  
JAMES R. OWEN  
ATTORNEY AT LAW  
110 COURTHOUSE SQUARE  
BAY MINETTE, ALABAMA 36507

September 21, 1967

P. O. BOX 248  
TEL. 937-2061  
AREA CODE 205

Court of General Sessions  
Mobile County  
Mobile, Alabama 36601

Attention: Mr. J. D. Richardson  
Clerk

Gentlemen:

Please file the enclosed plea in abatement  
for me in the case of Kingston Supply Co. vs. Bay  
Minette Roofing & Sheet Metal, which is case number  
59857.

Yours very truly,

  
JAMES R. OWEN

JRO/ers

Enclosure

9/25

JAMES R. OWEN  
ATTORNEY AT LAW  
110 COURTHOUSE SQUARE  
BAY MINETTE, ALABAMA 36507

February 6, 1968

P. O. BOX 246  
TEL. 937-2061  
AREA CODE 205

McDermott, Slepian & Feibelman  
Attorneys at Law  
P. O. Drawer 2025  
Mobile, Alabama 36601

In Re: Kingston Supply Co. vs.  
Bay Minette Roofing & Sheet Metal

Attention: Mr. Feibelman

Gentlemen:

I will agree that you take a judgment in this case for \$389.53 and you may write the Judge and tell him that I have agreed to this consent judgment.

Yours very truly,



JAMES R. OWEN

JRO/ers

McDERMOTT, SLEPIAN & FEIBELMAN

ATTORNEYS AT LAW  
FIRST NATIONAL BANK BUILDING  
MOBILE, ALABAMA  
36601

WILLIAM H. McDERMOTT  
RONALD P. SLEPIAN  
HERBERT P. FEIBELMAN, JR.  
THOMAS E. BRYANT, JR.  
EDWARD B. McDERMOTT

MAILING ADDRESS:  
POST OFFICE DRAWER 2025  
PHONE 432-2632

February 12, 1968

Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama 36507

Re: Kingston Supply Co., Inc.  
Vs: Bay Minette Roofing & Sheet Metal, Inc.  
Case No. 59, 857


Gentlemen:

The above case is set for trial Friday, February 16, 1968. Mr. James R. Owen, the attorney for the Defendant, and I have agreed to the entry of a judgment in this matter in the amount of \$389.53. I am enclosing a picture copy of his letter to me consenting to this judgment. I should appreciate it if you would cause a judgment in such amount to be entered and send me a certificate of said judgment. Our check in the amount of 50¢ for such certificate is enclosed herewith.

Should there be any further requirements on my behalf, please let me know, and I will be happy to attend to them.

Thanking you, I am,

Very sincerely yours,

  
Herbert P. Feibelman, Jr.  
For the Firm

HPF:r  
encl.

cc: James R. Owen, Esquire

I

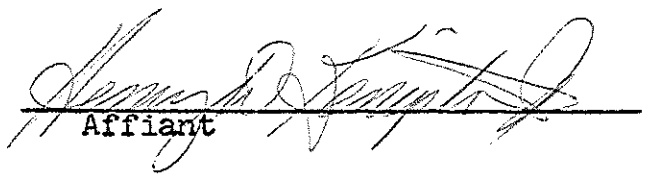
MO. 7413

STATE OF ALABAMA :

COUNTY OF MOBILE :

Before me, the undersigned authority in and for said County in said State, personally appeared Henry D. Kingston, Jr., who, being known to me and being my first duly sworn, did depose and say on oath:

That he/~~she~~ is the President of Kingston Supply Co., Inc. and as such is authorized to make this affidavit; that he/~~she~~ is familiar with the books and records of said corporation and that the attached statement of account is true, valid and correct, as reflected upon the books and records of said claimant; that the balance shown to be due thereon is due and unpaid; that the affiant has actual and personal knowledge of the correctness of said account; and that the books, records and accounts of claimant are kept and maintained under the supervision and control of the undersigned.

  
Affiant

Sworn to and subscribed before me on this the 1 day of August, 1967.

