

ALABAMA CARPETS, INC., a  
corporation, d/b/a BELLAS  
HESS SUPERSTORES CARPET  
DEPARTMENT,

Plaintiff,

VS.

McCAW & CAMPBELL CONTRACTORS,  
INC., a corporation,

Defendant,

§ IN THE CIRCUIT COURT OF  
§ MOBILE COUNTY, ALABAMA  
§ AT LAW

§

§

§

§

Case No. 25633

COUNT ONE

Plaintiff claims of Defendant the sum of, to-wit,  
TWO THOUSAND NINE HUNDRED FIVE AND 97/100 (\$2,905.97) DOLLARS,  
due from it by account on, to-wit, November 4, 1967, which  
sum of money, with interest thereon, is still unpaid. This  
suit is filed on an itemized verified statement which will  
be offered in evidence at trial.

COUNT TWO

Plaintiff claims of Defendant the sum of, to-wit,  
TWO THOUSAND NINE HUNDRED FIVE AND 97/100 (\$2,905.97) DOLLARS,  
due from it for work and labor done for the Defendant by the  
Plaintiff on, to-wit, November 4, 1967, at its request.

*Robert A. Beckerle*

ROBERT A. BECKERLE  
Attorney for Plaintiff

DEFENDANTS ADDRESS:

% Mr. Homer Campbell (Phone Number 937-7620  
Bay Minette, Alabama

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON

MAY 16 3 44 PM '68

*John M. Campbell*  
CLERK

COUNTY OF MOBILE

STATE OF ALABAMA

Be it remembered, that on this 14th day of May  
A. D., 1968, personally appeared before me, the undersigned authority, C. Thomas Carter  
known to me  
who being duly sworn, upon his oath stated that he is Manager  
of Alabama Carpets, Inc., d/b/a Bellas Hess Superstore Carpet Department  
{ a corporation organized and doing business under the laws of the State of Alabama  
{ and has been duly authorized by said corporation to make this affidavit  
{ a partnership composed of \_\_\_\_\_  
a sole trader doing business as \_\_\_\_\_  
and that as such he makes this affidavit; that he is familiar with the books and business of said  
Alabama Carpets, Inc.; that the attached account against  
McCaw & Campbell Contractors, Inc. of Bay Minette  
is just and correct, within the knowledge of this affiant, that the items thereon stated and compos-  
ing the said account were sold and delivered to said McCaw & Campbell Contractors, Inc.  
at { <sup>its</sup> ~~their~~ } special instance and request, that credit has been duly given for all payment and  
~~xxx~~  
~~xxx~~  
just and lawful offsets to which said account is entitled as thereon stated, and that the balance  
thereof, amounting to the sum of Two Thousand Nine Hundred Five and 97/100 Dollars  
(\$2,905.97) with interest from November 4, 1967 is justly due and  
remains unpaid.

I hereby certify under my official seal that I am authorized as a Notary Public  
to administer oaths under the laws of the State of Alabama  
and that the foregoing was subscribed and sworn to before me on the day and  
year first above stated.

Robert A. Beckwith  
Notary Public

County of \_\_\_\_\_ State of \_\_\_\_\_  
My commission expires \_\_\_\_\_  
A. D. 19 \_\_\_\_\_

531

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON  
MAY 16 3 43 PM '68  
Paul Marshall  
CLERK

**THE STATE OF ALABAMA**  
MOBILE COUNTY

**CIRCUIT COURT**

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

McCAW & CAMPBELL CONTRACTORS, INC., a corporation

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,  
at the place of holding the same, then and there to answer the complaint of

ALABAMA CARPETS, INC., a corporation, d/b/a BELLAS HESS SUPERSTORES  
CARPET DEPARTMENT

WITNESS: John E. Mandeville, Clerk of said Court, this 16th day of May, 19 68

Attest: John E. Mandeville  
Clerk

**SHERIFF'S RETURN**

Received \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and on \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, I served a copy of  
the within \_\_\_\_\_ on \_\_\_\_\_  
by service on \_\_\_\_\_

RAY D. BRIDGES, SHERIFF

By \_\_\_\_\_ D.S.

