

NEWTON MANUFACTURING COMPANY,
A Corporation,

Plaintiff,

VS-

WILLIAM C. MACON, Individually,
and doing business as MACON
DRUG STORE,

Defendant.

X
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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW.
CASE No. 5809

DEPOSITION

Deposition of John McConeghey, taken on behalf of the plaintiff in the above entitled action, now pending, pursuant to the Notice to Take Examination, a copy of which is attached hereto, at the office of Elmer C. Pickens, Attorney, at Law, Newton Bank Building, Newton, Iowa, on the 29th day of April, 1964, at 2:00 P. M., by Catherine Scoville, a Notary Public in and for the County of Jasper, State of Iowa, the witness having first been duly sworn by me and the proceedings being taken stenographically and transcribed by me.

Appearances: Elmer C. Pickens, appearing as Attorney for the Plaintiff

No appearance for Defendant.

PROCEEDINGS:

Mr. John McConeghey, a witness, produced on behalf of the plaintiff, after having been first duly sworn to tell the truth, the whole truth and nothing but the truth, was examined and testified as follows:

Q. Please state your name and residence address.

A. John McConeghey, Route two, Newton, Iowa

Q. By whom are you employed?

A. The Newton Manufacturing Company, Newton, Iowa.

- Q. In what capacity?
- A. As Credit and Collection Manager.
- Q. How long have you been so employed?
- A. For the past seven and one-half years.
- Q. Are you familiar with the bookkeeping procedure used by the company?
- A. Yes, I am.
- Q. Will you describe the procedure by which transactions are recorded.
- A. Our orders are received by mail from the salesman and go through the Sales Department first, and they're sent on to the Credit Department for either credit check or credit approval or credit turn-down. After they pass through our Department, then they go to the Order Processing Department, where the forms are prepared on a ditto machine, the salesman's acknowledgment is made, the customer's acknowledgment is made, and ledger sheets, the invoices and the customer record card are made at one time. After this, the purchase orders go in to the suppliers and then at such time as shipment is made, the suppliers bill us, and we, in turn, bill the customers, and a ledger sheet goes into the book for this particular customer.
- Q. What are the purposes of the customer record card and the customer ledger sheets?
- A. The customer ledger sheet, of course, is a record of what the customer actually owes us, and then after the customer would pay an account this would be recorded on the customer card, and the customer card would show the item that was purchased, who made the sale, the date that shipment was made, and the date that the account was paid, and we use this as a credit tool in case future business comes in from the customer and we can refer to this card and know immediately whether we can pass credit or not.

Q. Do you make a separate ledger sheet for each separate order?

A. Yes, we do.

Q. What methods of supervision or checking, if any, do you use to insure the accuracy of the entries on the ledger sheet and the customer record card?

A. Our invoices are prepared by clerks and reviewed by supervisors. Inter-Departmental correlation would also insure accuracy, since each department would check the items it handled, and the records of each department must agree with those of the other departments. We take a monthly balance, and if any errors were made, it would show up at that time.

Q. I show you what has been marked as Plaintiff's Exhibit Number One for identification, and ask you what that is.

A. This is an order from Macon Drug Store, of Robertsdale, Alabama. The salesman took this order on May 9, 1962. It reached our office on May 12th of Sixty-two, and we passed credit that same day.

Q. What was ordered, and what was the purchase price of the items?

A. The order--The item ordered was a Brite Add pen, with advertising to be printed thereon, and the total of the bill, including Alabama tax, was \$79.83. Now this might be subject to parcel post charges, which would have appeared at the time of the billing.

Q. I show you what has been marked as Plaintiff's Exhibit Number Two for identification, and ask you what this is?

A. This is an order which the salesman sold Macon Drug Store, of Robertsdale, Alabama, on December 6th of Sixty-two. This order reached our office on December 7th of Sixty-two. We passed credit that same day.

