

MERCER QUARTERLY COURT

ADLER MANUFACTURING COMPANY,

PLAINTIFF,

VS: \* \* \* \* \* \* \* \* \* \* \*PETITION\* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

SAM B. CARR,

DEFENDANT.

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Plaintiff, Adler Manufacturing Company, says that it is a corporation organized under and existing by virtue of the laws of the State of Kentucky and was so organized and existing at all times herein mentioned; that it has the power to sue and be sued and to contract and be contracted with and that it had ~~these~~ powers ~~all~~ at all times mentioned herein.

Plaintiff says that by a certain writing dated February 17th 1924 this defendant ordered from this plaintiff one Adler Organ-Style 386 Octave 7-1/3 and price of said organ being \$ 179.00; that the defendant agreed at the time and before by other writing that after thirty days free trial if he decided to keep said organ he would pay the purchase price above mentioned on the following terms, to-wit: \$ 20.00 after said first thirty days free ~~xxx~~ trial and then \$ 7.00 each and ~~xxx~~ every month thereafter until the full purchase price was paid; that after paying in full the Instrument was to become his property and not before. Plaintiff says that it delivered to this defendant said organ as directed or instructed and that same was received by said defendant and was kept by him and is now in his possession but that the defendant has never paid any sum whatsoever on said organ although often demanded to do <sup>so</sup> ~~an~~ and that the whole of said debt is now due and owing. Plaintiff says that payment has been demanded, that the defendant has refused and still fails and refuses to pay all or any part of said debt.