

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

C. LENOIR THOMPSON
For the Plaintiff

JOHN T. ROUNTREE

CASE NO. 6628

VS:

ON ACCOUNT - JURY

HUGH M. CAFFEY, JR.
For the Defendant

L.L. RAINEY, d/b/a EAST BREWTON MATERIALS, INC.

PLEADINGS, PROCESS, ETC. * FILING DATE *

1. Summons and Complaint	August 2, 1965	Service: August 3, 1965
2. Plea in Abatement	August 16, 1965	
3. ORDER of Transfer	April 21, 1966	

I, Alice J. Duck, in my capacity as Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled cause in this Court.

In witness whereof I have hereunto set my hand and attached my official seal as such Clerk of the Circuit Court of Baldwin County, Bay Minette, Alabama, on this 22nd day of April, 1966.

CLERK

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

G. LENOIR THOMPSON
For the Plaintiff

JOHN T. ROUNTREE

CASE NO. 6628

VS:

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CLERK

JOHN T. ROUNTREE

Plaintiff

vs

L. L. RAINEY, d/b/a
EAST BREWTON MATERIALS, INC.

Defendant

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6628

-1-

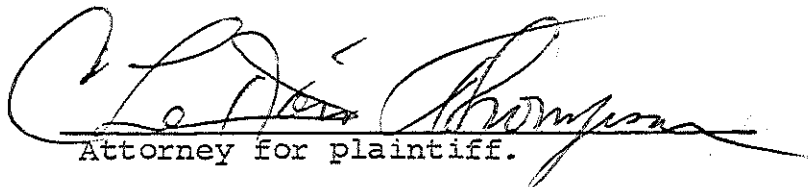
The plaintiff claims of the defendant the sum of One Thousand Forty-eight and no/100 (\$1,048.00) Dollars due from him by account on to-wit, September 30, 1964, which sum of money with interest thereon is still unpaid.

-2-

The plaintiff claims of the defendant One Thousand Forty-eight and no/100 (\$1,048.00) Dollars for work and labor done for the defendant by the plaintiff on to-wit, September 30, 1964, at his request; which sum of money with the interest thereon is still unpaid.

-3-

The plaintiff claims of the defendant One Thousand Forty-eight and no/100 (\$1,048.00) Dollars for work, labor and materials done for the defendant by the plaintiff at his request on to-wit, September 30, 1964, which sum of money with interest thereon is still unpaid.


Attorney for plaintiff.

FILED

AUG 2 1965

ALBANY, N.Y. COUNTY CLERK

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 6628

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon L. L. Rainey, d/b/a East Brewton
Materials, Inc.

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. L. Rainey,
d/b/a East Brewton Materials, Inc......, Defendant.....

by John T. Rountree

Plaintiff.....

Witness my hand this.....2.....day of.....Aug.....1965

Alfred J. Duck..... Clerk

No. 4628

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

John I. Roundtree

Plaintiffs

vs.

vs.
L. L. Rainey, d/b/a
East Brewton Materials
Defendants

East Brewster Materials
Defendants

Defendants

SUMMONS AND COMPLAINT

Filed 8-2 1965

Beir J. Busch Clerk

C. L. Thompson
Plaintiff's Attorney

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

East Brewton, Ala

Received In Office

Aug. 3 1965


..... Sheriff

I have executed this summons

this 3 Aug 1965

by leaving a copy with

L. L. Ramey

 Sheriff

..... Deputy Sheriff

JOHN T. ROUNTREE)	
PLAINTIFF)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
L. L. RAINEY d/b/a)	IN LAW
EAST BREWTON MATERIALS, INC.)	CASE NO. <u>6628</u>
DEFENDANT)	

Comes now L. L. Rainey who limits his appearance herein for the sole purpose of pleading in abatement to the suit filed against him in Baldwin County, Alabama, and his grounds for said plea sets down and assigns separately and severally the following:

1. The Circuit Court of Baldwin County, Alabama, is without jurisdiction in this cause.
2. The venue of this cause is improperly placed in Baldwin County, Alabama.
3. The undersigned L.L. Rainey is now and has at all times been for the past five (5) years a bona fide resident citizen of Escambia County, Alabama, and at no time has he been a resident citizen of Baldwin County, Alabama, so as to afford jurisdiction to the Circuit Court of Baldwin County, Alabama in this cause.
4. It affirmatively appears that the action filed by John T. Rountree is an ex contractu action and since the defendant is a resident citizen of Escambia County, Alabama, the County of his residence will be the proper jurisdiction for a trial of this cause.

L. L. Rainey
L. L. RAINEY

Sworn to and subscribed to before me on this the 13th day of August, 1965.

Thos. M. Conner
Notary Public

Defendant requests a jury trial.

*Thos. M. Conner
attorney for Defendant*

FILED
AUG 16 1965

JOHN T. ROUNTREE

VS:

L.L. RAINEY, d/b/a EAST
BREWTON MATERIALS, INC.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 6628
ON ACCOUNT -

4/21/66; This day in open Court, came the parties by their attorneys,
~~and Defendant's Plea in Abatement filed August 16, 1965, in this cause,~~
coming on to be heard and same being understood by the Court:

It is Ordered and Adjudged by the Court, upon the Defendant's said Plea
in Abatement, filed August 16, 1965, in this cause, said case is hereby
Ordered transferred to Escambia County Circuit Court.

Minute Book 11

Page 480

Civil Final Record

Book - 50 - pages 235- 237

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For the Plaintiff

JOHN T. ROUNTREE

CASE NO. 6628

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For the Defendant

L.L. RAINNEY, d/b/a EAST BREWTON MATERIALS, INC.

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CLERK