- Q. What was ordered, and what was the purchase price of these items on this second order?
- A. This was a repeat order on the advertising pens, and also an order for extra refills, and the total of the order, with Alabama tax, amounted to a Hundred and Ten Dollars and Seventy-three Cents.
- Q. I show you what has been marked as Plaintiff's Exhibit Number Three for identification, and ask you what this is.
- A. This is a ledger sheet showing a record of the purchase made by Macon Drug Store from Robertsdale, Alabama from us on May 9.
- Q. Then this ledger sheet was made up in connection with the order which you received as Exhibit Number One?
- A. Yes, that is correct.
- Q. I show you what has been marked as Plaintiff's Exhibit Number Four, for identification, and ask you what this is.
- A. This is the ledger sheet that was prepared in connection with the order that was placed on December 6th of 1962, by Macon Drug Store of Robertsdale, Alabama.
- Q. And this particular ledger sheet then correlates with the second order that you received, Exhibit Number Two?
- A. Yes, that is correct.
- Q. I show you what has been marked as Exhibit Number Five for identification, and ask you what this is.
- A. This is the permanent record card that we would keep in our files for Macon Drug Store, of Robertsdale, Alabama.
- Q. Referring to Exhibits three, four and five, as you need to, Mr. McConeghey, can you tell us whether or not the orders were filled by your company, giving us the dates of shipment and the amounts and dates of shipment and the amounts and dates of invoices, if you can.

A. Yes, I can. The first order which was placed on May Ninth of Sixty-two was shipped on May twenty-fifth of 1962 by parcel post, and was billed to the customer on June first. The total amount of the order, including an over-run of six pens and parcel post and insurance, was \$82.88. On the second order, which was placed with us on--the second order which was placed with us on December sixth of 1962, the merchandise was shipped by parcel post on December thirteenth, and the customer was billed for this merchandise on December eighteenth of Sixty-two. There was an over-run of six pens, and an over-run of twelve refills, and the parcel post and insurance on the order was \$2.43, making a total of \$115.81.

Q. What do you mean when you talk about an over-run and what did your company do with regard to charging the Macon Drug Store for such over-run?

A. In preparing a specially printed advertising material, there are usually some throw-outs when final inspection of a job is made. Now to insure the buyer receiving the approximate number ordered, a few extras are started through on each job to take care of the throw-outs. This is the reason that our order blanks, as well as the order blanks of any specialty advertising house provide for an over-run or an under-run of five per cent, and of course, needless to say, had fewer pens passed inspection, we would have billed accordingly--the customer accordingly. Now I should point out-- I should point out in each instance here, that these pens were on a two-for-one basis. In other words, the customer bought 250 pens and received 250 free. On each of the orders it turned out that there was an over-run of twelve pens, and the customer was charged for six and six were furnished free.

Q. With regard to Exhibits three, four and five, were they prepared in the ordinary course of business, according to the system of record-keeping that you have described to us?

A. Yes, they were.

Q. And are the entries contained thereon true and correct?

A. Yes, they are.

Q. If the court please, I offer Exhibits one through five into evidence. Mr. McConeghey, what payments have you received on these two orders?

A. On December eighth of 1962--actually on December Seventh, 1962, we received a check for \$79.83, which we applied to our invoice No. 219033, for the pens that were purchased in May of Sixty-two. This check was returned to us by the Central Baldwin Bank of Robertsdale, Alabama on December 31, of Sixty-two, because of insufficient funds.

Q. I show you what has been marked as Plaintiff's Exhibit Number Six for identification, and ask you what it is.

A. This is a check drawn on the Central Baldwin Bank, of Robertsdale, Alabama. It has a rubber stamp indicating that Macon Drug Store, Robertsdale, is the account and was tendered to us as payment.

Q. And this is the check you refer to as having been returned to you for not sufficient funds?

A. Yes. That is right. It indicates that it is their check Number 4585, dated December 5th.

Q. Of what year?

A. Of Sixty-two.

Q. If the Court please, I offer Exhibit Six into evidence. Have you received any further payments on this account?

A. Yes. After we tried for some time to collect this account from the customer and to get the insufficient funds check made good,

we finally placed this with our attorneys in Milwaukee for commercial collection. Since that time, we have received two payments. We received these payments into--in our office the first on September 4, 1963, in the amount of \$35.00, and the second on September 14, 1963, in the amount of \$50.25.

