

MONSANTO COMPANY, a Corporation, X

Plaintiff, X

vs. X

A. V. CAMPBELL, SR. X

Defendant. X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8211

Comes now the Defendant in the above styled cause and for answer to the Complainants Bill of Complaint, and each count thereof separately and severally, says:

1.

For ought appears from the Bill of Complaint and the statements of account attached thereto, this is an indebtedness of A. V. Campbell, Jr. and not the indebtedness of A. V. Campbell, Sr.

WILTERS & BRANTLEY

BY:

Lang J. Wilters Jr.
Attorney for the Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 26 day of July, 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, and first class postage prepaid.

WILTERS & BRANTLEY

By: *Lang J. Wilters Jr.*

FILED

JUL 25 1968

ALICE J. DUCK

CLERK
REGISTER

8221

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

CASE NO. 25851 - McCALL

PERLOFF & REID
BY: T. DWIGHT REID

MONSANTO COMPANY, a Corporation

N.J.

VS. Suit for \$2,109.88 with interest due by account,
(Itemized, Verified Statement of Account)

HARRY J. WILTERS, JR.
P.O. Box 968
Bay Minette, Ala. 36507

A.V. CAMPBELL, SR.

N.J.

PLEADINGS, PROCESS, ETC, * FILING DATE *

1. Complaint & Summons * 6-14-68 * C & S served on Defendant on June 24, 1968.

2. Itemized, Verified *
Account - - - - - * 6-14-68 * July 12, 1968 - Plea in Abatement sustained and case ordered transferred
to Circuit Court of Baldwin County, Alabama.

3. Plea in Abatement * 7-3-68 *
/s/ Dan T. McCall, Judge

37-455

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VOL

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court.

In Witness whereof I have hereunto set my hand and attached my Official Seal as such Clerk of said Court at Mobile, Mobile County, Alabama, on this the 16th day of July 1968.

John E. Mandeville Clerk

FILED
JUL 17 1968
ALICE J. DUCK, CLERK

MONSANTO COMPANY, a corporation, (IN THE CIRCUIT COURT OF
Plaintiff, (MOBILE COUNTY, ALABAMA,
vs. (AT LAW
A. V. CAMPBELL, SR. (
Defendant. (CASE NO. 25851

COUNT ONE

Plaintiff claims of the defendant the sum of TWO THOUSAND ONE HUNDRED NINE & 88/100 (\$2,109.88) DOLLARS due from them by account on, to-wit: May 12, 1966, which sum of money with the interest thereon is still unpaid.

COUNT TWO

Plaintiff claims of the defendant the sum of TWO THOUSAND ONE HUNDRED NINE & 88/100 (\$2,109.88) DOLLARS due from them by account stated on, to-wit: May 12, 1966, which sum of money with the interest thereon is still unpaid.

COUNT THREE

Plaintiff claims of the defendant the sum of TWO THOUSAND ONE HUNDRED NINE & 88/100 (\$2,109.88) DOLLARS due for merchandise had and received by the defendants from the plaintiff prior to the 12th day of May, 1966, which sum of money with the interest thereon is still unpaid.

COUNT FOUR

Plaintiff claims of the defendant the sum of TWO THOUSAND ONE HUNDRED NINE & 88/100 (\$2,109.88) DOLLARS due from them by account on, to-wit: May 12, 1966, which sum of money with the interest thereon is still unpaid. This suit is filed on an itemized, verified statement of the account, which is attached hereto and made a part thereof.

PERLOFF & REID

T. Dwight Reid
T. DWIGHT REID, Attorney for
Plaintiff

Defendant may be served at:
Loxley, Alabama

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

JUN 14 11 40 AM '68

J. R. Montville
CLERK

STATE OF MISSOURI
COUNTY OF ST. LOUIS 63166

ss.

