

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John Kaiser, doing business as The John Kaiser & Sons Company, 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 Southern Cotton Oil Division, Hunt Foods and Industries, Inc., a corporation.

WITNESS my hand this 11th day of April, 1966.

Alice J. Dink
Clerk

The defendant's address is Elberta, Alabama.

* * * * *

SOUTHERN COTTON OIL DIVISION,)
HUNT FOODS AND INDUSTRIES,)
INC., a corporation,)
Plaintiff,)
VS.)
JOHN KAISER, doing business as)
The John Kaiser & Sons Company,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
6931

C O M P L A I N T

COUNT ONE

The plaintiff claims of the defendant Twenty Thousand Six Hundred Twenty-nine and 13/100 Dollars (\$20,629.13) due from him by account on the 25th day of April, 1964, which sum of money, with the interest thereon, is still unpaid.

COUNT TWO

The plaintiff claims of the defendant Twenty Thousand Six Hundred Twenty-nine and 13/100 Dollars (\$20,629.13) due from him on account stated between the plaintiff and defendant on the 25th day of April, 1964, which sum of money, with the interest thereon, is still unpaid.

FILED

APR 11 1966

ALICE J. DINK, CLERK
REGISTER

EX-5-13-66

[Signature]
Attorney for Plaintiff

RECEIVED

APR 19 1966

TAYLOR WILKINS
SHERIFF

Received 19 day of April 1966
and on 13 day of May 1966
I served a copy of the within
on John Kaiser

By service on above

TAYLOR WILKINS, Sheriff
By J. Eastland
Elberta, Ala.

Sheriff claims 84 miles at

Ten Cents per mile Total \$ 8.40

TAYLOR WILKINS, Sheriff
BY J. Eastland
DEPUTY SHERIFF

CASE NO. 6931

SOUTHERN COTTON OIL
DIVISION, HUNT FOODS
& INDUSTRIES, INC., A
Corp.,
Plaintiff,

vs:

JOHN KAISER, d/b/a
JOHN KAISER & SON CO.
Defendant

We the jury find for the
plaintiff for \$ 22,429.00

W. J. Nelson
Foreman

James R. Owen, Atty.

Defendant.

AT LAW

Case No. 6931

Now comes the Defendant in the above styled cause and for answer to the complaint heretofore filed in said cause assigns the following pleas, separately and severally, to each separate count of the complaint:

1. Not indebted.
2. Not guilty.
3. The allegations of said complaint are untrue.

HOWELL, JOHNSTON, LANGFORD & FINKBOHNER,
Attorneys for Defendant.

By: Harold A. Johnston III
OF COUNSEL

Defendant respectfully requests a trial by jury.

HOWELL, JOHNSTON, LANGFORD & FINKBOHNER,
Attorneys for Defendant.

By: Thomas R. Johnston III
OF COUNSEL

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT I HAVE ON
THIS 25th DAY OF May, 1966.
SERVED A COPY OF THE FOREGOING PLEADING
ON COUNSEL FOR ALL PARTIES TO THIS PRO-
CEEDING BY MAILING THE SAME BY UNITED
STATES MAIL, PROPERLY ADDRESSED, AND
FIRST CLASS POSTAGE PREPAID.

CLASS POSTAGE PREPAID
Hammock plantation 14

FILED
MAY 27 1968
ALICE I. BARR, Clerk
RECEIVED

SOUTHERN COTTON OIL DIVISION,
HUNT FOODS AND INDUSTRIES,
INC., a corporation,

Plaintiff,

VS.

JOHN KAISER, doing business as
The John Kaiser & Sons Company,

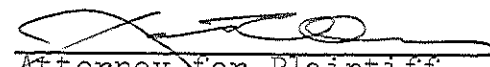
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW
NO. 6931

APPLICATION FOR AMENDMENT OF JUDGMENT

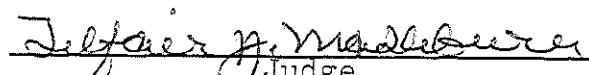
Now comes the plaintiff in the above styled cause and moves the court to amend the judgment heretofore entered in this cause on September 16, 1966, because of a mistake in the calculation of interest which should have been calculated at the sum of \$2,960.41, whereas the said interest was calculated at \$1800.00, wherefore, plaintiff moves the court to amend the said judgment so that, as amended, the said judgment will read: "We, the jury, find for the plaintiff and assess its damages at \$23,589.54". This application is made in accordance with Title 7, Section 567 of the Code of Alabama.


Attorney for Plaintiff

ORDER AMENDING JUDGMENT

This cause coming on to be heard is submitted on the application of the plaintiff to amend the judgment heretofore entered in this cause on September 16, 1966, from which it appears that there was a clerical error and the miscalculation of interest: It is, therefore, ordered by the court that the said judgment dated September 16, 1966, be and it hereby is amended to read as follows: "We, the jury, find for the plaintiff and assess its damages at \$23,589.54".

ORDERED on this the 21st day of September, 1966.


Judge

SOUTHERN COTTON OIL DIVISION

HUNT FOODS AND INDUSTRIES, INC.

MANUFACTURERS OF

High Quality Fertilizers—Cottonseed Meal

PENSACOLA, FLA.

