

COLLECTION
DEPARTMENTESTABLISHED 1888.
INCORPORATED 1900.

WESTERN NEW YORK

SELECT ASSORTMENT OF
TESTED VARIETIES OF FRUIT TREES
AND SMALL FRUITS.

RARE ORNAMENTAL TREES SHRUBS ROSES AND HARDY PLANTS

Rochester, N. Y., June 15th, 1907. 190

Mrs. A. W. Tourgee,
Thorheim, Erie St.,
Mayville, N. Y.,

Dear Madam:

Replying to your favor of the 12th, the order which you gave our salesagent, Mr. Skipper was given on the 29th of June '06 and made out on a contract calling for the delivery of the goods in Spring '07 and not in the Fall '06 as you claim. Had your order called for fall delivery it would have been just as convenient to have shipped the stock to you in the Fall '06, but we lived up to our contract with you shipped and delivered the goods in accordance with your instructions contained in the contract which you signed and having done so we must ask you to let us have a settlement of the account as the goods were sold for cash on delivery. If your order was taken for the wrong season, why did you not correct the error as we find that on the 6th of July, we acknowledged receipt of your order to you and in that acknowledgment told you that the goods would be delivered in the spring and at the same time saying that if everything was not correctly acknowledged to you, to please let us know at once so that we could correct the error. We had no report from you consequently we understood and still understand that the order called for delivery in the spring.

From your letter we see that the roses have not yet been planted and that "Mr. Crossgrove has been trying to find some one to put them out for you, and if he succeeds and the plants are not dead that you will be willing to pay for them." In the contract which you signed it distinctly stated that we do not plant stock for any one. Mr. Crossgrove may be trying to find some one to do the work for you but in so doing, that is merely of his good will. His contract finishes when he left the goods at your residence and heeled them in the ground to preserve same when you were not at home.

We were not to know that you were living at Washington, no Washington address was given on your order. The goods were to be delivered in April or May and if you overlooked the fact of the season when you were ordering the goods, you must not blame us nor our salesagent, we particularly request customers to read their contract over carefully before signing.

Inclosed is a copy of the contract which you signed, the original will be sent to you as soon as the bill is paid. We would advise that you have the plants planted out, pruned well back and if dry weather continues water same in the evening. Inclosed circular may be of some interest to you.

COLLECTION
DEPARTMENT.

We have the original order before us to day when writing to you. The contract we are prepared to hand over to you as soon as the account is settled so that you can satisfy yourself that what we have stated here in writing is correct. As we require to close out these collections at once, we have drawn upon you through our bankers here and trust that you will attend to the matter as soon as the draft is presented to you so that we may have a remittance through our bankers of your account during the next week.

Your attention will much oblige

Yours truly,

WESTERN NEW YORK NURSERY CO.

R. B. F. ✓
G. A. M.

CHAUTAUQUA COUNTY NY HISTORICAL SOCIETY 2013