Q. And are these the only payments that you have received, to date?

A. Yes. That is correct.

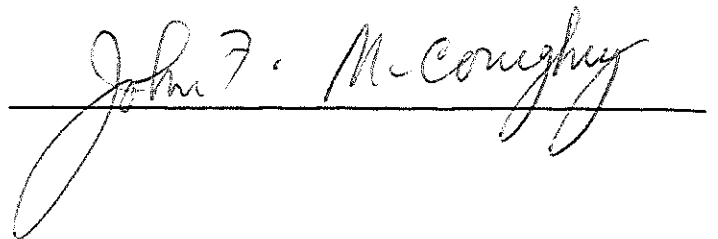
Q. Mr. McConeghey, what is the present outstanding, unpaid balance on the account between Newton Manufacturing Company and Macon Drug Store?

A. \$113.44

Q. Have you spent any other moneys in connection with the collection of this account?

A. Yes, we have. We have advanced \$44.81 court costs.

Q. That's all.

A handwritten signature in cursive script, reading "John F. McConeghey", is written over a horizontal line.

STATE OF IOWA,)
 (ss
COUNTY OF JASPER.)

I, CATHERINE SCOVILLE, hereby certify that I am an officer, authorized to administer oaths under the laws of the State of Iowa, and that I am not a relative, or employee, or Attorney, or Counsel of any of the parties to this cause; or a relative, or employee of such attorneys or counsel, or financially interested in the action.

I further certify that the testimony of JOHN McCONEGHEY, hereto attached, was taken at the office of ELMER C. PICKENS, Esquire, at 2:00 P. M. on the 29th day of April, 1964, and that I put said witness on oath and recorded the testimony of said witness, and said testimony was read over to him, and signed by said witness, and, at which time the plaintiff appeared by its attorney, ELMER C. PICKENS, Esquire, and no one appeared for the Defendant.

I further certify that said witness was sworn by me, and the deposition hereto attached is a true record of the testimony given by said witness.

Done, this the 29th day of April, 1964.

Catherine Scoville
Commissioner.

LAW OFFICES
E. G. RICKARBY
392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA

December 17, 1963

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

Dear Mrs. Duck:

Inrs: Newton Manufacturing Company
Vs: Macon Drug Store
Our File: 63-187
Case No. 5809

Request you enter up a judgment by default in the above styled case, being principal of \$198.69, plus interest as of the 13th December, 1962, in the sum of \$11.92, making a total of \$210.61, on an itemized and verified statement of account.

Please have this certificate recorded for me, and oblige.

Yours very truly,



ts
12/30/63
cc: dup - Mr. Marvin L. Kohner

LAW OFFICES
E. G. RICKARBY
392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA

November 9, 1963

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

Dear Mrs. Duck:

Inre: Newton Manufacturing Company
Vs: Macon Drug Store
Our File: 63-187

Enclosed find Summons and Complaint and Itemized
and Verified statement of account, both in dupli-
cate, and deposit for costs in the sum of \$25.00.
Please process and oblige.

Yours very truly,



EGR/ms
Enclosures
Dup: Mr. Marvin L. Kohner
12-9-63

2032
NEWTON MANUFACTURING COMPANY, I
A Corporation, I

Plaintiff, I

VS- I

WILLIAM C. MACON, Individually, I
and doing business as MACON I
DRUG STORE, I

Defendant. I

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW.

CASE NO. 5809

NOTICE TO TAKE EXAMINATION

(Under Article 6A of Title 7, of The Code of Alabama)

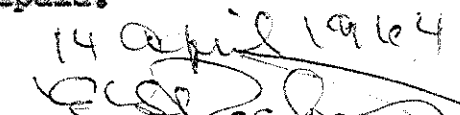
TO: WILLIAM C. MACON, Individually and doing business as
MACON DRUG STORE, Defendant, and Wilters and Brantley,
Esquire, Attorneys for the Defendant.