  
Notary Public  
Mobile County, Alabama

397

P. O. BOX 7182 - 3002 MILL ST. — PHONE 205-479-8671  
MOBILE, ALABAMA 36607

Sold To:


Ship To:

### File Ordered

**Ship Via:**

~~Date~~ Shipped

24. 14. 69

 — 10th prox. Monthly Service Charge of 1 %  
added to Past Due Accounts.

Order  
No.

Job:

Prepaid ☐ Collect ☐

## DISTRIBUTORS OF

COMMERCIAL  
&  
RESIDENTIAL

## FURNACES

## AIR CONDITIONERS

## PARTS & SUPPLIES


II

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned authority in and for  
said County in said State, personally appeared Henry D.  
Kingston, Jr., who, being known to me and  
being my first duly sworn, did depose and say on oath:

That he/~~she~~ is the President  
of Kingston Supply Co., Inc.  
and as such is authorized to make this affidavit; that he/~~she~~  
is familiar with the books and records of said corporation  
and that the attached statement of account is true, valid and  
correct, as reflected upon the books and records of said  
claimant; that the balance shown to be due thereon is due and  
unpaid; that the affiant has actual and personal knowledge  
of the correctness of said account; and that the books,  
records and accounts of claimant are kept and maintained  
under the supervision and control of the undersigned.

  
Affiant

Sworn to and subscribed before me on this the  
1 day of August, 1967.

  
Notary Public  
Mobile County, Alabama

3979

P. O. BOX 7182 - 3002 MILL ST. — PHONE 205-479-8671  
MOBILE, ALABAMA 36607

Shipped 11/14

Sold To:

**Ship To:**

Buzz Mouth Refining 5/5/2011

Ship Via: air tank

Bay Whistle 14

Ship Via:

~~10th~~ — 10th prox. Monthly Service Charge of 1%  
added to Past Due Accounts.

Order  
No.

**Job:**

Prepaid ☐Collect ☐

BACK ORDERED		ORDERED	SHIPPED	DESCRIPTION	UNIT PRICE	UNIT	DISC.	NET
-	0	1	1	30 DNR 106 Cord Unit Sgt # 0866 13122	332.	✓	10-10	299.20
	0	1	1	30 VT-6 Cal & Case Sgt # 0-8-66 95136	75.00	✓	10-10	67.50
	0	2	2	Pert # 53010-1 Mptua	1.50	✓	N	3.00
	0	2	2	Pert # 53010-4 ✓	2.40	✓	✓	4.80
								374.50
Goods Returned Without Permission. All Claims & Returned Goods Must Be Accompanied By This Bill. All Shortages Must Be Reported Within 3 Days.								SALES TAX 4%
RECEIVED BY: Ben Chiaro								THANK YOU Net Total → 389.50

## PARTS & SUPPLIES

## COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS  
COURTROOM "B" FIRST FLOORThe State of Alabama,  
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon BAY MINETTE ROOFING & SHEET METAL,Bay Minette, Alabamato be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 27 day of Sept, 1967 at the hour of 9:00 A.M., then and there to answer a complaint of KINGSTON SUPPLY CO., INC., a corporation

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 8 day of Aug, 1967W.D. Richardson

Clerk of the Court of General Sessions of Mobile County.

Cause of Action CAUSE OF ACTION: Plaintiff claims of Defendant (s) \$389.53due from it by account on, to-wit: April 24, 1967,  
which sum of money with interest thereon, is still due and unpaid. This  
suit is filed on an itemized statement of the account, verified by the  
affidavit of a competent witness, which is attached hereto and made  
a part hereof.McDermott, Slepian & Feibelman  
McDERMOTT, SLEPIAN & FEIBELMAN, Attys. for Plaintiff



II  
**COMPLAINT AND SUMMONS**

Atty. for Plaintiff: McDermott, Slepian & Feibelman  
Atty. for Defendant:

**THE COURT OF GENERAL SESSIONS  
OF MOBILE COUNTY**

No. 59857

Ret.

Sept. 27, 1967

KINGSTON SUPPLY CO., INC.,  
a corporation

VS.

