

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Edmund R. Cimino d/b/a The Smart Shop, to appear and plead, answer or demue within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, by Eastern Infants Wear, Inc., a corporation.

Witness my hand this the 13 day of July, 1961.

Alice J. Duck  
Alice J. Duck, Clerk

EASTERN INFANTS WEAR, INC., a  
Corporation

Plaintiff

VS

EDMUND R. CIMINO d/b/a THE  
SMART SHOP and individually

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4768

1.

The Plaintiff claims of the Defendant the sum of EIGHTY-FOUR and 61/100 DOLLARS (\$84.61), due from him by account on, to-wit, February 10, 1961, 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.

2.

The Plaintiff claims of the Defendant the sum of EIGHTY-FOUR and 61/100 DOLLARS (\$84.61), due from him on account stated between the Plaintiff and the Defendant on the 10th day of February, 1961, which sum of money with the interest thereon, is still unpaid.

3.

The Plaintiff claims of the Defendant the sum of EIGHTY-FOUR and 61/100 DOLLARS (\$84.61), due from him by account on the 10th day of February, 1961, which sum of money with the interest thereon, is still unpaid.

WILTERS, BRANTLEY & NESBIT

BY: Charles S. Nesbit

Attorneys for the Plaintiff

FILED  
JUL 13 1961

Alice J. Duck, Clerk

# ACCOUNTS RECEIVABLE LEDGER

A

SHEET NO. 1

NAME

CHAS. WOOD

ADDRESS

DAY KENNETH, N.Y.

TERMS

CAD

RATING

10/28 Turned into Credit  
1957 Exchange

DATE	INVOICE NO.	TERMS	PARCEL POST	F. O.	CHARGES	CREDITS	BALANCE
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AMOUNT BROUGHT FORWARD

4

C

1960

1-23

47.45

134.51

134.51

3.01

2.3

50.00

84.61

Bal due

FACTORY AND WAREHOUSE

923 Franklin Ave.

Newark, N. J.

Factory: Bldg. 2-7450-1

MANUFACTURERS & DISTRIBUTORS

Office and Showrooms • 7336 Broadway • New York 18, N. Y.

SOLD TO  
CHART BROS.  
BAY WAREHOUSE, INC.

SHIPPED TO

DATE

JUN 22

TERMS

ORDER NO.

11540

EST. NO.

SHIPMENT

AT 20

NET 10.00 FREE DELIVERY

3001	GLOVES	1.50	1	1.50
3002	GLOVES	1.50	1	1.50
5121	HAT-SKY	1.50	1	1.50
5122	HAT	1.50	1	1.50
5123	HAT	1.50	1	1.50
5124	HAT	1.50	1	1.50
5125	HAT	1.50	1	1.50
5126	HAT	1.50	1	1.50
4103-4	DIAPER SHIRTS	4.30	1	4.30
4104	DIAPER SHIRTS	4.30	1	4.30
3130	SHIRT	30.00	1	30.00
31	SHIRT	8.00	1	8.00
2402-4-12	SHIRT SET	18.00	1	18.00
1562	PAJAMAS	15.00	1	15.00
1563	PAJAMAS	15.00	1	15.00
1564	PAJAMAS	15.00	1	15.00
9040	NOVLETY	11.70	1	11.70
9041	NOVLETY	11.70	1	11.70
9033	NOVLETY	4.25	1	4.25
9009	NOVLETY	4.25	1	4.25

ALL ORDERS MUST BE MADE WITHIN FIVE DAYS  
OF RECEIPT OF MERCHANDISE WILL BE NO  
GOODS UNLESS AUTHORIZED BY OUR OFFICE

POSTING COPY

FACTORY AND WAREHOUSE

923 FRELINGHUYSEN AVE.

NEWARK, N. J.

Factory-Blacks 2-7455-1

MANUFACTURERS • DISTRIBUTORS

Office and Showrooms • 1359 Broadway • New York 16, N. Y.

SOLD TO  
QUARTER  
DAY IN THE A.M.

