

SUMMONS

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon EDMUND R. CIMINO, doing business as THE SMART SHOP, 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 SELDIN COAT CO., INC., a Maryland corporation.

Witness my hand this the 2nd day of August, 1961.

Alice J. Duck
Clerk

* * * * *

COMPLAINT

SELDIN COAT CO., INC., a
Maryland corporation,
PLAINTIFF

VS:

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

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COUNT I:

The plaintiff claims of the defendant THREE HUNDRED ONE & 12/100 DOLLARS (\$301.12), due from him by account on, to wit: the 5th day of August, 1960, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant THREE HUNDRED ONE & 12/100 DOLLARS (\$301.12), due from him on account stated between the plaintiff and the defendant on, to wit: the 5th day of August, 1960, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant THREE HUNDRED ONE & 12/100 DOLLARS (\$301.12), due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 5th day of August, 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 19th day of May, 1961.

The defendant's address is:
Bay Minette, Alabama

James Oliver
Attorney for Plaintiff

AUG 2 1961

ALICE J. DUCK, CLERK
REGISTER

Baltimore Phone: Center { 3-4500
3-4501

STATEMENT

NEW YORK SHOWROOMS:

247 West 38th Street

New York 18, N.Y.

Pennsylvania 6-2914-5

SELDIN COAT CO., INC.

MANUFACTURERS OF MISSES, LADIES & STOUTS

COATS & SUITS

208 SOUTH PULASKI STREET

BALTIMORE 23, MD., 19

Smart Shop

Bay Minette, Ala.

1960						
July	20	9814	127	41		
Aug.	3	10143	101	22		
	5	10242	72	49		
					301	12

REDIFORM-AMERICAN SALES BOOK CO., INC., NIAGARA FALLS, N.Y.

Branch: STOCK ROOMS,
FACTORY AND SALES
405 W. FRANKLIN ST.
BALTIMORE, MD.
PHONE VERNON 3490

SELDIN COAT COMPANY

MANUFACTURERS OF
JUNIORS, LADIES AND STOUTS

263 WEST 38th ST., NEW YORK CITY

NEW YORK, N. Y. 8/3 19 60

Sold to

Smart Shop

Bay Minette,

STATE Ala.

VALUE \$

NO. PACKAGES

as 7/25

TERMS	F. O. B.	ORDER NO.	DEPT.	SALESMAN	DUPLICATE BILL TO	VIA
8/10 EOM	N. Y. C.			Kaye		PP

STYLE	QUANT.	DESCRIPTION	PRICE	EXTENSION	TOTAL
8561X	1	Collar: Dved Squirrel Origin: Russia Item # 860	36 75	36 75	
8536X	3		20 75	62 25	
	4	Coats			99 00
		INVOICE # 10143		PP Net	1 82
				Ins.	40
					101 22

4

AUDITED BY

CHECKED BY

POSTED BY

LEDGER FOLIO

INVOICE NO.

~~3000~~

POSTING COPY

PHONES: {2914
PEnnsylvania 6- {2915

No Returns accepted or Claims allowed
3 days from Date of Receipt of Shipment.

Bills not paid at maturity will auto-
matically become net, no discount.

Our Receiving Dept. will accept no mer-
chandise unless they receive written notice
stating reason for return. Goods shipped at
Purchaser's risk. Not liable for late or
non-delivery caused by strikes, fires or
other causes beyond our control.

Date 19	
No. Pieces	Weight
2939674	675
Class or I. C. C. No.	
C. O. D.	Declared Value
C.O.D. Service Charge	

GUARANTY

We, the undersigned, manufacturers of the below specified
merchandise which is subject to the Wool Products Labeling Act
of 1939, hereby guarantee that each such article therein is stamped,
tagged, labeled or marked with the fibre content and other infor-
mation as required by said Act, and that none of such articles or
products is misbranded within the meaning of said Act.

Signature
SELDIN COAT CO.

REDIFORM-AMERICAN SALES BOOK CO., INC., NIAGARA FALLS, N.Y.

Affidavit to Claim

STATE OF Maryland
city Baltimore } ss.
COUNTY OF Baltimore

Before me, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared B. Seldin who

being by me first duly sworn according to law, deposes and says that he is *President of Seldin Coat Co., Inc.