BAY MINETTE ROOFING & SHEET METAL  
Bay Minette, Alabama

Continued To

RECEIVED

SEP 6 1967

TAYLOR WILKINS  
SHERIFF

Executed by Service on

Bay Minette Roofing & Sheet Metal  
Defendant

This 8 day Sept, 1967  
Baldwin  
Sheriff of Mobile County

By W A Talbot  
Deputy Sheriff

REC'D. SHERIFF DEPT.  
MOBILE COUNTY, ALA.

SEP 13 9 43 AM '67

BY

7K  
McDERMOTT, SLEPIAN & FEIBELMAN

ATTORNEYS AT LAW

FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

WILLIAM H. McDERMOTT

RONALD P. SLEPIAN

HERBERT P. FEIBELMAN, JR.

THOMAS E. BRYANT, JR.

EDWARD B. McDERMOTT

MAILING ADDRESS:

POST OFFICE DRAWER 2025

PHONE 432-2632

September 26, 1967

Court of General Sessions  
Mobile County Courthouse  
Mobile, Alabama 36602

Re: Kingston Supply Co., Inc.

-VS-

Bay Minette Roofing & Sheet Metal, Inc.

Case No. 59,857

Gentlemen:

A plea in abatement has been filed in the above matter. We are satisfied that the facts contained therein are correct, and we would appreciate your transferring this matter, at our request, to the Circuit Court of Baldwin County, Alabama, for proceedings in that court.

Thanking you, I am,

Very sincerely yours,

  
Herbert P. Feibelman, Jr.  
For the Firm

HPF:r

9/27

V

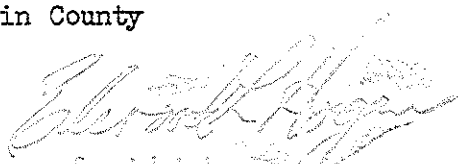
THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Kingston Supply Co., Inc.	:	Case No. <u>59857</u>
<u>Plaintiff</u>	:	
	:	Filed: August 8, 1967
VS	:	Summons Issued: August 14, 1967
	:	Returnable: September 27, 1967
Bay Minette Roofing & Sheet Metal	:	Service Had: 9-8-67
<u>Defendant</u>	:	Cause of Action: Complaint & Summons
Amount of Claim: <u>389.53</u>	:	Attorney for Plaintiff: McDermott, Slepian & Feibelman
	:	Attorney for Defendant: James R. Owens - Bay Minette

10-26-67


Plea in Abatement filed 9-25-67.

10-26-67 Cause transferred to Baldwin County

  
Special Judge

I hereby certify that the foregoing is a true and correct copy of the above styled cause, as it appears on record and in the files of The Court of General Sessions of Mobile County, Alabama.

Witness my hand this the 31st day of October, 1967.

  
Clerk of The Court of General Sessions  
of Mobile County, Alabama

*Mc Dermott*  
ATTORNEYS FOR PLTF.

# COST BILL

THE STATE OF ALABAMA }  
MOBILE COUNTY

The Court of General Sessions  
of Mobile County

*Kengston Supply Co. Inc.*  
Plaintiff  
*Bay Minette Roping & Sheet Metal*  
Defendant  
CASE NO. 59857

## COURT FEES

Summons and proceedings thereon to judgment .....	\$1.00	<input checked="" type="checkbox"/>
Docketing each cause .....	.10	<input checked="" type="checkbox"/>
Attachment Bond and Affidavit .....	1.50	
Issuing each Attachment .....	.50	
Summoning Garnishee and taking examination .....	.75	
Subpoena for each witness .....	.15	
Execution and taxing costs thereon .....	.50	
Each appeal or certiorari, including bond and certificate of proceedings .....	1.00	<input checked="" type="checkbox"/>
Every necessary Certificate or Notice not otherwise provided for .....	.25	<input checked="" type="checkbox"/>
For issuing each Writ of Detinue .....	.50	
For each Scire Facias, or notice in the nature thereof .....	.50	
Every other Bond .....	.50	
Administering an oath and certifying the same .....	.25	
Issuing Notice of Appeal .....	.25	
Law Library Fee .....	1.00	<input checked="" type="checkbox"/>
Judgment Ni Si against Garnishee .....	.50	
Writ of Discovery .....	.50	
Writ of Contempt .....	.50	
Writ of Arrest .....	.50	
Alias Summons .....	1.00	
Witness Fee fifty cents for each day's attendance .....		
.....		
.....		
.....		
.....		
.....		
.....		

