

THE STATE OF ALABAMA,
COUNTY OF BALDWIN.

CIRCUIT COURT, BALDWIN COUNTY

NO. _____

_____ TERM, 1964.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon EARL FORSMAN 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, State of Alabama, at Bay Minette, against EARL FORSMAN, Individually and doing business as FORSMAN CONSTRUCTION COMPANY, by RINEHIMER BROS. MFG. CO., a Corporation, Plaintiff.

WITNESS my hand this 27 day of Feb., 1964.

Alice J. Luck, Clerk

64-2-27-64
RINEHIMER BROS. MFG. CO.,
a Corporation,

Plaintiff,

-vs-

EARL FORSMAN, Individually
and doing business as
FORSMAN CONSTRUCTION
COMPANY.

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

CASE NO. 5942

C O M P L A I N T

COUNT I

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED EIGHT NINE AND 14/100 (\$489.14) DOLLARS due from him by account on, to-wit, the 27th day of July, 1961; which sum of money, with interest thereon is still unpaid. The account sued on is evidenced by an itemized and verified statement of account filed herewith.

COUNT II

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED EIGHTY NINE AND 14/100 (\$489.14) DOLLARS due from him for merchandise, goods and chattels sold by the Plaintiff to the

Defendant on, to-wit, the 27th day of July, 1961; which sum of money, with interest thereon is still unpaid.

COUNT III

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED EIGHTY NINE AND 14/100 (\$489.14) DOLLARS due from him on account stated between the Plaintiff and the Defendant on, to-wit, the 27th day of July 1961; which sum of money, with interest thereon is still unpaid.


E. G. RICKARBY, Attorney for Plaintiff.

FILED

FEB 27 1964

ALICE L. DICK, CLERK
REGISTER

COUNTY OF KANE
STATE OF ILLINOIS

Be it remembered, that on this third day of february
A. D., 1964, personally appeared before me, the undersigned authority,
Elmer E. Stumpf known to me
who being duly sworn, upon his oath stated that he is vice-president
of Rinehimer Bros. Mfg. Co.
{ a corporation organized and doing business under the laws of the State of Illinois
{ and has been duly authorized by said corporation to make this affidavit
{ a partnership composed of _____
_____ a sole trader doing business as _____
and that as such he makes this affidavit; that he is familiar with the books and business of
said Rinehimer Bros. Mfg. Co.
Forsman Construction Co. of Wauconda, Ill.
is just and correct, within the knowledge of this affiant, that the items thereon stated and com-
posing the said account were sold and delivered to said Forsman Construction Co.
at { its } special instance and request, that credit has been duly given for all payments and
{ their }
{ his }
just and lawful offsets to which said account is entitled as thereon stated, and that the balance
thereof, amounting to the sum of Four hundred eighty-nine & 14/100ths***** Dollars
(\$489.14) with interest from _____ 19____ is justly due and
remains unpaid.

Elmer E. Stumpf

X

I hereby certify under my official seal that I am authorized as a Notary Public to
administer oaths under the laws of the State of Illinois
and that the foregoing was subscribed and sworn to before me on the day and year
first above stated.

Joseph L. Westwood

Notary Public

County of Kane State of Illinois
My commission expires Feb 1 A. D. 1966

807

STATEMENT

RINEHIMER BROS. MFG. CO

Architectural Woodwork

ELGIN

FORSMAN CONST. CO.
557 NORTH MOBILE AVE.,
FAIRHOPE ALABAMA

240 NORTH
GROVE AVENUE

SHERWOOD
2-0195

DATE

IF PAID IN FULL BY CHECK, NO RECEIPT WILL BE RETURNED
PAY LAST AMOUNT
IN THIS COLUMN

DATE	ITEMS	DEBITS	CREDITS	BALANCE
	BALANCE PREVIOUSLY RENDERED			
7/20	WELDED GLASS PICTURE UNIT	257.56		
7/20	PREHUNG DOORS	131.60		
7/27	BI PASSING DOOR UNIT	109.98		499.14
4/63			10.00	489.14

OVER 94 YEARS

TERMS: NET

INVOICE

RINEHIMER BROS. MFG. CO.
Architectural Woodwork

ELGIN, ILLINOIS

OVER 95 YEARS

TEL. SH 2-0195

SOLD TO

FORSMAN CONST. CO.
Box 41
WAUCONDA, ILLINOIS

DATE

7/20/61

INVOICE NO.

61054

OUR NO.

04865

DEL. TO

YOUR NO.

SHOP

TERMS: 30 DAYS NET

1 Pc 36 -3 F. & L. PICTURE UNIT
WELDED GLASS
CENTER SASH OPD. WITH LEVER

\$257.56

INVOICE

RINEHIMER BROS. MFG. CO.
Architectural Woodwork

ELGIN, ILLINOIS

TEL. SH 2-0195

OVER 95 YEARS

SOLD TO

FORSMAN CONST. CO.
Box 41
WAUCONDA, ILL

DATE

7/20/61

INVOICE NO.

61055

OUR NO.

04866

YOUR NO.

DEL. TO

TERMS: 30 DAYS NET

TYDE JOB

4 PREHUNG DOORS 2/8 x 6/8 HR
1 PREHUNG DOORS 2/4 x 6/8 HR
1 PREHUNG DOORS 1/8 x 6/8 HL

BIRCH DOORS PINE JOBS AND TRIM

BORE FOR WESLOCK

\$ 131.60

INVOICE

RINEHIMER BROS. MFG. CO.
Architectural Woodwork

ELGIN, ILLINOIS

OVER 95 YEARS

TEL. SH 2-0195

SOLD TO

FORSMAN CONSTRUCTION CO.
Box 41
WAUCONDA, ILLINOIS

DATE

7/27/61

INVOICE NO.

61144

OUR NO.

4883

YOUR NO.

DEL TO

TERMS: 30 DAYS NET

TYPE JOB

3 BI PASSING DOOR UNITS 3/11 x 6/8
BIRCH DOORS, PINE JOBS AND TRIM

\$ 109.98

5942

Rinehimer Bros.

Mgg. W.

Pitf.

do.

Earl Forsman ind.
+ dthla.

205

do Check

Received 27 day of Feb 1944
and on 27 day of Feb 1944
I served a copy of the within D & C
on Earl Forsman
By service on _____

TAYLOR WILKINS, Sheriff
By Deputy D.S.
F. H. H.

Sheriff claims 20 miles at
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff
BY Deputy
DEPUTY SHERIFF

FILED

FEB 27 1944

ALICE J. DICK, CLERK
REGISTER

E. G. Rickorby, Atty

RINEHIMER BROS. MFG. CO.,
a Corporation,

PLAINTIFF,

VS:

EARL FORSMAN, Individually
and d/b/a FORSMAN CONSTRUCTION
COMPANY,

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

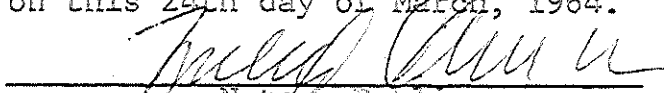
Case No. 5942

A N S W E R

Comes the Defendant and answers the Complaint filed by the Plaintiff and for Counts I, II, and III, and states that he is not indebted to the Plaintiff in the amount of FOUR HUNDRED EIGHTY-NINE & 14/100 DOLLARS (\$489.14) nor for any other amount.


Earl Forsman

Sworn to and subscribed before me
on this 24th day of March, 1964.


Notary Public
Baldwin County, Alabama

The Defendant demands trial by jury.


Attorney for Defendant

TO CLERK: A copy of this answer has been mail to Mr. Rickarby.

FILED

MAR 30 1964

ALICE L. DUCK, CLERK
REGISTER

RINEHIMER BROS. MFG. CO.,
a corporation,

PLAINTIFF,

VS:

EARL FORSMAN, individually
and d/b/a FORSMAN CONSTRUCTION
COMPANY,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

DEMURRERS TO MOTION TO SET ASIDE JUDGMENT BY
DEFAULT

Comes the Plaintiff in the above styled cause and offers the following separate and several demurrers to the motion to set aside judgment by default, and assigns the following grounds:


ONE: The petitioner or movant does not allege with sufficient certainty of what his meritorious defense to this suit consists.

TWO: The petitioner or movant does not allege with the certainty required by law of what his meritorious defense to this action consists.

THREE: The petitioner or movant does not allege facts constituting the supposed defense so that the Court may judge their sufficiency.

