

The State of Alabama,--Baldwin County.

CIRCUIT COURT.

St Louis Coffin Company, a
Corporation.

VS.

To A.W.Moise,

Henry Havard and J.A.Shiver, (Ind)
and as Perdido Hardware Company.

Hon. A.W.Moise

Esqts.:- Greeting:

*Know Ye, That we in confidence of your prudence and fidelity have
appointed you, and by these Presents do give you, ~~at any one of you~~ full power
and authority to take the deposition of J.J.Sloan E.L.Tucker,*

*H.W.Wissner, and Chas Koenig who reside at 1821 Chouteau Ave St. Louis
Mo.*

*es
witness on the part of the Plaintiff,*

in a cause pending in our said Court, wherein

St Louis Coffin Company, a Corporation. is plaintiff and

Henry Havard and J.A.Shiver

is defendant and therefore we command you,

*~~at any one of you,~~ that at such time and place, or times and places as you may
appoint, you do cause the said J.J.Sloan and E.L.Tucker*

*to come before you, ~~or either of you,~~ and then
and there examine them on oath, on the interrogatories and cross interrogatories
annexed. And that you, ~~or either of you,~~ do take such examination and reduce
the same into writing and return the same annexed to this Writ, closed up under
your seals, ~~at the seal of any one of you,~~ into our said Circuit Court, with all conven-
ient speed, that the same may be read in evidence on the trial of the cause aforesaid.*

T.W.Richerson,

Witness. ~~65485-74303~~ Clerk of our said

Court, this 4th day

of April A. D. 1917,

ATTEST:

T.W.Richerson CLERK.

To the Commissioner :

In executing the within commission, you will please be particular in observing the following rules:— Your certificate must show that you caused the witness to come before you at some specified time and place, or times and places, that **they** were duly sworn by you; that **they** testified as it is set down, that the testimony was by you reduced to writing, and that it was subscribed by the witness **es** in your presence after its having been first read over to **them**, and that **they are** personally known to you, or that you have had proof before you of the personally identity of the witness. All the papers returned by you should be attached together, and all enclosed in an envelope, this envelope should be sealed up by you, and across the seals of the same, you should write your name or names. The title of the case must be endorsed on the outside of the envelope, also, the names of the witnesses examined, and whether for the plaintiff or defendant. On the Commission itself must be marked the amount of your fees, and if paid, by whom. The package should then be directed to the Clerk of the Circuit Court, Baldwin County, Ala.

~~61133336413619253~~

or kin

And that you are not of Counsel/to any of the parties to this suit,

Nor ~~is~~ in any manner interested in the result thereof.

W. R. Anderson Clerk.

CIRCUIT COURT AT BALDWIN COUNTY.

St Louis Coffin Company. &
Corporation.

VS. } Commission to take Testimony.

Henry Havará and J.A. Shiver
as Perdido Hardware Co.

Witness

J.J. Sloan and E.L. Tucker.

H.W. Wissner, and Chas Koenig

Commissioner's Fees, \$

Paid by

State of Alabama,

Baldwin County.

In Circuit Court, Baldwin County.

St. Louis Coffin Company, a Corporation, Plaintiff.

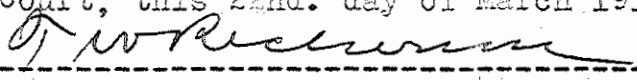
vs.

Henry Havard, J. A. Shiver and Perdido Hardware Company, Defendants.

To Rickerby, Austill & Beebe Esquires.,:

Please take notice, that in the foregoing stated cause pending in our Circuit Court, interrogatories to be propounded to J. J. Sloan, E. L. Tucker, H. W. Wissner and Ohas. Koenig, all of whom reside at 1821 Chouteau Ave., St. Louis, Mo. (a copy of which herewith issues), witnesses in behalf of the said plaintiff, have this day been filed in my office: which said interrogatories will remain on file ten days after service of this notice upon you, during which time you can file cross interrogatories if you think proper. A. W. Moise, 705 Oliver Street, St. Louis, Mo., has been suggested as a proper person to take the depositions of the said witnesses.

Witness my hand as Clerk of said Court, this 22nd. day of March 1917.



Clerk of the Circuit Court.

ST. LOUIS COFFIN COMPANY,
PLAINTIFF,

VS.

