

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 Kuehmann Foods, 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 Peoples Fertilizer Co., a corporation.

Witness my hand this 31 day of Aug 1966.

Alice L. Duck  
Clerk

PEOPLES FERTILIZER CO.,  
A Corporation,

Plaintiff,

vs.

KUEHMANN FOODS, INC.,  
A Corporation,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

720.7155

COUNT ONE:

The Plaintiff claims of the Defendant Twenty Thousand, Five Hundred and Ninety-seven Dollars and Eighty-five Cents (\$20,597.85) due from it by account on the 12th day of May, 1966, which sum of money with the interest thereon, is still unpaid.

CHASON, STONE & CHASON

By

John Earl Chason  
Attorneys for Plaintiff

There is attached hereto an itemized verified statement of the account sued on.

Service of process may be had upon Fred S. Ball, Jr. or Richard A. Ball Suite 719, First National Bank Building Montgomery, Alabama, as agent for the Defendant.

FILED

AUG 31 1966

464

AUG 1 DUCK, CLERK

# PEOPLES FERTILIZER CO.

P. O. BOX 276

PHONE WH 3-4201

FOLEY, ALABAMA

SOLD TO

Kuehmann Foods, Inc.  
1228 Oakwood Avenue  
Toledo 7, Ohio

OLD BALDWIN  
FERTILIZER

April 16, 1965

DATE	INV NO	TONS	DESCRIPTION	PRICE *	AMOUNT	TOTAL
2- 2	3197	13.00	4-12-12 Magn. B	48.95	616.85	
2- 3	3207	10.00	4-12-12 Magn. B	48.95	474.50	
2- 4	3212	14.00	4-12-12 Magn. B	48.95	664.30	
2- 4	3223	10.00	4-12-12 Magn. CB	45.79	442.90	
2- 4	3244	14.00	4-12-12 Magn. BB	45.79	620.06	
2- 5	3251	14.00	4-12-12 Magn. B	48.95	664.30	
2- 5	3274	14.00	4-12-12 Magn. CB	45.79	620.06	
2-22	3470	11.00	4-12-12 Magn. CB	45.79	487.19	
2-23	3531	5.00	8-8-8 Bulk - Delivered & Spread	50.52	252.60	
2-23	3532	5.00	8-8-8 Bulk - Delivered & Spread	50.52	252.60	
2-23	3556	5.00	8-8-8 Bulk - Delivered & Spread	50.52	252.60	
2-26	3594	3.00	8-8-8 Bulk - Delivered & Spread	50.52	151.56	
2-27	3642	3.00	8-8-8 Bulk - Delivered & Spread	50.52	151.56	
2-27	3675	10.00	4-12-12 Magn. B	48.95	474.50	
3- 8	3786	14.00	4-12-12 Magn. CB	37.86	620.06	
3- 8	3787	16.00	4-12-12 Magn. B	48.95	759.20	
3- 8	3829	14.00	4-12-12 Magn. CB	45.79	620.06	
3- 9	3855	16.00	4-12-12 Magn. CB	45.79	708.64	
3- 9	3901	5.00	4-12-12 Magn. B	48.95	237.25	
3-22	4219	10.00	8-8-8 Magn. B	52.10	506.00	
3-22	4236	12.00	8-8-8 Magn. CB	48.95	569.40	
3-23	4259	10.00	8-8-8 Magn. CB	48.95	474.50	
3-23	4261	12.00	8-8-8 Magn. CB	48.95	569.40	
<del>3-24</del>	<del>4266</del>	<del>10.00</del>	<del>8-8-8 Magn. CB</del>			
3-24	4266	10.00	8-8-8 Magn. CB	48.95	474.50	
3-24	4279	12.00	8-8-8 Magn. CB	48.95	569.40	
3-24	4287	10.00	8-8-8 Magn. CB	48.95	474.50	
3-25	4295	12.00	8-8-8 Magn. CB	48.95	569.40	
3-30	4402	12.00	8-8-8 Magn. B	52.10	607.20	
3-30	4409	10.00	8-8-8 Magn. B	52.10	506.00	
4- 2	4469	10.00	8-8-8 Magn. CB	48.95	474.50	
		316.00				

Less returned returned 2280 Bags

@15%

14865.59  
342.00  
14523.59

Subject to 5% Discount for payment by June 1, 1965.

\* THE PRICE SHOWN IS A DELIVERED PRICE FOR MIXED

POLYALANINE

2002-2003

Kuehmann Foods, Inc.  
1228 Oakwood Avenue  
Toledo, Ohio 43607

OLD BALDWIN  
FERTILIZER

April 16, 1965

DATE	INV NO	TONS	DESCRIPTION	PRICE *	AMOUNT	TOTAL
		175.00	4-12-12 Magn. CB F.O.B. Plant	43.68	7644.00	
		120.00	8-8-8 Magn. CB F.O.B. Plant	46.84	5620.80	
		21.00	8-8-8 Bulk - Delivered & Spread	48.95	1027.95	
		<u>316.00</u>				14292.75
			Less 5% for June Payment			

\* THE PRICE SHOWN IS A DELIVERED PRICE. FOR MIXED FERTILIZER PICKED UP AT THE PLANT HAULING ALLOWANCE OF \$ PER TON HAS BEEN DEDUCTED FROM THE AMOUNT SHOWN IN THE AMOUNT COLUMN

PEOPLES FERTILIZER CO.