SHIPPED TO

DATE

ONCE

CLAIMS: ORDER NO. 1540 DEPT. NO.

NET 10 CDA FREE DELIVERY

3401	GLOVES	4.30	1	4.30
3430	GLOVES	7.50	2	15.00
3121	HAT SET	15.99	1/2	7.99
3131	HATS	7.40	1/2	4.00
3162	HATS	14.80	1/2	4.00
3184	HATS	8.45	1/2	4.00
3182	HATS	14.80	1/2	4.00
2103-4	DIAPER SHIRT	4.30	1	4.30
2101	DIAPER 5-14/19	3.75	1	3.75
1-30	SHIRT	30.00	1/2	15.00
34	SHIRT	8.00	1/2	4.00
2452-4-5	SHIRT SET	15.00	1/2	7.50
3562	PAJAMAS	15.99	1/2	7.99
3566	PAJAMAS	15.55	1/2	7.77
3548	PAJAMAS	12.00	1	12.00
3189	NOVELTY	1.70	1	1.70
3040	NOVELTY	5.20	1	5.20
3033	NOVELTY	4.25	1	4.25
3009	NOVELTY	4.25	1/2	2.12

114.00

CLAIMS MUST BE MADE WITHIN FIVE DAYS  
OF RETURN OF MERCHANDISE WILL BE AC-  
CEPTED UNLESS AUTHORIZED BY OUR OFFICE

POSTING COPY

All Merchandise Shipped From  
923 FRELINGHUYSEN AVE.  
NEWARK, N. J.

STATE OF New Jersey

COUNTY OF Essex

Before me, John D. [Signature], a Notary Public,  
in and for said County and State, personally appeared MORTON

FRIEDMAN, who being by me duly sworn, deposes and says,  
that he is Secretary-treasurer for the firm of Eastern

Infants Wear, Inc.; that the annexed statement of the account of the firm  
against the Smart Shop of Bay Minette, in the State of Alabama, is just,  
true and correct; that there is now due on said account \$ 84.61,  
after deducting all credits, set-offs or counter-claims.

Morton Friedman

Sworn to and subscribed before me this 13~~th~~ day of June,  
1961.

[Signature]  
Notary Public, NOTARY PUBLIC OF NEW JERSEY  
My Commission expires Feb. 2, 1963

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

NO. 4268

EASTERN INFANTS WEAR, INC., a  
Corporation  
Plaintiff

VS  
EDMUND R. CIMINO d/b/a THE  
SMART SHOP

Defendant

FILED

JUL 13 1961

ALICE J. DUCK, Clerk

Wilters, Brantley & Nesbit  
Attorneys at Law  
Robertsdale, Alabama

and on 14 day of July 1961  
I served a copy of the within 14 day of July 1961  
on Edmund R. Cimino  
By service on Taylor Wilkins Shetts  
0 mi



EASTERN INFANTS WEAR, INC.,  
A Corporation,

Plaintiff,

Vs

EDMUND R. CIMINO, d/b/a THE  
SMART SHOP and individually,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

No. 4768

DEMURRERS

Comes now the Defendant in the above styled cause, and for answer to the Complaint heretofore filed in this cause, and to each and every count thereof, separately and severally, says as follows:

-1-

The allegations fail to state a cause of action.

-2-

The allegations of the Complaint are mere conclusion of the pleader.

-3-

The itemized statement of account attached to the original Bill of Complaint fail to show that the account is due and payable.

-4-

The itemized statement of account attached to the original Bill of Complaint fails to show the date that the account is due and payable.

-5-

The allegations of the Complaint fail to show how Edmund R. Cimino as an individual is responsible for the alleged debt.

*Kenneth Cooper*

Defendant demands a trial by  
jury in this cause.

*Kenneth Cooper*

Attorney of Record for Plaintiff:  
Hon Phyllis R. Nesbit  
Attorney at Law  
Robertsdale, Alabama

FILED

AUG 17 1961

ALICE J. DUCK, CLERK  
REGISTER