

JEFFERSON COUNTY CIVIL COURT

516 COURT HOUSE

PHONE 323.5311

EXTS. 278-279

DAVID HAIGLER, PRESIDING JUDGE
ARNOLD DRENNEN, ASSOCIATE JUDGE

JEANETTE BLACKBURN, CLERK

BIRMINGHAM, ALABAMA

June 15, 1965.

6557

Clerk, Circuit Court,
Baldwin County,
Bay Minette, Alabama.

Dear Sir:

In Re: Case No. 95301

Acousi Engineering of Ala., Inc.,

vs.

Irwin Craft, Ind. d/b/a Craft Co.

Enclosed you will find the Court file and a transcript of all the minutes, orders, and other proceedings in the above styled case, which is transferred by order of this Court, pursuant to Title 7, Sec. 64, p. 1, 1940 Code of Alabama, as amended (Act No. 76 in Special Session of 1961 Legislature, approved September 15, 1961).

Yours truly,

Jeanette Blackburn
Clerk,
Jefferson County Civil Court.

Enc.

Copies to: Chas. L. Denaburg, Attorney,
Brown Marx Bldg., City,

-and-

Walter Cornelius, Attorney,
Frank Nelson Bldg., City.

CHARLES L. DENABURG

ATTORNEY-AT-LAW

323-4474

1201 BROWN MARK BUILDING

BIRMINGHAM, ALABAMA

35203

July 1, 1965

Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Acousti Engineering of Alabama
Vs: Irwin Craft, et al
Case No. 95301
File No. D-133

Dear Sir:

The above styled case has recently been transfered to your court from the Jefferson County Civil Court. This is to advise you that the undersigned is withdrawing as attorney for the Plaintiff in this case, as the Plaintiff will be represented by the Hon. J. Connor Owens, Attorney at Law, Bay Minette, Alabama.

Yours very truly,



Charles L. Denaburg

CLD/sh

cc: Hon. J. Connor Owens
Attorney at Law
Bay Minette, Alabama

J. CONNOR OWENS, JR.
ATTORNEY AT LAW
DAHLBERG BUILDING
P. O. BOX 729
BAY MINETTE, ALABAMA

August 4, 1965

Mrs. Alice J. Duck
Clerk of Circuit Court
Bay Minette, Alabama

Subject: Acousti Engineering of Alabama,
Inc., Plaintiff,
vs.
Craft Company, Inc.
Case No. 6557

Dear Mrs. Duck:

This is to advise that the record should show
that I have this day been retained as attorney for
the Plaintiff in the above styled cause.

Thank you for your aid and consideration in
this matter.

Sincerely yours,



J. Connor Owens, Jr.

JCO:am

THE STATE OF ALABAMA,
JEFFERSON COUNTY.

To Any Lawful Officer of said State—Greeting:

Summon Irwin Craft, Ind. d/b/a Craft Company to
appear before JEFFERSON COUNTY CIVIL COURT on the 4th day of May, 19 65,
at 9:00 A.M., next at the Courthouse, Room No. 518 in Birmingham, to answer the Complaint of

Acousti Engineering of Alabama, Inc.

and there make returns of this writ.

Witness my hand this _____ day of _____, 19

APR 5 1965

Jeanette Blackburn
CLERK, Clerk

Acousti Engineering of Alabama, Inc.

vs.

Irwin Craft, Ind. d/b/a Craft Company

Plaintiff

Defendant

The Plaintiff claims of the Defendant the sum of Four Hundred Fifty-one & 57/100(\$451. 57) Dollars,
due by account on-to-wit; November 30, 1964, which sum of money and the interest thereon is
due and unpaid.

Charles L. Denaburg

Plaintiff's Attorney.

Charles L. Denaburg, 1201 Brown Marx Building

95301

No. _____

THE STATE OF ALABAMA,
JEFFERSON COUNTY

JEFFERSON COUNTY
CIVIL COURT

SUMMONS & COMPLAINT

Acousti Engineering of Alabama, Inc.
546 North 7th Street
Birmingham, Alabama

vs.

Plaintiff.

Irwin Craft, Ind. d/b/a
Cnraft Company
Daphne, Alabama

Defendant.

Garnishee.

Defendant at

Garnishee at

The Defendant is hereby notified that
writ of garnishment has been issued to

APR 5 1965

Issued _____, 19____

JEFF. CO. CIVIL COURT

Clerk

Sheriff claims 54 miles atTen Cents per mile Total \$ 5.40

TAYLOR WILKINS, Sheriff

BY Roy Randall
DEPUTY SHERIFF

The within process executed by personal
service of a copy of said Simmons and Com-
plaint and notice on the Defendant.

RECEIVED

APR 7 1965

TAYLOR WILKINS

SHERIFF

Irwin Craft

This 8 day of April, 1965

Constable.

Deputy Constable.

Special Constable.

Taylor Wilkins

Sheriff.

Roy Randall

Deputy Sheriff.

Daphne

ACOUSTI ENGINEERING OF
ALABAMA, INC.,

Plaintiff,

VS.

IRWIN CRAFT, Ind., d/b/a
CRAFT COMPANY,

Defendant.

#

JEFFERSON COUNTY

CIVIL COURT

CASE NO. 95,301

PLEA IN ABATEMENT

Comes Irvin Craft, by and through Walter Cornelius, his Attorney, and appearing specially for the purpose of filing this plea in abatement, and for that purpose alone, moves the Court to quash the service of the summons and complaint herein, and for grounds thereof assigns the following, jointly and severally:

(1) For that at all times mentioned in the complaint the said Irvin Craft was, and now is, a bona fide resident citizen of Baldwin County, Alabama.

