

SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon NORMAN KELLY 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 F. S. ROYSTER GUANO COMPANY, a Virginia corporation.

Witness my hand this the 21 day of December, 1960.

Exp-1-21-61

Alice J. Duck
Clerk

* * * * *

COMPLAINT

4523

F. S. ROYSTER GUANO COMPANY,)
a Virginia corporation,)
PLAINTIFF,)
VS:)
NORMAN KELLY)
DEFENDANT)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COUNT I:

The plaintiff claims of the defendant FIVE HUNDRED EIGHTY-FIVE & 00/100 DOLLARS (\$585.00), due from him by account on, to wit: the 31st day of March, 1960, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant FIVE HUNDRED EIGHTY-FIVE & 00/100 DOLLARS (\$585.00), due from him on account stated between the plaintiff and the defendant on, to wit: the 31st day of March, 1960, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant FIVE HUNDRED EIGHTY-FIVE & 00/100 DOLLARS (\$585.00), due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 31st day of March, 1960, 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 19th day of December, 1960.

The defendant's address is:
Foley, Alabama

Paul Allen
Attorney for Plaintiff

FILED
DEC 21 1960
ALICE J. DUCK, CLERK
REGISTER

Nov. 28 1960

M

Norman Kelly
Zoley, Ala.



In Account With F. S. ROYSTER GUANO CO.

Inv. Nos: 747 - 3/14/59; 759 - 3/21/59, 766 - 3/24/59, 832 - 4/20/59, 834 - 4/17/59
841 - 4/28/59, 846 - 4/29/59, 859 - 5/2/59; 862 - 5/4/59

Sum

17.50 ton 4-12-12 100# Paper @ 44.44 777.70

1.00 - 4-10-7 ✓ @ 38.33 38.33

18.50 - 816.03

Less: 1.50 trucking on 18.5 ton 27.75
788.28

Less: Cash 3/31/60 203.28
585.00

STATE OF ALABAMA,)

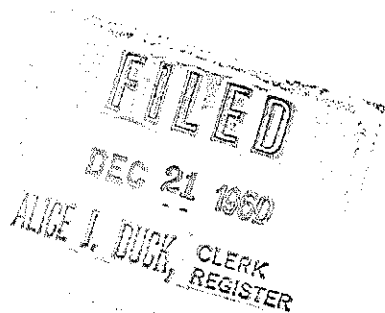
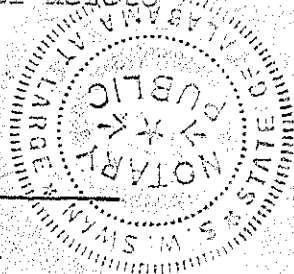
MONTGOMERY COUNTY)

Before me, the undersigned authority in and for aforesaid county and state, as a notary public under my seal of office, which seal of office is hereto attached, personally appeared Evans Vaughn known to me, who being by me first duly sworn, deposed and upon his oath stated that he is Manager of F. S. ROYSTER GUANO COMPANY, ~~corporation~~ corporation organized and doing business under the laws of Virginia; that as such he makes this affidavit; that he is familiar with the books and business of F. S. ROYSTER GUANO COMPANY; that the attached account against NORMAN KELLY is just and correct, within the knowledge of this affiant; that he has authority to make this affidavit and that he has personal knowledge of the matters contained herein; that the items thereon stated and composing the said account were sold and delivered to the said NORMAN KELLY at the special instance and request of the debtor and 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 FIVE HUNDRED EIGHTY-FIVE & 00/100 DOLLARS (\$585.00) with interest from March 31, 1960 is justly due and remains unpaid.

Evans Vaughn
Evans Vaughn, Manager

Sworn to, subscribed, acknowledged, signed and sealed before me, as a notary public under my seal of office, with my seal hereto affixed on this the 19th day of December, 1960.

[Signature]
Notary Public
Montgomery County, Alabama



SUMMONS AND COMPLAINT

F. S. ROYSTER GUANO COMPANY,
a Virginia Corporation,

PLAINTIFF

VS:

NORMAN KELLY,

DEFENDANT

Received 21 day of Dec 1960
on 21 day of Jan 1961
I served a copy of the within S & C
Norman Kelly

service on _____

TAYLOR WILKINS, Sheriff

By Artisla [Signature] D. S.

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff

BY [Signature]
DEPUTY SHERIFF

FILED
DEC 21 1960
ALICE J. DUCK, CLERK
REGISTER

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

F. S. ROYSTER GUANO COMPANY,
a Virginia Corporation,

Plaintiff

vs

NORMAN KELLY

Defendant

X

X

X

X

X

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

Comes the defendant in the above styled cause and for
answer to said complaint and each count thereof separately and
severally shows as follows:

-1-

That the allegations of Count I of said complaint is un-
true.

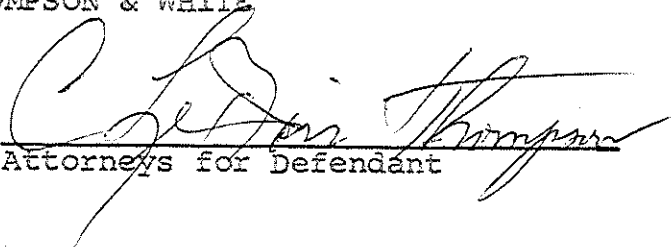
-2-

That the allegation of Count II of said complaint is un-
true.

-3-

That the allegation of Count III of said complaint is un-
true.

THOMPSON & WHITE

BY: 

Attorneys for Defendant

FILED

MAY 2 1961

ALICE J. DUCK, Clerk

F. S. ROYSTER GUANO COMPANY,
a Virginia Corporation,

Plaintiff

vs

NORMAN KELLY

Defendant

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

Comes the defendant and demurs to said complaint and to each count thereof separately and severally as follows:

-1-

That said complaint does not state a cause of action.

-2-

Said defendant denies the allegations of Count I as untrue.

-3-

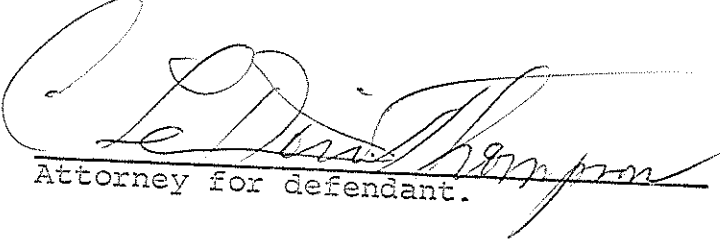
Said defendant denies the allegations of Count II as untrue.

-4-

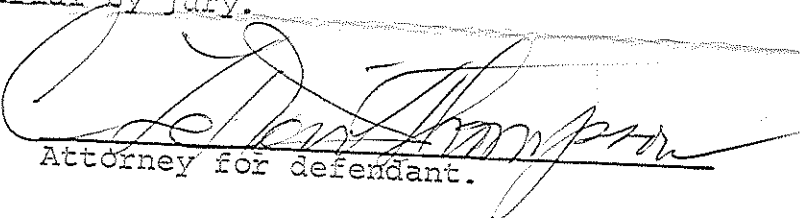
Said defendant denies the allegations of Count III as untrue.

-5-

That said complaint fails to allege a delivery of the items alleged in each of said counts.


Attorney for defendant.

Defendant requests trial by jury.


Attorney for defendant.

FILED
FEB 21 1961
ALICE I. DUCK, CLERK
REGISTER