The above named Defendant will take notice that on
Wednesday, April 29th, 1964, at 2:00 P. M., the Plaintiff
will take the deposition of JOHN MCCONEGHEY, whose address
is c/o Newton MANUFACTURING COMPANY, Newton, Iowa, at the
office of Elmer C. Pickens, Attorney at Law, Newton Bank
Building, Newton, Iowa, which testimony is to be used by
the Plaintiff in the trial of the above-entitled cause,
and with authority to adjourn from day to day until such
depositions shall have been taken.

Done this the 13th day of April, 1964.


Attorney for Plaintiff

I hereby certify that a copy of the within notice
has, this day, been mailed to Messrs. Wilters and Brantley,
Attorneys at Law, Bay Minette, Alabama, attorneys for the
defendant, with postage prepaid.

14 April 1964

Attorney for Plaintiff

FILED

APR 15 1964

ALICE L. DICK, CLERK
REGISTER



NEWTON MANUFACTURING CO.

NEWTON, IOWA

ADVERTISING SPECIALTIES
CALENDARS AND GIFTS
SINCE 1909

Date 5-9-62

Enter our order for goods listed below, to be printed with copy herewith O. K'd by me. Use your best judgment in setting up the copy and print without sending proof.

Ship ☐ Soon ☐ For Christmas Use ☐ Other _____
(If for any time other than soon or Christmas specify about when)

☐ Time Rush for Special Occasion at once
(Give exact date)

VIA ☐ Best Way
☐ Freight
☐ Express
☐ Parcel Post

Do not write in space below

Terms: 1% Ten Days, 30 Days net, F. O. B. Factory

25% commission

Sold to MACON Drug Store
(Print customer's name here)

Address Box 559

City ROBERTSDALE Zone 6 State Ala.

Write only one order to a sheet—Multiple orders require separate blanks for each order.

A SALESMAN HAS NO AUTHORITY TO COLLECT ACCOUNTS OR INCUR INDEBTEDNESS ON OUR CREDIT.
NEITHER PARTY TO THIS CONTRACT IS BOUND BY ANY VERBAL AGREEMENT.

QUANTITY	NO. or SIZE	ITEM	PRICE	TOTAL
250	N-52	NEWCO. Brite		
250	N-52	free add pen	28	70.00
100	X-39	Refills for above	7.5	7.50
250	SAME	FREE		77.50

LINE NAME Mac. Exp
Color assorted Color of Printing best color What Year Calendar? 1963

If mailing cards are wanted, specify # _____ BE SURE TO ATTACH PRINTED MATTER
SPACE BELOW FOR AD COPY ONLY

If any special instructions note them in this space.

MACON Drug Store
your friendly store
ROBERTSDALE ALA.

C 7.50
A 70.00
Lipson

Do not write in space below

19.00	9.00
2103.3	9.00

W. D. Hammond
(Sold by)

Mac. Drug Store
(Firm Name)
William D. Hammond
(Customer's Signature and Title)

This Order Not Subject to Cancellation—See Terms and Conditions on Back

Send This Copy to Newton Mfg. Co.

For new accounts give credit information on reverse side.
Has Customer Bought from us before? Yes No ☒ ☐

CREDIT INFORMATION

Give name and address of bank with whom customer does business. In some cases, it will be necessary to designate a particular branch, if a chain bank.

BANK NAME First Nat'l Bank of Bay-Minette, Ala

City _____ State _____

Other references or comments regarding credit only:

Terms and Conditions of Order

The salesman selling this order is an independent contractor.

It is understood these goods are especially reserved and made up for this particular order, consequently cannot be subject to countermand or reduction. It is also agreed that the goods may be shipped earlier than specified, which shall not change dating, or terms of contract. A variation in quantity not to exceed 5% more or less will be accepted—price pro rata.

This order may be consummated only in the State of Iowa by an official of the Newton Mfg. Co., the contract being governed by the laws of the State of Iowa. Notice is hereby given the purchaser that he retains sole liability for payment of such Federal, State, and Local taxes, as may be in order, in those territories wherein these goods are resold, used or stored.