(2) For that the said cause of action did not occur in Jefferson County, Alabama.

(3) For that the alleged transaction did not arise in Jefferson County, Alabama.

(4) For that there is no written agreement between the parties conferring jurisdiction upon the Courts of Jefferson County, Alabama.

(5) For that the said Irvin Craft has never used or been known by the name of Irvin Craft.

(6) For that at no time alleged in the complaint did the said Irvin Craft do business in the name of Irvin Craft, or in the name of Craft Company, or in the individual name of Irvin Craft.

(7) For that the true name of the proper defendant is Craft Company, Inc., a corporation.

(8) For that the said Craft Company, Inc., an Alabama Corporation, was incorporated in Baldwin County, Alabama, in the year 1954.

(9) For that since said date of 1954 the said Irvin Craft has not engaged in commercial business in his individual name or in the name of Craft Company.

(10) For that the said Irvin Craft never has done business as an individual with the Plaintiff, and is in no manner indebted to the Plaintiff.

(11) For that the Jefferson County Civil Court has no jurisdiction of this cause of action.

Wherefore, defendant says that this suit should be abated, and should not be allowed to proceed.

Walter Cornelius
Attorney for Defendant

STATE OF ALABAMA:

JEFFERSON COUNTY:

Before me, Martha Self, a Notary Public in and for said County in said State, personally appeared Walter Cornelius, who being duly sworn, deposes and says that the facts set forth in the above and foregoing Plea in Abatement are true and correct to the best of his knowledge, information and belief.

This the 3rd day of May, 1965.

Walter Cornelius

Sworn to and subscribed before me on this the 3rd day of May, 1965.

Martha Self
NOTARY PUBLIC

My Commission Expires: 8/27/67

ACOUSTI ENGINEERING OF ALABAMA,)
INC.,)

Plaintiff,)

vs.)

IRWIN CRAFT, Ind., d/b/a)
CRAFT COMPANY,)

Defendant.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE. NO. 6557.

AMENDMENT:

Comes now the Plaintiff in the above styled cause, by and through his Attorney of Record, and amends the Defendant named in the above styled cause, to CRAFT COMPANY, INC., a corporation.


Attorney for Plaintiff.

FILED

AUG 4 1965

ALICE I. DUCK, CLERK
REGISTER

TRANSCRIPT OF DOCKET
JEFFERSON COUNTY CIVIL COURT

Case No. 95301

NAME OF PARTIES	CAUSE OF ACTION				ITEMIZED BILL OF COST	
Acousi Engineering of Alabama, Inc., (546 No. 7th St.)	\$451.57 Account with int. thereon					
VS.	Date	Received of	Amount	Judgment		
us Irwin Craft, Ind. d/b/a Craft Company, (Daphne, Alabama.)						
DISPOSITION OF CASE						
Affidavit and Bond filed for						
Ret. and Summons and Complaint issued Ret. 5-4-65						
" & " Ret. Executed by Taylor Wilkins, Sheriff.						
R. Rendall, Deputy Sheriff.						
Baldwin County, Alabama.						
Plea in Abatement filed by defendant.						
On motion of Parties plea continued to 6-15-65.						
Defendant's plea in Abatement granted and this cause is hereby transferred to Circuit Court of Baldwin County, Bay Minette, Alabama, and the costs of this proceeding in this Court are hereby taxed to Plaintiff.						
Matt Scalici, Special Judge.						
I, Jeanette Blackburn, in my capacity as Clerk of the Jefferson County Civil Court, hereby certify that the above is a true and correct exemplification of all the minutes, orders and other proceedings in the above styled case in this Court.						
Witness my hand, this 15 day of June, 1965.						
Jeanette Blackburn, Clerk						
COURT FEES					1	
Issuing Summons and Complaint.....\$1.00						
Issuing.....Alias Summons......50						
Issuing.....Subpoena, each witness......15						
Issuing.....Exec. and taxing cost......50						
Issuing.....Summons to Garnishee......75						
Issuing.....Summons to Garnishee......50						
Issuing Attachment Writ.....Cert. Mail......50						
Attachment Bond and Affidavit.....1.50						
Garnishment Bond and Affidavit......75						
Garnishment Bond and Affidavit......50						
Writ of Detinue......50						
Detinue Bond and Affidavit......75						
.....Garnishment on Judgment......50						
.....Library Tax......10						
.....Cer. not otherwise provided for......25						
Docketing Cause over \$3,000.....9.10						
Docketing Cause.....6.10					6	
Issuing.....Vendi, Exponas......50						
Transcript of Proceeding......50						
Attending Trial of Right of Property.....1.00						
.....Sci. Fa. or Notice in nature thereof......50						
.....Notice to Defendant......25						
XXXXXX Trans. and Notice.....1.25					1	
CONSTABLE'S FEES						
CIVIL CASES					6	
Serving.....Summons (54 Miles).....2.50						
Entering Return......25						
Serving.....Summons, each witness......65						
Serving.....Garnishment.....2.50						
Serving.....Garnishment.....2.50						
Levying Attachment.....1.50						
Serving Gar. on Judgment.....2.50						
Levying Execution.....1.50						
Making Money, 5%, not less than 75¢						
Serving.....Notice, etc., on each party therein......65						
Serving.....Notice, etc., on each party therein.....2.50						
Serving Sci. Fa. or other like notice.....2.50						
Taking Bond.....2.00						
Taking Property Levied on.....6.00						
Gar. Ans. Fee.....						
8.80						
6.90						
Witness Fees						
15.70						
Miscellaneous.....						
RECEIPTS						
Paid Court Fees.....						
Paid Constable.....						