case No. 9823
Our File No. 1407-C

Dear Mrs. Blackmon:

Please find enclosed a Garnishment against the defendant we wish you to file. Please file same and note that this has been filed on the enclosed copy of this letter. A self-addressed, stamped envelope is enclosed for your convenience.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY:

Wilson M. Hawkins, Jr.

Wilson M. Hawkins, Jr.

WMHJr/jkl
Enclosures

SOUTHERN CAN COMPANY,
Plaintiff,
vs.
RALPH E. JAYE, d/b/a
Con Secour Shell Fish, et al,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9823 1/2

Comes now E. A. Wallace, also known as Tony Wallace, individually and d/b/a Wallace Shrimp Company, as the garnishee in the above styled cause and files this answer to the writ of garnishment heretofore filed in this cause, and for answer says as follows:

That E. A. Wallace, individually and d/b/a Wallace Shrimp Company, Bon Secour, Alabama, does not have in his possession any money or effects belonging to said Defendant, Ralph E. Jaye, nor is he indebted to said Defendant or liable to him on a contract for delivery of personal property or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property at the time of the service of this garnishment, or at the time of the making of this answer, or any time intervening the time of the serving of the garnishment and the making of the answer, and will not be indebted in the future to the said Defendant by a contract now existing, but further alleges that the Defendant is indebted to him in excess of \$10,000.

E. A. Wallace
E. A. Wallace, d/b/a Wallace
Shrimp Company

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, for this State and County, personally appeared E. A. Wallace, also known as Tony Wallace, individually, and d/b/a Wallace Shrimp Company, Bon Secour, Alabama, who first being duly sworn, deposes and says on oath; that he has read the foregoing; that he has personal knowledge of the averments therein and that the same are true and correct.

E. A. Wallace
E. A. Wallace, d/b/a Wallace
Shrimp Company

Sworn to and subscribed before me on this 6th day of December, 1971.

Janice L. Childress
Notary Public, Baldwin County
State of Alabama

(Affix Seal)

FILED

DEC 7 1971

KUNICE B. BLACKMON

C & U

SOUTHERN CAN COMPANY,
A Corporation,

Plaintiff,

VS:

RALPH E. JAYE d/b/a
BON SECOUR SHELL FISH,
and BON SECOUR SHELL
FISH, either an indi-
vidual proprietorship,
a partnership or a
corporation, the exact
nature of which is un-
known to this plaintiff
at this time but will
be substituted at a
later date, when ascer-
tained, jointly, indivi-
dually and severally,

Defendants.

: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY,
:
: ALABAMA

: AT LAW

: CASE NO. 9 8 2 3

Comes now the plaintiff in the above styled cause
and amends its complaint as heretofore filed, by adding a
Count Two, so that the complaint reads as follows, to-wit:

COUNT ONE

The plaintiff claims of the defendants, individually,
jointly and severally, ONE THOUSAND SEVEN HUNDRED SIXTY-FIVE
AND 16/100 (\$1,765.16) DOLLARS due from them by account from,
to-wit April 21, 1970, which sum of money, with interest there-
on, is still due and unpaid.

This suit is brought on an itemized, verified state-
ment of account, which will be offered into evidence at the
trial, a copy of which account and affidavit is attached hereto.

COUNT TWO

The plaintiff claims of the defendants, individually,
jointly and severally, TWO THOUSAND TWO HUNDRED SIX AND 45/100
(\$2,206.45) DOLLARS with interest as set out herein, due from
him by promissory note made by him on July 1, 1970, by which the
defendants promised to pay to the plaintiff the total sum of
ONE THOUSAND SEVEN HUNDRED SIXTY-FIVE AND 16/100 (\$1,765.16)

DOLLARS in installments of ONE HUNDRED FIFTY AND 00/100 (\$150.00) DOLLARS, the first installment due on October 10, 1970, and a like installment due on the 10th day of each month thereafter until fully paid.

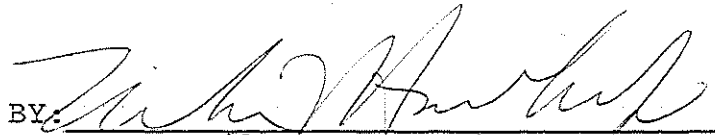
Plaintiff avers that said note contained a provision that the failure to pay any installment when due would render the entire amount unpaid due and payable, and the defendant defaulted on the first installment.

