

SUMMONS

STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons JOHN KAISER, d/b/a JOHN KAISER & SONS COMPANY, 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, Alabama, at the place of holding same by W. D. LURRY, d/b/a LURRY BROKERAGE COMPANY, and d/b/a W. D. LURRY & SONS.

Witness my hand this the 10 day of February, 1967.

W. D. Lurry
Clerk

** ** *

COMPLAINT

W. D. LURRY, d/b/a LURRY	X	
BROKERAGE COMPANY and d/b/a	X	
W. D. LURRY & SONS,	X	IN THE CIRCUIT COURT OF
	X	BALDWIN COUNTY, ALABAMA
PLAINTIFF,	X	
VS:	X	AT LAW
JOHN KAISER, d/b/a JOHN KAISER	X	CASE NO. <u>7384</u>
& SONS COMPANY,	X	
	X	
DEFENDANT.	X	

COUNT I

The Plaintiff claims of the Defendant, ONE THOUSAND TWO HUNDRED EIGHTY-SEVEN & 20/100 DOLLARS (\$1,287.20), due by check No. 1454, dated the 30th day of June, 1966, made payable to the Plaintiff and drawn by the Defendant on the FARMERS & MERCHANTS BANK of Foley, Alabama, which check has been returned marked insufficient funds, together with interest thereon. The original amount of the check was \$4,000 of which partial payment has been made leaving balance due as aforesaid. The Plaintiff claims penalty and reasonable attorney's fee, which the Plaintiff alleges to be TWO HUNDRED & 00/100 DOLLARS (\$200.00).

COUNT II

The Plaintiff claims of the Defendant, ONE THOUSAND TWO HUNDRED EIGHTY-SEVEN & 20/100 DOLLARS (\$1,287.20), due from him by account on, to wit: the 30th day of June, 1966, which sum of money, with interest thereon, is still unpaid.

COUNT III

The Plaintiff claims of the Defendant ONE THOUSAND TWO HUNDRED EIGHTY-SEVEN & 20/100 DOLLARS (\$1,287.20), due from him on account stated between the Plaintiff and the Defendant on, to wit: the 30th day of June, 1966, which sum of money, with interest thereon, is still unpaid.

COUNT IV

The Plaintiff claims of the Defendant ONE THOUSAND TWO HUNDRED EIGHTY-SEVEN & 20/100 DOLLARS (\$1,287.20), due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to wit:

COPY

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

March 27, 1967

Honorable Telfair Mashburn
Judge of Circuit Court
Bay Minette, Alabama 36507

Re: W. D. Lurry, d/b/a Lurry
Brokerage Company, and d/b/a
W. D. Lurry & Sons
Vs: John Kaiser, d/b/a John Kaiser
& Sons Company
Case No. 7384

Dear Judge Mashburn:

Kindly issue a default judgment on a sworn to itemized
statement of account for \$1,287.20 principal plus \$37.50
Interest for a total of \$1,324.70.

Cordially yours,



FOREST A. CHRISTIAN

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ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

March 29, 1967

Honorable Telfair Mashburn
Judge of Circuit Court
Bay Minette, Alabama 36507

Re: W. D. Lurry, d/b/a Lurry
Brokerage Company, and d/b/a
W. D. Lurry & Sons
Vs: John Kaiser, d/b/a John Kaiser
& Sons Company
Case No. 7384

Dear Judge Mashburn:

Kindly issue a default judgment on a sworn to itemized
statement of account for \$1,287.20 principal plus \$37.50
Interest for a total of \$1,324.70.

Cordially yours,



FOREST A. CHRISTIAN

the 30th day of June, 1966, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 1st day of July, 1966.

ATTORNEY FOR THE PLAINTIFF


Forest A. Christian, Foley, Alabama

Defendant's address:

Elberta, Alabama

FILED

FEB 20 1967

ALICE L. BARK, CLERK
REGISTER

Exempted 2-24-67

STATE OF Louisiana

Parish OF Orleans

Before me, the undersigned notary public, in and for the said parish and State, personally appeared W.D. Lurry, who, being by me duly sworn, deposes and says, that he is the owner of Lurry Brokerage Co.: that the annexed statement of account of said firm against John Kaiser & Sons Co. Inc., of Elberta, Alabama, is just, true, and correct; that there is now due on said account, the sum of twelve hundred eighty seven dollars and twenty cents (\$1287.20), after allowing all just credits.

W.D. Lurry
Affiant

Sworn to and subscribed before me on

this the 14 day of February, 1967

Philip A. Burch
Notary Public

Affix Seal:

My Commission Expires: AT DEATH

LURRY BROKERAGE COMPANY

New Orleans, Louisiana

Foley, Alabama X

Hereford, Texas

Sold To John Kaiser & Sons Co Invoice Date July 1, 1966
Elberta, Alabama

Lot No.

Car No.

Terms

Shipped To

From

Date
Shipped

Routing

NO. PKGS.	COMMODITY	PRICE	AMOUNT	TOTAL
32,872	Loan made to help meet payroll Ck. 3845 6/11/66 Cwt. potatoes sold	.10¢cwt Total	2000 00 <u>3287</u> 20 5287 20	
	Less ppaid on account by M.W. Frissell & Co by authorization of Kaiser after receipt of N.S. F. check. On loan On sales	2000 00 <u>2000</u> 00		
	Still due		<u>4000</u> 00 1287 20	
PLEASE REFER TO OUR LOT NUMBER WHEN REMITTING				

Elberta 7384

Noted 29 day of Feb. 1967
on 27 day of Feb. 1967

SUMMONS AND COMPLAINT

John Kaiser

Service on John Kaiser

TAYLOR WILKINS, Sheriff
Jm Eastburn
Elberta, Ala.

W. D. LURRY, d/b/a LURRY BROKERAGE
COMPANY and d/b/a W. D. LURRY &
SONS,

PLAINTIFF,

VS:

JOHN KAISER, d/b/a JOHN KAISER &
SONS COMPANY,

DEFENDANT.

Shorff claims 84 8.40
TAYLOR WILKINS, Sheriff
Jm Eastburn
DEPUTY SHERIFF

FILED
FEB 20 1967
ALICE J. BUCK, CLERK
REGISTER

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA