

SUMMONS

THE STATE OF ALABAMA, )

BALDWIN COUNTY, )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon JOHN KAISER and MIKE KAISER, JR. doing business as MIKE KAISER & SON, 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 J. L. PEACOCK and PHILIP H. PEACOCK, doing business as PEACOCK CRATE FACTORY,

Witness my hand this the 9 day of October, 1959.

Philip H. Peacock  
Clerk

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COMPLAINT

J.L. PEACOCK and PHILIP H. )  
PEACOCK, d/b/a PEACOCK CRATE )  
FACTORY )

PLAINTIFF )

VS: )

JOHN KAISER and MIKE KAISER, JR )  
d/b/a MIKE KAISER & SON )  
DEFENDANTS )

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT I:

The plaintiff claims of the defendant TWO THOUSAND FOUR HUNDRED TEN & 29/100 DOLLARS (\$2,410.29), due from him by account on, to wit: May 27, 1958, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant TWO THOUSAND FOUR HUNDRED TEN & 29/100 DOLLARS (\$2,410.29), due from him on account stated between the plaintiff and the defendant on, to wit: the 27th day of May, 1958, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant TWO THOUSAND FOUR HUNDRED TEN & 29/100 DOLLARS (\$2,410.29), due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 27th day of May, 1958, 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 30th day of September, 1959.

The undersigned attorney has advanced court cost in amount of \$42.

The defendant's address is:  
Elberta, Alabama

Philip H. Peacock  
Attorney for Plaintiff

# JOHN KAISER

BE WISE BUY KAISER'S PACKAGED VEGETABLES

TELEPHONE WHOLESALE 3-2925 & 3-7325

ELBERTA, ALABAMA

August 3, 1959

Dun & Bradstreet, Inc.,  
P.O. Box 530  
New Orleans I, La.

Re. Peacock Crate Factory  
Jacksonville, Texas

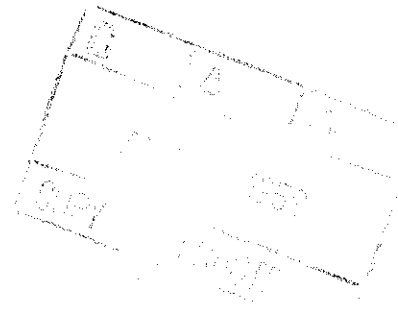
Gentlemen:

Inclosed is my Ch. in the amount of \$50.00 in partial payment account 2460.29 for Mike Kaiser & Sons, of which I was a partner until January 1, 1959, And which partnership was dissolved then.

I will try my very best to pay off this account as soon as possible, but do not want to commit myself for over \$50.00 per month at this time. I hope claimant will approve of this arrangement.

Yours very truly

*John Kaiser*  
JOHN KAISER



STATE OF TEXAS )

COUNTY OF CHEROKEE )

A F F I D A V I T

BEFORE ME, the undersigned authority, on this day personally appeared J. L. PEACOCK and PHILIP H. PEACOCK, partnership, PEACOCK CRATE FACTORY, who, after being duly sworn, deposes and says upon oath as follows:

That, Peacock Crate Factory, a partnership and on May 27, 1958 did sell to MIKE KAISER & SON, Foley, Alabama, one car of baskets and covers in the amount of \$2,460.29 of which \$50.00 of this amount has been collected by Dunn & Bradstreet, of Dallas, Texas, leaving a balance due Peacock Crate Factory of \$2,410.29.

Peacock Crate Factory has made numerous telephone calls to Mike Kaiser & Son, trying to collect this indebtedness without any success.

PEACOCK CRATE FACTORY

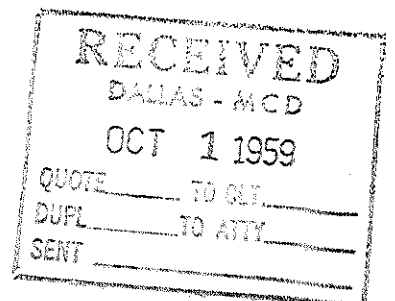
SUBSCRIBED AND SWORN to before me this 30th day of September 1959.

D. B. Loe  
Notary Public in and for  
Cherokee County, Texas

We, the undersigned, have read the foregoing affidavit concerning this indebtedness and the same is true and correct.

J. L. Peacock  
J. L. Peacock - Partner

Philip H. Peacock  
Philip H. Peacock - Partner



4005 ✓

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

J. L. PEACOCK & PHILIP H.  
PEACOCK, d/b/a PEACOCK CRATE  
FACTORY

VE:

JOHN KAISER & MIKE KAISER, JR.  
d/b/a MIKE KAISER & SON

FILED  
OCT 9 1959  
ALICE J. DUCK CLERK  
REGISTER

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

Received 9th day of Oct  
and on 23 day of Oct  
served a copy of the within 1959  
on John Kaiser & Mike Kaiser  
Philip H. Kaiser  
By service on Philip H. Kaiser

TAYLOR WILKINS, Clerk  
By Philip H. Kaiser  
Philip H. Kaiser

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

November 24, 1959

Honorable H. M. Hall  
Circuit Judge  
Bay Minette, Alabama


Re: Peacock Crate Factory  
vs: John Kaiser and Mike Kaiser, Jr.  
d/b/a Mike Kaiser & Son  
Case No. 4005

Dear Judge Hall:

Kindly enter a judgment on this case on a sworn itemized  
statement of accounts in the amount of \$2,626.29.

With best wishes, I am

Cordially yours,



FOREST A. CHRISTIAN