HENRY HAVARD, ET AL,
DEFENDANTS.

NO. _____.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY.

CROSS-INTERROGATORIES PROPOUNDED BY DEFENDANTS, HENRY
HAVARD AND J. A. SHIVER, TO PLAINTIFF'S WITNESSES J. J. SLOAN,
E. L. TUCKER, H. W. WISSNER AND CHARLES KOENIG.

1st. If, in answer to the fourth interrogatory, you
state that the goods were ordered by defendants, please
state by name which defendant gave the order and when.

Attorneys for Defendants Havard
and Shiver.

Remit in St. Louis or New York Exchange. All Bills not paid at maturity subject to sight draft.

St. Louis Coffin Co.

EIGHTEENTH ST. AND CHOUTEAU AVE.

St. Louis,

4/25/19

*Pardido Law Co.**Pardido**Ala*1915
Dec 4
July 15 1916
Balance,

To Mdse., Bill Rendered,

Court Costs

179 35

10-

189 35

Exhibit
"A"

636 Order No. 1 Date Nov 20th 1915

ST. LOUIS COFFIN CO.

Ship to Perichole Healey Co ✓

At Perichole Co ✓

How Ship _____ When at once

Terms 5% up front & balance 30 days net

Avoid errors. Check orders carefully before sending in

not in Brad	2	no 3097 Casket 6-0	✓
		Complete & Box	18.00
	2	no 3097 Casket	
		Complete & Box 5-3	18.00
	1	no 3093 Casket Complete	
		& Box 5-0 ✓	15.75
	1	no 3093 Complete & Box	
		5-6	15.75
	4	B. Cuffin Complete & Box	
		1-5-7 2-6-0 & 1-6-3	11.60
	1	D. Casket Complete & Box 4/6	6.25
	1	no 3097 Complete & Box 3-0	7.00
	2	no 3097 Complete & Box 3/6	8.00

Freight
P. Wilson

Exhibit "C" Salesman
[Signature]

"For use in connection with Uniform Bill of Lading—Adopted by carriers in Official Classification territory effective January 1, 1916."

Railroad Company

Shippers No.

Agents No.

This Shipping Order must be legibly filled in, in Ink, in Indelible Pencil, or in Carbon, and retained by the Agent.

RECEIVE, subject to the classifications and tariffs in effect on the date of issue of this Shipping Order.

at St. Louis, Mo., 191

From ST. LOUIS COFFIN COMPANY,

the property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned and destined as indicated below, which said Company agrees to carry to its usual place of delivery at said destination, if on its road, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property, over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the conditions, whether printed or written, herein containing (including conditions on back hereof) and which are agreed to by the shipper and accepted for himself and his assigns.

The Rate of Freight from St. Louis, Mo., to

is in Cents per 100 Lbs.

If Times 1st	If 1st Class	If 2d Class	If Rule 25	If 3d Class	If Rule 26	If Rule 28	If 4th Class	If 5th Class	If 6th Class	If Special per	If Special per

(Mail Address—Not for purposes of Delivery)

Consigned to

Destination

State of County of

Route

Car Initial

Car No.

Goods Marked

No. Packages	Description of Articles and Special Marks	WEIGHT Sub. to Corr.	CLASS or RATE	CK. COL.	No. Packages	Description of Articles and Special Marks	WEIGHT Sub. to Corr.	CLASS or RATE	CK. COL.	
	Steel Caskets, Boxed					Box Embalming Fluids				If charges are to be prepaid, write or stamp here, "Prepaid."
	Box Wood Coffins					Bale Excelsior				
	Wrap Wood Coffins					Undertakers' Cooling Boards				
	Crate Wood Coffins (Wrapped)					Gravo Vaults				Received \$ to apply in prepayment of the charges on the property described hereon.
	Box Metal Coffin Trimmings					Undertakers' Stools (H. D.)				
	Box Dry Goods					Undertakers' Church Trucks (H. D.)				
	Box Notions					Burial Tray Basket (Wrapped and Crated)				Agent or Cashier
										Per (The signature here acknowledges only the amount prepaid.)
										Charges Advanced:
										\$

Exhibit TB

2

St. Louis Coffin Company, Shippers, Per

THE KORY REGISTER COMPANY, DAYTON, OHIO

Agent must detach and retain this Shipping Order and must sign the Original Bill of Lading

St. Louis Coffin Company a Corporation, Plaintiff.

vs.

