

4507

SUMMONS

THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon ROBERT A. BREEDIN, doing business as M. & M. PRODUCE CO., 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, Alabama, at the place of holding same by CHARLES H. BROWN, assignee of Dun & Bradstreet, Inc. a Delaware corporation.

Witness my hand this the 4 day of December, 1960.

\* \* \* \* \* *Alfred J. Ruck -*  
\* \* \* \* \* *clerk*

COMPLAINT

CHARLES H. BROWN, assignee )  
of Dun & Bradstreet, Inc., a )  
Delaware corporation, )  
PLAINTIFF )  
VS: )  
ROBERT A. BREEDIN, d/b/a )  
M. & M. PRODUCE CO., )  
DEEENDANT )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

COUNT I:

The plaintiff claims of the defendant FIVE HUNDRED TWENTY-00/100 DOLLARS (\$520.00), due from him by account on, to wit: 31st day of January, 1960, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant FIVE HUNDRED TWENTY & 00/100 DOLLARS (\$520.00), due from him on account stated between the plaintiff and the defendant on, to wit: the 31st day of January, 1960 which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant FIVE HUNDRED TWENTY & 00/100 DOLLARS (\$520.00), due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 31st day of January, 1960, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 22nd day of November, 1960.

The defendant's address is: *James H. Ruck*  
Daphne, Alabama Attorney for Plaintiff

FILED  
DEC 6 1960  
ALICE L. DUCK, CLERK  
REGISTER - 275

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

CHARLES H. BROWN, assignee of  
Dun & Bradstreet, Inc., a  
Delaware corporation,

PLAINTIFF

VS:

ROBERT A. BREEDIN, d/b/a M. &  
M. PRODUCE CO.,  
DEFENDANT

*Dayne*

FILED

DEC 6 1960

ALICE L. DUCK, CLERK  
REGISTER

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

Received 6 day of Dec 1960  
served a copy of this within 8 day of Dec 1960  
Robert A. Breeding  
y service on Robert A. Breeding

TAYLOR WILKINS, Sheriff  
By W. A. Turner D.S.  
*Dayne*  
Sheriff claims 54 miles at  
Ten Cents per mile Total \$ 5.40  
TAYLOR WILKINS, Sheriff  
By W. A. Turner D.S.  
*Dayne*  
DEPUTY SHERIFF

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA



ESTABLISHED 1841

*Dun & Bradstreet, Inc.*  
*The Mercantile Agency*

300 W. Adams Street

Chicago 6, Ill., JULY 29, 1960 19

#39-234

To M. & M. PRODUCE CO.  
P. O. BOX 396  
DAPHNE, ALA.

L

J

1/31/60

(SUBSCRIPTION  
( 2 # 2 BOOKS  
& 50 REPORTS)

FIRST PAYMENT DUE 2/1/60	\$174.00
2ND PAYMENT DUE 3/1/60	173.00
FINAL PAYMENT DUE 4/1/60	173.00

\$520.00

STATE OF NEW YORK  
COUNTY OF NEW YORK

SS.:

W. N. Bingham  
East Williston, New York  
residing at 199 Charles Street  
being duly sworn, upon his oath says that he is an  
officer of DUN & BRADSTREET, Inc., a Corporation duly organized under the laws of the State of Delaware  
and authorized to transact business. That he resides at the place above mentioned. THAT he IS  
Secretary  
of the said Corporation. That the seal affixed hereto is the seal of said  
Corporation.

Said Corporation is hereinafter designated as the Claimant.

That the said Company is the sole, legal and bona fide owner and holder of the claim for money due and  
owing under that certain written contract, as per copy attached and marked "EXHIBIT A."

The said claim is now wholly due and payable, and that the same is a full, true and correct claim, and  
is a valid and lawful claim against M. & M. Produce, Co.  
of P. O. Box 396, Daphne, Ala.  
and that no payments have been made thereon except as  
appears, and that there are no set-offs or counterclaims against the same to the knowledge of this affiant; that  
there is justly due the said claimant DUN & BRADSTREET, INC. upon the said claim the sum of \$520.00  
Five hundred twenty dollars and 00/100-----DOLLARS.

for which said claimant holds no security whatever.

Sworn to before me this 22nd  
day of November 19 60  
said subscriber being known to me to be the person  
described in and who signed and swore to the above  
instrument and duly acknowledged that he  
executed the same.

WALTER W. PERRY  
Notary Public, State of New York  
No. 44-3068150 Qual. in Rockland Co.  
Commission Expires March 30, 1961

Secretary

# ASSIGNMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable considerations received from Charles H. Brown, DUN & BRADSTREET, INC., a corporation duly organized under the laws of the State of Delaware, having its principal office in the City, County and State of New York, does hereby assign, transfer, and set over unto the said Charles H. Brown, his executors, administrators, and assigns, all its right, title and interest in and to the certain subscription between DUN & BRADSTREET, INC., and M. & M. Produce Co., commencing January 31,, 19 60, and the said DUN & BRADSTREET, INC., does hereby constitute and appoint the said Charles H. Brown its attorney, in its name or otherwise, to take all legal measures proper or necessary in the premises, for the enforcement of any claims under said subscription.

IN WITNESS WHEREOF, DUN & BRADSTREET, INC., has executed these presents this 22nd day of November, 19 60

(CORPORATE SEAL)

DUN & BRADSTREET, Inc.

By W. W. Perry

Secretary

STATE OF NEW YORK  
COUNTY OF NEW YORK

} ss.:

On the 22nd day of November, 19 60, before me came W. N. Bingham, to me known, who, being by me duly sworn, did depose and say that he resides in 199 Charles St., E. Williston, N.Y., that he is the Secretary of DUN & BRADSTREET, INC., the corporation described in, and which executed, the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that he signed his name thereto by like order.