WILLIAMS-RECHARDSON CO., LTD., I A Corporation,

Plaintiff,

٧s

J. M. McGIL, Individually and Îd/b/a FASHIONS FABRICS,

Defendant.

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

Case No. 5138

DEMURRERS

Comes now the Defendant in above styled cause, and demurs to the Bill of Complaint, and to each and every count thereof, separately and severally, as follows:

ONE:

Neither the Complaint, nor either of the Counts thereto, allege any liability on the part of the Defendant.

Neither the Complaint, nor either of the Counts thereto, state a cause of action.

THREE:

The Complaintatand each Count thereto, is ambigious.

FOUR:

Neither the Complaint, nor either of the Counts thereto, allege that the account is due and payable.

The Complaint contains two causes of action.

SIX:

Neither the Complaint, nor the counts thereto, allege with certainty, the amount due to Plaintiff, by the Defendant.

DEFENDANT DEMANDS A TRIAL BY JURY:

Attorney for Defendant.

Plaintiff's Attorney of Record: Hon E. G. Rickarby

Attorney at Law

Fairhope, Alabama

ALIRE J. DUCK, CLERK REGISTER

WILLIAMS-RICHARDSON CO., LTD., A Corporation,

Plaintiff,

٧s

J. M. McGILL, Individually and d/b/a FASHIONS FABRICS,

Defendant.

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

Case No. 5138

PLEA

The defendant, for answer to the complaint, and to each and every count thereof, separately and severally, saith that he is not guilty of the matters alleged therein.

Attorney for Defendant.

FILED

JUL 17 1962

ALICE J. DUCK, CLERK REGISTER

WILLIAMS-RICHARDSON CO., LTD., A Corporation,	Ž	IN THE CIRCUIT COURT OF
Plaintiff,	Ŏ	THE TIME OTHOUGH COUNT OF
VS.	Ĭ	BALDWIN COUNTY, ALABAMA,
J. M. MCGILL, Individually	Ž	AT LAW.
and doing business as FASHION FABRICS,	Q	
Defendant.	Ŏ	

COMPLAINT

Count I.

The Plaintiff claims of the Defendant SIX HUNDRED TWO AND 24/100 (\$602.24) DOLLARS due from him by account on the 6th day of November, 1961; which sum of money with the interest thereon is still unpaid.

Count II.

The Plaintiff claims of the Defendant SIX HUNDRED TWO AND 24/100 (\$602.24) DOLLARS due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant between the 26th day of May, 1961, and the 6th day of November, 1961; which sum of money with the interest thereon is still unpaid.

Count III.

The Plaintiff claims of the Defendant SIX HUNDRED TWO AND 24/100 (\$602.24) DOLLARS due from him on accounts stated between the Plaintiff and the Defendant on, to-wit, the 6th day of November, 1961; which sum of money with the interest thereon is still unpaid.

Count IV.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND NINE HUNDRED THIRTY-SIX AND 65/100 (\$2,936.65) DOLLARS due by promissory note made by him for the original sum of THREE THOUSAND ONE HUNDRED THIRTY-SIX AND 65/100 (\$3,136.65) DOLLARS on the 31st day of May, 1961, and payable in monthly installments of ONE HUNDRED AND NO/100 (\$100.00) DOLLARS per month, commencing on the 20th day of June, 1961, and continuing on the 20th day of each month thereafter until the full amount has been paid; and the Plaintiff alleges that the Defendant defaulted in the payment due

(Page 1)

on the 20th day of August, 1961; and the Plaintiff avers that said note provides that upon failure to pay any installment of principal and/or interest when due, the entire principal sum at the option of the holder, shall become due and payable; and said Defendant has only paid the payments maturing June 20th, 1961, and July 20th, 1961; and the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendant has expressly waived his right to claim personal property as exempt to him under the Constitution and laws of the State of Alabama and agreed to pay all costs of collection, thereof, including a reasonable attorney's fee, which reasonable attorney's fee the Plaintiff claims in the sum of FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS.

> Attorney Plaintiff.

The account sued on is evidenced Note: by an itemized and verified statement filed herewith.

MAY 11 1952 ALICE I. DUCK CLERK REGISTER

Plaintiff.

WILLIAMS - RICHARDSON CO., LTD.

209-219 MAGAZINE ST. NEW ORLEANS 3, LA.

