



## MC PHILLIPS

*Johnson Sea Horse Motors*

Parts - Service - Boats - Sporting Goods

Phone: 3632

FAIRHOPE, ALABAMA

Phone: 4571

April 16, 1949

Mrs. Alice Duck, Clerk  
Circuit Court  
Bay Minette, Ala.



Dear Mrs. Duck:

In regard to the complaint of ;

The Gem Jewelry Co., a  
Partnership composed of Nathan  
Evensky and E.F.Evensky

as Plaintiff

VS.

Joseph A. McPhillips, Jr.  
Individually and doing business  
as McPhillips Furniture Co.

as Defendant

I, Joseph A. McPhillips Jr. wish to take this opportunity to  
file denial that I owe the \$ 117.48 that the Plaintiff claims  
that I owe.

Signed

*Joseph A. McPhillips Jr.*  
Joseph A. McPhillips Jr.

Where there's a Sea-horse. there's **FUN**

1307

Filed 4-20-49  
Wm. J. French  
Clerk

SUMMONS

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon JOSEPH A. McPHILLIPS, JR., Individually, and doing business as McPHILLIPS FURNITURE COMPANY, 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 JOSEPH A. McPHILLIPS, JR., Individually, and doing business as McPHILLIPS FURNITURE COMPANY, by THE GEM JEWELRY COMPANY, a Partnership composed of Nathan Evensky and E. F. Evensky.

Witness my hand this the 16<sup>th</sup> day of February, 1949.

Miss J. W. Smith  
Clerk

COMPLAINT

THE GEM JEWELRY COMPANY, a  
Partnership composed of Nathan  
Evensky and E. F. Evensky,

Plaintiff

vs.

JOSEPH A. McPHILLIPS, JR.,  
Individually and doing business  
as McPHILLIPS FURNITURE COMPANY,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT I

The Plaintiff claims of the Defendant the sum of ONE HUNDRED SEVENTEEN & 48/100 DOLLARS (\$117.48), together with interest thereon, due from him by account on, to wit: the 25th day of May, 1948, which sum of money, with interest thereon, is still unpaid.

COUNT II

The Plaintiff claims of the Defendant the sum of ONE HUNDRED SEVENTEEN & 48/100 DOLLARS (\$117.48), together with interest thereon, due from him on account state between the Plaintiff and the Defendant on, to wit: the 25th day of May, 1948, which sum of money, together with interest thereon, is still unpaid.

COUNT III

The Plaintiff claims of the Defendant the sum of ONE HUNDRED SEVENTEEN & 48/100 DOLLARS (\$117.48), together with interest thereon, due from for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to wit: the 25th day of May, 1948, which sum of money, with interest thereon, is still unpaid.

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 February 14, 1949.

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

Joseph A. McPhillips, Jr.

Defendant lives at Fairhope, Ala.

COUNTY OF .....

SL-188 (13742)

STATE OF Alabama

Be it remembered, that on this 14 day of February  
A. D., 19 49, personally appeared before me, the undersigned authority,  
Nathan Evensky known to me  
who being duly sworn, upon his oath stated that he is Partner  
of Gem Jewelry Company  
{ a corporation organized and doing business under the laws of the State of Alabama  
and has been duly authorized by said corporation to make this affidavit  
a partnership composed of Nathan Evensky & E. F. Evensky  
.....  
.....

~~a sole trader doing business as~~  
and that as such he makes this affidavit; that he is familiar with the books and business of  
said Gem Jewelry Company; that the attached account against  
Joseph A. McPhillips Jr. of Fairhope, Ala.  
is just and correct, within the knowledge of this affiant, that the items thereon stated and com-  
posing the said account were sold and delivered to said Joseph A. McPhillips Jr.

at { its  
their } special instance and request, that credit has been duly given for all payments and  
his }  
just and lawful offsets to which said account is entitled as thereon stated, and that the balance  
thereof, amounting to the sum of One hundred and seventeen and forty-eight cents Dollars  
(\$ 117.48) with interest from May 25, 19 48 is justly due and  
remains unpaid.

I hereby certify under my official seal that I am authorized as a Notary Public to  
administer oaths under the laws of the State of Alabama  
and that the foregoing was subscribed and sworn to before me on the day and year  
first above stated.

Missie Thomason

Notary Public

County of Jefferson

State of Alabama

My commission expires .....

A. D. 19 50

STATEMENT

# The Gem Jewelry Company

WHOLESALE JEWELERS

204-08 EMPIRE BUILDING

TELEPHONE 7-3618

BIRMINGHAM 3, ALABAMA, Feb. 14 1949

Joseph A. McPhillips Jr. DBA

McPhillips Furniture Company

Fairhope, Ala.

Charges		Credits	
5-25-48	1147.35	8-11-48 Check	500.00
27	26.70	12-31-48 Mds. Returned	662.54
31	33.11		
7-19-48	25.61		
8-16-48	47.25		
	<u>1280.02</u>		<u>1162.54</u>
	1162.54		
	<u>117.48</u>		
	Balance due		

Received in Sheriff's Office  
this 18 day of Feb., 1949  
TAYLOR WILKINS, Sheriff

MD 1307

PA Clear

executed 4-1 1949  
by serving copy of within Summons and  
Complaint on

Joseph A. McPhillips

Lynn Wilkins  
By 147 Hall Deputy Sheriff

SUMMONS AND COMPLAINT

THE GEM JEWELRY COMPANY, a  
Partnership composed of Nathan  
Evensky and E. F. Evensky,

Plaintiff

vs.

JOSEPH A. McPHILLIPS, JR.,  
INDIVIDUALLY, and doing business  
as McPHILLIPS FURNITURE COMPANY,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

FEB 18 1949

NOTICE  
LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA