

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Joachim M. Berga 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 C. B. Robinett, trading ~~as~~ the Manhattan Paint Company.

Witness my hand this 5th day of October, 1931.


Clerk of Circuit Court.

C. B. ROBINETT, Trading as the
Manhattan Paint Company, Plaintiff.

vs.

C O M P L A I N T

JOACHIM M. BERGA, Defendant.

Pl

-1-

Plaintiff claims of the defendant the sum of \$46.80, due from the defendant to the plaintiff by account on to-wit: April 1st, 1930, together with legal interest on said sum since such date.

-2-

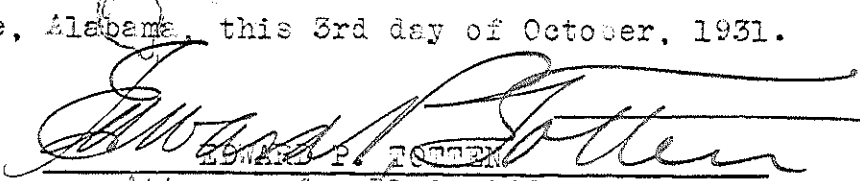
Plaintiff claims of the defendant the sum of \$46.80, due from the defendant to the plaintiff by account stated between the defendant and the plaintiff on to-wit: April 1st, 1930, together with legal interest on such amount from said date.

-3-

Plaintiff claims of the defendant the sum of \$46.80, due from the defendant to the plaintiff for certain goods and merchandise, furnished and delivered by the plaintiff to the defendant at the latter's special request and instance and plaintiff alleges that said goods and merchandise were of the reasonable worth and value of \$46.80 and that the defendant received and accepted the same and promised to pay therefor to the plaintiff the said sum of \$46.80. Plaintiff further alleges that said sum has not been paid, nor any part thereof and that the said amount, with legal interest from April 1st, 1930, is now due and owing from the defendant to the plaintiff.

Wherefore plaintiff prays judgment against the defendant for the sum of \$46.80 with legal interest, as aforesaid, and with all the costs of this action.

Dated at Fairhope, Alabama, this 3rd day of October, 1931.


EDWARD P. TOTTON
Attorney for Plaintiffs.

The account sued on is verified by affidavit attached to and filed with this complaint.

EDWARD P. TOTTON
Attorney for Plaintiffs

The State of Ohio

I,

C. B. Robinette

CUYAHOGA County, ss.

being duly sworn, upon my oath say that I am

an individual and sole proprietor of The Manhattan Paint Company

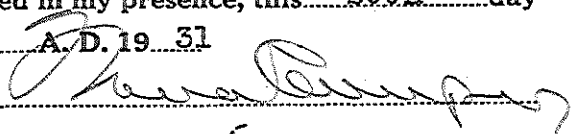
that The Manhattan Paint Company the sole legal and bona fide owner and holder of the certain itemized account hereto attached and marked "Exhibit A;" that said account is now wholly due and payable and that the same is just and correct and a valid and lawful claim against the said Joachim M. Berga that no payments have been made thereon, except

and that there are no set-offs or counter claims against the same to the affiant's knowledge, that there is justly due to the said The Manhattan Paint Company from the said Joachim M. Berga, upon the said account and wholly unpaid the sum of Forty-six and 80/100-----Dollars with interest thereon from the 1st day of April, A. D. 1930 for which the said The Manhattan Paint Company hold no security whatever.



SWORN TO by said C. B. Robinette

before me, and by him subscribed in my presence, this 29th day of September A. D. 1931



WESLEY A. COOPER
NOTARY PUBLIC
CUYAHOGA COUNTY
OHIO

THE MANHATTAN PAINT CO.

PAINTS, ENAMELS, ROOFING MATERIALS

CLEVELAND, OHIO

ER No. R-2832

DATE OF SHIPMENT

October 14, 1929

ACC'T
WITH

Joachim M. Berga,
Loxley, Ala.

P. O. Daphne, Ala.

ROUTE

B4 - L & N

SALESMAN

YOUR ORDER No.

TERMS DAYS NET OR 2 PER CENT.