DATE

- J. M. MC GILL, FASHION FABRICS, P. O. BOX 546, BAY MINETTE, ALABAMA

INTEREST AFTER MATURITY

ATTENTION PLEASE - ALL INVOICES ON WHICH TERMS ARE NET, NO DISCOUNT

DATE	REFERENCE	CHARGES		CREDITS	BALANCE
	BALANCE FORWARD				
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ANTS WEAR & ACCESSORIES NOTIONS & HOSIERY Y. OFFICE - 101 W. 31st ST.

VILLIAMS-RICHARDSON CO., LTD.

209 - 219 MAGAZINE ST.

OUR ORDER NO.

NEW ORLEANS 3. LA.

HOME FURNISHINGS LADIES' READY TO WEAR MEN'S FURNISHINGS

PHONE: * TULANE 1415

SOLD TO

INVOICE NO.

HIP TO

ND/OR LD TO .

J. M. MC GILL FASHION FABRICS

BOX 546,

BAY MINETTE, ALABAMA

ROUTE .

DATE

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209 - 219 MAGAZINE ST. NEW ORLEANS 3. LA. PHONE: * TULANE 1415

SOLD TO

INVOICE NO. 58956

AND/OR OLD TO .

J. M. MC GILL FASHION FABRICS

111 W. NASHVILLE AVE.,

ATMORE, ALABAMA

ROUTE .

DATE

P.P.

UNE 5, 1961

TERMS NET 60

OUR ORDER NO. 540

CUST. NO.

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WHOLESALE DRY GOODS WILLIAMS-RICHARDSON CO., LTD. HOME FURNISHINGS NOTIONS & HOSIERY WEAR & ACCESSORIES WILLIAMS-RICHARDSON CO., LTD. HOME FURNISHINGS NOTIONS & HOSIERY

209 - 219 MAGAZINE ST.

NEW ORLEANS 3, LA.

PHONE: * TULANE 1415

SOLD TO

INVOICE NO.

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SHIP TO . AND/OR SOLD TO .

J. M. MC GILL

FASHION FABRICS

111 W. NASHVILLE AVE.,

ATMORE, ALABAMA

ROUTE .

DATE

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TERMS NE 5, 1961 2-30 NET 60

OUR ORDER NO. 540

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CLEM BRUT

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WHOLESALE DRY GOODS WILLIAMS-RICHARDSON CO., LTD.

LADIES' READY TO WEAR MEN'S FURNISHINGS PHONE: * TULANE 1415

209 - 219 MAGAZINE ST. NEW ORLEANS 3, LA.

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SHIP TO . AND/OR OLD TO

J. M. MC GILL FASHION FABRICS

111 W. NASHVILLE AVE.,

ATMORE, ALA.

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VILLIAMS-RICHARDSON CO., LTD.

HOME FURNISHINGS LADIES' READY TO WEAR MEN'S FURNISHINGS

209 - 219 MAGAZINE ST.

NEW ORLEANS 3, LA.

PHONE: * TULANE 1415

SOLD TO

INVOICE NO.

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111 W. NASHVILLE AVE.,

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ATMORE, ALA.

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OUR ORDER NO. CUST. NO. SALESMAN INE 151, 1961 NET 30 1774-MS CLEM B.

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ANTS WEAR & ACCESSORIES WHOLESALE DRY GOODS NOTIONS & HOSIERY

Y. OFFICE - 101 W. 31st ST.

WILLIAMS-RICHARDSON CO., LTD.

HOME FURNISHINGS LADIES' READY TO WEAR' MEN'S FURNISHINGS

PHONE: * TULANE 1415

209 - 219 MAGAZINE ST.

NEW ORLEANS 3. LA.

INVOICE NO.

SOLD TO

60237

J. M. MC GILL

FASHION FABRICS

W. NASHVILLE AVE.,

ATMORE, ALA.

ROUTE .

TRUCK

NE 20, 1961 NET 60 1167 CLEM B.

YLE NO.	DESCRIPTION	QUANTITY	PRICE	AMOUNT	AMOUNT
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WEAR & ACCESSÓRIES WESLE DRY GOODS:

ICE - 101 W. 31st ST.

WILLIAMS-RICHARDSON CO., LTD.

Home furnishings Ladies' ready to Wear Men's furnishings

209 - 219 MAGAZINE ST.

NEW ORLEANS 3, LA.

