

MID-WEST CONVERTING CO.,  
A CORPORATION,

PLAINTIFF

VS

L. T. POWELL, Individually,  
and doing business at  
ROBERTSDALE MATTRESS CO.,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

AT LAW.

CASE NO. 1560

DEMURRERS

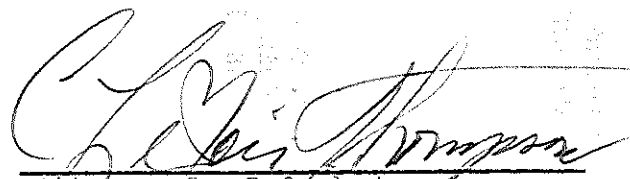
TO THE HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Comes the defendant L. T. POWELL, Individually, and doing business at  
ROBERTSDALE MATTRESS CO., appearing especially and for no other cause and  
saith:


1. That the Mid-West Converting Co., a Corporation, a party Plaintiff  
in this action is not a corporation duly authorized by law to maintain this  
suit.

2. That the Mid-West Converting Co., a Corporation, is a non-resident  
corporation and is not authorized to do business under the laws of the State  
of Alabama.

3. That there is not attached to the complaint an itemized account of  
said statement as alleged therein.

  
Attorney for Defendant

Defendant demands trial by Jury.

  
Attorney for Defendant

RECORDED  
1560

MID-WEST CONVERTING CO.,  
A CORPORATION,

PLAINTIFF

VS

L. T. POWELL, Individually,  
and doing business at  
ROBERTSDALE MATTRESS CO.,

DEFENDANT

DEMURRERS

FILED  
OCT 16 1950  
ALICE J. DUCK, Clerk

LAW OFFICES

C. LENOIR THOMPSON

BAY MINETTE, ALABAMA

SUMMONS

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

YOU ARE HEREBY COMMANDED to summon L. T. POWELL, Individually, and doing business as the ROBERTSDALE MATTRESS CO., 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 L.T. POWELL, Individually and doing business as the ROBERTSDALE MATTRESS CO., by MID-WEST CONVERTING CO., a corporation.

WITNESS my hand this the 16<sup>th</sup> day of September, 1950.

Reine L. Houch  
Clerk

////////////////////////////////////

COMPLAINT

MID-WEST CONVERTING CO.,  
a Corporation,

Plaintiff

vs.

L. T. POWELL, Individually,  
and doing business as  
ROBERTSDALE MATTRESS CO.,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

COUNT I: The Plaintiff claims of the Defendant the sum of TWO HUNDRED FORTY TWO & 22/100 DOLLARS (\$242.22), together with interest thereon, due from him by account on, to wit: the 7th day of September, 1950, which sum of money, with interest thereon, is still unpaid.

COUNT II: The Plaintiff claims of the Defendant the sum of TWO HUNDRED FORTY TWO & 22/100 DOLLARS (\$242.22), together with interest thereon, due from him on account stated between the Plaintiff and the Defendant, on to wit: the 7th day of September, 1950, which sum of money, with interest thereon, is still, unpaid.

COUNT III: The Plaintiff claims of the Defendant the sum of TWO HUNDRED FORTY TWO & 22/100 DOLLARS (\$242.22), together with interest thereon, due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 7th day of September, 1950, which sum of money, with interest thereon is still unpaid.

Wm G Houch  
Attorney for Plaintiff

There is attached hereto and made a part 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 7th day of September, 1950.

Wm G Houch

The defendant lives at Robertsdale, Alabama.

## STATEMENT

## MID-WEST CONVERTING CO.

2289 1602 STATE ST. - CHICAGO 16

PHONE VI CTORY 2-3830

September 7, 1950

Robertsdale Mattress Co.  
P. O. Box 151  
Robertsdale, Alabama

\$ 242.22

TO INSURE PROPER CREDIT PLEASE MAIL THIS STUB WITH CHECK

DATE	DESCRIPTION	CHARGES	CREDITS	BALANCE PAY LAST AMOUNT IN THIS COLUMN
		BALANCE FORWARD		
1949 SEP 15	25.44 3 2	242.22		242.22
<p>We hereby certify that this is a true and correct copy of our account with the Robertsdale Mattress Co., Robertsdale, Alabama.</p> <p>A. BRANDWEIN &amp; CO Under trade name of MID-WEST CONVERTING CO.</p> <p><i>A. Brandwein</i> Controller</p>				

MID-WEST CONVERTING CO.

STATE OF Illinois  
COUNTY OF Cook

Be it remembered, that on this 7th day of September

A. D. 1950, personally appeared before me, the undersigned authority,  
S. L. Brandwein

(Name of Individual Executing this Affidavit)

who being duly sworn, deposes and says: that he is Secretary  
(State Whether Owner, Partner, Pres., Vice-Pres., Sec., Treas., Cr. Mgr. or Bookkeeper)  
of A. Brandwein & Co. under trade name of Mid West Converting Co.  
(Give Your Trade Name)

Fill in Only One Of these two if you are a corporation or a partnership. Do not fill in if business is individually owned.

