

2160

AGRICULTURAL SULPHUR & CHEMICAL
COMPANY, A Corporation,

Plaintiff

VS

JOHN KAISER and MIKE KAISER, JR.,
Individually and as Partners Doing
Business Under the Name and Style
of MIKE KAISER & SONS, A Partnership,

Defendants

:
:
: IN THE CIRCUIT COURT
:
: OF
:
: BALDWIN COUNTY,
: ALABAMA
:

Interrogatories propounded to the defendants by the plaintiff
under the statute:

1. Please state the full name and address of the party
answering these interrogatories.

2. (a) Is Mike Kaiser & Sons a partnership composed of John
Kaiser and Mike Kaiser, Jr.? (b) If you say that Mike Kaiser &
Sons is a partnership and there are other partners who are members
thereof, please give the names and addresses of the other partners.
(c) If you say that Mike Kaiser & Sons is not a partnership, then
state the character of the enterprise. (d) If it is an individual
proprietorship, give the name and address of the proprietor. (e)
If it is a corporation, give the exact corporate name and the name
and address of the officers thereof.

3. Are the defendants indebted to the plaintiff in the amount
of Two Thousand Five Hundred Seventy-Six and 61/100 (\$2,576.61)
Dollars as sued for in the complaint? (b) If your answer is in
the negative, then state the amount for which the defendants are
indebted to the plaintiff.

4. (a) If you say that the defendants are not indebted to
the plaintiff, then state fully and in detail your contention as
to why the defendants are not indebted to the plaintiff in the
amount sued for in the complaint. (b) Itemize any credits that
the defendants claim against said indebtedness or any offsets
that the defendants claim against said indebtedness, explaining
fully and in detail the facts with reference to each claimed credit
or offset.

5. Please state fully and in detail your contentions with reference to the defense of this action.

Will Hill Stovall & Carter
ATTORNEYS FOR PLAINTIFF

STATE OF ALABAMA

MONTGOMERY COUNTY

BEFORE ME, Louise M. Carty, a Notary Public in and for said County in said State, personally appeared Thomas B. Hill, Jr., known to me, who, being by me first duly sworn on oath, deposes and says that he is of counsel for the plaintiff in the above-captioned cause, and that the answers to the foregoing interrogatories, when taken, will be material evidence for the plaintiff upon the hearing of said cause.

SWORN to and subscribed before me this 10th day of February, 1954.

Thomas B. Hill Jr.
Louise M. Carty
Notary Public
Montgomery County, Alabama

on _____
By service on John Kaiser
Mike Kaiser Jr
TAYLOR WILKINS, Sheriff
By Edley Steward

*Agricultural Sulphur &
Chemical Co. a corp*

*vs.
John Kaiser, et al.*

Interrogatories

FILED
FEB 12 1954
ALICE L. DICK, Clerk

PHONE 2-1942

HILL, HILL, STOVALL & CARTER
ATTORNEYS AND COUNSELLORS AT LAW
SUITE 207-14 HILL BUILDING
MONTGOMERY, ALA.

W. H. Hill

AGRICULTURAL SULPHUR & CHEMICAL COMPANY,
a Corporation,

Plaintiff

VS

JOHN KAISER and MIKE KAISER, JR.,
Individually and as Partners Doing
Business Under the Name and Style
of MIKE KAISER & SONS,
a Partnership,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW

ANSWER

Comes the Defendants in the above style cause and for answer
to the Complaint heretofore filed in said cause and to each and
every count thereof, separately and severally, say;

ONE

That the allegations of the Complaint are untrue.

J. L. A. Mablebury, Jr.
Attorney for defendants

The defendants respectfully requests that this cause be tried
by Jury.

J. L. A. Mablebury, Jr.
Attorney for defendants

2160

Agricultural Supplies
& Chemical Company
a corporation,

Plaintiff

vs.

John & Mike Kaiser
et. al.

Defendant

FILED

JAN 29 1954

ALICE A. DUCK, Clerk

THOMAS B. HILL, JR.
WM. INGE HILL
JAMES T. STOVALL
JAMES J. CARTER
RALPH A. FRANCO
CLYDE P. MCLENDON
T. BOWEN HILL, III

HILL, HILL, STOVALL & CARTER

ATTORNEYS AND COUNSELLORS AT LAW

SUITE 207-14 HILL BUILDING

MONTGOMERY 4, ALA.

February 9, 1954

Alice J. Duck, Clerk
of the Circuit Court
Baldwin County
Bay Minette, Alabama

Re: Agricultural Sulphur & Chemical
Dear Mrs. Duck: Company vs Mike Kaiser & Sons

You will find enclosed herewith original
and two copies of interrogatories to be pro-
pounded to the defendant on behalf of the
plaintiff in the above-styled cause.

