

RUBBER & TIRE MATERIALS)	
CO. OF GEORGIA, INC., A)	
Corporation,)	IN THE CIRCUIT COURT OF
Plaintiff,)	
VS.)	BALDWIN COUNTY, ALABAMA,
MRS. W. F. GODWIN, Individ-)	
ually, and doing business)	AT LAW.
as BAY MINETTE RECAP SHOP,)	Case Number 4783
Defendant.)	

CERTIFICATE AS TO DEPOSITIONS

I, RUTH SILLS, hereby certify that in response to the Notice to Take Deposition given me in this cause, I caused Mrs. Evelyn Lockridge Wilson, a witness for the plaintiff, whose address is "205 Holtzclaw Street, Southeast, Atlanta 16, Georgia", to appear before me at the office of A. A. Baumstark, Esquire, 1211-1214 Healey Building, Atlanta, Georgia, at 2:00 o'clock, P. M., on the 9th day of February, 1962, and at which time there was present A. A. Baumstark, Esquire, representing the plaintiff, and that Messrs. Wilters and Brantley, Attorneys for the defendant, were not present.

At the time and place above mentioned, I put the witness on oath and had the witness's testimony under direct examination by A. A. Baumstark, Esquire, taken stenographically and transcribed, and when said testimony was finally transcribed, the deposition was submitted to the witness for examination and read to or by her and that said witness then signed said testimony.

I further certify that I am an officer authorized to administer oaths under the laws of the State of Georgia, and that I am not a relative or employee, or attorney or counsel of any of the parties, and that I am not a relative or employee of such attorneys or counsels, or financially interested in this action.

I further certify that I am attaching the original deposition to the certificate, and that I am securely sealing the certificate and deposition in an envelope, endorsed with the title of the action and marked, "Deposition of Evelyn Lockridge Wilson", and am mailing same to the Honorable Alice Duck, Clerk of the Circuit

Court of Baldwin County, Alabama, by registered mail, for filing,
and that I am sending copies of this certificate to E. G. Rickarby,
Esquire, P. O. Box 71, Fairhope, Alabama, attorney for the plaintiff,
and to Messrs. Wilters and Brantley, Bay Minette, Alabama, attorneys
for the defendant.

Done this the 9th day of February, 1962.

Ruth Sills
Commissioner

Seal:

Notary Public, Georgia State at Large
My Commission Expires Mar. 17, 1964

RUBBER & TIRE MATERIALS
CO. OF GEORGIA, INC.,
A Corporation,

Plaintiff,

-VS-

MRS. W. F. GODWIN, Indi=
vidually, and doing business
as BAY MINETTE RECAP SHOP,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

4783

C O M P L A I N T

COUNT I.

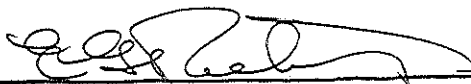
The Plaintiff claims of the Defendant EIGHT HUNDRED SEVEN AND 61/100 (\$807.61) DOLLARS due from her by account, with interest from the 26th day of April, 1958; which sum of money with the interest thereon is still unpaid.

COUNT II.


The Plaintiff claims of the Defendant EIGHT HUNDRED SEVEN AND 61/100 (\$807.61) DOLLARS due from her for goods, wares and merchandise sold by the Plaintiff to the Defendant from on, or about February 21, 1958, to April 26, 1958; which sum of money with interest thereon is still unpaid.

COUNT III

The Plaintiff claims of the Defendant the sum of EIGHT HUNDRED SEVEN AND 61/100 (\$807.61) DOLLARS due from her on accounts stated between the Plaintiff and the Defendant on, to-wit, the 26th day of April, 1958; which sum of money with the interest thereon is still unpaid.


E. G. RICKARBY, Attorney for
Plaintiff.

Note: The account sued on is evidenced by an itemized and verified statement of account filed herewith.


E. G. RICKARBY, Attorney for
Plaintiff.

RUBBER & TIRE MATERIALS Co. OF GEORGIA, INC.

205 HOLTZCLAW ST., S. E. JACKSON 3-3445 ATLANTA 16, GA.

Mrs. W. F. Godwin
% Bay Minette Recap Shop
Bay Minette, Alabama

ALL BILLS DUE ON TENTH OF EACH MONTH FOLLOWING DATE OF PURCHASE
NO CASH DISCOUNT ALLOWED IF PAID AFTER THE TENTH

DATE	FOLIO	CHARGES	FED. HWY. TAX	CREDITS	BALANCE
				BALANCE FORWARD	615.88
Feb 21 58	5571	196.73	19.35		
Mar 3 58	5736	420.50	40.21		
Mar 17 58	6016	135.84	12.87		
Apr 7 58	6373	86.38	8.50		
Apr 4 58	19			400.00	
Apr 26 58	6714	316.43	29.92		
Jan 25 58	69			100.00	
Aug 5 58	91			50.00	
Sep 8 58	111			25.00	
Oct 16 58	138			25.00	
Nov 4 58	146			25.00	
Nov 18 58	157			25.00	
Feb 2 59	197			200.00	
Mar 25 59	5			25.00	
May 18 59	16			25.00	
Jun 25 59	25			25.00	
Aug 10 59	34			25.00	
Sep 11 59	40			25.00	
Oct 23 59	48			25.00	
Jan 11 60	17			25.00	
Apr 14 60	47			25.00	
Aug 9 60	810			25.00	807.61 * .