This order is subject to acceptance by, and all payments must be made to the NEWTON MANUFACTURING CO., NEWTON, IOWA. Accounts not paid by the due date will be subject to 6% interest on the unpaid balance.



NEWTON MANUFACTURING CO.

NEWTON, IOWA

ADVERTISING SPECIES
CALENDARS AND GIFTS
SINCE 1909

Date

12/6-62

Enter our order for goods listed below, to be printed with copy herewith O. K'd by me. Use your best judgment setting up the copy and print without sending proof.

☐ Soon ☐ For Christmas Use ☐ Other None
(If for any time other than soon or Christmas specify about when)

Ship

☒ Time Rush for Special Occasion Ship as soon as duly possible.
(Give exact date)

VIA ☐ Best day
☐ Freight
☐ Express
☐ Parcel post

Do not write in space below

Exhibit # 2

Terms: 1% Ten Days, 30 Days net, F. O. B. Factory

Cost \$26.88

Sold to

Macaul Drug Store
(Print customer's name here)

Address

City

Rockford

Zone

State

Ill

Write only one order to a sheet—Multiple orders require separate blanks for each order.
A SALESMAN HAS NO AUTHORITY TO COLLECT ACCOUNTS OR INCUR INDEBTEDNESS ON OUR CREDIT.
NEITHER PARTY TO THIS CONTRACT IS BOUND BY ANY VERBAL AGREEMENT.

QUANTITY	NO. or SIZE	ITEM	PRICE	TOTAL
750	#N52	#N52 Pair		7.00
750	#N52	#N52 Pair Full		32.50
500	extra	#X-59 Refill		37.50
				77.00

LINE NAME

Color

Assorted

Color of Printing

Black

What Year Calendar?

If mailing cards are wanted, specify #

SPACE BELOW FOR AD COPY ONLY

BE SURE TO ATTACH PRINTED MATTER

If any special instructions note them in this space.
Duplicate order except 500 refill insted of #100 Get this order to him as soon as duly possible.

Macaul Drug Store
Yours Truly Store
Rockford Ill

RECEIVED
DEC 7 1962

For new new accounts give cive credit information on revn reverse side.

Has Cust Customer Bought from from us before?

AD COPY AND INSTRUCTIONS CORRECT

(Firm Name)

(Customer's Sign Signature and Title)

Send This Copy

Spec A70.00
pay C40.00
DEC-7-62

Do not write in space below

17.50
24.25
256

This Order Not Subject to Cancellation—See Terms and Conditions

CREDIT INFORMATION

Give name and address of bank with whom customer does business. In some cases, it will be necessary to designate a particular branch, if a chain bank.

BANK NAME _____

City _____

State _____

Other references or comments regarding credit only:

Terms and Conditions of Order

The salesman selling this order is an independent contractor.

It is understood these goods are especially reserved and made up for this particular order, consequently cannot be subject to countermand or reduction. It is also agreed that the goods may be shipped earlier than specified, which shall not change dating, or terms of contract. A variation in quantity not to exceed 5% more or less will be accepted—price pro rata.

This order may be consummated only in the State of Iowa by an official of the Newton Mfg. Co., the contract being governed by the laws of the State of Iowa. Notice is hereby given the purchaser that he retains sole liability for payment of such Federal, State, and Local taxes, as may be in order, in those territories wherein these goods are resold, used or stored.

This order is subject to acceptance by, and all payments must be made to the NEWTON MANUFACTURING CO., NEWTON, IOWA. Accounts not paid by the due date will be subject to 6% interest on the unpaid balance.

NEWTON MANUFACTURING CO. NEWTON, IOWA

Date 12/6-62 Use your best judgment set-



Enter our order for goods listed below, to be printed with copy herewith O. K.'d by me. Wm
ting up the copy and print without sending proof.