PHONE: * TULANE 1415

SOLD TO

INVOICE NO.

J. M. MC GILL FASHION FABRICS W. NASHVILLE AVE., ATMORE, ALABAMA 60236

TRUCK

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INFANTS' WEAR & ACCESSORIES WHOLESALE DRY GOODS NOTIONS & HOSIERY N. Y. OFFICE - 101 W. 31st ST.

WILLIAMS-RICHARDSON CO., LTD.

LADIES' READY TO WEAR MEN'S FURNISHINGS PHONE: * 524-1415

HOME FURNISHINGS

209 - 219 MAGAZINE ST.

NEW ORLEANS 3, LA.

DATE

FASHION FABRICS ATMORE, ALABAMA June 29, 1961

CREDIT MEMO NO. 3784

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COPY OF CREDIT MEMORANDUM

WEAR & ACCESSURIES LESALE DRY GOODS FIONS & HOSIERY

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Milliams-Richardson Co., Ltd

209 - 219 MAGAZINE ST. NEW ORLEANS 3. LA.

Home furnishings Ladies' ready to Wear! Men's furnishings

PHONE: * TULANE 1415

sold to

invoice no.

63298

J. M. MC GILL FASHION FABRICS ATMORE, ALA.

WEST BROS. TO MOBILE c/o G.F.A.

28, 1961 NET 60 CLEM B.

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WHOLEGALE DRY GOODS. WILLIAMS-RICHARDSON CO., LTD. HOME FURNISHINGS LADIES' READY TO WEAR' MEN'S FURNISHINGS

NEW ORLEANS 3. LA.

PHONE: * TULANE 1415

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INVOICE NO.

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SHIP TO .

AND/OR SOLD TO .

J. M. MC GILL FASHION FABRICS

ATMORE, ALABAMA

ROUTE .

WEST BROS. TO MOBILE c/o G.F.A.

JULY 28, 1961 2-30 NET 60

OUR ORDER NO.

CUST. NO.

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FANTS' WEAR & ACCESSORIES WHOLESALE DRY GOODS - NOTIONS & HOSIERY I. Y. OFFICE. 101 W. Blst ST.

LLIAMS-RICHARDSON CO., LTD.

209 - 219 MAGAZINE ST. NEW ORLEANS 3, LA.

LADIES READY TO WEAR! MEN'S FURNISHINGS

PHONE: * TULANE 1415

INVOICE NO.

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J. M. MC GILL FASHION FABRICS ATMORE, ALABAMA

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PARCEL POST

TERMS OUR ORDER NO. dust. No. 2538 BRUTKIEWICZ 2-30 NET 60 UG. 9, 1961

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INFANTS WEAR & ACCESSORIES NOTIONS & HOSIERY

N. Y. OFFICE - 101 W. SIST ST.

liams-Richardson Co. Lid.

209 - 219 MAGAZINE ST. NEW ORLEANS 3, LA.

Home furn ishings Ladies' reapy to wear Men's furnishings

PHONE: * TULANE 1415

INVOICE NO.

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SHIP TO

AND/OR SOLD TO .

J. M. MC GILL FASHION FABRICS ATMORE, ALABAMA

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PARCEL POST

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ANTS' WEAR & ACCESSORIES NOTIONS & HOSIERY

VILLIAMS-RICHARDSON CO., LTD. LADIES' READY TO WEAR MEN'S FURNISHINGS

HOME FURNISH NGS MEN'S FURNISHINGS

PHONE: * TULANE 1415

Y. OFFICE - 101 W. 31ST ST.

209 - 219 MAGAZINE ST.

NEW ORLEANS 3, LA.

INVOICE NO.

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J. M. MC GILL FASHION FABRICS, ATMORE, ALABAMA

ROUTE .

JG. 18, 1961

HP TO

ND/OR

LD TO .

WEST BROS. TO MOBILE c/o G.F.A.

DATE OUR ORDER NO. 3034

2-30 NET 60

CUST. NO.

SALESMAN BRUT

YLE NO.	DESCRIPTION	QUANTITY	PRICE	AMOUNT	AMOUNT
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WHOLESALE DRY GOODS WILLIAMS-RICHARDSON CO., LTD.

HOME FURNISHINGS LADIES' READY TO WEAR MEN'S FURNISHINGS

PHONE: * TULANE 1415

Y. OFFICE - 101 W. 31st ST.

209 - 219 MAGAZINE ST.