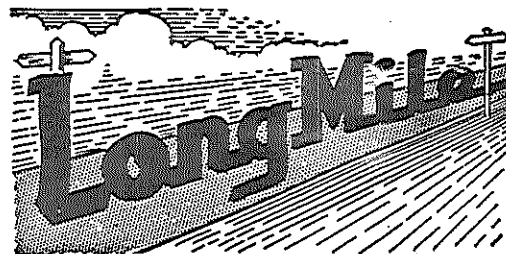
NO DISCOUNT ON FED. HWY. TAX

PAY LAST AMOUNT IN THIS COLUMN

RUBBER & TIRE MATERIALS Co., OF GEORGIA INC.

JACKSON 3-3445 • 205 Holtzclaw St., S. E.

Atlanta 16, Georgia



Quality Camelback and
Repair Materials

Invoice No.

Customer's
Order No.

Date _____, 195__

Name Mrs. W. F. Godwin
Street % Bay Minette Recap Co.
City Bay Minette, Alabama

SOLD BY	CASH	C. O. D.	CHARGE	2%	TERMS
QUANTITY	DESCRIPTION			PRICE	AMOUNT
2/21/58	Invoice No. 5571				
	9 Bxs. Super D ¹ -Lux - 645.0 lbs. @ .305 lb.			196.73	
	Fed. Hwy Tax, @ 30% 3 ¢ per lb.			19.35	216 08
3/3/58	Invoice No. 5736				
	14 Bxs. Super D ¹ -Lux - 979.2 lbs. @ .305 per lb.			298.66	
	5 Bxs. T-140 - 361.0 lbs. @ .3375 per lb.			121.84	
	Fed. Hwy. Tax @ 3 ¢ per lb.			40.21	460 71
3/17/58	Invoice No. 6016				
	6 Bxs. 429.0# Super D ¹ -Lux @ .30½ lb.			130.85	
	1 - 5 Gal. Solvent - GY			4.99	
	Fed. Hwy. Tax (429½0# @ .03)			12.87	148 71
4/7/58	Invoice No. 6373				
	4 Bxs. 283.2 Super D ¹ -Lux @ 30½ lb.			86.38	
	Fed. Hwy Tax (283.2# @ 3¢ lb.)			8.50	94 88
4/26/58	Invoice No. 6714				
	9 Bxs. 621.4 # Super D ¹ -Lux @ .305 lb.			189.53	
	FED. HWY. TAXX 5 Bxs. T-140 376.0 lbs. @ .3375 lb.			126.90	
	Fed. Hwy Tax 997.4 @ 3¢ lb.			29.92	346 35
	No Discount on Fed. Hwy Tax				

This invoice payable in Atlanta

All claims and returned goods MUST be accompanied by this bill.

THIS IS YOUR INVOICE

Terms and Provisions on reverse side are a part of this Invoice

STATE OF Georgia
COUNTY OF Fulton

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 J. H. Briscoe known to me, who being by me first duly sworn, deposed and upon his oath stated that he is Branch Manager of Rubber & Tire Materials Co., of Ga., Inc. a corporation organized and doing business under the laws of Georgia; a partnership composed of _____; a sole trader doing business as _____; that as such he makes this affidavit; that he is familiar with the books and business of Rubber & Tire Materials Co., of Ga., Inc. that the attached account against Bay Minette Recap Shop Mrs. W. F. Godwin 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 Bay Minette Recap Shop 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 807.61 Dollars (\$807.61) with interest from _____, 19____, is justly due and remains unpaid.

J. H. Briscoe

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 17th day of July, 1961

Evelyn L. Wilson
Notary Public, Georgia State at Large
My Commission Expires June 7, 1964
A notary public in and for the
STATE OF Georgia
COUNTY OF Fulton

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No.

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon MRS. W. F. GODWIN, Individually, and doing
business as BAY MINETTE RECAP SHOP,

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 MRS. W. F. GODWIN,
Individually, and doing business as BAY MINETTE RECAP SHOP, Defendant....

by RUBBER & TIRE MATERIALS CO. OF GEORGIA, INC., A Corporation,
-----, Plaintiff....

Witness my hand this 25 day of July, 1961

Ex 7-29-61

Walter J. Duck, Clerk

No. 4783

Page _____

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

RUBBER & TIRE MATERIALS, CO.

OF GEORGIA, INC., A Corp.

Plaintiffs

vs.

