

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

March 8, 1968

3913

Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama

Re: Equipment Sales Corporation
vs: Rock Hill Service Center

Dear Mrs. Duck:

On August 24, 1959, I wrote Judge Hall concerning the case mentioned above and stated that I was enclosing a check no. 403 in the amount of \$500.00, drawn on the First National Bank, Bay Minette, returned insufficient funds.

Will you kindly look into the file to see whether this check is still in the file and if so, you should return it to me so that it will not be lost and so we can use it for evidence at the trial, if we have one.

With best wishes, I am

Cordially yours,

FOREST A. CHRISTIAN

by 9-6 C
Check
mailed
to F. A. Christian

SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon Jay, doing business as Rock Hill Service Center, 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, Alabama, at the place of holding same by EQUIPMENT SALES CORPORATION, INC., an Alabama corporation.

Witness my hand this the 23th day of July, 1959.

Berice J. Duck
Clerk

CC

COMPLAINT

EQUIPMENT SALES CORPORATION,)
INC., an Alabama corporation,)
)
PLAINTIFF)
)
VS:)
)
DAVID JAY, doing business)
as ROCK HILL SERVICE CENTER,)
)
DEFENDANT)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COUNT I:

The plaintiff claims of the defendant FIVE HUNDRED SEVENTEEN & 22/100 DOLLARS (\$517.22), due from him by account on, to wit: the 2nd day of December, 1958, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant FIVE HUNDRED SEVENTEEN & 22/100 DOLLARS (\$517.22), due from him on account stated between the plaintiff and the defendant on, to wit: the 2nd day of December, 1958, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant FIVE HUNDRED SEVENTEEN & 22/100 DOLLARS (\$517.22), due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 2nd day of December, 1958, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 17th day of July, 1959.

The defendant's address is:
Bay Minette, Alabama

Paul C. Smith
Attorney for Plaintiff -

COUNTY OF Moible

8C-188 (13743)

STATE OF Alabama

Be it remembered, that on this 17 day of July
A. D., 1959, personally appeared before me, the undersigned authority,
J. C. McPherson known to me
who being duly sworn, upon his oath stated that he is President
of Equipment Sales Corporation, Inc.
{ a corporation organized and doing business under the laws of the State of Alabama
{ and has been duly authorized by said corporation to make this affidavit
{ a partnership composed of
{
a sole trader doing business as
and that as such he makes this affidavit; that he is familiar with the books and business of
said Equipment Sales Corporation; that the attached account against
Rock Hill Service Center of Bay Minette, Alabama
is just and correct, within the knowledge of this affiant, that the items thereon stated and com-
posing the said account were sold and delivered to said Rock Hill Service Center
at { ~~his~~ their } special instance and request, that credit has been duly given for all payments and
~~his~~
just and lawful offsets to which said account is entitled as thereon stated, and that the balance
thereof, amounting to the sum of Five Hundred seventeen and 22/100 Dollars
(\$ 517.22) with interest from 19 is justly due and
remains unpaid.

I hereby certify under my official seal that I am authorized as a Notary Public to
administer oaths under the laws of the State of Alabama
and that the foregoing was subscribed and sworn to before me on the day and year
first above stated.

J. C. McPherson
Notary Public

County of Mobile State of Alabama

My commission expires MY COMMISSION EXPIRES DEC 1, 1962 A. D. 19

Received 23 day of July 1952
and on 24 day of July 1952
sent a copy of the within Rec
to David Jay
by service on _____

TAYLOR WILKINS, Sheriff
By W. A. Albert D. S.
alme

517.00
45.00
562.00
Int

3913

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

EQUIPMENT SALES CORPORATION,
INC., an Alabama corporation

VS.

DAVID JAY, d/b/a ROCK
HILL SERVICE CENTER

FILED
JULY 23-52
ALICE L. DUCK, CLERK
RECORDED

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

We find for
the Plaintiff
in the amount
of \$562.00
David Jay
from

517

EQUIPMENT SALES CORPORATION,
INC., AN ALABAMA CORPORATION,

PLAINTIFF

VS

DAVID JAY, d/b/a
ROCK HILL SERVICE CENTER,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

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

1.

That he is not guilty of the matters alleged therein.

Wilters & Brantley

BY: 

Attorneys for the Defendant

The defendant demands a trial by jury.

Wilters & Brantley

BY: 

Attorneys for the Defendant

FILED

AUG 24 1959

ALICE J. DUCK, CLERK
REGISTER

July

3913

EQUIPMENT SALES CORPORATION,
INC., AN ALABAMA CORPORATION,

PLAINTIFF

VS

DAVID JAY, d/b/a
ROCK HILL SERVICE CENTER,

DEFENDANT

ANSWER

FILED

AUG 24 1959

ALICE J. DUCK, CLERK
REGISTER

STATEMENT

EQUIPMENT SALES CORPORATION

WHOLESALE DISTRIBUTORS

2715 DAUPHIN STREET

PHONE GR 9-4577

MOBILE, ALABAMA July 17 1959

- Rock Hill Service Center
- Bay Minette, Alabama
-

1958 CARRIER TRADE ACCEPTANCE

DATE	REFERENCE	CHARGES	CREDITS	BALANCE
			BALANCE FWD.	
Sept 16/58	CSH 11,349		124.50	124.50 Cr.
Sept 31/58	JE 352	983.70		859.20
Sept 31/58	JE 353	640.80		1,500.00
Oct 3/58	CSH 11,395		500.00	1,000.00
Nov 3/58	CSH 11,481		500.00	500.00
Nov 30/58	SL	500.00		1,000.00
Dec 2/58	CSH 11,534		500.00	500.00

Equipment Sales Corporation

PRINTED
IN
U.S.A.

STATEMENT

EQUIPMENT SALES CORPORATION

WHOLESALE DISTRIBUTORS

2715 DAUPHIN STREET

PHONE GR 9-4577

MOBILE, ALABAMA July 17 1959

- Rock Hill Service Center
- Bay Minette
- Alabama

DATE	REFERENCE	CHARGES	CREDITS	BALANCE
			BALANCE FWD.	
Jul 15/58	1,117		82.50	82.50 Cr.
Aug 19/58	1,187		49.50	132.00 Cr.
Sep 15/58	6,443	9.60		122.40 Cr.
Sep 30/58 JE	366	128.00		5.60
Nov 25/58	302	11.62		17.22

Equipment Sales Corporation

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U.S.A.