

NELSON RADIO & SUPPLY
COMPANY, INC., A
Corporation

PLAINTIFF

VS

C. H. MATTHEWS d/b/a
MATTHEWS FURNITURE COMPANY,

DEFENDANT

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. _____

..-.-.-..

Comes now Defendant and for answer to Plaintiff's
complaint says:

1.

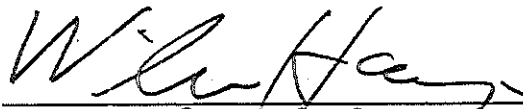
Not guilty.

2.

The matters alleged therein are untrue.

3.

That he has paid the debt for the recovery of which
this suit was brought, before the action was commenced.


Attorney for Defendant

FILED

FEB 4 1969

ALICE J. BUCK CLERK
REGISTER

JOSEPH J. BOSWELL

LAWYER

SUITE 1201 MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA 36601

February 20, 1969

MAILING ADDRESS:
P. O. BOX 1112
MOBILE, ALA. 36601
AREA CODE 205
438-2595

Mrs. Alice J. Duck, Register
Circuit Court of Baldwin County
Baldwin County Courthouse
Bay Minette, Alabama

Re: Nelson Radio & Supply Co., Inc.
vs. C. H. Matthews d/b/a Matthews
Furniture Company
Case No: 8185

Dear Mrs. Duck:

Enclosed is a motion to set aside an involuntary
non suit entered in the above styled case on the 4th day of
February, 1969. Please file this motion and notify me of
the date it is set on Judge Mashburn's docket.

Thank you,

Sincerely yours,

Joe Boswell
Joseph J. Boswell

JJB:jl

Enclosure

*Judge says he will not
re-instate*

FILED
FEB 27 1969
ALICE J. DUCK, CLERK
REGISTER

NELSON RADIO & SUPPLY
COMPANY, INC., A
Corporation,

Plaintiff,

-VS-

C. H. MATTHEWS d/b/a
MATTHEWS FURNITURE COMPANY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY,

ALABAMA

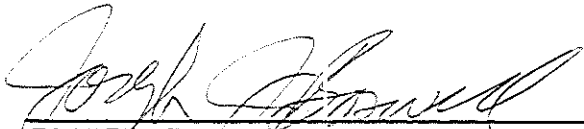
AT LAW

CASE NO: 8185

MOTION TO SET ASIDE NON SUIT

Comes now the Plaintiff in the above styled cause and files this motion to set aside a non suit entered by this Honorable Court on to-wit: the 4th day of February, 1969, and as grounds for said motion says as follows:

1. For that heretofore and on to-wit: the 12th day of June, 1968, the Honorable Wilson Hayes, attorney for Defendant, filed a Plea in Abatement to this original action which was filed in the Circuit Court of Mobile County, Alabama. Upon said Plea being heard in the Circuit Court of Mobile County, Alabama, this cause was abated and transferred to the Circuit Court of Bay Minette, Alabama. After this cause was abated and transferred, neither Plaintiff nor Plaintiff's attorney was ever notified of this cause being set for trial.


JOSEPH J. BOSWELL
Attorney for Plaintiff

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me the undersigned authority in and for said State and County personally appeared Joseph J. Boswell who being by me first duly sworn deposes and says that he is the attorney for Nelson Radio & Supply Company, Inc., that he has read the foregoing motion and has knowledge of its

FILED

FEB 21 1969

ALICE J. BUCH
CLERK
REGISTER

168

contents and that the averments therein are true and correct to the best of his knowledge, information and belief.

Joseph E. Howell

Subscribed and sworn to before me this

20th day of February, 1969.

Andra Bower

NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

VERIFICATION OF SERVICE

I hereby certify that on the 20 day of Feb., 1969, I 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 and first class postage prepaid.

Joseph E. Howell