Be it Remembered That on this 20th day of May A. D., 19 68
personally appeared before me, the undersigned authority, W. Fred DuBois
known to me, who being duly sworn, upon his oath stated that he is Reg. Mgr. - Fin. Serv. Dept.
of MONSANTO COMPANY

a corporation organized and doing business under the laws of the State of Delaware
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
MONSANTO COMPANY; and that the attached account against
A. V. CAMPBELL of P. O. Box 84, ROBERTSDALE, ALABAMA
is within the knowledge of the affiant just and true; that the items thereon stated and composing the said
account were sold and delivered to said A. V. CAMPBELL

at { his
their
its } special instance and request; that credit has been duly given for all payments and 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 one hundred nine and 88/100 ----- Dollars
(\$ 2,109.88) with interest from 19, is due and unpaid.

STATE OF MISSOURI
I CERTIFY THIS AFFIDAVIT
WAS FILED ON

(Party making affidavit sign here)

Subscribed and sworn to before me on the day and year first above stated.

My commission expires

CLERK

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A. D. 1971

Notary Public

State of Missouri County of St. L

Monsanto
C O M P A N Y

A.V.CAMPBELL
ROBERTSDALE, ALABAMA
P.O.Box 84

LEDGER NO.	MO.	DAY	YEAR
134365	4	10	68

IMPORTANT: IF PURCHASES AND PAYMENTS MADE NEAR THIS STATEMENT DATE ARE NOT REFLECTED, THEY WILL APPEAR ON THE NEXT MONTH'S STATEMENT. ANY DIFFERENCES SHOULD BE REPORTED PROMPTLY. ANY PAYMENTS ON THIS ACCOUNT SHOULD BE DIRECTED TO THE LOCK BOX SHOWN ON OUR INVOICES.

✓	DATE		REFERENCE	*TRANS-ACTION	DEBITS		CREDITS	BALANCE	
	1	68	S/C		120	57			
	5	66	074041		258	00			
	5	66	074051		270	00			
	5	66	073661		76	50			
	12	66	060351		578	00			
	11	66	179231		264	00			
	2	68	S/C		14	81			
								\$	2,109 88

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RM 271 REV. 4-65

Monsanto
C O M P A N Y

7366

AGRICULTURAL CENTERS

SOLD TO:

DATE May 12, 1966

A.V. CAMPBELL, JR.
P.O. BOX 84
ROBERTSDALE, ALABAMA

MONSANTO COMPANY
AGE CENTER # 310
LOXLEY, ALABAMA

BALDWIN COUNTY

REMITTANCE SHOULD BE MADE PAYABLE TO
MONSANTO COMPANY
AT ABOVE ADDRESS

TERMS: 4% 30 Days--Net Due 150 Days

DESCRIPTION PACKED MATERIAL SHOULD BE DESCRIBED BY NUMBER AND SIZE OF CONTAINERS.	GUARANTEED ANALYSIS			SALES QUANTITY	PRICE & UNIT	AMOUNT
	% N	% AVAIL. Pz Os	% SOL. KzO			
Monsanto 6-24-24 bagged	6	24	24	1.00/T	76.00/T	76.00
Less Delivery Allowance					1.50/T	1.50
DEDUCT CASH DISCOUNT OF \$ <u>3.06</u>	IF PAID BY <u>6/12/66</u>			TOTAL AMOUNT		76.50 ✓

[illegible]

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[illegible]

Monsanto
C O M P A N Y

7404

SOLD TO:

AGRICULTURAL CENTERS

DATE **May 19, 1966**

A.V. CAMPBELL, JR.
P.O. BOX 84
ROBERTSDALE, ALABAMA

MONSANTO COMPANY
AGR CENTER # 310
LOXLEY, ALABAMA

BALDWIN COUNTY

REMITTANCE SHOULD BE MADE PAYABLE TO
MONSANTO COMPANY
AT ABOVE ADDRESS

TERMS: **4% 30 Days—Net Due 180 Days**

DESCRIPTION PACKED MATERIAL SHOULD BE DESCRIBED BY NUMBER AND SIZE OF CONTAINERS.	GUARANTEED ANALYSIS			SALES QUANTITY	PRICE & UNIT	AMOUNT
	% N	% AVAIL. P ₂ O ₅	% SOL. K ₂ O			
Monsanto 13-13-13 bulk	13	13	13	4.00/T	65.00/T	260.00
Equipment Rental					1.00/T	4.00
Less Delivery Allowance					1.50/T	6.00
DEDUCT CASH DISCOUNT OF \$ 10.32				IF PAID BY 6/19/66	TOTAL AMOUNT	258.00