Plaintiff avers that said note provided for interest at the rate of EIGHT (8%) per cent per annum from July 1, 1970 and the plaintiff claims said interest.

Plaintiff further claims an attorney's fee of TWENTY FIVE (25%) per cent of the principal as provided in said note, and plaintiff avers that the attorney's fee would be in the amount of FOUR HUNDRED FORTY-ONE AND 29/100 (\$441.29) DOLLARS.

Therefore, the plaintiff claims judgment against the defendant in the amount of TWO THOUSAND TWO HUNDRED SIX AND 45/100 (\$2,206.45) DOLLARS with interest at the rate of EIGHT (8%) per cent per annum from July 1, 1970.

COLLINS, GALLOWAY & MURPHY

BY: 
Wilson M. Hawkins, Jr.
ATTORNEYS FOR PLAINTIFF

DEFENDANTS' ADDRESS

Bon Secour, Alabama

Defendant can also be found at Wallace Shrimp Company in Bon Secour, Alabama.

FILED

JUL 13 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

SOUTHERN CAN COMPANY

100 STOFFEL

TALLAPOOSA, GEORGIA

Delivery No.

C-3672

TO

Don Secour Shellfish

Don Secour, Ala.

Your Order No.

Contents: Merchandise Packing List Inside

Date 3-3-70

Our Order No. 9-6217

Delivery No. C-3672

Shipped by Customer Pickup

Your Order No.

FROM: PACKING LIST
SOUTHERN CAN COMPANY
100 STOFFEL DRIVE
TALLAPOOSA, GEORGIA 30176

No. of Cartons	Quantity Shipped	ITEM	Number of Cartons Shipped
6	15,000	307 X 309 S Personalized Cans	
1	1362.4	" " " " "	
10	10,000	307 B Standard Ends	
5	5,000	307 B Select Ends	

Junior Morgan

Rayle Lupton
Packed and Shipped by *Rayle Lupton*

STATE OF GEORGIA
COUNTY OF HARALSON

Be it remembered, that on this 23rd day of April,
A.D., 1971 personally appeared before me, the undersigned
authority L.A. Tolleson who being duly sworn, deposes and says that
he is President of Southern Can Company, a corporation organized
and doing business under the laws of the state of Georgia and has
been duly authorized by said corporation to make this affidavit and
that the attached account against Ralph E. Jaye, d/b/a Bon Secour
Shell Fish of Bon Secour, Alabama, is just and correct, within the
knowledge of the affiant, that the items thereon stated and composing
the said account were sold and delivered to said Ralph E. Jaye, d/b/a
Bon Secour Shell Fish his special instance and request, that credit
has been duly given for all payments and just and lawful offsets to
which said account is entitled as thereon stated, and that the
balance thereof, amounting to the sum of ONE THOUSAND SEVEN HUNDRED
SIXTY-FIVE AND 16/100 DOLLARS (\$1,765.16) is justly due and remains
unpaid.

Sworn and subscribed before me this 23rd day of April
1971.

L.A. Tolleson

L.A. Tolleson, President

Otilla C. McElroy
Notary Public

(Otilla C. McElroy)

County of Haralson State of Georgia.

My commission expires Notary Public, Georgia State Seal
My Comm. Expires June 30, 1972 A.D., 1971.

FILED

JUL 13 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

FILED

JUL 13 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 9823

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to SummonRalph E. Jaye, d/b/a Bon Secour Shell Fish. et al

.....
a

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 Ralph E. Jaye,
d/b/a/ Bon Secour Shell Fish, et al Defendant.....

by Southern Can Company, a corporation

....., Plaintiff.....

Witness my hand this 13th day of July 19 71.

Ernie B. Blackman, Clerk

No. 9823

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

SOUTHERN CAN COMPANY, A CORP.

Plaintiffs

vs.

RAIPH E. JAYE, d/b/a BON SECOUR
SHELL FISH Defendants

AMENDED
SUMMONS AND /COMPLAINT

Filed July 13, 1971.

Eunice B. Blackmon Clerk

Collins, Galloway & Murphy
P. O. Box 4492 Plaintiff's Attorney
Mobile

Defendant's Attorney

Defendant lives at

see page 2

Received In Office

July 13, 1971
Taylor, Wilkins Sheriff

I have executed this summons

this July 22, 1971
by leaving a copy with CH

Ralph E. Jaye

Sheriff claims \$6 miles at

Ten Cents per mile Total \$

TAYLOR, WILKINS, Sheriff

BY Deputy Sheriff

Taylor, Wilkins Sheriff
Deputy Sheriff

Moore Printing Co. - Bay Minette, Ala.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

SOUTHERN CAN COMPANY, :
Plaintiff, :
VS: : CASE NO. 9823 ~~112~~
RALPH E. JAYE, d/b/a
BON SECOUR SHELL FISH, et al,
Defendant.

