

FARNELL-THOMPSON WELL CO., INC.,  
a Corporation,

Plaintiff

vs

DAUPHIN CORPORATION, a corpora-  
tion successor to BAYSIDE MOTEL  
CORPORATION, a Corporation,

Defendant.

X  
X  
X  
X  
X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AP 1287

4438

Comes the Defendant in the above styled cause and for demur-  
rer to the complaint filed in said cause and to each count thereof  
separately and severally shows as follows:

-1-

That Count One of said complaint fails to state the authoriza-  
tion of said alleged indebtedness.

-2-

That Count One of said Complaint fails to allege what officer  
of said defendant corporation authorized said account alleged therein.

-3-

That Count Two of said complaint fails to state the authoriza-  
tion of said alleged indebtedness.

-4-

That Count Two of said complaint fails to allege what officer  
of said defendant corporation authorized said account alleged therein.

-5-

That Count Three of said complaint fails to allege by what  
authority the said Dauphin Corporation became the acceptor or obligor  
of all debts, obligations and liabilities of the said Bayside Motel  
Corporation.

-6-

That Count Three of said Complaint fails to state the authoriza-  
tion of said alleged indebtedness.

-7-

That Count Three of said complaint fails to allege what officer  
of said defendant corporation authorized said account alleged therein.

-8-

That Count Four of said complaint fails to state the authoriza-  
tion of said alleged indebtedness.

-9-

That Count Four of said complaint fails to allege what officer

of said defendant corporation authorized said account alleged therein.

-10-

That Count Four of said complaint fails to allege by what authority the said Dauphin Corporation became the acceptor or obligor of all debts, obligations and liabilities of the said Bayside Motel Corporation.

-11-

Count Four of said complaint fails to allege by what action the said defendant has assumed or obligated to pay the alleged indebtedness.

-12-

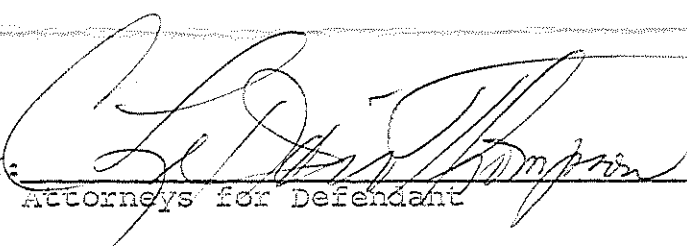
Count Four of said complaint fails to allege any action by the said defendant, assuming or obligating itself to pay the alleged indebtedness of Bayside Motel Corporation.

-13-

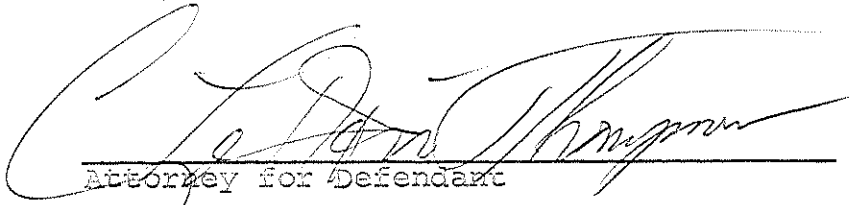
Count Five of said complaint fails to allege any obligation or indebtedness of the said defendant.

THOMPSON & WHITE

BY:

  
Attorneys for Defendant

Defendant requests trial by jury.

  
Attorney for Defendant

**FILED**

OCT 14 1960

ALICE L. DUCK, CLERK  
REGISTER

FARNELL-THOMPSON WELL CO.,  
INC., a corporation,

Plaintiff

vs

DAUPHIN CORPORATION, a  
corporation successor to  
BAYSIDE MOTEL CORPORATION,  
a corporation,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Comes the defendant in the above styled cause and for  
answer to said complaint filed in said cause and to each count there-  
in separately and severally shows unto this Honorable Court as fol-  
lows:

-1-

As to Count One, it denies the allegations alleged there-  
in.

-2-

As to Count two, it denies the allegations alleged there-  
in.

-3-

As to Count Three, it denies the allegations alleged there-  
in.

