

NA-CHURS PLANT FOOD COMPANY,
a corporation,

Plaintiff

vs.

VIRGIL V. RHODES, JR.,

Defendant

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE NO. 10,228

)

C O M P L A I N T

COUNT I.

The plaintiff claims of the defendant ONE THOUSAND TWO HUNDRED FIFTY-SEVEN AND 30/100 DOLLARS (\$1257.30) due from him by account on, to-wit, the 8th day of August, 1969, which sum of money with interest thereon is still unpaid. The account sued on is evidenced by an itemized and verified statement of account filed herewith.

COUNT II.

The plaintiff claims of the defendant the sum of ONE THOUSAND TWO HUNDRED FIFTY-SEVEN AND 30/100 DOLLARS (\$1257.30) due from him by account stated between the plaintiff and the defendant on, to-wit, the 8th day of August, 1969, which sum of money with interest thereon is still unpaid.

COUNT III.

The plaintiff claims of the defendant the sum of ONE THOUSAND TWO HUNDRED FIFTY-SEVEN AND 30/100 DOLLARS (\$1257.30) due from him for merchandise, goods and chattels sold by the plaintiff to the defendant between the 8th day of August, 1969, and the 15th day of July, 1970, which sum of money with interest thereon is still unpaid.


DANIEL A. BENTON, Attorney for Plaintiff

Defendant's address is

101 North Dobson Avenue
Bay Minette, Alabama

OF COUNSEL:

RICKARBY & BENTON
Fairhope, Alabama

FILED

FEB 7 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

IMPORTANT: Read over slowly. Fill out very carefully. Attach itemized statement in triplicate showing each debit and credit supported by triplicate invoices of each debit. Do not strike out, change or add to except where indicated.

STATE OF OHIO

COUNTY OF MARION

Before me, the undersigned authority, on this day personally appeared George E. Heckathorn, known to me, who being duly sworn, upon oath deposes and says that he is Credit Manager and duly authorized agent of

(Position held)

NA-CHURS PLANT FOOD COMPANY

(Trade name or name of company)

A corporation duly incorporated and existing under the laws of the State of Ohio or a partnership consisting of

Owned and operated by, a sole trader, residing in the County of, State of, and that as such he makes this affidavit: that he is familiar with the books of said corporation, partnership, or Sole

(Leave only one)

Trader; that the attached account against Virgil V. Rhodes, Jr., constituting this cause of action, is taken from original books of entry, and is just and true within the knowledge of this affiant; that all just and lawful offsets, payments and credits have been allowed and that the sum of One Thousand Two Hundred Fifty-Seven and 30/100 Dollars (\$1257.30), with interest thereon at the legal rate from the next following the date or dates thereof is due, owing and unpaid.

George E. Heckathorn
(Affiant)

Subscribed and sworn to before me this 17th day of January A. D. 19 72

(SEAL)

Josephine Retterer
Notary Public in and for the County and State first hereinbefore written.

My commission expires 11-23-72 A. D. 19 72

JOSEPHINE RETTERER, Notary Public

Marion County, Ohio

Notary must PRINT name hereon

My Commission Expires 11-23-72

"NA-CHURS" PLANT FOOD COMPANY

421 LEADER STREET — P. O. BOX 500

MARION, OHIO 43302

DATE 1/29 1969

SOLD TO Virgil Rhodes

ADDRESS Bay Murrette Ala.

COUNTY Baldwin TONS 2.4

OPERATOR <u>SHOENIGHT</u>	CASH CHARGE <input checked="" type="checkbox"/>	TRUCK NO.	TIME A. M. P. M.
YOUR SALE NO. <u>248</u> <u>247</u>	GALLON READING - FINISH <u>0400</u> <u>0000</u>		
PREVIOUS SALE NO.	GALLON READING - START		
GALLONS DELIVERED →	<u>400</u>		
PRODUCT FERTILIZER <u>10-20-10</u>	GALS. <u>400</u>	PRICE <u>2.25</u>	TOTAL AMT. <u>900.00</u>
RECEIVED PAYMENT		\$ <u>900.00</u>	

Virgil Rhodes
CUSTOMER SIGN HERE AFTER DELIVERY ONLY — ABOVE GALLONS DELIVERED

"NA-CHURS" PLANT FOOD COMPANY

421 LEADER STREET — P. O. BOX 500

MARION, OHIO 43302

DATE May 28 1969

SOLD TO VIRGEL RHODES

ADDRESS BAY MURRETTE
Ala

COUNTY Baldwin TONS 2.87

(50)

OPERATOR <u>Paul Sharnight</u>	CASH CHARGE <input checked="" type="checkbox"/>	TRUCK NO.	TIME 1030A. M. P. M.
YOUR SALE NO. <u>409</u> <u>408</u>	GALLON READING - FINISH <u>0500</u> <u>0000</u>		
PREVIOUS SALE NO.	GALLON READING - START		
GALLONS DELIVERED →	<u>500</u>		
PRODUCT FERTILIZER <u>10-20-10</u>	GALS. <u>500</u>	PRICE <u>2.25</u>	TOTAL AMT. <u>1125.00</u>
RECEIVED PAYMENT		\$ <u>1125.00</u>	

