

B & C PRODUCE, a partnership
composed of W. E. BRACKINS AND
ALVA CLARK,

PLAINTIFF

VS.

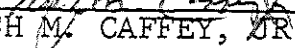
KENNETH ROSE,

DEFENDANT


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
CASE NO. 8171

Comes now Kenneth Rose the person named as Defendant in the
above styled cause and for answer to the complaint filed in this
cause says as follows:

1. Not guilty.
2. The allegations of said complaint are untrue.
3. Defendant for further answer to the complaint alleges
that prior to the institution of said suit the account sued upon
was paid in full by off-setting mutual accounts and that there
is no balance due as alleged.


HUGH M. CAFFEY, JR., ATTORNEY
FOR KENNETH ROSE

Defendant requests a trial by jury.


HUGH M. CAFFEY, JR., ATTORNEY
FOR KENNETH ROSE

FILED

OCT 9 1969

ALICE J. DUCK CLERK
REGISTER

B & C PRODUCE, a partnership
composed of W. E. BRACKINS AND
ALVA CLARK,

PLAINTIFF

VS.

KENNETH ROSE,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO. 8171

Comes now the Defendant in the above styled cause and for amended answer to the complaint filed in this cause pleads in short by consent the general issue, payment and offset.

For further answer Defendant files herewith a third party action against W. E. Brackins, individually and as a partner doing business as B & S Produce Company and claims of the said B & S Produce Company and the Plaintiff, W. E. Brackins the sum of \$5,799.15 due by account on the 14th day of August, 1967, which sum of money with the interest thereon is still unpaid.

Third party Plaintiff further avers that on said occasion and prior thereto the Defendant, Kenneth Rose and the Defendant, Jack Denny, were operating as a partnership known as Rose and Denny; that as a part and parcel of the partnership affairs of Rose and Denny certain farm produce were sold to third party defendant, W. E. Brackins, individually and as a partner doing business as B & S Produce Company; that the said B & S Produce Company and W. E. Brackins, Individually, were indebted to Kenneth Rose and Jack Denny in the amount of \$5,799.15; that the said W. E. Brackins entered into a partnership arrangement with Plaintiff, Alva Clark from whom third party defendant Jack Denny purchased certain farm produce during the year 1967 and against whom on, to-wit, June 14, 1967, Defendant Kenneth Rose in this proceeding, and Defendant, Jack Denny, in Case No. 8170, offset the sum of \$5,799.15 from the account at that time stated. Third party Plaintiff therefore claims of third party Defendant the sum of \$5,799.15 for account stated on to-wit, the 14th day of August, 1967.

Filed: August 5, 1970

Jeffery J. Marshall
Judge

Hugh M. Caffey, Jr.
HUGH M. CAFFEY, JR., ATTORNEY
FOR KENNETH ROSE
VOL 65 PAGE 74

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 KENNETH ROSE 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 B & C PRODUCE, a partnership composed of W. E. BRACKINS and ALVA CLARK.

Witness my hand this the 16th day of June, 1968.

Alice J. Duck
Clerk

B & C PRODUCE, A partnership
composed of W. E. BRACKINS and
ALVA CLARK,

Plaintiff,

vs.

KENNETH ROSE,

Defendant.

X
X IN THE CIRCUIT COURT OF
X
X BALDWIN COUNTY, ALABAMA
X
X AT LAW
X 8171

The Plaintiff claims of the Defendant the sum of Two Thousand Four Hundred Seventy-Nine Dollars and Fifty-Five Cents (\$2,479.55) due from him by account on the 19th day of June, 1968, which sum of money, with the interest thereon, is still unpaid.

CHASON, STONE & CHASON

By:

[Signature]
Attorneys for Plaintiff

FILED

JUN 10 1968

ALICE J. DUCK CLERK
REGISTER

served at:
Down & Country Motel
Jaley, Ala. 943-4877
Rm. # 11 943 8221

Received 10 day of June 1968
and on 14 day of June 1968
I served a copy of the within S + C
on Kenneth Rose

By service on Above

TAYLOR WILKINS, Sheriff
By Mr. Eastman
Jaley, Ala.

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY Eastman
DEPUTY SHERIFF

8177
B & C PRODUCE, a parthnership
composed of W. E. BRACKINS and
ALVA CLARK,

Plaintiff,

vs.

KENNETH ROSE,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

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SUMMONS AND COMPLAINT

* * * * *

FILED

JUN 10 1968

ALLIANCE CLERK
REGISTER

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

For the Plaintiff

2, 479.55
Plus Interest at 6%

C. Whitaker

Foreman