Henry Havard, J. A. Shiver and Perdido Hardware Company, defendants.

Interrogatories to be propounded to J. J. Sloan, E. L. Tucker, H. W. Wissner and Chas. Koenig, all of who reside at 1821 Chouteau Ave. St. Louis, Mo., and who are material witnesses for plaintiff.

1st.

Please state whether or not, you held positions in St. Louis Coffin Co plaintiff on or about December 4, 1915, and if so what position did you hold at that time?

2nd .

Please state whether or not plaintiff sold to defendants and goods on or about that time? If so attach a statement of said account to your deposition.

3rd.

Who packed and shipped said goods? Please attach copy of bill of lading and freight receipt, showing delivery to defendants.

4th.

Were these goods ordered by defendants or was the order given to a traveling salesman? Please attach copy of order to your deposition.

5th.

Did you or either of you, know who composed the firm of Perdido Hardware Company, when the goods were sold and shipped in December 1915?

6th.

Did you or either of you know whether or not plaintiff ever received any notice from Henry Havard and J. A. Shiver that they had bought out the business of Perdido Hardware Company, but did not assume any of the existing indebtedness of Perdido Hdw. Co.? Did plaintiff ever agree and consent for Henry Havard and J. A. Shiver to take charge of all assets and stock of goods of Perdido Hdw. Co., and continue the same business, and not assume any of the obligations then existing? State fully.

7th.

If you said plaintiff received said notice, or gave said consent, attach copy of said notice, and letter giving assent of plaintiff.

8th.

Please attach to your depositions any letters or copies of same from

Henry Havard or J. A. Shiver, or any member of Perdido Haw. Co., with
with reference to this account or their connection with same.

9th.

State any other fact or facts pertinent to this cause, within your knowl-
edge, not covered by the other interrogatories. State fully.

A. W. Moise, who resides at 705c Oliver St. St. Louis, Mo., is suggest-
ed as a suitable person to take the depositions of the said witnesses.

W. H. Hawkins

Attorney for Plaintiff.

State of Alabama,

Baldwin County.

Personally appeared before me, T. W. Richerson, Clerk
of the Circuit Court, W. H. Hawkins, who on oath states that he is attor-
ney for plaintiff, and that J. J. Sloan, E. L. Tucker, H. W. Wissner and
Chas. Koenig, who reside at 1821 Chouteau Ave. St. Louis, Mo., are mate-
rial witnesses for plaintiff, and that they reside out of the State of
Alabama.

W. H. Hawkins

Sworn to and subscribed before me this 22nd. day of March 1917.

T. W. Richerson

Clerk of Circuit Court.

STATE OF MISSOURI)
CITY OF ST. LOUIS) SS.

ST. LOUIS COFFIN COMPANY
A corporation.
PLAINTIFF.
VS.
HENRY HAVARD and J.A. SHIVER
and Perdido Hardware Company.
DEFENDANT

IN THE CIRCUIT COURT

BALDWIN COUNTY.

State of Alabama.

I, A. W. Moise, the Commissioner, A Notary Public, named in the annexed commission, caused to come before me at 705 Olive Street, City of Saint Louis, State of Missouri, John J. Sloan a witness examined by the plaintiff in the annexed stated cause and having sworn him on the Holy Evangelists, the truth to speak, the whole truth and nothing but the truth, he deposes and says as follows:

1. To the first direct interrogatory, he saith.

My name is John J. Sloan, age forty. I am now and have been for the past ten years, Secretary of the Saint Louis Coffin Co.

2nd Ans. Yes, we sold goods to the defendants at the time stated,

I have a statement of account and hand it to the Notary
herewith and ask him to attach it to my deposition.

NOTARY. I have marked statement handed to me by witness

for identification, Exhibit "A", have attached to his deposition and make it a part of his testimony.

3rd Ans. It is impossible for me to state exactly who packed

the goods. We have over ten packers in our shipping department. The goods were finally shipped by Mr. Bertell who had charge of our shipping department at that time, December 4th, 1915. He has not been in our employ for the past year. I cannot furnish copy of the freight receipt as that is held by the defendant. I have a copy of the Bill of Lading which I hand to the Notary herewith and ask that he attach it to my deposition.