Ship ☐ Soon ☐ For Christmas Use ☐ Other Wm
(If for any time other than soon or Christmas specify about when)
☒ Time Rush for Special Occasion Ship as soon as duly possible.
(Give exact date) Com \$26.88

VIA ☐ Best W
☐ Freight
☐ Express
☐ Parcel Post

Do not write in space below
Exhibit # 2

Sold to Macaul's Drug Store
(Print customer's name here)

Address Robertsdale Zone 1 State Ala

Write only one order to a sheet—Multiple orders require separate blanks for each order.
A SALESMAN HAS NO AUTHORITY TO COLLECT ACCOUNTS OR INCUR INDEBTEDNESS ON OUR CREDIT.
NEITHER PARTY TO THIS CONTRACT IS BOUND BY ANY VERBAL AGREEMENT.

QUANTITY	NO. or SIZE	ITEM	PRICE	TOTAL
<u>250</u>	<u>#1152</u>	<u>#1152 Pans</u>		<u>7.00</u>
<u>250</u>	<u>#1152</u>	<u>#1152 Pans</u>		<u>32.50</u>
<u>250</u>	<u>extra</u>	<u>#1152 Pans</u>		<u>37.50</u>
		<u>#1152 Pans</u>		<u>10.75</u>
		<u>#1152 Pans</u>		<u>11.25</u>

LINE NAME Assorted Color Black What Year Calendar?
If mailing cards are wanted, specify #
SPACE BELOW FOR AD COPY ONLY

Macaul's Drug Store
Yours Truly Store
Robertsdale Ala

RECEIVED
DEC 7 1962

Lipic A 70.00
pay C 40.00
Dr. on DEC-7-62

Do not write in space below
17.50
63056
11.25
11.25

(Sold by)
This Order Not Subject to Cancellation—See Terms and Conditions

AD COPY AND INSTRUCTIONS
Wm
(Firm Name)

For new give on rev
Has Cus from

BE SURE TO ATTACH PRINTED MAT
If any special instructions note them in this space
Duplicate order except 500 instead of #
Get this on him as soon as possible

NEWTON MANUFACTURING COMPANY,
a Corporation,

Plaintiff,

VS-

WILLIAM C. MACON, Individually,
and d/b/a MACON DRUG STORE,

Defendant.

DEPOSITION OF JOHN MCCONEGHEY,
WITNESS FOR PLAINTIFF.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, AT LAW,
CASE NO. 5809.

FILED

MAY 25 1964

ALICE L. DUCK, CLERK
REGISTER

Exhibit #6
C-43

NO. 5588

PAY TO THE
ORDER OF Newton Manufacturing Company

ROBERTSDALE, ALA. 12-5-1962

\$ 79.83

FOR Charles Taylor

TO CENTRAL BALDWIN BANK
61-567 ROBERTSDALE, ALA.

MACON DRUG STORE
Robertsdale, Ala.

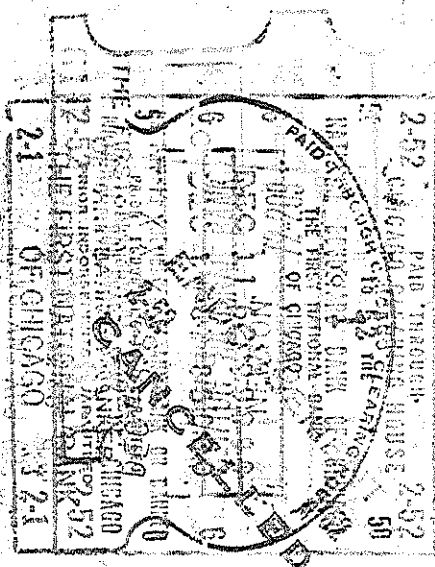
William C. Macon

DOLLARS

Insured against fraudulent alteration 1962

MACON DRUG STORE

25-2



PAY TO
THE NEWTON NATIONAL BANK
NEWTON, IOWA, OR ORDER

DEC 8 1952
NEWTON MANUFACTURING CO.
AND C. MAINE, T.

[Handwritten signature]

5/27/64

This is to certify that
I open this deposition
prior to trial date.

[Handwritten signature]
Bly

INVOICE
NEWTON MANUFACTURING COMPANY
NEWTON, IOWA

OUR NO. 69056

SOLD TO MACON DRUG STORE
ROBERTSDALE, ALABAMA

DATE 12-18-62

YOUR NO. 12-6-62

DATE SHIPPED 12-13-62

SALESMAN
W.D. Hammond
AUDITED BY

SHIP TO
VIA

PARCEL POST SPEC. DEL.