SHERIFF DEPT.  
MOBILE COUNTY, ALA.

MAY 17 3 34 PM '68

*mail* No. 25633 - H  
JUDGE \_\_\_\_\_ DOCKET \_\_\_\_\_

CIVIL DIVISION

**CIRCUIT COURT**  
MOBILE COUNTY

Received 21 day of May 1968  
and on 5 day of June 1968

I served a copy of the within S + C  
on McCaw & Campbell Contractors  
Ho

By service on Homer Campbell  
Hc

TAYLOR WILKINS, Sheriff

By W. A. Beckerle  
Ca

Alabama Carpets, Inc., a corporation,  
d/b/a Bellas Hess Carpet Department

VS. } Complaint and Summons

McCaw & Campbell Contractors, Inc.,  
a corporation

Issued 16th day of May, 1968

Defendant's Address

% Mr. Homer Campbell  
Bay Minette, Alabama

Phone 937-7620

ROBERT A. BECKERLE

Plaintiff's Attorney

ALABAMA CARPETS, INC., a  
Corporation, d/b/a BELLAS  
HESS SUPERSTORES CARPET  
DEPARTMENT,

PLAINTIFF

VS

McCAW & CAMPBELL CONTRACTORS,  
INC., a Corporation

DEFENDANT

IN THE CIRCUIT COURT OF

MOBILE, COUNTY, ALABAMA

AT LAW

CASE NO. 25633-21

PLEA IN ABATEMENT

Comes now Defendant and for answer to the Bill of Complaint heretofore filed in this cause says:

1. That Plaintiff ought not to have and maintained its said suit for that Defendant is a corporation domiciled in Bay Minette, Baldwin County, Alabama and that it does not do business in Mobile County and that it has never done business in Mobile County.

2. That Defendant owns no property in Mobile County, Alabama.

3. That Defendant does business in no other County in the State of Alabama except Baldwin County, Alabama.

4. That Defendant has never done business in any County in the State of Alabama except Baldwin County, Alabama.

Will Hay  
Attorney for Defendant

McCAW & CAMPBELL CONTRACTORS,  
INC., a Corporation

BY: Homer F. Campbell  
Homer F. Campbell

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Homer F. Campbell, President of McCaw & Campbell Contractors, Inc., the Defendant in the above styled cause who, being known to me and being duly sworn deposes and says:

I have read the foregoing plea in its entirety and knows it to be true and without error.

Homer F. Campbell  
Homer F. Campbell

Sworn to and subscribed before me on this the 12th day of June, 1968.

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON

Ruth H. Howell  
Notary Public, Baldwin County, Ala.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 12th day of June 1968 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.

Will Hay  
P.O. 300 Bay Minette, Ala. 36507

CLERK

533

PLEA IN ABATEMENT  
SUSTAINED, AND CASE  
ORDERED TRANSFERRED TO  
THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

It is ordered and adjudged by the Court that the Defendant's said Plea in Abatement filed June 17, 1968 in this cause be, and the same is hereby sustained and case ordered transferred to the Circuit Court of Baldwin County, Alabama.

Page 386

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

No. 25633 ALABAMA CARPETS, INC., a corporation, d/b/a BELLAS HESS Plaintiff  
SUPERSTORES CARPET DEPARTMENT vs.  
McCAW & CAMPBELL CONTRACTORS, INC., a corporation Defendant