1. A corporation organized and doing business under the laws of the State of Maryland
2. A partnership composed of _____
3. A sole trader doing business as _____

and that as such he is authorized to make this affidavit; cognizant of the facts constituting the cause of action; that he is familiar with the books and business of said Seldin Coat Co., Inc.

that the account against Smart Shop
Bay Minette, Ala. hereto attached, marked "Exhibit A" and made a part hereof

is a true and correct copy of books of original entry, instrument of writing or claim, on which this action is brought, of Seldin Coat Co., Inc.; that the goods for which said

charges were made were sold and delivered to the said Smart Shop
at its special instance and request; that the charges made therefor are fair and reasonable and as per

contract, and that he promised to pay the sums charged; that credit has been duly given for all payments, counter claims and setoffs and that there is no usury therein; that said Seldin Coat Co., Inc.

has no collateral or other security for the payment thereof and that there now remains due and owing from said Smart Shop to Seldin Coat Co., Inc.

the sum of Three Hundred One Dollars & Twelve Cents - (\$301.12) Dollars,
together with interest thereon from _____ 19 _____

Subscribed and sworn to before me this 19th day of May 1961

[Signature]
Notary Public.

*Treasurer, Member of Firm or Sole Proprietor.

B. Seldin L. S.

POWER OF ATTORNEY

To Forest A. Christian, Foley, Alabama

or _____

You or your representative endorsed hereon, are hereby appointed the attorney-in-fact for the undersigned, and each or either of you is authorized to attend any and all meetings of creditors or adjourned meetings of creditors of the above named debtor in any court or elsewhere, and for the undersigned to vote for or against any proposal or resolution that may be submitted in reference to the affairs or estate of the above named debtor: to accept or refuse any composition in or out of bankruptcy proposed by said debtor or his or its representatives; to receive, endorse, receipt for and collect any payments of dividends or fees or moneys due the undersigned under any composition or otherwise and in general to take such action and do such acts, execute such consents for the undersigned as you may deem best, as fully as the undersigned could do if personally present. And all powers of attorney heretofore executed by the undersigned in this proceeding are hereby revoked.

In Witness Whereof, the above named claimant has signed these presents or has caused them to be signed and its corporate seal affixed this 19th day of May 1961

(Corp. Seal.)

Seldin Coat Co., Inc.
(Corporate or partnership name here)

B. Seldin L. S.
(Name of officer, partner or individual here)

FOR CORPORATION

CITY OF
STATE OF Baltimore
COUNTY of Maryland

SS:

On this 19TH day of May, 1961, before me personally came
B. Seldin, to me known, who being by me duly sworn, did depose
and say that he resides in Baltimore, Maryland; that he is the President of
the Seldin Coat Co., Inc., the corporation described in and which executed the above instrument;
that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order
of the board of directors of said corporation, and that he signed his name thereto by like order.

[Signature]
(Notary Public signs here)

FOR PARTNERSHIP

CITY OF
STATE OF
COUNTY OF

SS:

On this _____ day of _____, 19____, before me personally came
_____ to me known and known to me to be one of the persons described in and who
executed the foregoing instrument and who duly acknowledged that he executed the same, and who being by me duly sworn, did depose and
say that he is a member of said partnership and is duly authorized to execute same on behalf of his said firm.

(Notary Public signs here)

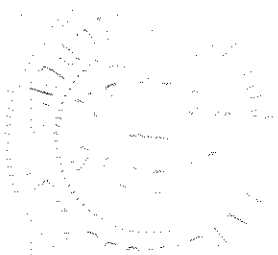
FOR INDIVIDUAL

CITY OF
STATE OF
COUNTY OF

SS:

On this _____ day of _____, 19____, before me personally came
_____ to me known and known to me to be the individual described in and who executed
the foregoing instrument and he duly acknowledged to me that he executed the same.

(Notary Public signs here)



American Credit Indemnity Co.
of New York

Affidavit to Claim

Agent

Debtor

Claimant

70,4795

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

SELDIN COAT CO., INC., a
Maryland corporation,

PLAINTIFF

-VS-

EDMUND R. CIMINO, doing business
as THE SMART SHOP,

DEFENDANT

Received 2 day of July 1961
and on 4 day of July 1961
I served a copy of the within Edmund R. Cimino
on Edmund R. Cimino

By service on _____

TAYLOR WILKINS, Sheriff
By H. B. Z. Smith
0 m

FILED
AUG 2 1961
ALICE J. DUCK, CLERK
REGISTER

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

SELDIN COAT CO., INC. A)
Maryland Corporation,)

Plaintiff,)

Vs)

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

Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

No. 4795.

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 conclusions of the pleader.

-3-

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

-4-

The itemized statement of account attached to the original Bill of Complaint fails to show the exact date the alleged debt became due and payable.

-5-

The itemized statement of account attached to the original Bill of Complaint fails to show Edmund R. Cimino as being the owner of The Smart Shop.

Defendant demands a trial by jury in this cause.

Kenneth Cooper
Attorney for Defendant.

Attorney for Defendant.

ATTORNEY OF RECORD FOR PLAINTIFF:
HON Forest A. Christian
Attorney at Law
Foley, Alabama

FILED
AUG 17 1957
ALICE L. DUCK, CLERK
REGISTER