NEW ORLEANS 3, LA.

INVOICE NO.

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HP TO . J. M. MC GILL ND/OR LD TO .

FASHION FABRICS ATMORE, ALABAMA

ROUTE .

WEST BROS TO MOBILE c/o G.F.A.

DATE OUR ORDER NO. CUST. NO. LUG. 18, 1961 NET 60. 3034 BRUT

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572 - 45	12 PCS GINGHAM PLAID 25 30 26 27 28 17章 24 31 26 3/4 24 30章 29	318½ YDS	.57 ½	183.Ա	
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INFANTS: WEAR & ACCESSORIES WILLIAMS-RICHARDSON CO., LTD. LADIES' READY TO WEAR

209 - 219 MAGAZINE ST. N. Y. OFFICE - 101 W. 31st ST.

NEW ORLEANS 3, LA.

MEN'S FURNISHINGS PHONE: * 524-1415

HOME FURNISHINGS

J. M. MC GILL.

1 PC CORDUROY

ATMORE, ALABAMA

27 YDS

COPY OF CREDIT MEMORANDUM

DATE

CREDIT MEMO NO.

SEPTEMBER 11, 1961

20.25

WHOLESALE DRY GOODS NOTIONS & HOSIERY

INFANTS WEAR & ACCESSORIES WHOLESALE DRY GOODS NOTIONS & HOSIERY

WILLIAMS-RICHARDSON CO., LTD.

HOME FURNISHINGS LADIES' READY TO WEAR MEN'S FURNISHINGS

PHONE: + TULANE 1415

N. Y. OFFICE - 101 W. 31st ST.

209 - 219 MAGAZINE ST.

NEW ORLEANS 3, LA.

INVOICE NO.

SOLD TO

71058

SHIP TO AND/OR

J. M. MC GILL

SOLD TO . FASHION FABRICS

W. NASHVILLE AVE.,

ATMORE, ALABAMA

ROUTE .

VIA · P.P.

DATE TERMS OUR ORDER NO. CUST. NO. SALESMAN BRUT

STYLE NO.	DESCRIPTION	QUANTITY	PRICE	AMOUNT	AMOL
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INFANTS WEAR & ACCESSORIES WHOLESALE DRY GOODS NOTIONS & HOSIERY

LIAMS-RICHARDSON CO., LTD. HOME FURNISHINGS LADIES' READY TO WEAR MEN'S FURNISHINGS

PHONE: * TULANE 1415

N. Y. OFFICE - 101 W. 31st ST.

209 - 219 MAGAZINE ST.

NEW ORLEANS 3. LA.

SOLD TO

74022

INVOICE NO.

SHIP TO AND/OR

SOLD TO

J. M. MC GILL FASHION FABRICS W. NASHVILLE AVE.,

NET

ROUTE .

DATE

NOV. 6,

VIA

1961

ATMORE, ALABAMA PARCEL POST SALESMAN BRUTKIEWICZ CUST. NO. OUR ORDER NO. 7ERMS 2-30 60

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INFANTS' WEAR & ACCESSORIES WHOLESALE DRY GOODS NOTIONS & HOSIERY

WILLIAMS-RICHARDSON CO., LTD. 209 - 219 MAGAZINE ST. NEW ORLEANS 3, LA.

HOME FURNISHINGS LADIES' READY TO WEAR MEN'S FURNISHINGS PHONE: * 524-1415

N. Y. OFFICE - 101 W. 31st ST.

DATE

MARCH 31, 1962

·J.	M.	MC	GIL	L
P.	0.	BOX	54	6
· BAY	NΩ	NET	TE,	ALA.

CHARGE FOR INTEREST	BALANCE DUE FROM	
NOVEMBER 30, 1961 DECEMBER 31, JANUARY 31, 1962 FEBRUARY 28, MARCH 31,	AUGUST 558.48 ½% SEPTEMBER 558.48 OCTOBER 572.01 NOVEMBER 587.92 DECEMBER 587.92	2.79 2.79 2.86 2.94 2.94

(COPY)

