

Ralston Purina Company,
a corporation,
Plaintiff

-vs-

J. A. Hawkins, d/b/a Fairhope
Farmers Supply & Hatchery,
Defendant

NO. 1408

IN THE CIRCUIT COURT FOR
BALDWIN COUNTY, ALABAMA.

MOTION FOR JUDGMENT BY DEFAULT

Comes now the Plaintiff, by its Attorney of Record, in
the above styled cause and moves that he be granted a judgment
against the Defendant by default in the amount of One Thousand
Seventy-Six and 37/100 (\$1076.37) Dollars plus interest at the rate
of Six (6%) per annum from the first day of July, 1949.


Attorney for the Plaintiff.

#1408

Ralston-Purina
Company, a corp.
Plaintiff

- vs -

J. A. Hawkins,
Defendant

Motion For Default
Judgment

J. J. Benson Bennett,
Atty. for Plaintiff.

J. JEFFERSON BENNETT

Attorney at Law

Pitman Building

FAIRHOPE, ALABAMA

September 16, 1949

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

Dear Mrs. Duck,

You will find enclosed a Summons and Complaint on a Civil Action. Will you please file this and issue the summons for service? The Defendant is engaged in business in down town Fairhope and also lives in Fairhope.

Thanks a lot for handling this by mail.

Very truly yours,


Jeff Bennett

JB:jb
Enclosure

1408

Ralston Purina Company
a corp.

vs.

J. A. Hawkins
App. Fairhope Farmers Supply Hatchery

Suit on account

Filed 9-20-49

J. Bennett

TTM:WES CUB:WES:10
WED 11 10:00 AM
ALABAMA JOURNAL

SUMMONS

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. A. Hawkins, d/b/a Fairhope Farmers Supply & Hatchery, 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 the same, then and there to answer the complaint of Ralston Purina Company, a corporation.

Witness my hand this 20th day of September, 1949.

Alice J. Duck
Alice J. Duck

Ralston Purina Company,)
a corporation,)
Plaintiff)
-vs-)
J. A. Hawkins, d/b/a Fairhope)
Farmers Supply & Hatchery,)
Defendant)

NO. _____
IN THE CIRCUIT COURT FOR
BALDWIN COUNTY, ALABAMA.

COMPLAINT

COUNT ONE

The Plaintiff claims of the Defendant One Thousand Seventy-Six and 37/100 (\$1,076.37) Dollars, due from him by ^{acc}ount stated between the Plaintiff and Defendant on the first day of July, 1949, which sum of money, with the interest thereon, is still unpaid.

COUNT TWO

The Plaintiff claims of the Defendant One Thousand Seventy-Six and 37/100 (\$1,076.37) Dollars, due from him by account on the first day of July, 1949, which sum of money, with the interest thereon, is still unpaid.

COUNT THREE

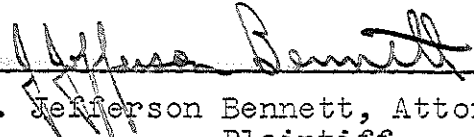
The Plaintiff claims of the Defendant One Thousand Seventy-Six and 37/100 (\$1,076.37) Dollars, due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on the twenty-fourth day of June, 1949, which sum of money, with the interest thereon, is still unpaid.

COUNT FOUR

The Plaintiff claims of the Defendant Three Hundred Fifty-One and 26/100 (\$351.26) Dollars, due on a Bill of Exchange drawn by the Defendant on the twenty-fourth day of June, 1949 for Three Hundred Fifty-One and 26/100 (\$351.26) Dollars, upon the Bank of Fairhope, the said Bill not being accepted when duly presented for payment at said Bank, was duly protested, of which the Defendant had due notice. The said Bill, with damages and interest thereon, is still unpaid.

COUNT FIVE

The Plaintiff claims of the Defendant Four Hundred Two and 28/100 (\$402.28) Dollars, due on a Bill of Exchange drawn by the Defendant on the first day of July, 1949, for Four Hundred Two and 28/100 (\$402.28) Dollars, upon the Bank of Fairhope, the said Bill not being accepted when duly presented for payment at said Bank, was duly protested, of which the Defendant had due notice. The said Bill, with damages and interest thereon is still unpaid.


J. Jefferson Bennett, Attorney for
Plaintiff.

NO. 1408

IN THE CIRCUIT COURT FOR
BALDWIN COUNTY, ALABAMA

Ralston Purina Company, a
corporation,
Plaintiff

-VS-

J. A. Hawkins, d/b/a Fairhope
Farmer's Supply & Hatchery,
Defendant

this 20 day of Sept. 1949
TAYLOR WILKINS, Sheriff

Executed 9-23 1949
by serving copy of within Summons and
Complaint on

J. A. Hawkins

Taylor Wilkins Sheriff

By H. F. Hall Deputy Sheriff

FILED

SEP 20 1949

ALICE J. DUCK, Clerk

J. Jefferson Bennett
Attorney at Law
Fairhope, Ala.

11-8-49

Fairhope, Ala.

Alice J. Duck.

Bay Minette, Ala.

Dear Miss Duck:

In regards to Complaint of The Ralston Purina Co.
of Saint Louis Mo. against the Fairhope Farmer
Supply & Hatchery.

First I am all alone in the store and have
no way to leave and come to Bay Minette so
I will write to you and explain this matter the
way that it is-

#1. I only have 2 invoices to this company
along with a credit memo of \$5.09 that they
would not take off. Also we were short 5
sacks of laying mash and 2 sack of Dairy
and 2 of growing mash. so after asking the
sales man to give us credit to this feed that
we did not get; he told us that he would see
about it and then about 2 weeks later he said
that he could not find out where the feed was
and that he could not do anything about it so I stopped
payment on the 2 checks until we could get the
proper adjustment. And the last mixed can of
feed we did not get at all because

Mr. H. Nourmashan let the Silverhill Farmers association in Asbertsdale have this feed and the company charged us for it. We only have the 2 invoices for \$351.26 and 402.28. less the feed that we did not get. you see I don't have any money to hardly operate on and can not stand to loose this amount of feed. in the amount of about \$45.50 we would have to sell about 125 sacks of feed to even break even -

I have a mortgage on my store and can't borrow any money so I ask Mr. Nourmashan to let me pay them so much each week until I payed them and he would not do this. and still there is a very long story about why, because of his own business interest - He was trying to make me loose money so I would have to sell out -

The money for this other feed that they claim I owe for - must have been paid to Mr. Nourmashan because my colored driver can verify that the Silverhill Farmers assn did get this feed also the man that used to work for me left a note in the store for me telling

me that Mr. Roumestan called him and told him that he was going to let them have it.

I don't know how I could get up there but anyway this letter will explain that I first don't have anything and second that I do not intend paying for feed that I did not get -

I have one credit memo here in my files that will prove that they are wrong on one count, which was an overcharge - and the other was shortage. Thanking you very much, I am

Yours Very Truly
J. A. Hawkins
Fairhope Farmer Supply

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FILED
NOV 14 1949
ALICE J. DUCK, Clerk