

1466

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MRS. L. J. HOOPER 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 L. D. OWEN, doing business as Builders Hardware and Supply Company.

WITNESS my hand this 16th day of February, 1950.

[Signature]
Clerk.

L. D. OWEN, doing business as
Builders Hardware and Supply
Company,
Plaintiff,

VS.

MRS. L. J. HOOPER,
Defendant.

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

COMPLAINT.

The Plaintiff claims of the Defendant the sum of One Hundred Seven and 89/100 Dollars (\$107.89) due from the Defendant by account on to-wit: September 10, 1947, which sum of money with the interest thereon is still unpaid.

An itemized statement of the account sued on, verified by the affidavit of a competent witness, is attached hereto as Exhibit A and made a part hereof.

[Signature]
Attorney for Plaintiff.

EXHIBIT "A".

1947

JULY 3	27 squares shingles	\$ 175.50
3	8 rolls 15# felt	24.00
10	8 lbs. roofing nails	1.20
15	2 sheets mortar mix	1.70
17	2-2'6" x 6'8" doors	20.80
17	2 pairs 3" x 3" butt hinges	1.00
18	1 gallon turpentine	1.50
21	Linseed oil	3.00
21	10 lbs. nails	.90
21	2 inside locks	4.00
22	2 gallon linseed oil	7.00
22	1 gallon turpentine	2.00
22	1 gallon paste	1.50
23	20 lbs. nails	1.80
25	2 gallons O/S white	11.00
28	2 gallons ivory paint	6.50
28	1 paint brush	1.25
28	1 sheet mortar mix	.85
29	4 gallons ivory	13.00
29	1 gallon O/S white	5.50
29	1 gallon linoleum paste	1.50
29	1 paint brush	5.98
29	1 gallon O/S white	5.50
31	1 gallon linseed oil	3.50
31	1 gallon paint	5.50
31	1 quart turpentine	.50
AUGUST 6	13 squares roofing	84.50
6	4 rolls felt	12.00
	Total - - - -	<u>\$402.98</u>
	Tax - - - -	<u>8.06</u>
		\$411.04

August 21	By Cash	\$100.00
Sept. 12	By Cash	100.00
Dec 9	By Cash	<u>103.15</u>
	Total\$303.15

ACCOUNT	\$411.04
Paid	<u>303.15</u>
Balance\$107.89

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Before me, the undersigned authority within and for said County and State personally appeared L. D. Owen, who after being by me first duly and legally sworn, deposes and says: that the attached itemized statement of account against Mrs. L. J. Hooper is true, correct, justly due, and unpaid.

L. D. Owen

Sworn to and subscribed before me on
this the 16 day of February, 1950.

J. B. Blackburn

Notary Public,

Received in Sheriff's Office
this 16 day of Feb, 1950
TAYLOR WILKINS, Sheriff

Served 2-17 1950
by serving copy of within Summons and
Complaint on

Mrs. L. J. Hooper

Taylor Wilkins, Sheriff
By Sydney Smith, Sheriff

RECORDED
SUMMONS & COMPLAINT

L. D. OWEN, doing business as
Builders Hardware and Supply
Company, Plaintiff,

VS

MRS. L. J. HOOPER,
Defendant.

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

FILED
FEB 16 1950
ALICE J. DUCK, Clerk

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

L. D. OWEN, doing business as
Builders Hardware and Supply
Company,

PLAINTIFF,

VS

MRS. L. J. HOOPER,
DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Comes the defendant in the above styled cause
and answering plaintiff's complaint says:

FIRST: That the matters therein alleged are not
true.

SECOND: That she has paid the account sued on.

THIRD: That during the months of July and August,
1947, she purchased or authorized the purchase for her from
the plaintiff the following goods, wares and merchandise:

1947

July	3	27 squares shingles	\$175.50
	3	8 rolls 15# felt	24.00
	10	8 lbs. roofing nails	1.20
August	6	13 squares roofing	84.50
	6	4 rolls felt	12.00

totaling the sum of Two Hundred Ninety-seven and 20/100 (\$297.20)
Dollars, which together with Five and ninety-five/100 (\$5.95)
Dollars tax made a grand total of Three Hundred Three and
15/100 (\$303.15) Dollars; that on August 21, 1947 she paid
the plaintiff thereon One Hundred (\$100.00) Dollars, on Sept-
ember 12, 1947, she paid the plaintiff on the said account One
Hundred (\$100.00) Dollars and on December 9, 1947 she paid the
plaintiff the balance due thereof, namely One Hundred Three
and 15/100 (\$103.15) Dollars being the full amount owed, by
the defendant to the plaintiff; that all of the items listed
in the itemized account except these named above were not pur-
chased by the defendant or by any one authorized by the defend-
ant to be purchased for her; that she does not owe the plaintiff
or them or either of them and that she is not indebted to the
plaintiff in any sum whatsoever.


