

1282

COMPLAINT

SOUTHERN SHOE COMPANY  
Plaintiff

vs.

ALLEGRI'S READY TO WEAR  
Mrs. Bessie A. Allegri,  
owner,  
Defendant,

Feb. 9, 1949-

ANSWER

Comes Bessie Allegri, owner and manager of ALLEGRI'S READY TO WEAR,  
AND FOR ANSWER to the bill of complaint in the case of SOUTHERN SHOE CO.,  
VS ALLEGRI'S READY TO WEAR, denies that she owes SOUTHERN SHOE CO., any  
money and that the SOUTHERN SHOE CO, shipped her worthless shoes, these said  
shoes being returned to them in August.

Mrs. Bessie A. Allegri  
Owner and manager of  
ALLEGRI'S READY TO WEAR.

MD1282

FILED  
FEB 9 1949  
ALICE J. DUCK, Registrar

SUMMONS

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon ALLEGRI'S READY-TO-WEAR, Mrs. Bessie A. Allegri, owner, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of the SOUTHERN SHOE COMPANY.

Witness my hand this the 8th day of January, 1949.

Deane J. Luck  
Clerk

COMPLAINT

SOUTHERN SHOE COMPANY, )  
Plaintiff, )  
vs. )  
ALLEGRI'S READY-TO-WEAR, )  
Mrs. Bessie A. Allegri, )  
owner, )  
Defendant, )

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

COUNT I

The Plaintiff claims of the Defendant the sum of ONE HUNDRED THIRTY FOUR & 11/100 DOLLARS (\$134.11), due from it by account on, to wit: the 22nd day of December, 1948, which sum of money, is still unpaid.

COUNT II

The Plaintiff claims of the Defendant the sum of ONE HUNDRED THIRTY FOUR & 11/100 DOLLARS (\$134.11), due from it on account state between the Plaintiff and the Defendant, on, to wit: the 22nd day of December, 1948, which sum of money, is still unpaid.

COUNT III

The Plaintiff claims of the Defendant the sum of ONE HUNDRED THIRTY FOUR & 11/100 DOLLARS (\$134.11), due from it for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to wit: the 22nd day of December, 1948, which sum of money, is still unpaid.

Forest A. Christian  
Forest A. Christian, Foley, Alabama  
Attorney for Plaintiff

There is attached hereto and made a part hereof an itemized statement of the amount of this claim, verified by the affidavit of a competent witness, made before and certified to by a Notary Public, which shows the amount owed on this claim as of December 22, 1948.

Forest A. Christian  
The Defendant lives at Fairhope, Alabama.

21921

# Affidavit to Claim

STATE OF Louisiana  
Parish \_\_\_\_\_ } ss.  
COUNTY OF Orleans

Before me, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Isadore Cotlar who being by me first duly sworn according to law, deposes and says that he is\* a Partner of Southern Shoe Company

1. A corporation organized and doing business under the laws of the State of \_\_\_\_\_
2. A partnership composed of Jacob, Isadore & Joseph Cotlar
3. A sole trader doing business as \_\_\_\_\_

and that as such he is authorized to make this affidavit; cognizant of the facts constituting the cause of action; that he is familiar with the books and business of said Southern Shoe Company that the account against Allegris Ready to Wear of New Orleans La hereto attached, marked "Exhibit A" and made a part hereof is a true and correct copy of books of original entry, instrument of writing or claim, on which this action is brought, of Southern Shoe Company; that the goods for which said charges were made were sold and delivered to the said Allegris Ready to Wear at their special instance and request; that the charges made therefor are fair and reasonable and as per contract, and that he promised to pay the sums charged; that credit has been duly given for all payments, counter claims and setoffs and that there is no usury therein; that said Southern Shoe Company has no collateral or other security for the payment thereof and that there now remains due and owing from said Allegris Ready to Wear to Southern Shoe Company the sum of One Hundred and Thirty Four Dollars and Eleven cent Dollars, together with interest thereon from \_\_\_\_\_ 19\_\_\_\_

Subscribed and sworn to before me this 22 day of December 1948

Isadore Cotlar L.S.

Harold Marx, Jr.  
HAROLD MARX Notary Public.

Notary Public Parish of Orleans, State of La.  
\*Treasurer, Member of Firm or Sole Proprietor.

## POWER OF ATTORNEY

To \_\_\_\_\_

or \_\_\_\_\_  
You or your representative endorsed hereon, are hereby appointed the attorney-in-fact for the undersigned, and each or either of you is authorized to attend any and all meetings of creditors or adjourned meetings of creditors of the above named debtor in any court or elsewhere, and for the undersigned to vote for or against any proposal or resolution that may be submitted in reference to the affairs or estate of the above named debtor; to accept or refuse any composition in or out of bankruptcy proposed by said debtor or his or its representatives; to receive, endorse, receipt for and collect any payments of dividends or fees or moneys due the undersigned under any composition or otherwise and in general to take such action and do such acts, execute such consents for the undersigned as you may deem best, as fully as the undersigned could do if personally present. And all powers of attorney heretofore executed by the undersigned in this proceeding are hereby revoked.

In Witness Whereof, the above named claimant has signed these presents or has caused them to be signed and its corporate seal affixed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Southern Shoe Co (Corp. Seal.)  
(Corporate or partnership name here)  
Isadore Cotlar L.S.  
(Name of officer, partner or individual here)

FOR CORPORATION

CITY OF  
STATE OF  
COUNTY OF

SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_, to me known, who being by me duly sworn, did depose and say that he resides in \_\_\_\_\_; that he is the \_\_\_\_\_ of the \_\_\_\_\_ the corporation described in and which executed the above instrument; that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

(Notary Public signs here)

FOR PARTNERSHIP

CITY OF *New Orleans*  
STATE OF *Louisiana*  
COUNTY OF *Orleans*

SS:

On this *22nd* day of *December*, 19 *48*, before me personally came *James C. Lantier* to me known and known to me to be one of the persons described in and who executed the foregoing instrument and who duly acknowledged that he executed the same, and who being by me duly sworn, did depose and say that he is a member of said partnership and is duly authorized to execute same on behalf of his said firm.

*Harold Mark...*  
HAROLD (Notary Public signs here)

Notary Public, Parish of Orleans, State of Louisiana  
My Commission is issued for life.

FOR INDIVIDUAL

CITY OF  
STATE OF  
COUNTY OF

SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_, to me known and known to me to be the individual described in and who executed the foregoing instrument and he duly acknowledged to me that he executed the same.

(Notary Public signs here)

American Credit Indemnity Co.  
of New York

Affidavit to Claim

Against

Claimant

Debtor

Received in Sheriff's Office  
this 8 day of Jan, 1949  
TAYLOR WILKINS, Sheriff

1282

SUMMONS AND COMPLAINT

SOUTHERN SHOE COMPANY,

Plaintiff

vs.

ALLEGRIS' READY-TO-WEAR  
Mrs. Bessie A. Allegri, Owner,

Defendant

Executed 1-12-1949  
by serving copy of within Summons and  
Complaint on

Mrs. Bessie A. Allegri

Taylor Wilkins Sheriff  
Re Phillip Stedman Deputy Sheriff

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

FILED

JAN 9 1949

ALICE J. DUCK, Clerk

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

1282