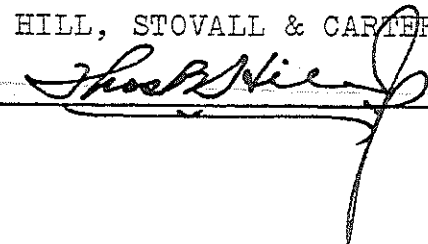
Please see that service is perfected
promptly and advise us of the probable date that
the case will be set for trial. If you cannot
give us the exact date, please give us the approxi-
mate time when the next call of your docket will
be held.

Thanking you, we are

Very truly yours

HILL, HILL, STOVALL & CARTER

By



TBH:lm
Enclosures

THE STATE OF ALABAMA

~~Montgomery~~ County

Baldwin

To any Sheriff of the State of Alabama—GREETING:

You are Hereby Commanded to Summon

JOHN KAISER and MIKE KAISER, JR., Individually
and as Partners Doing Business Under the Name
and Style of MIKE KAISER & SONS, A Partnership,

Elberta, Alabama

to appear before the Circuit Court of ~~Montgomery~~ ^{Baldwin} County, in and for said County, at the place of holding
the same, within thirty days from the service of this summons and complaint, then and there to demur
or plead to the complaint of

AGRICULTURAL SULPHUR & CHEMICAL COMPANY, A Corporation.

And you are hereby commanded to execute this process instanter and make return as required by
law.

Witness my hand this

6th

day of

January

1954

W. J. H. H. H.
Clerk.

COMPLAINT

THE STATE OF ALABAMA
Bay Minette
~~Montgomery~~, Alabama

AGRICULTURAL SULPHUR &
CHEMICAL COMPANY, A
Corporation,

Plaintiff.

VS.

In the Circuit Court of ~~Montgomery~~ ^{Baldwin}
County

Term, 19
JOHN KAISER and MIKE KAISER, JR.,
Individually and as Partners Doing
Business Under the Name and Style
of MIKE KAISER & SONS, A Partnership,

Defendants

COUNT ONE

The plaintiff claims of the Defendant the sum of Two Thousand Five Hundred Seventy-Six and 61/100 (\$2,576.61) Dollars, together with interest thereon, due by an account on heretofore, to-wit: the 31st day of March, 1953, which sum of money, with interest thereon, is now past due and unpaid.

COUNT TWO

The plaintiff claims of the defendants the sum of \$2,576.61, together with interest thereon, due from them by an account stated on heretofore, to-wit: March 31, 1953, which sum of money, with interest thereon, is now past due and unpaid.

COUNT THREE

The plaintiff claims of the defendants the sum of \$2,576.61, together with interest thereon, due from them for goods, wares and merchandise sold to the defendants to the plaintiff at the defendants' request, which sum of money, with interest thereon, is now past due and unpaid.

Plaintiff acknowledges a credit of Two Hundred Fifty (\$250) Dollars on the above indebtedness.

ATTORNEYS FOR PLAINTIFF

THE STATE OF ALABAMA

Montgomery County

To the Sheriff of Said County—GREETINGS:

The Plaintiff having given bond and made affidavit as required by law, you are hereby required to take the property mentioned in the complaint into your possession, unless the defendant give bond, payable to the Plaintiff, with security in double value of the property, conditioned that if the Defendant is cast in the suit he will, within thirty days thereafter, deliver the property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof.

WITNESS my hand this day of

A. D., 19

Clerk, Circuit Court, Montgomery County.

No. 2160

AGRICULTURAL SULPHUR &
CHEMICAL COMPANY, A Corpora-
tion,
Plaintiff

vs.

JOHN KAISER and MIKE KAISER,
JR., Individually and as
Partners Doing Business Under
the Name and Style of MIKE
KAISER & SONS, A Partnership,
Defendants

CIRCUIT COURT

OF MONTGOMERY COUNTY
BALDWIN

Term, 19

SUMMONS AND
COMPLAINT

Filed in office this day of

January, A. D. 1954

Clerk.

Hill, Hill, Stovall & Carter
P. O. Box 116
Montgomery, Alabama
Plaintiff's Attorney.

WALKER FIG. CO.

Received in office

6th day of

January

1954

Sheriff.

Executed by serving

cop

of the within Summons and Complaint on

Defendant this the 1-11-54 day of

19

Sheriff.

Taylor Williams
By: Ollie Stoddard
DS