

25/2

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

Witness my hand this the 25th day of January, 1955.

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RUDIN DISTRIBUTING CO.,
PLAINTIFF
VS:
JOHN KAISER, MIKE KAISER, AND
MIKE KAISER, JR., doing business
as MIKE KAISER & SONS,
DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

The plaintiff claims of the defendants FOUR HUNDRED EIGHTY SIX & 05/100 DOLLARS (\$486.05), due by promissory note made by them on the 10th day of December, 1952, and payable on or before the 10th day of February, 1953, with interest thereon.

Said note waives all right of exemption under the Constitution and laws of the State of Alabama, or any other state, as to personal property, and said note also provides for a reasonable attorney's fee, which plaintiff alleges to be \$100.00.

The plaintiff claims of the defendants ONE HUNDRED FORTY THREE & 62/100 DOLLARS, due from them by account on, to wit: the 2nd day of April, 1953, which sum of money, with interest thereon, is still unpaid.

The plaintiff claims of the defendants ONE HUNDRED FORTY THREE & 62/100 DOLLARS (\$143.62), due from them on account stated between the plaintiff and the defendants on, to wit: the 2nd day of April, 1953, which sum of money, with interest thereon, is still unpaid.

The plaintiff claims of the defendants ONE HUNDRED FORTY THREE & 62/100 DOLLARS (\$143.62), due from them for merchandise, goods and chattels sold by the plaintiff to the defendants on, to wit: the 2nd day of April, 1953, which sum of money, with interest thereon, is still unpaid.

Attorney for Plaintiff

STATE OF MISSOURI)
CITY) ss.
COUNTY OF ST. LOUIS)

Before the undersigned, a Notary Public of said County and State, duly commissioned and authorized to administer oaths, affirmations, etc., personally appeared

Leonard E. Cohn of Rudin Distributing Co. St. Louis, Mo.

who being first duly sworn or affirmed, according to law, doth depose and say that his name is as above; that he is of legal age; that he is partner
(President, Secretary and Treasurer, Manager, Partner or Sole Owner)

of

(a corporation organized and doing business under the laws of the State of

(a partnership composed of Leonard E. Cohn, Jacob Rudin and Bessie Rudin

(a sole trader doing business as

and that as such he makes this affidavit; that he is familiar with the books and business of said Corporation, Co-partnership or Affiant; that the annexed statement of account against Mike Kaiser & Sons of the City of Elberta

State of Alabama, is, and is known by him to be, correctly copied from the books of the Original Entry of said

Rudin Distributing Company
(Full Name of Corporation, Partnership or Firm)

that the charges were made in said books at or about the time of their respective dates; that the goods for which said charges were made were sold and delivered as charged at the special instance and request of the debtor; that the charges are correct, and the account just and true as that stated; or, if an instrument of writing, the deponent declares it to be his belief that the signature is genuine; that there is now due thereon the sum of Six Hundred Twenty-Nine Dollars (\$ 629.67 and 67/100), with interest thereon from the day of , A.D. 19 , exclusive of all set-offs and just grounds of defense besides costs; that no part of said sum has ever been paid or in any manner settled; and furthermore that there is no collaterals or securities of any kind for securing the payment of the said debt or claim.

Sworn or affirmed to and subscribed before me, this
the 13th day of January A.D. 1955

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, the
day and year aforesaid.

(Seal)

Louis A. Baumann Jr.
Notary Public

My commission expires Sept. 17 A.D. 1957

2577
25 day of Jan 1955
and on 26 Jan 1955
I served a copy of this Summons
on Complaint,
John Kaiser, Mike Kaiser
by service on Mike Kaiser & Sons
Mike Kaiser & Sons
TAYLOR WILKINS, CLERK
B. Childs Hillman D. S.

RECORDED

SUMMONS AND COMPLAINT

RUDINE DISTRIBUTING CO., JR AND
PLAINTIFF

VS:

JOHN KAISER, MIKE KAISER AND MIKE
KAISER, JR., doing business as
MIKE KAISER & SONS

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

FILED
JAN 25 1955
ALICE J. DUCK, Clerk

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA

RUDIN DISTRIBUTING COMPANY,	:	IN THE CIRCUIT COURT
Plaintiff.	:	OF BALDWIN COUNTY,
-vs-	:	ALABAMA. AT LAW
JOHN KAISER, MIKE KAISER,	:	NO. 2517
and MIKE KAISER, JR., doing	:	
business as MIKE KAISER AND	:	
SONS,	:	
Defendants.	:	

Personally appeared before me, the undersigned authority, JOHN KAISER, who after having been duly sworn deposes and says:

That he is one of the defendants herein and that he makes this affidavit for and on behalf of himself and the other such defendants. That he and the said other defendants dispute and deny the correctness of the itemized, verified statement of account attached to the original complaint filed herein. That he and said defendants dispute and deny the whole account and each and every item or items thereof and deny any liability whatsoever to the plaintiff.

Dated this 9th. day of March, 1955.


JOHN KAISER

Subscribed and sworn to before me on this the 9th. day of March, 1955.


NOTARY PUBLIC, STATE OF ALABAMA AT LARGE

RUDIN DISTRIBUTING COMPANY, : IN THE CIRCUIT COURT OF
Plaintiff. : BALDWIN COUNTY, ALABAMA.
-VS- : AT LAW.
: NO. 2517
JOHN KAISER, MIKE KAISER, and
MIKE KAISER, JR., doing business :
as MIKE KAISER & SONS, :
Defendants. :

Comes now the defendants herein, jointly and severally,
and for answer to the complaint heretofore filed herein and
to each count thereof set out the following, separately and
severally;

1. That they are not guilty of the matters alleged there-
in.
2. That the allegations thereof are untrue.
3. In short by consent, the general issue, with leave to
give in evidence any matter that might be specially pleaded and
to have effect as if so pleaded.

Howell & Johnston
ATTORNEYS FOR DEFENDANTS

Defendants demand a trial by Jury in
this cause.

Howell & Johnston
ATTORNEYS FOR DEFENDANTS