P. O. BOX 275

PHONE 943-4201

FOLEY, ALABAMA

SOLD TO

Kuehmann Foods, Inc.  
1228 Oakwood Avenue  
Toledo, Ohio 43607

OLD BALDWIN  
FERTILIZER

APRIL 26, 1966

INV NO	TONS	DESCRIPTION	NET PRICE	AMOUNT	TOTAL
Statement Rendered					14292.75
1966					
2-21	1411	14.00 6-12-12 Magn. B	49.55	693.70	
2-21	1430	15.00 6-12-12 Magn. B	49.55	743.25	
2-21	1436	14.00 6-12-12 Magn. CB	45.86	642.04	
2-22	1452	15.00 6-12-12 Magn. CB	45.86	687.90	
2-22	1476	14.00 6-12-12 Magn. CB	45.86	642.04	
2-22	1494	15.00 6-12-12 Magn. CB	45.86	687.90	
2-23	1529	14.00 6-12-12 Magn. CB	45.86	642.04	
2-23	1546	15.00 6-12-12 Magn. B	49.55	743.25	
2-24	1550	14.00 6-12-12 Magn. CB	45.86	642.04	
2-24	1565	15.00 6-12-12 Magn. CB	45.86	687.90	
2-25	1570	14.00 6-12-12 Magn. CB	45.86	642.04	
3-31	2442	8.00 8-8-8 CB	43.76	350.08	
3-31	2461	8.00 8-8-8 B	47.45	379.60	
4-7	2579	2.50 10-6-13 CB	50.08		
		5.50 8-8-8 CB	43.76	365.88	
4-8	2596	8.00 8-8-8 CB	43.76	350.08	8899.74
* Service Charges- January				95.28	23192.49
" February				95.28	
" March				95.28	285.84
4-9		By Check			23478.33
* Service Charge - April					1200.00
					22278.33
					87.28
					22365.61

\* Service Charge 2/3 of 1% per month on past due balance

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# PEOPLES FERTILIZER CO.

P. O. BOX 276

PHONE 943-4201

FOLEY, ALABAMA

SOLD TO

Kuehnmann Foods, Inc.  
1228 Oakwood Avenue  
Toledo, Ohio 43607

OLD BALDWIN  
FERTILIZER

DATE	QUANTITY	DESCRIPTION	NET PRICE	AMOUNT	TOTAL
4-29-66		Statement Rendered By Check			22365.61 1200.00 21165.61
5-4	2858	8-24-24 Bulk - Use of Spreader	79.03	632.24	632.24 21797.85 1200.00 20597.85
5-12-66		By Check			

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared L. E. Baker, who is known to me and who, after being by me first duly and legally sworn did depose and say under oath as follows:

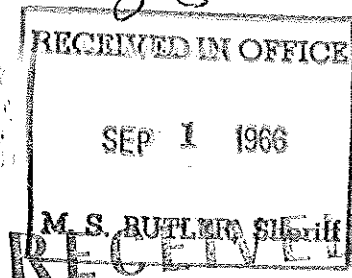
That he is Vice-President of Peoples Fertilizer Co., an Alabama Corporation, having its principal place of business in Foley, Baldwin County, Alabama and as such Vice-President has personal knowledge of the accounts, books and records of said corporation. That the foregoing statement of account of Kuehmann Foods, Inc. of Toledo, Ohio with Peoples Fertilizer Co. showing a balance due of \$20,597.85 as of May 12, 1966, is true and correct and said amount is justly due and owing from Kuehmann Foods, Inc. to Peoples Fertilizer Co. after allowing all credits, payments and offsets to which the said Kuehmann Foods, Inc. is entitled.

  
L. E. Baker

Sworn to and subscribed before me  
on this 30<sup>th</sup> day of August, 1966.

  
Notary Public, Baldwin County, Alabama

8419-1-66



AUG 31 1966

TAYLOR WILKINS  
SHERIFF

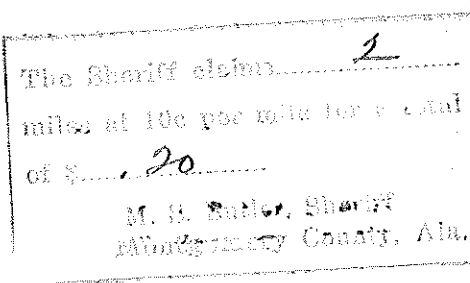
EXECUTED BY SERVING A  
COPY OF THE WITHIN on

Fred S. Ball and  
Richard A. Ball as  
agents for  
Kuehmann Foods, Inc.

This the 1 day of Sept. 1966

M. S. BUTLER  
Sheriff Montgomery County

By W. J. Wacker  
Deputy Sheriff



70.7155

PEOPLES FERTILIZER CO.,  
A Corporation,

Plaintiff,

VS.

KUEHMANN FOODS, INC.,  
A Corporation,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

\* \* \* \* \*

COMPLAINT

\* \* \* \* \*

FILED

AUG 31 1966

ALICE L. DICK, CLERK  
REGISTER

CHASON, STONE & CHASON  
ATTORNEYS AT LAW  
P. O. Box 120  
BAY MINETTE, ALABAMA