

| ST. CROIK SALES CORPORATION a corporation              | X                       |
|--|-------------------------|
| Plaintiff  | IN THE CIRCUIT COURT OF |
| vs   | BALDWIN COUNTY, ALABAMA |
| DAVID D. JAYE, Individually and doing business as ROCK | AT LAW                  |
| HILL SERVICE CENTER  Defendant                         |                         |
|  | X                       |

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

-1-

As to Count I, he denies the allegations of said complaint.

-2-

As to Count II, he denies the allegations of said complaint.

-3-

As to Count III he denies the allegations of said complaint.

THOMPSON & WHITE

X: CONTON

Defendant respectfully requests trial by jury.

THOMPSON & WHITE

Attorneys for Defendant

FILED

SEP 26 1900

ALICE J. DUCK, CLERK

| ST. CROIX SALES CORPORATION, A corporation             | Ĭ                         |
|--|---------------------------|
| Plaintiff  | OTTOOTT OOOTT OT          |
| VS   | § BALDWIN COUNTY, ALABAMA |
| DAVID D. JAYE, Individually and doing business as ROCK | X AT LAW                  |
| HILL SERVICE CENTER                                    | X                         |
| Defendant  | <b>Q</b>                  |
|  | Ø                         |

## COMPLAINT

## COUNT I

The Plaintiff claims of the Defendant the sum of ONE HUNDRED NINETY-ONE and 32/100 (\$191.32) Dollars due from him by account on, to-wit, the 15th day of December, 1958; which sum of money with the interest thereon is still unpaid.

### COUNT II

The Plaintiff claims of the Defendant the sum of ONE HUNDRED NINETY-ONE and 32/100 (\$191.32) Dollars due from him for merchandise and goods sold by the Plaintiff to the Defendant on, to-wit, the 15th day of December, 1958; which sum of money with the interest thereon is still unpaid.

## COUNT III

The Plaintiff claims of the Defendant the sum of ONE HUNDRED NINETY-ONE and 32/100 (\$191.32) Dollars due from him on accounts stated between the Plaintiff and the Defendant on, to-wit, the 15th day of December, 1958; which sum of money with the interest thereon is still unpaid.

Attorney for the Plaintiff

NOTE: The account sued on is evidenced by an itemized and verified state ment of account filed herewith.

Attorney for the Plaintiff

## ST. CROIX SALES CORPORATION

SOLE DISTRIBUTORS OF

WORLD FAMOUS STACKLE

PARK FALLS, WISCONSIN

- ROCK HILL SERVICE CENTER
- · Highway 31 N
- . Bay Minette, Alabama

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PLEASE RETURN THIS STUB WITH YOUR CHECK. AMOUNT ENCLOSED \$\_\_\_\_\_

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## ST. CROIX SALES CORPORATION

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# Affidavit to Claim

| STATE OF   | WISCONSIN  | ) <i>à</i>   |   |   |
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| COUNTY OF  |  | 55.  |   |   |
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| appeared   | W. D. JOHNSON  |  | .7 . 7 . 6  | TREASURER   |
| being by me first  | i duly sworn according to  | law, deposes and   | says that he is"  | TREASURER   |
| of   | ROIX SALES CORPORA   | FICN of Par  | Z FALLS, WISCO  | nsin wiscowsin  |
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|  | h he is authorized to mak  | e this affidavit; c  | cognizant of the fac  | is constituting the cause of action; that   |
| he is familiar u   | with the books and busine  | ss of said   | ST.UKUIX  | SALES CORPORATION   |
|  | that the   | e account against  | ROCK HILL   | L BERYICE CENTER  |
| of BAY   | MINETTE, ALABAMA   | here   | to attached, marked   | "Exhibit A" and made a part hereof  |
| is a true and co   | orrect copy of books of ori  | ginal entry, instr<br>N  | ument of writing or   | elaim, on which this action is brought,; that the goods for which said  |
| sharder were m   | ade were sold and deliver  | ed to the said   | ROUR HIML SM  | KATON OBBIDIT   |
| " HIS  | special instance and re  | equest; that the c   | harges made theref  | or are fair and reasonable and as per   |
| 1  | that he promised to pay t  | he sums charged;   | that credit has bee   | en duly given for all payments, counter   |
| claims and set   | offs and that there is no u  | sury therein; tha  | t sata  | X SALES CORPORATION   |
| מספע עדו   | TT. SERVICE CENTER   |  | ST-OROIN A  | now remains due and owing from said<br>SALES CORPORATION  |
| the sum of   | ONE HUNDRED NINE   | TY-ONE and 3   | 2/100 *_*   | Dollars.  |
| together with i  | interest thereon from  |  | 19  | <del></del>   |
| C 7  | ibed and sworn to before t   | me this  | doy of  | Duly 19 600   |
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| *Treasurer, Men  | nber of Firm or Sole Proprietor  | •  |   | •   |
|  |  | POWER OF   | ATTORNEY  |   |
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| and each or e of the above to or resolution refuse any co endorse, receive tion or others you may dee  | wither of you is authorized named debtor in any count that may be submitted in omposition in or out of light for and collect any pay write and in several to take  | to attend any and reference to the bankruptcy proper ments of dividence such action and dersigned could de   | d all meetings of cre<br>and for the undersi<br>e affairs or estate<br>osed by said debtor<br>ds or fees or moneys<br>d do such acts, exe<br>lo if personally pre | the attorney-in-fact for the undersigned editors or adjourned meetings of creditor gned to vote for or against any propose of the above named debtor: to accept or his or its representatives; to receive due the undersigned under any compose cute such consents for the undersigned of sent. And all powers of attorney hereto |
|  |  |  |   | presents or has caused them to be signe   |
| •  | orate seal affixed this  |  | day of JULY   |   |
|  | ÷  |  |   | (Com See 1)   |
|  | •  |  | Age of the second   | (Corp. Seal.)   |
| •  |  |  |   | SALES CORPORATION   |
|  |  | . •  | \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \   | rporate or partnership name here)   |
|  |  | 150  | 1 1/6/WITU  | of officer, partner or individual here)   |

