

ROBERT B. FRENCH, JR.
ATTORNEY AT LAW
FORT PAYNE AND RAINSVILLE

ASSOCIATE
JERRY R. BARKSDALE
RAINSVILLE, ALABAMA

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May 29, 1968

509 GAULT AVENUE NORTH
FORT PAYNE, ALABAMA
P. O. BOX 596

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HOME 845-2459
DIAL DIRECT 638-3044

Mrs. Alice J. Duck
Circuit Clerk
Baldwin County Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama 36507

RE: Tennessee Corporation
VS: William M. Campbell
Case No. 8042

Dear Mrs. Duck:

I have not received a copy of the Demurrer filed in the above captioned case. I would appreciate knowing the filing date of this Demurrer.

Please let me know when I may expect the next jury term of Court. I would appreciate notice of the date of docket call. I want to try this case at the very first moment possible.

Very truly yours,



ROBERT B. FRENCH
Attorney at Law

RBF/ff

8042

THE STATE OF ALABAMA
BALDWIN
~~BARNEE~~ COUNTY

Circuit

COURT

Next

SESSION, 196 8

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon William M. Campbell of Robertsdale,
Alabama

to appear before the Circuit Court in and for said County, at the place of holding the same within
30 days from the service of this Summons and Complaint, then and there to answer, plead, or demur
to the complaint hereto annexed of Tennessee Corporation

You are required to execute this process instanter, and return the same immediately upon the execution thereof.

Witness my hand, this 18 day of March, 1968.
Alice J. Duck, Clerk

IF THE DEFENDANT FAILS TO APPEAR AND PLEAD, ANSWER OR DEMUR WITHIN THIRTY DAYS AFTER SERVICE THE PLAINTIFF MAY TAKE JUDGMENT BY DEFAULT.

COMPLAINT

Tennessee CorporationWilliam M. Campbell

VS.

Plaintiff.

Defendant.

The Plaintiff claims of the Defendant the sum of SEVEN THOUSAND FOUR HUNDRED TEN DOLLARS AND 98/100 (\$7,410.98), which amount includes a reasonable attorney's fee as provided for in said note, due by promissory note made by him on the 15th day of March, 1967 and payable on the 15th day of July, 1967, with interest thereon.

Jerry R. Barksdale
JERRY R. BARKSDALE
Attorney for Plaintiff

FILED

MAR 18 1968

ALICE J. DUCK CLERK
REGISTER

RECEIVED

Received In Office
MAR 18 1968

_____, 196____
ALICE WILKINS
SHERIFF

Sheriff.

I have executed this writ

this March 21, 1968
by leaving a copy of the within Summons and
Complaint with

William M. Campbell

Taylor Wilkins
Sheriff.
Deputy Sheriff.

R. H. Over

Sheriff claims 50 miles at
Ten cents per mile Total \$ 5.00
TAYLOR WILKINS Sheriff
BY CC
DEPUTY SHERIFF

No. 8042 Page _____

THE STATE OF ALABAMA

DeKALB COUNTY

DeKalb County
Circuit COURT

Tennessee Corporation
VS.

William M. Campbell

SUMMONS AND COMPLAINT

FILED

Filed _____, 196____
MAR 18 1968

ALICE J. DUCK CLERK Clerk.
REGISTER
Defendant lives at

Robertsdale

Jerry R. Barksdale
Plaintiff's Attorney.
Rainville, Ala.

Defendant's Attorney.

TENNESSEE CORPORATION,
a Corporation,

Plaintiff,

VS.

WILLIAM M. CAMPBELL,

Defendant.