DISCOUNT FOR CASH IF REMITTED IN

10 DAYS FROM DATE OF INVOICE.

DUE April 1, 1930

Steel Bbl. Liquid Roofseal

65 gals.

.72

46.80

Patching Cement

Free

Roofing Brush "By Mail"

EXHIBIT "A"

STATEMENT

The above is a duplicate invoice and statement of your account which is NOW DUE.

You will therefore kindly let us have your remittance PROMPTLY. THANK YOU.

THE MANHATTAN PAINT COMPANY

STATE OF ALABAMA

IN CIRCUIT COURT

COUNTY OF BALDWIN

AT LAW

C. B. ROBINETTE, trading as Manhattan Paint
Company, Plaintiff.

vs.

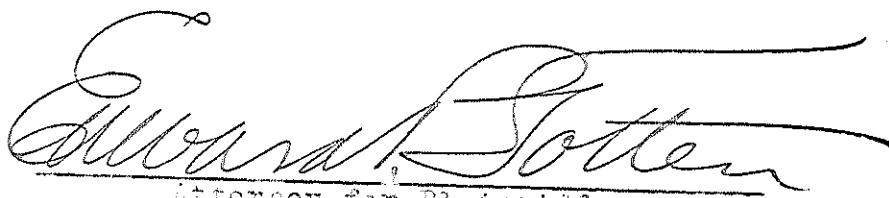
MOTION FOR JUDGMENT

JOSEPH M. BERCA, Defendant.

Comes now the Plaintiff, by his Attorney, and moves the court to grant unto the Plaintiff a judgment by default upon the following consideration: That the Defendant was personally served with copy of summons and complaint, to which was attached verified statement of account, on October 8th, 1931, and that more than Thirty days have elapsed since such service and that no appearance has been made and no plea or demurrer has been filed therein by Defendant within the said Thirty days.

The amount due by this account to date, inclusive of principal and interest, is Fifty-Three Dollars (\$53.00).

Dated this 20th day of November, 1931.


Attorney for Plaintiff.

STATE OF ALABAMA

IN CIRCUIT COURT

SOUNTY OF BALDWIN

AT LAW

C. B. ROBINETTE, Trading as the Manhattan Paint
Company, Plaintiff.

vs.

J U D G M E N T

JOACHIM M. BERTHA, Defendant.

It being made known to the Court in this cause that the Plaintiff deems himself entitled to a Judgment by default, summons and complaint in said cause having been filed on October 5th, 1931, and served on Defendant of October 8th, 1931, and no appearance having been made by the Defendant nor pleadings filed by him in said cause, which is upon an account, and the Plaintiff having, by his Attorney, filed a demand with the Clerk of the Circuit Court of Baldwin County, Alabama, for judgment by default and the presiding judge, F. W. Hare, not being at the Court House of Baldwin County at Bay Minette, Alabama, the Plaintiff did within five days after the making of said demand of the Clerk for said judgment by default, request that the Clerk forward to Hon. F. W. Hare, the Judge of the 21st Judicial Circuit of Alabama, the papers in said cause, and the Clerk having forwarded said papers accompanied by his certificate showing the above facts, and the Judge upon examination of said papers and the certificate and the evidence submitted therewith, and upon motion of Plaintiff deeming it proper to grant to the Plaintiff a Judgment by default,

It is the judgment of the said F. W. Hare as said Circuit Judge, and it is the judgment of the Court that the Plaintiff do have a judgment by default against the Defendant in and for the sum of Fifty- Three (\$53.00) Dollars, together with the costs of this proceeding, and the Clerk of the Circuit Court of Baldwin County, Alabama, is hereby directed to enter upon the minutes of said Court this judgment by default in favor of the Plaintiff and against the Defendant for the sum hereinabove mentioned, together with the costs of this proceeding, said judgment being entered in accordance with Rule Nine of the Rules adopted, ordered, ordained, established and promulgated by the Judge of the 21st Judicial Circuit of Alabama of January 21st, 1929.

Dated this 20th day of November, 1931.

F. W. Hare

Judge of the 21st Judicial Circuit of Ala.

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Priest
Nov 23rd 1931
Wm. H. Priest