FORM 1 MADE IN U.S. A

| Claimant  | Debtor   | to Claim   |                       | it Indomnity Co  |  |
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| •   | and a second sec | ď  | :SS {                 | WISCONSIN  | STATEOF  |

| The State of Alabama,       | Circuit Court, Baldwin County  NoTERM, 19   |
|-----------------------------|---|
| TO ANY SHERIFF OF THE       | STATE OF ALABAMA  |
| You Are Commanded to Summon | DAVID D. JAYE, Individually and doing business  |
| as ROCK HILL SE             | RVICE CENTER Bay Minette, Alabama   |
|                             |   |
|                             |   |
|                             | our, within thirty days from the service hereof, to the complaint filed in by, State of Alabama, at Bay Minette, against DAVID D. JAYE, |
|                             | HILL SERVICE CENTER Defendant   |
| by ST. CROIX SALES C        | ORPORATION, a Corporation   |
| Witness my hand this        | day of  |
|                             |   |

| ST. CROIX SALES CORPORATION, a corporation                                 | χ   | IN THE CIRCUIT COURT OF |
|--|-----|-------------------------|
| Plaintiff  | χ   | BALDWIN COUNTY, ALABAMA |
| VS   | χ   | AT LAW                  |
| •  | X   |                         |
| DAVID D. JAYE, Individually and doing business as ROCK HILL SERVICE CENTER | X   |                         |
| Defendant  | χ̈́ |                         |
| Defendanc  | χ   |                         |

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

Now comes the Defendant, David Jaye, in the above stated cause, by Thompson & White his attorneys of record and moves the court to require the Plaintiff to give security for costs and as ground for said motion sets down and assigns, separately and severally, the following:

-1-

For that the Plaintiff is a nonresident of the State of Alabama, and was a nonresident of said state at the time said original bill was filed.

THOMPSON & WHITE

Actorneys for Plaint4ff

FILED

AUG 25 1960

MIRE I DION SEESSIER

P. O. BOX 71

## E. G. RICKARBY

392 FAIRHOPE AVENUE FAIRHOPE, ALABAMA

August 5, 1960

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

Dear Mrs. Duck:

RE: St. Croix Sales Corp.

VS: Rock Hill Service Center,

Bay Minette, Alabama

Our File: 4998

Enclosed find Summons and Complaint in the above mentioned cause. Also find deposit for costs in the sum of \$15.00. Please process and oblige.

Yours very truly,

EGR/wr

Enc:

cc: (dup) Client

Otto Schoen,

° Plaintiff "

Vs

Freeman Watson and

K. P. Mitchell, jointly and individually

Defendants

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

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Plaintiff claims of the Defendants the sum of Ten Thousand and No/100 (\$10,000.00) Dollars as damages, for that heretofore on, to wit, the 23rd day of April, 1958, the Defendant Freeman Watson, while acting within the line and scope of his employment as agent, servant or employee of the Defendant K. P. Mitchell, so negligently operated a motor vehicle northwardly on Alabama Highway #59, a public highway, at a point 3.5 miles north of the corporate limits of Foley, in Baldwin County, Alabama, by parking same in the right traffic lane of said highway, without lights or flares of warning, during darkness, so that the Plaintiff, operating his motor vehicle northwardly on said highway, ran upon and onto the said vehicle parked by the Defendant Freeman Watson, while acting within the line and scope of his employment as agent, servant, or employee of the Defendant K. P. Mitchell, the plaintiff was seriously and permanently injured, was made sick and sore, was caused to suffer great physical pain and mental anguish, the plaintiff's spine was injured, plaintiff's automobile was greatly damaged, and plaintiff was caused to incur expenses of doctors, x-rays, chiropractors and drugs in and about the care and treatment of his injuries as aforesaid, and will likely incur additional expenses of like nature in the future, all to plaintiffs' injury, hence this suit.

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