

ALMUR S. WHITING

ATTORNEY AT LAW

TELEPHONES:

OFFICE: 2-3604

RESIDENCE: 6-6226

ANNEX. FIRST NATIONAL BANK BUILDING

SUITE 708-9

MOBILE 6, ALABAMA

November 22, 1954

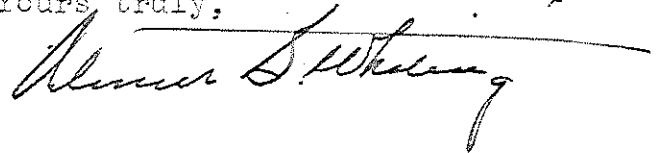
P. O. BOX 988

Honorable Alice J. Duck
Clerk of Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck: Re: Dearborn Store Co. Vs: Ponder Company

Enclosed please find the suit papers in the above-styled cause, which let process issue to the sheriff for immediate attention, advising me when service has been had upon the Defendant, and oblige.

Yours truly,



ASW/g.
enc.

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

DEARBORN STOVE COMPANY,
A CORPORATION,

NO. _____

PLAINTIFF,

-vs-

J. M. PONDER, TRADING AS
PONDER COMPANY, OF FAIRHOPE,
ALABAMA,

DEFENDANT.

COUNT ONE.

Comes the Plaintiff and claims of the Defendant the sum of \$309.67 due by him to the Plaintiff on account by and between Plaintiff and Defendant on and between to-wit: July 13, 1953 and September 30, 1953, which said sum with the interest thereon is still unpaid.



A. S. WHITING, ATTORNEY FOR PLAINTIFF
708-09 Annex, 1st Nat'l Bank Building
Mobile, Alabama.

The Plaintiff files herewith an itemized statement of account verified by affidavit, which will be offered in evidence on the trial of this cause in support of the claim sued upon and set out in Count One hereof.



A. S. WHITING, ATTORNEY FOR PLAINTIFF.

Note: Address of the Defendant is given as Fairhope, Alabama.

FILED

1-24-55

ALICE J. BUCH, CLERK

SUMMONS AND COMPLAINT

The 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 _____

J. M. Ponder, Trading as Ponder Company of Fairhope, Alabama

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 _____

J. M. Ponder, Trading as Ponder Company, of Fairhope, Alabama, Defendant.

by Dearborne Stove Company, A Corp.

_____, Plaintiff.

Witness my hand this 23rd day of November 1954

Wesley J. Smith, Clerk

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 2451

DEARBORN STOVE COMPANY,
A CORPORATION,

X

PLAINTIFF,

X

-VS-

J. M. PONDER, TRADING AS
PONDER COMPANY OF FAIRHOPE,
ALABAMA,

X

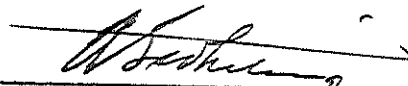
DEFENDANT.

X

Now comes the Plaintiff by A. S. Whiting, its attorney of record, and shows unto the Court that due service was had herein, as shown by the record, on the Defendant on November 23, 1954; that more than thirty (30) days has elapsed since the service of said process and the Defendant has neither filed appearance nor entered any pleas or other action taken by the Defendant, and that the Defendant is therefore in default. The Plaintiff offers in evidence the itemized statement of account, verified by affidavit, which was filed with the complaint herein.

Wherefore, the premises considered, the Plaintiff moves for a judgment by this Court in favor of the Plaintiff and against the Defendant in the total amount of \$332.90, besides the costs of court, for which let execution issue.

Dated this 30th day of December, A.D. 1954.



A. S. WHITING, ATTORNEY FOR PLAINTIFF
708-09 Annex, 1st Nat'l Bank Building
Mobile, Alabama.

ALMUR S. WHITING

ATTORNEY AT LAW

—
TELEPHONES:

OFFICE: 2-3604

RESIDENCE: 6-6226

ANNEX, FIRST NATIONAL BANK BUILDING

SUITE 708-9

MOBILE 6, ALABAMA

December 30, 1954

P. O. BOX 988

Honorable Alice J. Duck
Clerk of Circuit Court
Bay Minette, Alabama.