NOTARY-. I have marked bill of lading handed to me by witness

for identification Exhibit "B" and have attached to his deposition to be made a part of his testimony.

4th Ans. The order for these goods was given to a salesman of our company. I hand the Notary herewith the original order dated November 20th 1915 and signed by R.G.Wilson, salesman. I ask that he attach this to my deposition.

NOTARY. I have marked the original order handed to me by witness for identification Exhibit "C", have attached to this deposition to be made a part of his testimony.

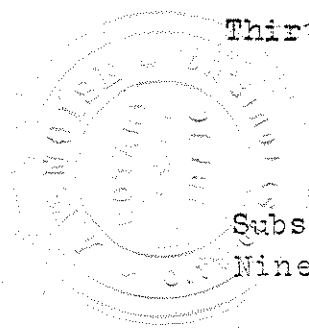
5th Ans. I only know through information received from the usual sources, viz. mercantile agency reports. We were advised by them ~~xxxx~~ under date of Nov, 26th 1915 that this concern was composed of Henry and L.C.Havard.

6th Ans. No. Never to my knowledge did we receive any notice from Henry Havard and J.A. Shiver that they had succeeded to the business of the Perdido Hardware Co. I knew nothing about the change and did not agree or consent for Henry Havard and J. A. Shiver to take charge of all assets and stock of goods of the Perdido Hardware Company.

7th Ans. See answer to the sixth question.

8th Ans. We have not received any letters from either Henry Havard or J.A.Shiver hence cannot attach letters to my deposition.

9th ans. I cannot add anything further to my deposition, except to re-iterate the fact that we have never had any communication whatever from either Henry Havard or J.A.Shiver in reference to this account, although we have forwarded numerous statements to the Perdido Hardware Company to which no attention was paid. They owe us the amount shown on the statement attached heretofore of One Hundred and Seventy Nine Dollars and Thirty- Five Cents (\$179.35).



J. J. Sloan

Subscribed and sworn to before me this 26th day of SEP 26th 1917.
Nineteen Hundred and Seventeen.

Notary Public

MY TERM OF OFFICE EXPIRES
26TH 1917.

I, A.W.Moise, Commissioner named in the annexed commission, caused to come before me at 705 Olive Street, City of Saint Louis, State of Missouri, E. L. Tucker a witness, examined by the plaintiff in the annexed stated cause and having sworn him on the Holy Evangelists, the truth to speak, the whole truth and nothing but the truth, he deposes and says as follows:

1st. To the first direct interrogatory he saith,
My name is E.L.Tucker, age 31. On Dec, 4th, 1915, I held a position of Entry Clerk and and part of my duties was to enter all orders that were received by the St. Louis Coffin Co.

2nd Ans. Yes, we sold goods to the defendants at the time stated. The order was received by me, and entered and passed to the shipping department .

3rd Ans. I cannot answer this.

4th Ans. This order was given to a Traveling salesman.
The original order has been attached to the deposition of Mr. Sloan.

5th Ans. No, I know nothing about it.

6th Ans. I know nothing about this matter.

7th. I know nothing about this. I refer you to Mr. Sloan's testimony.

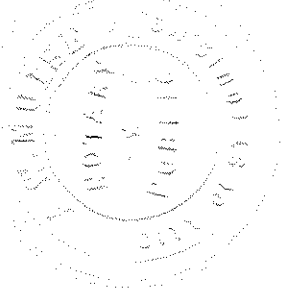
8th .Ans. Cannot answer this.

9th.Ans. I have nothing further to add to my testimony other than that the order was received in the usual way, was entered by me, and I then passed it through the regular channels.

E. L. Tucker

Subscribed and sworn to before me, this 26th day of April, 1917,
Nineteen Hundred and Seventeen,

A. W. Moise
Notary Public.



MY TERM OF OFFICE EXPIRES
SEPT. 14TH 1917.

I, A. W. Moise, the Commissioner, named in the annexed commission, caused to come before me at 705 Olive Street City of St. Louis, State of Missouri, H. W. Wissner, a witness examined by the plaintiff in the annexed stated cause and having sworn him on the Holy Evangelists, the truth to speak, the whole truth and nothing but the truth, he deposes and says as follows:

1. To the first direct interrogatory, he saith.

My name is Henry W. Wissner, age twenty eight and have charge of the shipping department of the Saint Louis Coffin Company. I was not in their employ on December 4th, 1915.