INTERROGATORIES TO DEFENDANT

Plaintiff requests the defendant Ralph E. Jaye, doing business as Bon Secour Shell Fish, answer the following interrogatories:

1. State your correct name and address.
2. State the name and address of each of your employers.
 - (a) State your monthly income from each of said employers.
 - (b) Are you paid in cash or by check?
3. State your Social Security number.
4. State each and every source of your income indicating the amount and the name and address of the source of said income.
5. Do you own any stock or bonds? If so, state the name of the company and the location of the certificate indicating ownership.
6. State the name and address of each and every banking institution upon which you are authorized to draw checks.
 - (a) State the name of the account and the account number.

7. Do you own or have any interest in any real property? If so, state the nature of ownership and the legal description of said real property.

8. Do you own any motor vehicles? If so, for each said motor vehicle, state:

- (a) The make, model and motor identification number;
- (b) The current license tag number;
- (c) Where the said motor vehicle is kept.

9. State the exact names and addresses of all persons, firms and/or corporation that owe you money or who might be holding any of your property.

COLLINS, GALLOWAY & MURPHY

BY: _____

Wilson M. Hawkins, Jr.
Wilson M. Hawkins, Jr.
ATTORNEYS FOR PLAINTIFF

P.O. Box 4492
958 Dauphin Street
Mobile, Alabama 36604

SERVE DEFENDANT AT:

Bon Secour Shell Fish
Bon Secour, Alabama

FILED

JUL 15 1974

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS

MOORE Ptg. Co., Bay Minette

SOUTHERN CAN COMPANY

Circuit Court, Baldwin County, Alabama

Plaintiff

Vs.

Civil Action No. 9823 1/2

RALPH E. JAYE, d/b/a BON SECOUR SHELL FISH

July 15, 1974

Defendant

To Any Sheriff or any person authorized by Rule 4 (a) (3) of the Alabama Rules of Civil Procedure to effect service in the State of Alabama:

Interrogatories

You are hereby commanded to serve this summons and a copy of the ~~complaint~~ in this action upon defendant Ralph E. Jaye, d/b/a Bon Secour Shell Fish, et al

Interrogatories

Each defendant is required to serve a copy of a written answer to the ~~complaint~~ upon _____

Collins, Galloway & Murphy, attorney of record for the plaintiff whose address is

P. O. Box 4492, Mobile, Ala. 36604

_____ within thirty (30) days after service of this summons excluding the day of service of the summons and to file the original of said written answer with the Clerk of this Court at the time of service of the answer upon the attorney of record for the Plaintiff or within a reasonable time thereafter. If any defendant fails to do so, a judgment by default may be entered against that defendant for the relief complained of in the complaint.

Dated July 15, 1974

James B. Blanton
Clerk of Circuit Court

Interrogations to Defendant

Civil Action No. 9823

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

SOUTHERN CAN COMPANY

Plaintiffs

vs.

RALPH E. JAYE, d/b/a BON SECOUR SHELL FISH

Defendants

SUMMONS

Filed July 15, 1974

Eunice B. Blackmon
Clerk

FILED

JUL 15 1974

EUNICE B. BLACKMON
CIRCUIT CLERK

Collins, Galloway & Murphy
Plaintiff's Attorney

Defendant's Attorney

Crook

Defendant lives at

RECEIVED

JUL 16 1974 19

TAYLOR WILKINS Sheriff

I have executed this summons

this 18 July 1974

by leaving a copy with

Ralph E. Jaye

Sheriff claims

Ten Cents per mile Total \$8.60

TAYLOR WILKINS Sheriff

BY Deputy Sheriff

Taylor Wilkins Sheriff

Deputy Sheriff

SOUTHERN CAN COMPANY,
A Corporation,

Plaintiff,

VS:

RALPH E. JAYE d/b/a
BON SECOUR SHELL FISH,
and BON SECOUR SHELL
FISH, either an indi-
vidual proprietorship,
a partnership or a
corporation, the exact
nature of which is un-
known to the plaintiff
at this time but will
be substituted at a
later date, when ascer-
tained, jointly, indivi-
dually and severally,

Defendants.