Dear Mrs. Duck: Re: Dearborn Stove Company Vs: Fonder Company, Case #2451

I enclose herewith a motion for a judgment by default in the above matter, which please promptly present to Judge Hall for appropriate attention. I also enclose a check ^{for \$8.00} payable to 'cash', for your use in recording the certificate of judgment in the event the court should grant the same.

With kind personal regards, I beg to remain,

Yours very truly,



ASW/g.
enc.

STATE OF TexasCOUNTY OF Dallas

ss.

BEFORE ME, the undersigned Notary Public in and for the County and State aforesaid, personally appeared

C. E. Struwe

(Name of person making affidavit)

, who, being by me first duly sworn, on oath states that he is

1. Use when Concern is a corporation.

1. Sec.-Treas. of Dearborn Stove Company

(Name of corporation)

a corporation duly incorporated under the laws of the State of Texas

2. Use when Concern is a partnership.

2. One of the firm of _____

(Full name of firm)

consisting of himself and _____

(Full names of all other partners)

3. Use when one person owns the business.

3. A Sole Trader doing business as _____

(Trade name of the business, if any; otherwise own name)

that he has knowledge of the facts herein set forth and is duly authorized to make this affidavit; that the annexed

account of said corporation (hereinafter called Claimant) against Ponder Company~~of said corporation~~of Fairhope, Alabama

(Hereinafter called Debtor)

is, within the knowledge of affiant, just, true and correct; that there is now due from said Debtor the sum of

Three hundred nine and 67/100 dollars - - - - - (\$ 309.67)with interest at six per cent. per annum from January 1st, 1953, and that all just and lawful offsets, payments and credits have been allowed.Subscribed and sworn to before me this 17th
day of November A. D. 1954Notary Public, Dallas County, TexasMy commission expires June 1 1955C. E. Struwe
C. E. Struwe, Secretary-Treasurer
(Person making Affidavit sign here)

Dearborn Stove Company

INVOICE

1700 W. COMMERCE ST., P. O. BOX 5527, DALLAS 2, TEXAS

SHIPPING POINT Atlanta, Georgia

DATE 7-13-53 VIA

SHIPPING NO. S 58266

 NOTICE! SHOW THIS INVOICE NO. → 959-505
 NUMBER ON ALL CORRESPONDENCE

SOLD TO

 Ponder Company
 P.O. Box 13
 Fairhope, Alabama

WAREHOUSE CODE 50

SHIPPED TO

Same

MAIL REMITTANCE TO

NO GOODS MAY BE RETURNED WITHOUT OUR WRITTEN CONSENT

YOUR ORDER NO.	SALESMAN - TERR.	TERMS	CAR OR VEHICLE INITIALS AND NO.	F. O. B.
84423	505	1/10/N/30		Atlanta
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	PRICE	AMOUNT
1	1	DRC-12-N Dearborn Gas Heater	14.97	14.97
3	3	DRC-20-N Dearborn Gas Heaters	20.97	62.91
2	2	DRC-25-N Dearborn Gas Heaters	23.97	47.94
1	1	DRC-25-LP Dearborn Gas Heater	23.97	23.97
3	3	DRC-35-N Dearborn Gas Heater	29.97	89.91
				239.70

COPY

ALL INVOICES ARE PAYABLE AT DALLAS, TEXAS. STRICTLY ACCORDING TO TERMS SHOWN THEREON. INTEREST AT 6% PER ANNUM WILL BE CHARGED IF NOT PAID AT MATURITY. CASH DISCOUNT MUST BE FIGURED ON NET AMOUNT OF INVOICE. ALL AGREEMENTS CONTINGENT UPON STRIKES, BREAKDOWNS OR ACCIDENTS BEYOND OUR CONTROL. WE RESERVE THE RIGHT TO CORRECT STENOGRAPHIC ERRORS.