FOUR: The only allegation is a general conclusion as to a meritorious defense.

FIVE: The petitioner or movant does not show sufficient matter of excuse to justify setting aside this judgment.


E. G. RICKARBY, Attorney for
Plaintiff.

FILED
MAY 17 1922
ALICE J. DUCK, CLERK
REGISTER

RINEHIMER BROS. MFG. CO.,
a corporation,
PLAINTIFF,

VS:

EARL FORSMAN, individually
and d/b/a FORSMAN CONSTRUCTION
COMPANY,

DEFENDANT.



IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

MOTION TO SET ASIDE JUDGMENT BY DEFAULT


Comes your Petitioner, EARL FORSMAN, in the above styled cause and moves the Court to set aside the said judgment by default heretofore rendered in this cause and for grounds therefor show unto the Court as follows:

That the Defendant filed a sworn answer in this case in which he denied any indebtedness to the Plaintiff which answer was filed on the 30th day and the first day the Plaintiff could take judgment. However, the Plaintiff's attorney had taken judgment early that day.

The Defendant further alleges that he has a good defense to the complaint which is not frivolous. The Defendant resides in Fairhope and discussed this case with Mr. Rickarby, the Plaintiff's attorney within a few days after service. The Defendant the same day employed the undersigned Attorney to file an answer denying the indebtedness which answer was sworn to. The Defendant's Attorney prepared said answer promptly and mailed it to the Defendant in Fairhope for signature and the Defendant promptly signed and returned said answer to his attorney, who promptly sent it to the Clerk for filing.


Earl Forsman

Attorney for Defendant

Sworn to and subscribed before me on
this the 24th day of April, 1964.


Notary Public
Baldwin County, Alabama

The Defendant herewith with draws his demand
for trial by jury.


Attorney for Defendant

FILED

APR 24 1964

ALICE J. DUCK, CLERK
REGISTER

E. G. RICKARBY

392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA 36532

March 27, 1964

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

Dear Mrs. Duck:

Inre: Rinehimer Bros. Mfg. Company
Vs: Forsman Construction Company
Circuit Case No. 5942
Our File: 63-106

Request judgment by default in this case for,

Principal.....	\$489.14
Interest	78.28
Attorney's fee	73.36

TOTAL. \$640.78

on itemized and verified statement of account.

Please take it down to the Probate Court and have it
recorded, charge cost of recording to my account,
and oblige.

Yours very truly,



EGR/ms
cc: (Dup) Dun & Bradstreet, Inc.
4-27-64

E. G. RICKARBY

392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA 36532

February 26, 1964

5942

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

Inre: Rinehimer Bros. Mfg. Co.
Vs: Earl Forsman, Ind. and d/b/a Forsman
Construction Company.
Our File: 63-106

Dear Mrs. Duck:

Enclosed is summons and complaint, itemized and
verified statement of account and my check for
\$25.00 representing court costs in the above
matter. Please process and oblige.

Yours very truly,



ms
enclosures
cc; (dup) Client
3/26/64

E. G. RICKARBY

392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA 36532

April 15, 1964

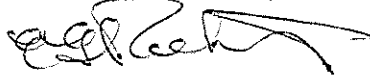
Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Rinehimer Bros. Mfg. Co.
Vs: Forsman Constr. Co.
Our File: 63-106
Circuit File #5942

In this case, by mistake, judgment was entered for \$640.78 where it should have been entered for \$467.42. The reason for the mistake was I wrote a letter to that effect. Can you get the Judge to correct this judgment entry and make it for the correct amount, and I will make the correction on the Judgment certificate.

Yours very truly,



EGR/ms
5-1-64

E. G. RICKARBY

392 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA 36532

April 29, 1964

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

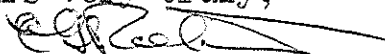
Dear Mrs. Duck:

Inre: Rinehimer Bros. Mfg. Co.
Vs: Earl Forsman, ind. and d/b/a
Forsman Construction Company
Our File: 63-106
Case No. 5942

Enclosed find Demurrers in the above styled cause.

I have sent copy of same to the attorney for the
defendant. Please process, and oblige.

Yours very truly,



EGR/ts

Encl.

5/20/64

cc: Mr. Forest Christian
Dun & Bradstreet, Inc.