August 25, 1965

Sold to John Kaiser

Elberta, Alabama

Form S 141-211 Pads-12-62

DATE	DELIVERED TO	BAGS	GRADE	PER TON	DR.	CR.
	Balance January 1, 1964				23735 32	
2-10-64	Paid					10000 00
4-6-64	Paid					5000 00
6-18-64	Paid					10000 00
2-12-64	Inv. #4276 own bags	320	6 12 12	40 10	641 60	
2-14-64	Inv. #4280 burlap bags	320	6 12 12	46 10	737 60	
2-20-64	Inv. #4281 own bags	320	6 12 12	41 60	665 60	
2-24-64	Inv. #4283 own bags	320	6 12 12	40 10	641 60	
3-5-64	Inv. #4284 burlap bags	140	6 12 12	44 60	312 20	
3-6-64	Inv. #4285 own bags	320	6 12 12	40 10	641 60	
3-7-64	Inv. #4288 own bags	140	6 12 12	40 10	280 70	
3-9-64	Inv. #4289 own bags	140	6 12 12	40 10	280 70	
3-10-64	Inv. #4291 own bags	140	6 12 12	40 10	280 70	
3-11-64	Inv. #4293 own bags	140	6 12 12	40 10	280 70	
3-12-64	Inv. #4296 burlap bags	320	6 12 12	44 60	713 60	
3-14-64	Inv. #4298 own bags	320	6 12 12	40 10	641 60	
3-16-64	Inv. #4300 own bags	320	6 12 12	41 60	665 60	
3-17-64	Inv. #4302 own bags	320	6 12 12	41 60	665 60	
3-19-64	Inv. #4304 own bags	320	6 12 12	41 60	665 60	
3-23-64	Inv. #4305 own bags	320	6 12 12	41 60	665 60	
3-28-64	Inv. #4307 own bags	140	6 12 12	41 60	291 20	
3-30-64	Inv. #4308 own bags	320	6 12 12	41 60	665 60	
3-30-64	Inv. #4309 own bags	140	6 12 12	41 60	291 20	
3-30-64	Inv. #4310 own bags	140	6 12 12	41 60	291 20	
3-30-64	Inv. #4311 own bags	320	6 12 12	41 60	665 60	
3-31-65	Inv. #4312 own bags	140	6 12 12	40 10	280 70	

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August 25, 1965

Sold to John Kaiser Page 2

Form S 141-211 Pads-12-62

DATE	DELIVERED TO		BAGS	GRADE			PER TON	DR.		CR.
3-31-64	Inv. #4313	own bags	320	6	12	12	40 10	641	60	
4-1-64	Inv. 4314	own bags	140	6	12	12	40 10	280	70	
4-1-64	Inv. #4315	own bags	140	6	12	12	41 60	291	20	
4-1-64	Inv. #4316	own bags	320	6	12	12	41 60	665	60	
4-2-64	Inv. #4317	own bags	140	6	12	12	41 60	291	20	
4-2-64	Inv. #4318	own bags	320	6	12	12	41 60	665	60	
4-3-64	Inv. #4319	own bags	140	6	12	12	41 60	291	20	
4-3-64	Inv. #4320	own bags	320	6	12	12	41 60	665	60	
4-3-64	Inv. #4321	own bags	140	6	12	12	41 60	291	20	
4-4-64	Inv. #4323	own bags	320	6	12	12	41 60	665	60	
4-6-64	Inv. #4324	own bags	140	6	12	12	41 60	291	20	
4-10-64	Inv. #4327	own bags	320	6	12	12	41 60	665	60	
4-10-64	Inv. #4331	own bags	140	6	12	12	41 60	291	20	
4-13-64	Inv. #4333	own bags	320	8	8	8	42 00	672	00	
4-18-64	Inv. #4334	own bags	200	8	8	8	42 00	420	00	
4-20-64	Inv. #4335	own bags	320	8	8	8	42 00	672	00	
4-21-64	Inv. #4336	own bags	240	8	8	8	42 00	504	00	
4-22-64	Inv. #4337	own bags	320	8	8	8	42 00	672	00	
4-23-64	Inv. #4338	own bags	240	8	8	8	42 00	504	00	
4-24-64	Inv. #4339	own bags	320	8	8	8	42 00	672	00	
4-25-64	Inv. #4341	own bags	240	6	12	12	41 60	499	20	

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HUNT FOODS AND INDUSTRIES, INC.

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High Quality Fertilizers—Cottonseed Meal

PENSACOLA, FLA.

August 25, 1965

Sold to John Kaiser Page 3

Form S 141-211 Pads-12-62

DATE	DELIVERED TO	BAGS	GRADE	PER TON	DR.	CR.
3-17-64	Bank telegram acct. ret'd. check				3 72	
7-24-64	Bank telegram acct. ret'd. check				1 90	
9-4-64	bank telegram acct. ret'd. check				1 60	
9-29-64	Bank telegram acct. ret'd. check				6 04	
10-31-64	Bank telegram acct. ret'd. check				1 75	
	To Balance					20629 13
					45629 13	45629 13
	Balance				20629 13	

STATE OF FLORIDA
COUNTY OF ESCAMBIA

Before me this day personally appeared
Jarmila Brown, bookkeeper for Southern
Cotton Oil Division, Hunt Foods and Industries,
Inc., who, being duly sworn, deposes and says
that the above statement is true and correct.

Jarmila Brown
Jarmila Brown

Sworn to and subscribed before me this 26th.
day of August, A. D. 1965

Notary Public, State of Florida at Large
My Commission Expires July 1, 1966
Bonded by American Fire & Casualty Co.

Philip Stager
Notary Public
State of Florida at Large