: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY,
:
: ALABAMA

:

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:

:

:

CASE NO. 9823

COUNT ONE

The plaintiff claims of the defendants, individually,
jointly and severally, ONE THOUSAND SEVEN HUNDRED SIXTY-FIVE
AND 16/100 (\$1,765.16) DOLLARS due from them by account from,
to-wit April 21, 1970, which sum of money, with interest there-
on, is still due and unpaid.

This suit is brought on an itemized, verified state-
ment of account, which will be offered into evidence at the
trial, a copy of which account and affidavit is attached hereto.

COLLINS, GALLOWAY & MURPHY

BY: 

Wilson M. Hawkins, Jr.
ATTORNEYS FOR PLAINTIFF

DEFENDANTS' ADDRESS:
Bon Secour, Alabama

Defendant can also be found at Wallace Shrimp Company in
Bon Secour, Alabama.

FILED

MAY 6 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

STATE OF GEORGIA
COUNTY OF HARALSON

Be it remembered, that on this 23rd day of April,
A.D., 1971 personally appeared before me, the undersigned
authority L.A. Tolleson who being duly sworn, deposes and says that
he is President of Southern Can Company, a corporation organized
and doing business under the laws of the state of Georgia and has
been duly authorized by said corporation to make this affidavit and
that the attached account against Ralph E. Jaye, d/b/a Bon Secour
Shell Fish of Bon Secour, Alabama, is just and correct, within the
knowledge of the affiant, that the items thereon stated and composing
the said account were sold and delivered to said Ralph E. Jaye, d/b/a
Bon Secour Shell Fish his special instance and request, that credit
has been duly given for all payments and just and lawful offsets to
which said account is entitled as thereon stated, and that the
balance thereof, amounting to the sum of ONE THOUSAND SEVEN HUNDRED
SIXTY-FIVE AND 16/100 DOLLARS (\$1,765.16) is justly due and remains
unpaid.

Sworn and subscribed before me this 23rd. day of April
 , 1971.

L.A. Tolleson

L.A. Tolleson, President

Otilla C. McElroy
Notary Public

(Otilla C. McElroy)

County of Haralson State of Georgia.

My commission expires

Notary Public, Georgia State at Large
My Commission Expires Sept. 24, 1971

A.D., 1971.

COMPANY

TELEPHONE : (404) 574 - 2313
TALLAPOOSA, GEORGIA 30176

Bon Secour, Alabama 36511

DATE: Apr 11 23, 1970

OUR ORDER NO. 9-5516
4/21/70

TERMS: 14 10 days, 30 net
No Discount Allowed on
Freight Charges or Cartons

INVOICE No 8844

TALLAPOOSA, GEORGIA 30176

PHONE: (404) 574-2313 OR 574-2314

DATE: March 6, 1970

~~Don~~ ~~Secour~~ Shellfish

Bon Secour, Ala. 36511

ST-10

TERMS: 10 days, 30 net

No Discount on Freight or Cartons

Salesman:

Salesman:		Ship Via		FOB	PP	Freight Cost	Discount of \$	
Your Order No.	Delivery No.	Customer pick up		Tal	Col.		if Paid by	
9-6247	C-8672						3/16/70	
NO. CASES	QUANTITY	DESCRIPTION				PRICE PER M	AMOUNT	
60	15,000	307 x 309S Personalized Cans				\$ 69.01	\$1,035.15	
1	130	307 x 309S Personalized Cans				69.01	8.97	
10	10,000	307 E Standard Ends				11.11	111.10	
5	5,000	307 E Select Ends				11.11	55.55	
							\$1,210.97	

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 9823

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon RALPH E. JAYE, d/b/a BON SECOUR SHELL FISH and

BON SECOUR SHELL FISH,

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 RALPH E. JAYE, d/b/a

BON SECOUR SHELL FISH & BON SECOUR SHELL FISH ... Defendant

by SOUTHERN CAN COMPANY, a corporation

Plaintiff

Witness my hand this 6th day of May, 1971.

Ernie B. Blackman Clerk

No. 98.23

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

SOUTHERN CAN COMPANY, A CORP.

Plaintiffs

vs.

RALPH E. JAYE, d/b/a BON SECOUR SHELL
FISH & BON SECOUR SHELL FISH

Defendants

SUMMONS AND COMPLAINT

Filed MAM 6, 19 71.