TOTAL.....\$.....

## SHERIFF'S FEES

Levying Attachment .....	6.00	
Entering and returning same .....	.25	
Summoning Garnishee and making return .....	1.50	
Serving Summons and other mesne process, and returning the same .....	1.50	<input checked="" type="checkbox"/>
Summoning each Witness and returning Subpoena .....	.75	
Collecting execution for costs only .....	1.50	
Serving Scire Facias or other like notice .....	1.50	
Serving any summons not herein provided for, and making return .....	1.50	<input checked="" type="checkbox"/>
Seizing personal property under Writ of Detinue .....	6.00	
Taking care of such property, such just compensation as Court may fix .....		
Taking and approving bonds of every kind .....	2.00	
When property is sold under execution or attachment .....		
Commission: .....	5%	
When sale is stayed by restraining order .....	2 1/2%	

Total.....\$.....

GRAND TOTAL.....\$.....*6.35*

I respectfully call your attention to the above Court Cost Bill which if not paid by \_\_\_\_\_  
19\_\_\_\_\_, it will be my unpleasant duty to issue execution on your property for the recovery of the same.

J. D. Richardson, Clerk

TRANSFER

*VII*  
**NOTICE of ~~APPEAL~~**

STATE OF ALABAMA, }  
 MOBILE COUNTY }

Kingston Supply Co., Inc.

Plaintiff

VS.

Bay Minette Roofing & Sheet Metal

Defendant

To Bay Minette Roofing & Sheet Metal

in said Cause: Kingston Supply Co., Inc. VS Bay Minette Roofing & Sheet Metal

You are hereby notified that Kingston Supply Company, Inc.

the Plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama ~~and request from the judgment therein rendered by~~  
~~from the~~  
~~Kingston Supply Co., Inc.~~ COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 31 day of October 19 67

*J. D. Richardson*  
 Clerk, Court of General Sessions of Mobile County, Civil Division

VII

Case No. 59857

Kingston Supply Co., Inc.

Plaintiff,

VS

Bay Minette Roofing & Sheet Metal

Defendant.

TRANSFER

NOTICE OF ~~XXXXXX~~

Returnable To The Circuit Court  
OF BALDWIN COUNTY

Issued: October 31, 1967

Serve On:

FILED

NOV 1 1967

ALICE L. DUCK, CLERK  
BALDWIN COUNTY

KINGSTON SUPPLY CO., INC.  
a corporation,

Plaintiff,

VS.

BAY MINETTE ROOFING & SHEET  
METAL,

Defendant.

IN THE COURT OF GENERAL  
SESSIONS OF MOBILE COUNTY  
NO. 59857

PLEA IN ABATEMENT

Now comes Bay Minette Roofing & Sheet Metal, Inc., a corporation, defendant in the above styled cause, and appearing specially for the purpose of filing the following plea in abatement and for no other purpose, pleads in abatement to the complaint filed in this cause as follows:

1. That this Honorable Court is without jurisdiction of the cause of action sued on in that the defendant is domestic corporation doing business in Baldwin County, Alabama, and that it does not do business by agent or otherwise in Mobile County at this time or at the time the cause of action arose.

BAY MINETTE ROOFING & SHEET METAL, INC.,  
a corporation,

By Helen Hinote  
As its Secretary-Treasurer

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared Helen Hinote, who, being by me first duly sworn, deposes and says that she is Secretary-Treasurer of Bay Minette Roofing & Sheet Metal, Inc., a corporation, and authorized to make this affidavit in its behalf; that she is cognizant of the facts stated in the above and foregoing plea in abatement, and that the facts stated therein are true to the best of her knowledge, information and belief.

Sworn to and subscribed before me on  
this the 22<sup>nd</sup> day of September, 1967.

[Signature]  
Notary Public, Baldwin County, Alabama

CERTIFICATE OF SERVICE

certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 22<sup>nd</sup> day of Sept., 1967.

