

MIKE KAISER, JR,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
vs.)	
)	BALDWIN COUNTY, ALABAMA
SOUTHLAND FARMS, INC.)	
A Corporation,)	AT LAW CASE NO. 6053
)	
Defendant.)	

PLEA

Comes the Defendant in the above styled cause and in answer to the complaint and each count thereof separately and severally shows as follows:

1. That the allegations of the complaint are untrue.


 Attorney for Defendant

Filed
 12-8-65
 Alice J. Duck
 Clerk

Filed: December 3, 1965.

Duffin J. Madole
Judge

MIKE KAISER, JR.,)	
)	IN THE
Plaintiff,)	
)	CIRCUIT COURT OF BALDWIN COUNTY,
vs.)	
)	ALABAMA. AT LAW.
SOUTHLAND FARMS, INC.,)	
a Corporation,)	NO. _____
)	
Defendant.)	

S T I P U L A T I O N:

It is stipulated and agreed by and between the parties hereto acting by and through their respective attorneys of record as follows:

1. That the sole question for determination by the jury in this cause is whether or not the produce delivered by the Plaintiff to the Defendant during the month of June, 1963, was sold by the Plaintiff to the Defendant, or whether the Defendant was accepting such produce under an agreement with the Plaintiff whereby the same would be sold at the risk of the Plaintiff, including risk of loss in transit.

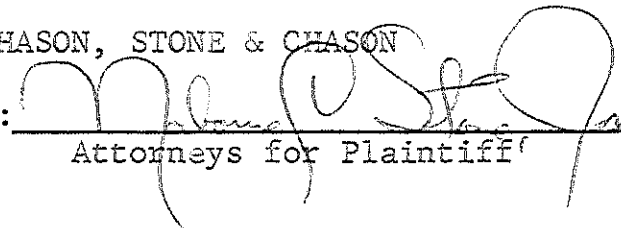
2. If the jury should decide that the produce was sold by the Plaintiff to the Defendant at the point of delivery in Foley, Alabama, without any risk to be borne by the Plaintiff, then it should return a verdict for the Plaintiff in the amount of Four Thousand Seven Hundred Ninety-three Dollars and Sixty-nine cents (\$4,793.69) plus interest at the rate of six percent (6%) from June 13, 1963.

3. If the jury should determine that such produce was not sold to the defendant by the Plaintiff at Foley, Alabama, but was sold with the understanding that the Plaintiff should be paid only for the produce reaching destination in good condition, then it should return a verdict for the Defendant.

Dated this 8th day of December, 1965.



Attorney for Defendant

CHASON, STONE & CHASON
BY: 

Attorneys for Plaintiff

we the Jury find for the
Plaintiff in the amount of
\$4,793.69 plus interest of
\$719.05.

Forman
Wm H. Shuckey Jr.

6053

Mike Kaiser Jr

vs
Southland Farms

JURY LIST - December 6, 1963

- ~~1. [Name] [Address] [City] [State]~~
- ~~2. [Name] [Address] [City] [State]~~
3. Booth, James B., Farmer, Fairhope
- ~~4. [Name] [Address] [City] [State]~~
5. Duck, Davis, Farmer, Bay Minette
6. Duck, Fred, Laborer, Bay Minette
- ~~7. [Name] [Address] [City] [State]~~
- ~~8. [Name] [Address] [City] [State]~~
9. Green, Harold Leo, Merchant, Bay Minette
- ~~10. [Name] [Address] [City] [State]~~
11. Hays, James J., Farmer, Rabon
- ~~12. [Name] [Address] [City] [State]~~
- ~~13. [Name] [Address] [City] [State]~~
14. Moore, Urie, Newport, Bay Minette
- ~~15. [Name] [Address] [City] [State]~~
- ~~16. [Name] [Address] [City] [State]~~
17. Walker, W. Kirby, Railroad, Bay Minette
- ~~18. [Name] [Address] [City] [State]~~
19. Yates, Harold, Gov't Emp., Fairhope
20. Hickey, Whit Nelson, Millman, Bay Minette
21. Powell, Shirley, Post Office, Bay Minette
- ~~22. [Name] [Address] [City] [State]~~
- ~~23. [Name] [Address] [City] [State]~~
- ~~24. [Name] [Address] [City] [State]~~
25. McCall, Jack H., Insurance, Bay Minette
- ~~26. [Name] [Address] [City] [State]~~
27. Wilson, Libert H., Bookkeeper, Bay Minette
28. Steele, Clyde Madison, Merchant, Bay Minette
29. Noman, Milford, Truck Driver, Bay Minette