X
X
X
X
X
X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE NO. 8042

AMENDMENT TO COMPLAINT

Comes now the Plaintiff in the above styled cause and amends his complaint by adding Count Two, which is as follows, to-wit:

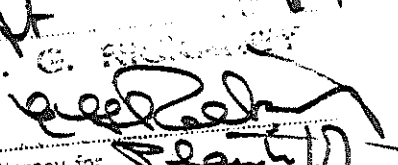
COUNT TWO

The Plaintiff claims of the Defendant the sum of SIX THOUSAND FIVE HUNDRED EIGHTY-FIVE DOLLARS and 75/100 (\$6,585.75) due by promissory note made by him on the 15th day of March, 1967, and payable on the 15th day of July, 1967, with interest at six percent (6%) per annum, from the 21st day of August, 1967; and the Plaintiff avers that in said note and as a part of the consideration thereof, the Defendant has expressly waived his rights to claim personal property as exempt to him under the Constitution and laws of the State of Alabama, and agreed to pay an attorney's fee for the collection thereof, and the Plaintiff hereby claims the further sum of EIGHT HUNDRED (\$800.00) DOLLARS as such attorney's fee.


Attorney for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in an envelope with address and postage paid to the party and a copy addressed.
This 10th day of Sept 1969


E. C. RICHMOND
Attorney for
P. O. Box 471, Fairhope, Ala. 36531

FILED

SEP 12 1969

ALICE J. ELLIOTT

TENNESSEE CORPORATION,)	IN THE CIRCUIT COURT OF
Plaintiff,)	
vs.)	BALDWIN COUNTY, ALABAMA
WILLIAM M. CAMPBELL,)	
Defendant.)	LAW SIDE. NO. 8042

DEMURRER:

Now comes the Defendant in the above styled cause, and demurs to the complaint heretofore filed and as grounds therefor assigns the following, both separately and severally:

1. That said complaint does not state a cause of action.
2. That the allegation that the sum sued for includes a reasonable attorney's fee is insufficient to present the issuance of attorney's fee.
3. That said complaint does not show the principal balance sued for.
4. That said complaint does not allege the amount of interest claimed on said note.
5. That said complaint is not in Code form for the State of Alabama.

OWENS AND PATTON

By: *James Owens, Jr.*
Attorneys for Defendant.

The defendant demands a trial
of this cause by a Jury.

James Owens, Jr.

FILED

MAR 25 1968

ALICE J. DUCK CLERK
REGISTER

file

TENNESSEE CORPORATION,
a corporation,

PLAINTIFF

VS:

WILLIAM M. CAMPBELL,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA

AT LAW

CASE NO. 8042

Comes now your petitioner, the Tennessee Corporation, by its Attorney, and moves this Honorable Court to enter a Judgment by default in behalf of the Plaintiff against the Defendant, William M. Campbell in the amount of \$7,855.63, plus costs of Court, and as grounds for this Motion shows unto this Honorable Court as follows to-wit:

1. The Defendant is a Corporation authorized by law to do business in the State of Alabama. And as said Corporation doing business in the State of Alabama the Plaintiff sold fertilizer to the Defendant in the amount of \$7,410.98. The Defendant has not paid for said fertilizer and the Plaintiff claims six per cent interest on the amount due making a net total of \$7,855.63.

2. On March 18, 1968, the Plaintiff sued the Defendant in the Circuit Court of Baldwin County, Alabama. Personal service was perfected upon the Defendant on March 21, 1968. The Defendant has had ample time to plead, answer, or demur to the Bill of Complaint filed against him. The Defendant has not seen fit to appear in this cause.

3. The Plaintiff has allowed over sixty (60) days to elapse since the Defendant was served with the Summons and Complaint in this cause and the Defendant has not appeared.

Wherefore your petitioner respectfully submits this Motion moving this Honorable Court to grant it a Judgment in the amount of \$7,855.63, plus costs of Court.

Robert B. Lurch, Jr.
Attorney for the Plaintiff

Our File No. 69-271

Your File No.

Law Offices

E. G. RICKARBY
35 SOUTH SECTION STREET
FAIRHOPE, ALABAMA 36532

Code 205
Telephone: 928-9836

Mailing Address
P.O. Box 471

August 12, 1970

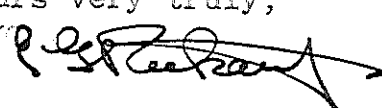
Mrs. Alice J. Duck
Clerk of the Circuit Court
Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Tennessee Corporation
vs. William M. Campbell
Case No. 8042

If you will send me a cost bill in this case, I will send
it to client.

Yours very truly,

 *done*
8-14-70

EGR/jc
cc: Mr. Robert B. French, Jr.
9-23-70