

CECIL G. CHASON  
ATTORNEY-AT-LAW  
FOLEY, ALABAMA

July 29, 1964

6098

Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Demurrer is the case of  
Hofheins vs. Kaiser, a copy of which is being  
mailed to Norborne Stone.

Yours very truly,



C. G. Chason

CGC:jc

cc: Mr. Norborne Stone  
Attorney at Law  
Bay Minette, Alabama

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 John Kaiser 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 the same, then and there to answer the complaint of Kathleen C. Hofheins and Shelby C. Trice, individually and as partners doing business as Hofheins and Trice.

Witness my hand this the 22 day of June, 1964.

  
Clerk

KATHLEEN C. HOFHEINS and  
SHELBY C. TRICE, Individually  
and as Partners doing business  
as HOFHEINS AND TRICE,

Plaintiffs,

vs.

JOHN KAISER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

6098

COUNT ONE:

The Plaintiffs claim of the Defendant Four Thousand Eight Hundred and Seventy-five Dollars (\$4,875.00) due by promissory notes made by him on the 15th day of January, 1963, both payable on demand, one in the amount of Three Thousand Seven Hundred and Fifty Dollars (\$3,750.00), and the other in the amount of One Thousand One Hundred and Twenty-five Dollars (\$1,125.00), together with interest thereon at the rate of eight percent (8%) per annum as provided in each of said notes, from the date thereof.

The Plaintiffs further allege that in and by the terms of

each of said notes, the Defendant agreed to pay all costs of collecting or securing, or attempting to collect or secure, said notes, including a reasonable attorney's fee; and the Plaintiffs claim of the Defendant the further and additional sum of One Thousand Two Hundred Dollars (\$1,200.00) as such reasonable attorney's fee as provided in each of said notes.

The Plaintiffs further allege that the Defendant did, in each of said notes, waive as to the debt evidenced thereby, all right of exemption under the Constitution and laws of Alabama, or any other state, and the Plaintiffs do hereby claim the benefit of said waivers.

COUNT TWO:

The Plaintiffs claim of the Defendant the further and additional sum of Nine Hundred Seventy-nine Dollars and One Cent (\$979.01) due from him by account on the 1st day of January, 1964, which sum of money, together with the interest thereon, is still unpaid.

CHASON, STONE & CHASON

By: 

Attorneys for Plaintiffs

FILED

JUN 25 1964

ALICE J. DUCK, CLERK  
REGISTER

67-7-1-64

6098

received 25 day of June 1964  
and on 1 day of July 1964  
served a copy of the within 209 C  
on John Kaiser  
by service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
Charles Taylor D.S.

Elberta

Sheriff claims 84 miles at

Ten Cents per mile Total \$ 8.40

TAYLOR WILKINS, Sheriff

BY Charles Taylor  
DEPUTY SHERIFF

Kathleen C. Hofheins  
& Shelby C. Trice  
ind. & as Partners  
d/Ha. Hofheins &  
Trice

vs.

John Kaiser

FILED

JUN 25 1964

ALICE L. DICK, CLERK  
REGISTER

KATHLEEN C. HOFHEINS and )  
SHELBY C. TRICE, individually )  
and as Partners doing business )  
as HOFHEINS AND TRICE, )

Plaintiffs, )

vs )

JOHN KAISER, )

Defendant. )

IN THE CIRCUIT COURT OF

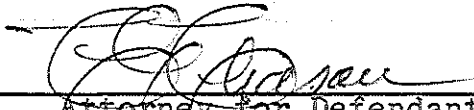
BALDWIN COUNTY, ALABAMA

AT LAW - CASE 6098

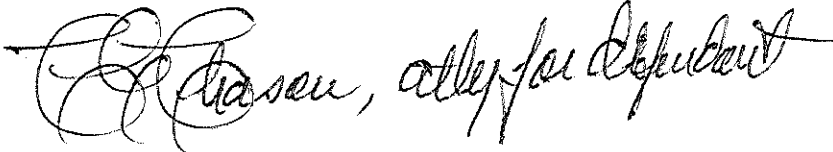
### DEMURRER

Comes the Defendant in the above styled cause and demurs to the Bill of Complaint heretofore filed therein and to each Count separately and severally and as grounds for demurer shows separately and severally the following:

1. The Complaint does not state a cause of action.
2. For aught that appears no demand has been made on the Defendant for the payment of the notes referred to.

  
Attorney for Defendant

Defendant demands trial by jury

 , attorney for Defendant

FILED

JUL 30 1984

ALB L. DEK. CLERK