Dearborn Stove Company

1700 W. COMMERCE ST., P. O. BOX 5527, DALLAS 2, TEXAS

INVOICE

SHIPPING POINT Atlanta, Georgia

DATE 8-3-53 VIA

SHIPPING NO. S 58380

NOTICE! SHOW THIS
NUMBER ON ALL
CORRESPONDENCEINVOICE
NO. → 1064-505

SOLD TO

Ponder Company
P.O. Box 13
Fairhope, Ala.

WAREHOUSE CODE

SHIPPED TO

50

Same

MAIL
REMITTANCE TO

NO GOODS MAY BE RETURNED WITHOUT OUR WRITTEN CONSENT

YOUR ORDER NO.	SALESMAN - TERR.	TERMS	CAR OR VEHICLE INITIALS AND NO.	F. O. B.
84423	505	1/10/N/50 Anticipation or October 1 Dating		Atlanta
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	PRICE	AMOUNT
1	1	DRC-12-LP Dearborn Gas Heater	14.97	14.97
3	3	DRC-20-LP Dearborn Gas Heaters	20.97	62.91
				77.88
		Less 5% Early Booking		3.89 -
				73.99
COPY				

ALL INVOICES ARE PAYABLE AT DALLAS, TEXAS, STRICTLY ACCORDING TO TERMS SHOWN THEREON. INTEREST AT 6% PER ANNUM WILL BE CHARGED IF NOT PAID AT MATURITY. CASH DISCOUNT MUST BE FIGURED ON NET AMOUNT OF INVOICE. ALL AGREEMENTS CONTINGENT UPON STRIKES, BREAKDOWNS OR ACCIDENTS BEYOND OUR CONTROL. WE RESERVE THE RIGHT TO CORRECT STENOGRAPHIC ERRORS.

Deacharn Stove Company

1700 W. COMMERCE ST., P. O. BOX 5527, DALLAS 2, TEXAS

INVOICE

SHIPPING NO. S 59089

SHIPPING POINT Atlanta, Georgia

DATE 9/30/53 VIA

NOTICE! SHOW THIS
NUMBER ON ALL
CORRESPONDENCEINVOICE
NO. → 1703-505

SOLD TO

Ponder Company
P.O. Box 13
Fairhope, Alabama

WAREHOUSE CODE 50

SHIPPED TO

Same

MAIL
REMITTANCE TO

NO GOODS MAY BE RETURNED WITHOUT OUR WRITTEN CONSENT

YOUR ORDER NO.	SALESMAN - TERR.	TERMS	CAR OR VEHICLE INITIALS AND NO.	F. O. B.	
84454	505	1/10/N/30		Atlanta	
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION		PRICE	AMOUNT
1	1	RC-2-3-B (LP & N) Control		8.97	8.97
C O P Y					

CREDIT MEMORANDUM
DEARBORN STOVE CO.

1700 WEST COMMERCE STREET

P. O. BOX 5527
DALLAS 8, TEXAS

CREDIT MEMO No. 354-505

DATE Dec. 23, 1953

REFERENCE No.

YOUR ORDER No.

To

Ponder Company

Fairhope, Alabama

Coop Advertising

The Fairhope Courier -- October Advertising

\$2.94

Dearborn share 50%

\$1.47

COPY

CREDIT MEMORANDUM
DEARBORN STOVE CO.

1700 WEST COMMERCE STREET

P. O. BOX 5527

DALLAS 8, TEXAS

CREDIT MEMO No. 592-505

TO

Ponder Company

Fairhope, Alabama

DATE Feb. 23, 1954

REFERENCE No.

YOUR ORDER No.

Cooperative Advertising

December Advertising — The Fairhope Courier \$23.03

Dearborn's share 50%

\$11.52

COPY