{ 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.....  
(Give Surnames and Given Names of Partners)

Robertsdale Mattress Co. of Robertsdale, Alabama  
(Debtor's Name)

is just and correct, within the knowledge of this affiant, that the items thereon stated and composing the said account were sold and delivered to said.....  
(Debtor's Name) at

{ its  
theirs } special instance and request that credit has been duly given for all payments and just and lawful offsets to  
his }

which said account is entitled as thereon stated, and that the balance thereof, amounting to the sum of.....  
Two hundred forty two and 22/100 ----- DOLLARS (\$242.22)

is justly due and remains unpaid.

Sworn to and subscribed before me this 7th  
day of Sept, 1950

[Signature]  
Notary Public

County of Cook State of Ill

My commission expires Feb 17 A. D., 1952

Received in Sheriff's Office  
this 16 day of Sept, 1950  
TAYLOR WILKINS, Sheriff

RECORDED

1560

Executed 9-16 1950  
by serving copy of within Summons and  
Complaint on

L. T. Powell

Taylor Wilkins Sheriff  
Edgar Steadman Deputy Sheriff

SUMMONS & COMPLAINT

MIDWEST CONVERTING CO.,  
a Corporation,

Plaintiff

vs.

L. T. POWELL, Individually,  
and doing business as  
ROBERTSDALE, MATTRESS CO.,

Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

FILED  
SEP 16 1950  
ALICE J. DUCK, Clerk

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

MID-WEST CONVERTING CO.,  
A CORPORATION,

PLAINTIFF

VS

L. T. POWELL, Individually,  
and doing business at  
ROBERTSDALE MATTRESS CO.,

DEFENDANT

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

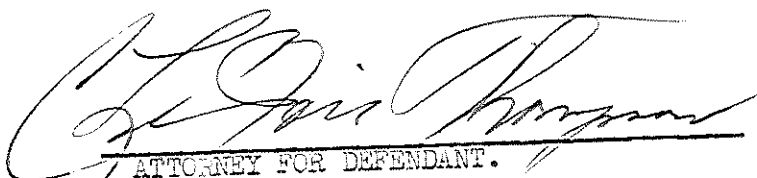
CASE NO. \_\_\_\_\_.

ANSWER

TO THE HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Comes the defendant L. T. POWELL, Individually, and doing business  
at ROBERTSDALE MATTRESS CO., and for answer says:

1. That the allegation of the complaint are untrue.

  
ATTORNEY FOR DEFENDANT.

Defendant moves to withdraw jury demand.

  
ATTORNEY FOR DEFENDANT.

RECORDED

1560

MID-WEST CONVERTING CO.,  
A CORPORATION,

PLAINTIFF

VS

L. T. POWELL, Individually,  
and doing business at  
ROBERTSDALE MATTRESS CO.,

DEFENDANT

ANSWER

*Filed 4-9-51  
Circuit Clerk*

From the law offices of  
C. LeHoir Thompson  
Bay Minette, Alabama



MOTION FOR JUDGMENT

MIDWEST-CONVERTING CO.,  
A CORPORATION,

PLAINTIFF

VS:

L. T. POWELL, Individually,  
and doing business as  
ROBERTSDALE MATTRESS CO.,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1560

Comes the Plaintiff, by its attorney, and moves the Court to render judgment in the above styled cause, the defendant having moved the court to withdraw jury demand and claiming that the allegations of the complaint are untrue. There was attached to the complaint an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a Notary Public, showing the amount due as of the 7th day of September, 1950, and the defendant having failed to file in said court an affidavit denying on information and belief the correctness of the account as provided by Title 7, Section 378, Code of Alabama.

Attorney for Plaintiff

RECORDED

711560

MOTION FOR JUDGMENT

MIDWEST-CONVERTING CO.,  
A CORPORATION

PLAINTIFF

VS:

L. T. POWELL, Individually,  
and doing business as  
ROBERTSDALE MATTRESS CO.,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 1560

Comes and appears the undersigned, Clerk of the Court, and do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Court.

DECEMBER 1950

ROBERTSDALE MATTRESS CO.,  
BY \_\_\_\_\_

L. T. POWELL, Plaintiff

VS:

W. T. W.

NO. 1560

DECEMBER 1950

MIDWEST-CONVERTING CO.,  
A CORPORATION

BY \_\_\_\_\_

IN THE CIRCUIT COURT OF

RECORDED 1560

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

May 16, 1951

Honorable Telfair J. Mashburn, Jr.  
Judge, Circuit Court  
Bay Minette, Alabama

Re: Mid-West Converting Co.  
vs: L. T. Powell, Individually,  
and dba Robertsdale, Mattress Co.

Dear Judge Mashburn:

I have discussed this matter with LeNoir Thompson and he is willing for me to go ahead and take judgment. Accordingly, I believe that the motion which has been prepared is in proper order, and I hope that you will render judgment in the amount of \$248.72, which is \$242.22 principal, plus \$6.50 interest.

Yours very truly,

*Forest A. Christian*

560

[illegible][illegible][illegible]