Eunice B. Blackmon Clerk

Collins, Galloway Murphy
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Recieved In Office

May 6 1971

Taylor Wilkins Sheriff

I have executed this summons

this 7/20 19 71

by leaving a copy with cll

Ralph E. Jaye

Bon Secour Shell Fish

17 1/2 miles at

Ten Cents per mile Total \$ 1.920

TAYLOR WILKINS, Sheriff

BY [Signature] DEPUTY SHERIFF

1971
Taylor Wilkins, Sheriff

[Signature] Deputy Sheriff

9. Nobody

Ralph E. Jayer
Ralph E. Jayer

CHASON AND UNDERWOOD

By

Thomas W. Underwood

Sworn to and subscribed before me

this 6th day of NOV., 1974.

Thomas W. Underwood
Notary Public, Baldwin County
State of Alabama

CERTIFICATE OF SERVICE

I hereby certify that I have on this 6th
day of NOV, 1974
delivered for mailing to the
addressee the proceeds of the same
in the mail, properly addressed, and
first class postage prepaid.

Thomas W. Underwood

FILED

NOV 8 1974

EUNICE B. BLACKMON CIRCUIT
CLERK

SOUTHERN CAN COMPANY,

Plaintiff,

VS:

RALPH E. JAYE, d/b/a BON SECOUR SHELL
FISH, ET AL

Defendant

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

CASE # 9823

TO ANY SHERIFF IN THE STATE OF ALABAMA: GREETINGS,

You are hereby commanded to serve the foregoing notice upon the above
named Ralph E. Jaye and make due return of your said service and of this notice.

James D. Blackmon

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

SOUTHERN CAN COMPANY,

:

Plaintiff,

:

VS:

CASE NO. 9823 1/2

RALPH E. JAYE, d/b/a

:

BON SECOUR SHELL FISH, ET AL,

Defendants.

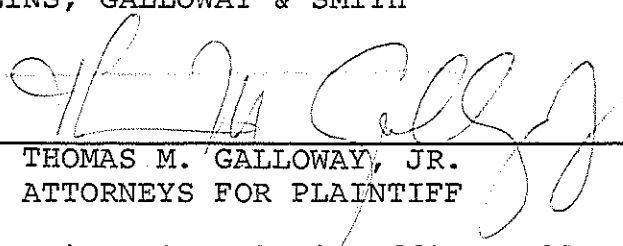
:

MOTION FOR ORDER COMPELLING PARTY TO ANSWER INTERROGATORIES

Plaintiff moves the Court for an order compelling the defendant to answer the interrogatories heretofore served on the defendant by the plaintiff on, to-wit, the 18th day of July, 1974, which defendant has failed to answer.

COLLINS, GALLOWAY & SMITH

By:


THOMAS M. GALLOWAY, JR.
ATTORNEYS FOR PLAINTIFF

Suite 525 Bel Air Office Mall II
3100 Cottage Hill Road
Mobile, Alabama 36606

Serve Defendant at:

Bon Secour Shell Fish
Bon Secour, Alabama

FILED

OCT 1 1974

EUNICE B. BLACKMON CIRCUIT CLERK

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

SOUTHERN CAN COMPANY,

:

Plaintiff,

:

VS:

:

CASE NO. 9823 1/2

RALPH E. JAYE, d/b/a
BON SECOUR SHELL FISH, ET AL,

:

Defendants

:

ORDER COMPELLING DEFENDANT TO ANSWER INTERROGATORIES

The Court orders the defendant in the above styled cause to answer the interrogatories heretofore served on the defendant by the plaintiff on to-wit, the 18th day of July, 1974, which defendant has failed to answer. If defendant has not answered said interrogatories by the 30th day of October, 1974, he shall be subject to being held in contempt of Court.

J. J. Madaleno
JUDGE

Cook

#9823

SOUTHERN CAN COMPANY

VS:

RALPH E. JAYE, d/b/a BON SECOUR
SHELL FISH, ET AL

Deft. Address: Bon Secour Shell
Fish, Bon Secour,
Ala.

Motion & Ofder Compelling Party
To Answer Interrogatories

RECEIVED

OCT 9 1974

TAYLOR WILKINS
SHERIFF

Sheriff's Office
Ten Cents per file
TAYLOR WILKINS, Sheriff
BY W. J. Cook
DEPUTY SHERIFF

Received 9 day of Oct
and on 11 day of Nov. 1974
I served a copy of the within not.
on Ralph E. Jaye

By service on Ralph E. Jaye
TAYLOR WILKINS, Sheriff
BY W. J. Cook D. S.