THE STATE OF LOUISIANA

PARISH OF ORLEANS

Before me, the undersigned Notary Public, within an	d for the Parish and State aforesaid, on this day
personally appeared Joseph L. Buhler	
known to me who, being by me duly sworn, states on oat	h that the foregoing and annexed account in
favor of Williams-Richardson Co., Ltd.	
°which is a corporation organized and existing under the law	s of the State of Louisiana
and of which corporation affiant is the authorized Secre	tary
(or) *which is a co-partnership consisting of	Agent, Attorney, President or Secretary
and of which co-partner	ship affiant is
And which account is against J. M. Mc Gill	Member, Agent or Attorney
for the sum of Six hundred two and 24/100 (\$602.24) Dollars
is within the knowledge of affiant, just and true; that it is	due and unpaid, and that all just and lawful
offsets, payments and credits have been allowed.	of L. Brihler
Sworn to and subscribed before me, the day	of A. D., 1942
	White the state of
•ERASE ACCORDING TO FACTS	Notary Public
·	

THE	STATE	OF	ALABA	λMΑ,
23	BALDW	IN C	COUNTY	

	CIRCUIT	COURT,	BALDWIN	COUNTY
No				
			TERM	ī, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

57 85	12,000 1 10,000 1 10,000 1	*5		1.5	Fig. 1				
You	Are Here	by Con	nmanded t	o Summo	n J. M. M	CGILL,	Individu	ally,	and doing
		4.	7.1	~~~~		2			42. 44.
	busi	ness	<u>as 17</u>	<u> </u>	FABRICS				
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	ene Malley is	<i>ii</i> -							
•				1	within thirty of Alabama,				omplaint filed in the MCGILL,
					d/b/a Fas				, Defendant
by	. 16	ILLI	AMS-R	ICHARD	SON CO.,	LTD.,	a corpor	ation	,
10.0 10.0 10.0 10.0	· ·		en an						Plaintiff
			15:				~		

EN-5-16-62

Witness my hand this _

Mich Aluch

..., Cierk

day of

No. 5738 Page	
	Defendant lives at
THE STATE OF ALABAMA BALDWIN COUNTY	P. O. Borr Elic Don 30
	P. O. Box 546, Bay Minette, RECEIVED IN OFFICE
CIRCUIT COURT	Alabama
	May 1/ 19 62
WILLIAMS-RICHARDSON CO., LTD.,	Dellar Lil
_ A Corporation.	I have executed the Sheriff
Plaintiffs	I have executed this summons
Vs. 1	this 6 : May , 1962
J. M. McGILL, individually	by leaving a copy with
and d/b/a Fashion Fabrics	- (I-M. mª Jull
Defendants	
SUMMONS and COMPLAINT	
Filed	
MAI	
ALIOE J. MICH, REGISTER Clerk	
	. <u> </u>
E. G. RICKARBY	
E. G. RICKARBY Plaintiff's Attorney	7 1 1.1 11 11 1
	Laylor Wilking Sheriff
Defendant's Attorney	WY 11 210. A
	Deputy Sheriff

E. G. RICKARBY

392 FAIRHOPE AVENUE FAIRHOPE, ALABAMA

May 9, 1962

Mrs. Alice Duck Clerk of the Circuit Court Bay Minette, Alabama

Dear Mrs. Duck:

Re: Williams-Richardson Co., Ltd.

Vs: J. M. McGill Our File: 5782

With this we are handing you Summons and Complaint in the above mentioned cause, together with itemized and verified statement of account and a deposit for costs in the sum of \$25.00.

Please have same processed and have the Sheriff serve papers on Mr. McGill there in Bay Minette. Thanks.

Yours very truly,

ts encl.

cc: N. O. Credit Men's Asso.

THE STATE OF LOUISIANA PARISH OF ORLEANS

Before me, the undersigned Notary Public, within and for the Parish and State aforesaid, on this day
personally appeared Joseph L. Buhler
known to me who, being by me duly sworn, states on oath that the foregoing and annexed account in favor of Williams-Richardson Co., Ltd.
"which is a corporation organized and existing under the laws of the State of Louisiana
and of which corporation affiant is the authorized Secretary
(or) "which is a co-partnership consisting of
and of which co-partnership affiant is
And which account is against J. M. Mc Gill Member, Agent or Attorney
for the sum of Six hundred two and 24/100 (\$602.24)
is within the knowledge of affiant, just and true; that it is due and unpaid, and that all just and lawful offsets, payments and credits have been allowed. Los Loully
Sworn to and subscribed before me, the day of
New y Public The response of the second sec