-4-

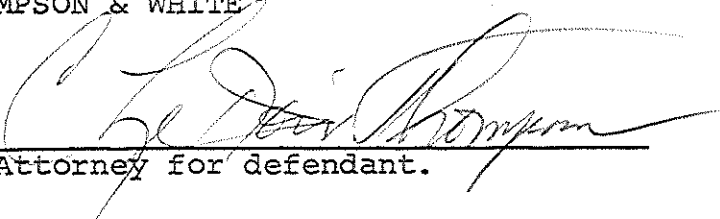
As to Count Four, it denies the allegations alleged there-  
in.

-5-

As to Count Five, it denies the allegations alleged there-  
in.

THOMPSON & WHITE

BY:

  
Attorney for defendant.

FILED

DEC 6 1960

ALICE J. DUCK, Clerk

FARNELL-THOMPSON WELL CO.,	X	
INC., a Corporation,		
	X	
Plaintiff,		IN THE CIRCUIT COURT OF
	X	
vs.		BALDWIN COUNTY, ALABAMA
	X	
DAUPHIN CORPORATION, a		AT LAW
Corporation successor to	X	
BAYSIDE MOTEL CORPORATION,		
a Corporation,	X	
Defendant.	X	

#### COUNT ONE

The Plaintiff claims of the Defendant TWO THOUSAND NINE HUNDRED NINETEEN and No/100 (\$2,919.00) DOLLARS, due from it by account on, to-wit, the 26th day of July, 1959, which sum of money with interest thereon is still unpaid.

#### COUNT TWO

The Plaintiff claims of the Defendant TWO THOUSAND NINE HUNDRED NINETEEN and No/100 (\$2,919.00) DOLLARS due from it on account stated between the Plaintiff and Defendant on, to-wit, the 26th day of July, 1959, which sum of money with the interest thereon is still unpaid.

#### COUNT THREE

The Plaintiff claims of the Defendant TWO THOUSAND NINE HUNDRED NINETEEN and No/100 (\$2,919.00) DOLLARS due from it for work and labor done for the Bayside Motel Corporation, a Corporation, by the plaintiff during, to-wit, the month of May, 1959 at its request the said Defendant Dauphin Corporation, a Corporation, being the successor corporation to said Bayside Motel Corporation, and the acceptor of all debts, obligations and liabilities of said Bayside Motel Corporation, which sum of money with the interest thereon is still unpaid.

#### COUNT FOUR

The Plaintiff claims of the Defendant TWO THOUSAND NINE HUNDRED NINETEEN and No/100 (\$2,919.00) DOLLARS due from it by account on, to-wit, the 26th day of July, 1959, which said indebtedness the Defendant has heretofore assumed and obligated

itself to pay, which sum of money with the interest thereon is still unpaid.

COUNT FIVE

The Plaintiff claims of the Defendant TWO THOUSAND NINE HUNDRED NINETEEN and No/100 (\$2,919.00) DOLLARS due from Bay-side Motel Corporation, a Corporation, on account stated between the Plaintiff and said Defendant Bayside Motel Corporation, a Corporation, on, to-wit, the 19th day of May, 1959, which said indebtedness the Defendant has heretofore assumed and obligated itself to pay to the Plaintiff, which sum of money with the interest thereon is still unpaid.

By: <sup>CHASON & STONE</sup> *Norborne P. Stone, Jr.*  
and *Johnston McCall + Johnston*  
Attorneys for the Plaintiff

Count one and Count four of the above and foregoing complaint are brought on an itemized statement of account verified by affidavit hereto attached and made a part hereof.

By: <sup>CHASON & STONE</sup> *Norborne P. Stone, Jr.*  
and *Johnston McCall + Johnston*  
Attorneys for the Plaintiff

STATE OF ALABAMA X

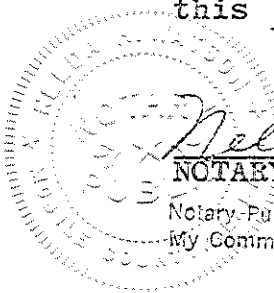
COUNTY OF MOBILE X

Before me, Nelda H. Watson, a Notary Public in and for said State and County, personally appeared BERNICE FARNELL, who, upon first being duly sworn on oath, did depose and say that she is the Bookkeeper for FARNELL-THOMPSON WELL CO., INC., a Corporation, the plaintiff in the case entitled "Farnell-Thompson Well Co., Inc., a Corporation, Plaintiff, vs. Dauphin Corporation, a Corporation successor to Bayside Motel Corporation, a Corporation, Defendant, In the Circuit Court of Baldwin County, Alabama, At Law", and that affiant has personal knowledge of the within account against said Dauphin Corporation, amount to TWO THOUSAND NINE HUNDRED NINETEEN and No/100 (\$2,919.00) DOLLARS and that the same is true and correct and justly due the said FARNELL-THOMPSON WELL CO., INC., A Corporation, after the allowance of all credits to which the said Dauphin Corporation, a Corporation, is entitled.