Paul Clark
CUSTOMER SIGN HERE AFTER DELIVERY ONLY — ABOVE GALLONS DELIVERED

NA-CHURS PLANT FOOD CO.
BOX 500 MARION, OHIO 43302

NAME * VIRGIL V. RHODES JR.
ADD. 101 N. DOBSON AVENUE
TOWN BAY MINNETT, ALABAMA 36507
BALDWIN COUNTY

DATE	REFERENCE	CHARGES	CREDITS	BALANCE
BALANCE FORWARDED →				
MAY 17 '67	34,601	140.00		140.00
MAY 16 '67			140.00	.00
DEC 20 '67	14,153	686.25		686.25
JAN 4 '68			686.25	.00
APR 11 '68	14,354	225.00		225.00
APR 4 '68			225.00	.00
MAY 28 '68	14,495	675.00		675.00
MAY 31 '68			675.00	.00
JUL 30 '68			654.75	654.75 c
FEB 17 '69	4,864	900.00		245.25
AUG 8 '69	4,864	1,125.00		1,370.25
SEP 2 '69			900.00	470.25
SEP 25 '69	CK ret'd NSF	900.00		1,370.25
DEC 4 '69	S/C	27.41		1,397.66
JAN 2 '70	S/C	27.41		1,425.07
FEB 5 '70	S/C	27.41		1,452.48
MAR 5 '70	S/C	27.41		1,479.89
APR 7 '70	S/C	27.41		1,507.30
JUL 15 '70			250.00	1,257.30 ✓

BERLOU ☐

NA-CHURS ☐ 4

Collection 7/1/70

no 5/10

15.8- 10/1/70

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ...VIRGIL V. RHODES, JR.

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.....

.....VIRGIL V. RHODES, JR., Defendant.....

by

.....NA-CHURS PLANT FOOD COMPANY, a corporation....., Plaintiff.....

Witness my hand this.....7.....day of.....February.....1972

Ernie B. Blackman Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

NA-CHURS PLANT FOOD COMPANY,
a corporation

Plaintiffs

vs.

VIRGIL V. RHODES, JR.

Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

FEB 7 1972

Clerk

EUNICE B. BLACKMON
CIRCUIT CLERK

RICKARBY & BENTON
Fairhope, Alabama

FEB 8 1972

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

101 North Dobson Avenue
Bay Minette, Alabama

Received In Office

Feb. 8 1972

Taylor Williams Sheriff

I have executed this summons

this Feb 9 1972

by leaving a copy with

Virgil V. Rhodes, Jr.

Sheriff claims \$0.00

Ten Cents per mile Total \$0.00

by Sheriff

Docheat

Taylor Williams Sheriff

W A Docheat Deputy Sheriff

E. G. RICKARBY
DANIEL A. BENTON
TELEPHONE
(205) 928-2308

LAW OFFICES
RICKARBY & BENTON
ATTORNEYS AT LAW
316 MAGNOLIA AVENUE
P. O. BOX 471
FAIRHOPE, ALABAMA 36532

DAPHNE BRANCH
EARLE REALTY BUILDING
HIGHWAY 98
TELEPHONE
(205) 626-2608

May 15, 1972

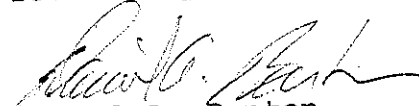
Mrs. Eunice Blackmon
Clerk of the Circuit Court
Bay Minette, Alabama 36507

Re: Na-Churs Plant Food
vs. Virgil V. Rhodes,
Case #10,228

Dear Eunice:

I have checked my records and you are absolutely correct. I did deposit with you a check for \$35.00, my check #1225, on February 3, 1972. I will, therefore, cancel the other check and I would appreciate your returning to me any unused costs at your earliest convenience so I can close this account out.

Yours very truly,


Daniel A. Benton

DAB:lp

Distribute

+

refund

E. G. RICKARBY
DANIEL A. BENTON
TELEPHONE
(205) 928-2308

LAW OFFICES
RICKARBY & BENTON
ATTORNEYS AT LAW
316 MAGNOLIA AVENUE
P. O. BOX 471
FAIRHOPE, ALABAMA 36532

DAPHNE BRANCH
EARLE REALTY BUILDING
HIGHWAY 98
TELEPHONE
(205) 626-2608

March 20, 1972

Honorable Telfair J. Mashburn
Judge of the Circuit Court
Bay Minette, Alabama 36507

Re: Na-Churs Plant Food Company
v. Virgil V. Rhodes, Jr.
Case No. 10,228

Dear Judge Mashburn:

We request judgment by default in the above styled matter for \$1,445.90, which is \$1,257.00 principal, \$188.60 interest at the legal rate from August, 1969. We also request costs be taxed against the defendant.

This is submitted on the original complaint and an itemized and verified statement of account.

Respectfully submitted,


Daniel A. Benton

DAB:w