F.O.B. FACTORY

QUANTITY	ARTICLE	PRICE	TOTAL
256	#N-52 Pens		\$71.68
256	#N-52 Pens Free		38.40
512	#X-59 Refills		3.30
			2.43
			\$115.81
		Ala. Tax	
		P.P. & Ins.	

DUPLICATE

Copy as submitted

PAY NO MONEY

To Salesman

Unless He Has

Statement From Us.

No Claims of any kind allowed

STATE OF IOWA
COUNTY OF JASPER

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared JOHN F. MCCONEGHEY

known to me, who being duly sworn, states on oath that the foregoing and annexed account and claim in favor of
NEWTON MANUFACTURING COMPANY

*which is a corporation organized and existing under the laws of the State of IOWA
and of which corporation affiant is the authorized CREDIT MANAGER
Officer, Agent or Attorney

*which is a partnership consisting of _____
_____ and of which partnership affiant is _____
Member, Agent or Attorney

*which is a sole proprietorship of which affiant is the _____
Owner, Agent or Attorney

and which account and claim is against MACON DRUG STORE

for the sum of ONE HUNDRED AND NINETY EIGHT DOLLARS AND SIXTY NINE CENTS Dollars
is, within the knowledge of the affiant, just and true, that it is due, and that all just and lawful offsets, payments and
credits have been allowed. (\$198.69)

John McConeghey
(Affiant's Name Only)

SWORN TO and subscribed before me, this the 13th day of AUGUST, 19 63

(SEAL)

Patricia L. Lyle
Notary Public in and for said County and State

*Delete as required.

STATE OF ALABAMA,
COUNTY OF BALDWIN.

CIRCUIT COURT, BALDWIN COUNTY,
NO. 5809 TERM, 1963.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon WILLIAM C. MACON, Individually, and doing business as MACON DRUG STORE, 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 WILLIAM C. MACON, Individually, and doing business as Macon Drug Store, Defendant, by NEWTON MANUFACTURING COMPANY, a Corporation, Plaintiff.

WITNESS my hand this 11 day of Nov 1963.

Alvin J. Smith Clerk

NEWTON MANUFACTURING COMPANY, ☐
a Corporation, ☐

Plaintiff, ☐

VS- ☐

WILLIAM C. MACON, Incividually, ☐
and doing business as MACON ☐
DRUG STORE, ☐

Defendant. ☐

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW.

5809

C O M P L A I N T

COUNT I

The Plaintiff claims of the Defendant the sum of ONE HUNDRED FOUR AND 83/100 (\$104.83) DOLLARS, due from the Defendant by check drawn by the Defendant on the Central Baldwin Bank, at Robertsdale, Alabama in favor of the Plaintiff in the sum of SEVENTY NINE AND 83/100 (\$79.83) DOLLARS, on to-wit: the 5th day of December 1962, which check was duly presented and payment refused, and Plaintiff avers that by reason of said check, it was necessary to employ an attorney to collect said check, and that the sum of TWENTY FIVE AND NO/100 (\$25.00) DOLLARS IS a reasonable fee for said attorney, which Plaintiff further claims, which sums of money, with the interest thereon, are still due and unpaid.

COUNT II

The Plaintiff claims of the Defendant the sum of ONE HUNDRED NINETY EIGHT AND 69/100 (\$198.69) DOLLARS due from him by account on to-wit: the 13th day of December, 1962, which sum of money with the interest thereon is still unpaid, and is the property of the Plaintiff. The account sued on is evidenced by an itemized and verified statement of accounts filed herewith.



E. G. RICKARBY, Attorney for Plaintiff.

64-11-13-63

No 5809

Newton Manufacturing Co.

vs.

William C. Macon

Received 11 day of Nov. 1963
on 13 day of Mar 1963
served a c. of the within summons
on William C. Macon
service on _____

TAYLOR WILKINS, Sheriff

By Karl L. L. D. B.