MRS. W. F. GODWIN, Indi-

vidually and d/b/a BAY MINETTE

RECAP SHOP,

Defendants

Summons and Complaint

FILED

Filed JUL 25 1961 19__

AUCE J. DUCK, CLERK
REGISTER

Clerk

E. G. RICKARBY

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Bay Minette, Alabama

Received In Office

July 25, 1961

Sheriff.

I have executed this summons

this July 29 1961
by leaving a copy with

Raymond Wilkins
W. A. Talbot Sheriff.
O. M. I Deputy Sheriff.

RUBBER & TIRE MATERIALS
CO. OF GEORGIA, INC.,
a corporation,

Plaintiff,

-vs-

MRS. W. F. GODWIN, Individ-
ually and d/b/a BAY MINETTE
RECAP SHOP,

Defendant.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

CASE #4783

Comes the Plaintiff and amends his Complaint by adding Counts
IV and V, as follows:

COUNT IV.

The Plaintiff claims of the Defendant the sum of EIGHT HUNDRED
SEVEN AND 61/100 (\$807.61) DOLLARS due from her by account on, to-wit,
the 26th day of April, 1958. The Plaintiff avers that the Defendant
made payments on said account reducing it to the above claimed prin-
cipal balance by payment of on the dates and in the amounts as here-
inafter shown:

<u>DATE</u>	<u>AMOUNT</u>
August 5, 1958	\$ 50.00
September 8, 1958	25.00
October 16, 1958	25.00
November 4, 1958	25.00
November 18, 1958	25.00
February 2, 1959	200.00
March 25, 1959	25.00
May 18, 1959	25.00
June 25, 1959	25.00
August 10, 1959	25.00
September 11, 1959	25.00
October 23, 1959	25.00
January 11, 1960	25.00
April 14, 1960	25.00
August 9, 1960	25.00

which sum of money above claimed with interest thereon is still unpaid.

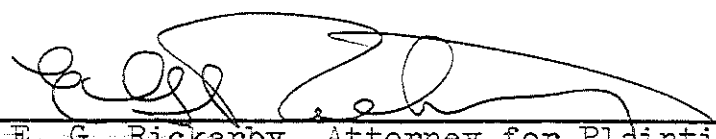
COUNT V.

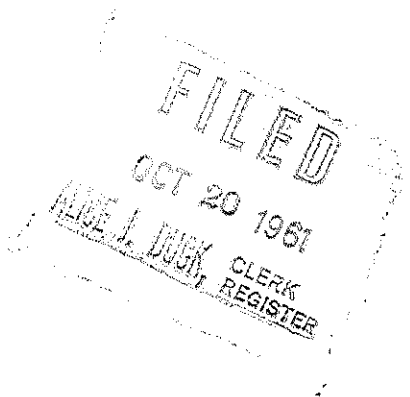
The Plaintiff claims of the Defendant the sum of EIGHT HUNDRED
SEVEN AND 61/100 (\$807.61) DOLLARS, the balance due for goods, wares
and merchandise sold by the Plaintiff to the Defendant from, to-wit,
the 21st day of February, 1958, to the 26th day of April, 1958. The
Plaintiff avers that the Defendant made payments on said account re-
ducing it to the above claimed principal balance by payment of on
the dates and in the amounts as hereinafter shown:

COUNT V. cont'd.

<u>DATE</u>	<u>AMOUNT</u>
August 5, 1958	\$ 50.00
September 8, 1958	25.00
October 16, 1958	25.00
November 4, 1958	25.00
November 18, 1958	25.00
February 2, 1959	200.00
March 25, 1959	25.00
May 18, 1959	25.00
June 25, 1959	25.00
August 10, 1959	25.00
September 11, 1959	25.00
October 23, 1959	25.00
January 11, 1960	25.00
April 14, 1960	25.00
August 9, 1960	25.00

which sum of money above claimed with interest thereon is still unpaid.


E. G. Rickarby, Attorney for Plaintiff.



RUBBER & TIRE MATERIALS
CO. OF GEORGIA, INC.,
A corporation,

Plaintiff,

Vs.

MRS. W. F. GODWIN, Individ-
ually and d/b/a BAY MINETTE
RECAP SHOP,

Defendant.

Y

Y

Y

Y

Y

Y

Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 4783

Comes now the Defendant in the above styled cause and
for answer to the Complainant's Complaint and each count there-
of, separately and severally, says:

1.

That she is not guilty of the matters alleged therein.

2.

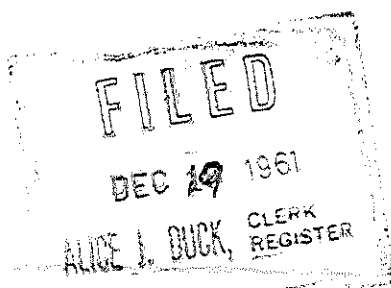
That the said indebtedness is barred by the Statute of
Limitations of three (3) years.

3.

That the said indebtedness is barred by the Statute of
Limitations of six (6) years.

4.

That she has paid the debt for the recovery of which this
suit was brought before the action was commenced



WILTERS & BRANTLEY

BY: 