Attorney for Defendant

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RECORDED

L. J. Owens
vs
Mrs. J. Hooper

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FILED

MAR 9 1950

ALICE J. DUCK, Clerk

A. C. Rybe
for Plaintiff

L. D. OWEN, doing business as
Builders Hardware & Supply Company,

Plaintiff,

VS.

MRS. L. J. HOOPER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

ORDER SETTING DATE FOR HEARING CAUSE

The parties to this cause having agreed that this cause be set for hearing at 9:30 A. M. on Saturday May 13, 1950, it is hereby ordered that the said cause be and it is hereby set for hearing at 9:30 A. M. on Saturday May 13, 1950.

It is further ordered that the Clerk of this Court shall furnish the attorneys for the respective parties to this cause a copy of this order.

Done on this the 2nd day of May, 1950.

Jelfair J. Mashburn Jr.
Judge.

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1466

ORDER SETTING DATE FOR HEARING
CAUSE.

RECORDED

L. D. OWEN, doing business as
Builders Hardware & Supply Co.,

Plaintiff

VS

MRS. L. J. HOOPER,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

FILED

MAY 2 1950

ALICE J. DUCK, Clerk

1466

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned Notary Public in and for said State and County, this day personally appeared Mrs. L. J. Hooper, who, being by me duly sworn deposes and says that she is defendant in that certain cause filed in the Circuit Court of Baldwin County, Alabama, February 16, 1950 by L. D. Owen, doing business as Builders Hardware and Supply Company, claiming of her the sum of One Hundred Seven and 89/100 (\$107.89) Dollars by verified account of September 10, 1947; that the said account, as verified and sued on, is not true and correct; that she denies liability thereon and therefor; that she disputes all those items listed in the said itemized account as follows:

1947

July	15	2 sheets mortar mix	\$ 1.70
	17	2- 2'6" x 6'8" doors	20.80
	17	2 pairs 3" x 3" butt hinges	1.00
	18	1 gallon turpentine	1.50
	21	Linseed oil	3.00
	21	10 lbs. nails	.90
	21	2 inside locks	4.00
	22	2 gallons linseed oil	7.00
	22	1 gallon turpentine	2.00
	22	1 gallon paste	1.50
	23	20 lbs. nails	1.80
	25	2 gallons O/S white	11.00
	28	2 gallons ivory paint	6.50
	28	1 paint brush	1.25
	28	1 sheet mortar mix	.85
	29	4 gallons ivory	13.00
	29	1 gallon O/S white	5.50
	29	1 gallon linoleum paste	1.50
	29	1 paint brush	5.98
	29	1 gallon O/S white	5.50
	31	1 gallon linseed oil	3.50
	31	1 gallon paint	5.50
	31	1 quart turpentine	.50

affiant further says that she did not purchase or authorize the purchase of the said items or either of them; that she did purchase and did authorize the purchase of those items therein listed as follows:

1947

July	3	27 squares shingles	\$175.50
	3	8 rolls 15# felt	24.00
	10	8 lbs. roofing nails	1.20

August 6	13 squares roofing	\$84.50
6	4 rolls felt	12.00

and affiant further says that she has paid in full for the said items purchased by or for her aforesaid; that she does not owe the plaintiff for those items in the said account first above listed; that she did not purchase the same or authorize the purchase of same.

Mr. L. J. Hooper

Sworn to and subscribed before me this the 8
day of March, 1950.

W. C. Beebe
Notary Public, Baldwin County,
Alabama.



RECORDED 1466

J. D. Myers
1466
Mrs. J. Hooper

Defendant
Plaintiff

FILED

MAR 9 1950

ALICE J. DUCH, Clerk

W. C. Beebe
Plaintiff

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