Bernice Farnell

Subscribed and sworn to before me

this 20 day of September, 1960.



Nelda H. Watson  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

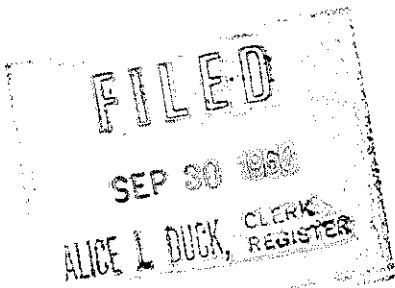
Notary Public, Mobile County, Alabama  
My Commission Expires Aug. 27, 1963

STATEMENT OF ACCOUNT BETWEEN  
FARNELL-THOMPSON WELL CO., INC., A CORPORATION  
AND

SUCCESSOR TO BAYSIDE MOTEL CORPORATION, A CORPORATION

<u>DATE</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>CHARGE</u>
May 19, 1959	1	6" String of well casing T&C	\$ 600.00
May 19, 1959	25 feet	6" Stainless Steel well screen	500.00
May 19, 1959	1	6" Wash valve & well seal	15.00
May 19, 1959	1	1000 Gal galv. pressure tank-heavy duty (Saddle mounted)	620.00
May 19, 1959	1	Pump to tank fittings for hookup	50.00
May 19, 1959	2	3" valves (1 gate and 1 line check)	62.00
May 19, 1959	1	150 gallon per minute (60-80 lbs) Fairbanks Morse Turbine Pump, complete with 15 h.p., 3-phase, 60 cycle 220 volt motor, 30' of 4" column & shaft	2134.00
May 19, 1959	1	15-HP #9589 Combination starter & fusible Disconnect with 3-way selector switch	165.00
May 19, 1959	1	Automatic Control with Standard Duotrol, addair type NEMA-IV	380.00
May 19, 1959	1	220 Volt 3/4" closed solenoid valve #82104	48.00
May 19, 1959	1	125 lb. Air compressor (110-220 volts)	220.00
May 19, 1959		Labor charge to hook up all electrical equipment and furnish power pole	200.00
May 19, 1959	1	Concrete slab around pump and well and concrete base for tank platform and saddle mounts	100.00
May 19, 1959		Labor charge to drill and develop well and install all of the above equipment with exception of electrical equipment and power pole	1325.00
		Total Charges	\$6419.00

Total Debit - Invoice #1158 dated May 19, 1959		\$6419.00
Payments received - June 17, 1959	\$1500.00	
July 19, 1959	1000.00	
July 26, 1959	1000.00	
Total Credits	<u>\$3500.00</u>	-3500.00
Balance Due		<u>\$2919.00</u>





SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. ....

...SEPTEMBER... TERM, 1960.

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon DAUPHIN CORPORATION, a Corporation, successor to

BAYSIDE MOTEL CORPORATION, a Corporation, Defendant

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 DAUPHIN CORPORATION,  
a Corporation, successor to BAYSIDE MOTEL CORPORATION, A corporation, Defendant.  
by FARNELL-THOMPSON WELL CO., a Corporation,

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

Witness my hand this 30 day of September 1960.

Alice J. Duck  
Alice J. Duck

Clerk

No.

4438

Page

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

FARNELL\*THOMPSON WELL CO.,

INC. a corporation

Plaintiffs

vs.

DAUPHINE CORPORATION, a corporation ~~xxxxxx~~ by leaving a copy with

successor to BAYSIDE MOTEL CORPORATION  
a corp

Defendants

Summons and Complaint

Filed 9-30-60 19

Alice L. Duck Clerk

Serve on  
Mgr. Holiday Inn  
on Causeway

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

9/30, 1960

Sheriff.

I have executed this summons

this 5th oct 1960

D. O. J. Gallo

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY

Garner

DEPUTY SHERIFF

Taylor Wilkins

Sheriff.

W. O. Garner

Deputy Sheriff.

Causeway