2nd Ans. I cannot answer to my own knowledge.

3rd, Ans. I cannot answer to my own knowledge.

4th, Ans. I cannot answer.

5th Ans. I cannot answer this question.

6th Ans. I cannot answer to my own knowledge.

7th Ans. I cannot answer to my own knowledge.

8th Ans. I cannot answer to my own knowledge.

9th. Ans. I have nothing to state.

H. W. Wissner

Subscribed and sworn to before me, this 26th day of April, 1917

A. W. Moise

NOTARY PUBLIC.

MY TERM OF OFFICE EXPIRES
SEPT. 14TH 1917.

I, A. W. Moise, the Commissioner, A Notary Public named in the annexed commission, caused to come before me at 705 Olive St. City of Saint Louis, State of Missouri, Charles Koenig, a witness examined by the plaintiff in the annexed stated cause and having sworn him on the Holy Evangelists, the truth to speak, the whole truth and nothing but the truth, he deposes and says as follows:

1st. To the first direct interrogatory he saith.

My name is Charles Kornig, I am 25 years of age. I am at this time in charge of the packing department of the Saint Louis Coffin Co. On or about December 4th, 1915 I was working in the packing department but was not in complete charge.

2nd. I cannot answer this to my knowledge.

3rd Ans. I may have packed these goods, and assisted in the shipment of the same but have no positive recollection at this time of that point.

4th Ans. I cannot answer this question .

5th Ans. I do not know.

6th Ans. I do not know.

7th Ans. I cannot answer, as I ~~am~~ do not know anything about it.

8th Ans. I cannot answer this question.

9th Ans. I have nothing further to state.

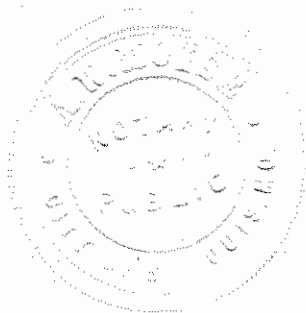
Chas Koenig

STATE OF MISSOURI)
CITY OF ST. LOUIS) ss

I, A. W. Moise, said Commissioner, hereby certify that I caused to come before me, on the 26th day of April, at 10 A. M. at 705 Olive Street, in the City of Saint Louis, State of Missouri the above named witnesses J. J. Sloan, E. L. Tucker, H. W. Wissner and Chas Koenig. That they were duly sworn and examined; that their evidence was taken down as near as may be in their own language, and was read over to them and by them subscribed in my presence and that the identity of the said witnesses are known to me as the same persons named in the interrogatories and the commission annexed, and that I am not of counsel or kin to either of the parties to the cause or in any other manner interested in the result thereof, as witness my hand and seal this Twenty Sixth day of April, 1917 A.D.

A. W. Moise
NOTARY PUBLIC.

My term of office expires September 14th, 1917.



Notary Fees.
Deposition 5 pages 40¢ each. = 2.00
Four Affidavits 25¢ each 1.00
Duplicate copy 10¢ per page .50
Paid by Plaintiff \$3.50

CIVIL SUBPOENA.

In case the witness shall wish to charge for attendance he will please produce to the clerk in term this copy of his Subpoena, or within five days after adjournment of court, else he will be barred.

THE STATE OF ALABAMA, }
BALDWIN COUNTY. }

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

You are hereby commanded to summon

L. C. Havens

if to be found in your county, at the instance of the

Plff

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

on the *20* day of *May* 191*8*, then and there to testify,

and the truth to say, in a certain case pending, wherein

Eck Furniture Co v H. L. Coffin Co
Plaintiff,

Birdie H. H. H.

Defendant,

and there remain during said Court until discharged by due course of law.

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

Witness my hand this *19* day of *Apr* A. D., 191*8*.

ATTEST:

J. W. Kimm

Clerk.

No.

THE STATE OF ALABAMA,
Baldwin County.

Eck Furniture Co
& St Louis Coffin Co

Vs. || SUBPOENA FOR

CIRCUIT COURT

WITNESSES:

L C Havard

SET FOR TRIAL

20 day of *May* 191*8*

Times Print—Bay Minette, Ala.

E

*Received May 4th 1918 By serving
a copy of the within and of it against
Eck Furniture Co
& St Louis Coffin Co
By DeLoachman*