36
12
24
12

D XXXXX X

P. XXXX V

STATE OF ALABAMA

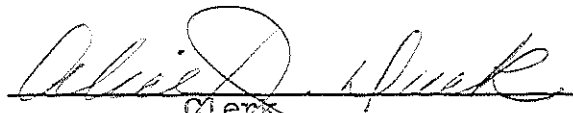
IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Southland Farms, Inc. A Corporation, to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of Mike Kaiser, Jr.

Witness my hand this 12 day of May, 1964.


Clerk

MIKE KAISER, JR.	X	
Plaintiff,	X	
	X	IN THE CIRCUIT COURT OF
VS.	X	
	X	BALDWIN COUNTY, ALABAMA
SOUTHLAND FARMS, INC.	X	
A Corporation,	X	
Defendant.	X	AT LAW CASE NO. <u>6053</u>
	X	

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Four Thousand Seven Hundred Ninety-three and 69/100 Dollars (\$4,793.69), due from him by account on the 13th day of June, 1963, which sum of money with the interest thereon, is still unpaid.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Four Thousand Seven Hundred Ninety-three and 69/100 (\$4,793.69) Dollars for Irish potatoes sold by the Plaintiff to the Defendant from the 3rd day of June, 1963, until the 13th day of June, 1963, which sum of money with the interest thereon, is still unpaid.

COUNT THREE:

The Plaintiff claims of the Defendant the sum of Four Thousand Seven Hundred Ninety-three and 69/100 (\$4,793.69) Dollars, for that on, heretofore, to-wit: June 2, 1963, the Plaintiff and Defendant entered into a contract whereby the Defendant agreed to purchase all potatoes actually delivered to him by the Plaintiff during the year 1963, at the market price at which said potatoes were selling at the place and on the date of actual delivery to the Defendant; that the Plaintiff did, pursuant to said contract, make delivery of potatoes to the Defendant at Foley, Alabama, on, to-wit; June 3, June 4, June 5, June 6, June 7, June 10, June 11, June 12, 1963, all of which said deliveries were accepted by the Defendant; the Plaintiff further alleges that the potatoes actually delivered to the Defendant had a total market value, based upon the date on which they were delivered, of Sixteen Thousand Eleven and 90/100 Dollars (\$16,011.90) and that the Defendant has paid to the Plaintiff on said account, the total sum of Eleven Thousand Two Hundred Eighteen and 21/100 (\$11,218.21) Dollars and that there is a balance remaining due and unpaid as of the date hereof of Four Thousand Seven Hundred Ninety-three and 69/100 (\$4,793.69) Dollars which the Defendant has failed and refused to pay, hence this suit.

FILED

MAY 12 1964

ALICE J. DUCK, CLERK
REGISTER

EX-5-21-64

CHASON, STONE & CHASON

By:

John Earle Chason

MIKE KAISER, JR.,

Plaintiff,

VS.

SOUTHLAND FARMS, INC.,
A Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 61153

COMPLAINT

FILED

MAY 12 1964

ALICE L. DICK, CLERK
REGISTER

CHASON, STONE & CHASON

ATTORNEYS AT LAW
P. O. Box 120

Received on 12 day of May 1964

and on 31 day of May 1964

secured a copy of the within 1890

on Southland Farms, Inc.

by service on Cole & Spence

Spence

TAYLOR WILKINS, Sheriff
Michael D. Williams

Do/ny

Shorthand claims 72 miles at

Two Cents per mile Total \$ 2.20

TAYLOR WILKINS Sheriff
BY *CE* DEPUTY SHERIFF