(Act No. 740, Reg. Session Ala. Legislature 1957 Appvd. Sept. 20, 1957) (Amend Sec. 27, Title 11, Code Ala. 1940) BILL OF COST (Act No. 571, Reg. Ses. Leg. 1955) (Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES	Plff.	Deft.	SHERIFF'S FEES	Plff.	Deft.
Suits for \$100 or less \$ 6.00			Serving Summons & Complaint \$ 1.50	1 50	
Suits for over \$100 but less than \$1,000 10.00			Serving Writ of Garnishment 1.50		
Suits for \$1,000 and over 20.00	20 00		Serving Sci Fa.-Notices 1.50		
Suits in detinue, ejectment, etc. 10.00			Levyng Attachment & Return 6.25		
Suits not otherwise provided 10.00			Executing Writ Possession 5.00		
Writs, Mandamus, Prohibition, etc. 15.00			Seizing personal property under Writ of Detinue 6.00		
Appeals from Court General Sessions 15.00			Serving subpoenas, each .75		
Appeals from Probate Court 20.00			Impanelling Jury .75		
Appeals from JP Courts 6.00			Taking & Approving Bond 2.00		
Appeals from State Dept of Pub. Safety, and other State Agencies 10.00			Collecting Costs Execution 1.50		
Workmen's Compensation Settle. 10.00			Serving Contempt Writ 1.50		
Garnishment on Judgment 6.00			Making Deed for Property sold 2.50		
Order of Sale, Motions to sell. 6.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3% \$		
Recording executions from State Agencies 3.00					
Cert. Copy of Record - per 100 words .15	80		Total \$	1 50	
Taking Appeal Bond .75					
Record for Supreme Court etc., per 100 words .15			RECAPITULATION		
Add'l Copies of Record for Supreme Court, per 100 words .05			Clerk 20 80		
Checking - including Reporters Transcript of Evidence 10.00			Sheriff Taylor Wilkins Baldwin County 1 50		
Certifying Abstract in lieu of Transcript on Appeal 5.00			Inferior Civil Court		
Collecting Money on Judgments over 30 days old, ½ the percentage allowed Sheriffs \$			Justice Peace fees		
			Witness fees		
			Commissioner's fees		
			Certificate of Judgment		
			Judgment		
			10% Damages		
			Interest		
			Stenographer's fees (\$10.00 Day)		
			Library fee 1.50	1 50	
			Trial Tax (County) 1.50	1 50	
			Trial Tax (State) 1.50	1 50	
			Advertisement		
			Garnishee's fees		
Total \$	20 80				

I respectfully beg to advise that if this bill for costs is not paid before 19\_\_\_\_\_, it will be my unpleasant duty to issue execution for same.  
JOHN E. MANDEVILLE, Clerk

\$26.80

STATE OF ALABAMA, }  
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby  
certify that the foregoing is a full, true and correct copy of ORDER OF COURT

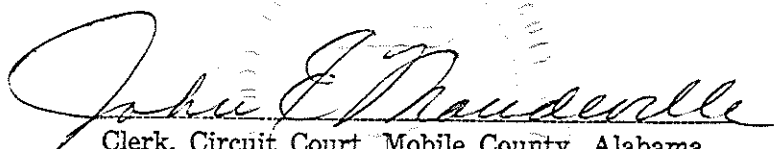
as rendered by the said Circuit Court on the 21st day of June, 19 68, in the cause  
entitled No. 25633 - ALABAMA CARPETS, INC., a Corporation d/b/a BELLAS  
HESS SUPERSTORES, CARPET DEPARTMENT, Plaintiff,

— versus — McCAW & CAMPBELL CONTRACTORS, INC., a corporation

Defendant, (~~Together with the cancellation thereof~~), as the same remains of record in this office in  
Minute Book No. 37, Page No. 386

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office  
in the City of Mobile, Alabama, on this the 21st day of June, 19 68

ATTEST:

  
Clerk, Circuit Court, Mobile County, Alabama.





080022

CREDIT NO.  
*Carpet*  
Department  
*Bill*  
Sold by

*11-4-*  
Date of Sale

Hold ☐ TILL

Date of Delivery

Name *M. J. Carr & Company* Phone  
Address *Seneca St.* City State

QUAN.	NUMBER	FINISH	DESCRIPTION	AMOUNT
12x	26 <sup>12</sup>		Send Beige Drinker	266.20
12x	11 <sup>2</sup>		Reel. Copper	113.24
			w/Carson	339.41
				<del>339.41</del>
				322.81
			56 yd. of fuf besides	
			enough to cover	
			above Carson pad	70.02
			Carson	63.75

☐ CASH ☐ FINANCED

Total Sale		
Less Dn. Pmt.		
Bal. to Be Financed		

Receipt No. *4070*  
Rec'd By

Mdse. Total	
Sales Tax	<i>12.88</i>
Delivery	
Service	
TOTAL	<i>469.44</i>

C.O.D. \$



75054

Membership No.