Robalena

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY Carline Chedden
DEPUTY SHERIFF

FILED

NOV 11 1963

FILED CLERK
REGISTER

NEWTON MANUFACTURING COMPANY, X
a corporation, X

Plaintiff, X

Vs. X

WILLIAM C. MACON, individ- X
ually, and d/b/a MACON DRUG X
STORE, X

Defendant. X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 5809

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

1.

That he is not guilty of the matters alleged therein.

WILTERS & BRANTLEY

BY: 

Attorney for Defendant

FILED

DEC 19 1983

ALICE I. DUCK, CLERK
REGISTER

NEWTON MANUFACTURING COM-
PANY, A Corporation,

Plaintiff,

Vs.

WILLIAM C. MACON, individ-
ually, and d/b/a MACON DRUG
STORE,

Defendant.

X
X
X
X
X
X
X
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 5809

Comes now the Defendant in the above styled cause and amends
his answer to the Complainant's Complaint and each count thereof,
separately and severally, by adding the following plea:

2.

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

FILED

MAY 28 1964

ALICE I. DUCK, CLERK
REGISTER

WILTERS & BRANTLEY

BY:


Attorney for Defendant

Exhibit #2

8-13-62
Adv.
C. Crato
Lipic 8/14/81

K&H MAR 20 1963

N2

69056

MACON DRUG STORE
ROBERTSDALE, ALA.

12-6-62

DEC 18 1962

BEST WAY

(See fine)

W.D. Hammond
sd.

Soon As Possible

Notes

Few

256 250

#N-52 Pens

\$70.00

256 250

#N-52 Pens Free

512 500

Extra #X-59 Refills

37.50

Asst. with Best Color Prtg.

\$107.50

Ala. Tax

3.30

\$110.80

6 over

1.68

12 over

.90

P.P. & Ins.

2.43

115.81

9-4-63

35.00

80.81

9-14-63

50.25

30.56

Commission

17.50

1/2 U.

11.25

Comm. Cred.

12-7

16.25

Comm. Due

Reserve Right Chg.

Back Com. - Slow

Pay

(Same as our #21033 shipped 5-25-62)

MACON DRUG STORE
Your Friendly Store
Robertsdale, Ala.

July	Aug.	Sept.	Oct.	Nov.	Dec.	1.	2. JAN 29 1963	3. FEB 26 1963
4.			5.			6.	Final Notice	Luf. Sp. No. 1
Att'y. No. 1			Att'y. No. 2			Sp. Statements		

63M - 7 - 62

FEB 14 1963

Exhibit #3

21033

K&H MAR 20 1962

JUN 1 - 1962

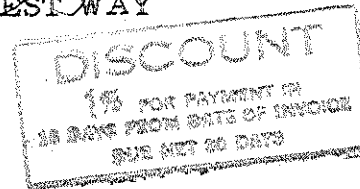
MACON DRUG STORE
BOX 559
ROBERTSDALE 6, ALA.

5-9-62
MAY 25 1962

Lipic

AT ONCE

BEST WAY



W. D. Hammond
jb

256
~~250~~
~~250~~
254

#N-52 Pens
#N-52 Pens Free
assorted
best 1 color prtg.
#X-59 Refills

\$70.00

100

7.50

\$77.50

Ala. Tax

2.38

\$79.88

1.68

1.32

82.88

79.83 ✓

3.05

79.83

82.88

MACON DRUG STORE
Your Friendly Store
Robertsdale, Ala.

Commission

19.00

Comm. Cred.

5-12

19.00

Comm. Due

1-4-63
Central Bank
Robertsdale, Ala.
for collection Sep. 70
(Customer)

July	Aug.	Sept.	Oct.	Nov.	Dec.	JUL 17 1962	AUG 8 1962	AUG 21 1962
4.	SEP 8 1962	SEP 14 1962	SEP 21 1962	SEP 28 1962	SEP 28 1962	100 6 1962	OCT 22 1962	NOV 2 1962
At NOV 2 1962			JAN 24 1963			Sp. Statements		

DEC 21 1962

DEC 21 1962