[Signature]  
Attorney for Defendant

TRANSFER

# NOTICE of ~~ABSENCE~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~

STATE OF ALABAMA, }  
MOBILE COUNTY }

Kingston Supply Co., Inc.

Plaintiff

VS.

Bay Minette Roofing & Sheet Metal

Defendant

To Bay Minette Roofing & Sheet Metal

in said Cause: Kingston Supply Co., Inc. VS Bay Minette Roofing & Sheet Metal

You are hereby notified that Kingston Supply Company, Inc.

the Plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama from the Court of General Sessions of Mobile County, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 31 day of October 19 67

*J. D. Richardson*  
Clerk, Court of General Sessions of Mobile County, Civil Division



Case No. 59857

7813

Kingston Supply Co., Inc.

Plaintiff,

VS

*Belf*

Bay Minette Roofing & Sheet Metal

*Bay Minette*

Defendant.

TRANSFER

NOTICE OF ~~XXXXXX~~

Returnable To The Circuit Court  
OF BALDWIN COUNTY

Issued: October 31, 1967

Serve On:

REC'D SHERIFF DEPT.  
MOBILE COUNTY, ALA.

NOV 1 10 42 AM '67

BY

Received 7 day of Nov. 1967

and on 7 day of Nov 1967

I served a copy of the within Notice of Transfer

on Bay Minette Roofing & Sheet Metal Co.,

By service on Helen Hume

TAYLOR WILKINS, Sheriff

By W A Talbert  
*ca*

## COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS  
COURTROOM "B" FIRST FLOORThe State of Alabama,  
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon BAY MINETTE ROOFING & SHEET METAL,  
Bay Minette, Alabamato be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile  
County, on the 27 day of Sept, 1967 at the hour of 9:00 A.M.,  
then and there to answer a complaint of KINGSTON SUPPLY CO., INC., a corporation

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 8 day of Aug, 19 67J. D. Richardson  
Clerk of the Court of General Sessions of Mobile County.Cause of Action CAUSE OF ACTION: Plaintiff claims of Defendant (x) \$ 389.53due from it by account on, to-wit: April 27, 1967  
~~which sum of money with interest thereon, is still due and unpaid. This~~  
~~suit is filed on an itemized statement of the account, verified by the~~  
~~affidavit of a competent witness, which is attached hereto and made~~  
~~a part hereof.~~McDERMOTT, SLEPIAN & FEIBELMAN, Attys. for Plaintiff

AUG 8 1967

*I*

# COMPLAINT AND SUMMONS

Atty. for Plaintiff: McDermott, Slepian & Feibelman

Atty. for Defendant:

## THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

No. 59857

Ret.

Sept 27, 1967

KINGSTON SUPPLY CO., INC.,  
a corporation

VS.

BAY MINETTE ROOFING & SHEET METAL  
Bay Minette, Alabama

Continued To

Executed by Service on

Defendant

This \_\_\_\_\_ day \_\_\_\_\_, 19\_\_\_\_

Sheriff of Mobile County

By \_\_\_\_\_  
Deputy Sheriff

HERBERT P. FEIBELMAN, JR.

ATTORNEY AT LAW

2103 FIRST NATIONAL BANK BUILDING

TELEPHONE 433-1557

MOBILE, ALABAMA 36601

P. O. BOX 2082

April 4, 1968

Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama 36507

22-7813

Re: Kingston Supply Co., Inc.

Vs: Bay Minette Roofing & Sheet Metal, Inc.  
Case No. 59, 857

Gentlemen:

I should appreciate it if you would issue execution in the above matter and direct the Sheriff to levy on the property of the defendant up to the amount of our judgment of \$389.53 plus court costs. The defendant's place of business is on Dolive Street, and I should appreciate the levy including whatever business property, fixtures, machinery, trucks, automobiles, cash register, desks, tables, typewriters, and other equipment there located. I am enclosing a copy of this letter for transmittal to the Sheriff's Department should you so desire.

Thanking you, I am,

Very sincerely yours,

  
Herbert P. Feibelman, Jr.

hpf:r