***SUPERSTORES***

5/23/67  
Date of Sale

Case Department

Mc Car & Campbell

Hold ☐ TILL

Sold by Ruz

Lee House

Date of Delivery

P. 8 275

## Pick Up

Name McCaw & Cambell Phone 937-4121

Address Bay Minette Ala City Ala State Ala

<input type="checkbox"/> CASH	<input type="checkbox"/> FINANCED				
Total Sale			Receipt No.		
Less Dn. Pmt.			Rec'd By		
Bal. to Be Financed					

Mdse. Total	643	62
Sales Tax	32	18
Delivery		
Service	121.	00
<b>TOTAL</b>	<b>796.</b>	<b>80</b>

Received in good condition by...



*131*

**BELLAS HESS**

Membership No. \_\_\_\_\_

*carpet*  
Department

*215*  
Sold by

*Posted*

**73521**

*5/1/67*  
Date of Sale

Hold ☐ TILL \_\_\_\_\_

Date of Delivery \_\_\_\_\_

Pick Up \_\_\_\_\_

Name *E P Bell* Phone \_\_\_\_\_

Address *Bay minette Ala.* City \_\_\_\_\_ State \_\_\_\_\_

QUAN.	NUMBER	FINISH	DESCRIPTION	AMOUNT
	<i>15X 37 1/2</i>		<i>E + B Imperial CT</i>	<i>693.00</i>
	<i>15X 17 1/2</i>		<i>Royal Blue Trumpeter</i>	
	<i>15X 41 1/4</i>		<i>Sand Beige</i>	
			<i>Sommerset Pad</i>	<i>876.12</i>
			<i>WALL TO WALL</i>	<i>1,407.89</i>
			<i>Blue in Fround PR</i>	
			<i>S Beige Hall and</i>	
			<i>All other BL</i>	
			<i>P-Beige Imp CT</i>	
			<i>LR + E Hall</i>	
			<i>labor</i>	<i>161.39</i>

☐ CASH      ☐ FINANCED

Total Sale \_\_\_\_\_

Less Dn. Pmt. \_\_\_\_\_

Bal. to Be Financed \_\_\_\_\_

**C.O.D. \$** \_\_\_\_\_


Receipt No. \_\_\_\_\_

Rec'd By \_\_\_\_\_

Mdse. Total	
Sales Tax	<i>70 45</i>
Delivery	
Service	
<b>TOTAL</b>	<b><i>1639 73</i></b>

Received in good condition by \_\_\_\_\_

ALABAMA CARPETS, INC., a  
corporation, d/b/a BELLAS  
HESS SUPERSTORES CARPET  
DEPARTMENT,

Plaintiff,

VS.

MCCAW & CAMPBELL CONTRACTORS,  
INC., a corporation,

Defendant,

§ IN THE CIRCUIT COURT OF  
§ MOBILE COUNTY, ALABAMA  
§ AT LAW

§

§

§

§

Case No. 25633

COUNT ONE

Plaintiff claims of Defendant the sum of, to-wit,  
TWO THOUSAND NINE HUNDRED FIVE AND 97/100 (\$2,905.97) DOLLARS,  
due from it by account on, to-wit, November 4, 1967, which  
sum of money, with interest thereon, is still unpaid. This  
suit is filed on an itemized verified statement which will  
be offered in evidence at trial.

COUNT TWO

Plaintiff claims of Defendant the sum of, to-wit,  
TWO THOUSAND NINE HUNDRED FIVE AND 97/100 (\$2,905.97) DOLLARS,  
due from it for work and labor done for the Defendant by the  
Plaintiff on, to-wit, November 4, 1967, at its request.

*Robert A. Beckerle*

ROBERT A. BECKERLE  
Attorney for Plaintiff

DEFENDANTS ADDRESS:

% Mr. Homer Campbell (Phone Number 937-7620)  
Bay Minette, Alabama