CUSTOM BLEND MATERIALS	GUARANTEED ANALYSIS			QUANTITY	UNIT	Pounds of Plant Foods		
	% N	% AVAIL. P ₂ O ₅	% SOL. K ₂ O			N	P ₂ O ₅	K ₂ O

Monsanto

C O M P A N Y

7405

AGRICULTURAL CENTERS

SOLD TO:

DATE May 20, 1966

A. V. CAMPBELL, JR.
P.O. BOX 84
ROBERTSDALE, ALABAMA

MONSANTO COMPANY
AGR CENTER # 310
LOXLEY, ALABAMA

BALDWIN COUNTY

REMITTANCE SHOULD BE MADE PAYABLE TO
MONSANTO COMPANY
AT ABOVE ADDRESS

TERMS: 4% 30 Days—Net Due 180 Days

DESCRIPTION PACKED MATERIAL SHOULD BE DESCRIBED BY NUMBER AND SIZE OF CONTAINERS.	GUARANTEED ANALYSIS			SALES QUANTITY	PRICE & UNIT	AMOUNT
	% N	% AVAIL. P ₂ O ₅	% SOL. K ₂ O			
Monsanto 13-13-13 bulk	13	13	13	4.00/T	65.00/T	260.00
Equipment Rental					1.00/T	4.00
Plus Delivery Allowance					1.50/T	6.00
DEDUCT CASH DISCOUNT OF \$ 10.80				TOTAL AMOUNT		270.00 ✓
IF PAID BY 6/20/66						

CUSTOM BLEND MATERIALS	GUARANTEED ANALYSIS			QUANTITY	UNIT	Pounds of Plant Foods		
	% N	% AVAIL. P ₂ O ₅	% SOL. K ₂ O			N	P ₂ O ₅	K ₂ O
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1000

Monsanto

7869

AGRICULTURAL CENTERS

SOLD TO:

DATE 10 24 65

134 365 310

A V CAMPBELL JR
P O BOX 94

ROBERTSDALE ALA 66

MONSANTO COMPANY
AGR CENTER 1319
MOBILE ALABAMA

BALDWIN COUNTY

REMITTANCE SHOULD BE MADE PAYABLE TO
MONSANTO COMPANY
AT ABOVE ADDRESS

TERMS 4% 30 days-net due 7-20-67-1% interest per month after 7-20-67

DESCRIPTION PACKED MATERIAL SHOULD BE DESCRIBED BY NUMBER AND SIZE OF CONTAINERS.	GUARANTEED ANALYSIS			SALES QUANTITY	PRICE & UNIT	AMOUNT
	% N	% AVAIL P ₂ O ₅	% SOL K ₂ O			
Monsanto 13-13-13 bulk	13	13	13	8.00/T	65.00/T	520.00
Equipment rental					1.00/T	8.00

DEDUCT CASH DISCOUNT OF \$ 21.12

IF PAID BY 11/24/66

TOTAL AMOUNT

528.00

CUSTOM BLEND MATERIALS	GUARANTEED ANALYSIS			QUANTITY	UNIT	Pounds of Plant Foods		
	% N	% AVAIL P ₂ O ₅	% SOL K ₂ O			N	P ₂ O ₅	K ₂ O
TOTAL SOL						61	PAGE	304

11/24/66

Monsanto

C O M P A N Y

7923

AGRICULTURAL CENTERS

SOLD TO:

DATE

11-4-66

134365 310

A V CAMPBELL JR
P O BOX 24

ROBERTSDALE ALA

66

MONSANTO COMPANY
AGR CENTERS 4310
BOXLEY ALABAMA

BALDWIN COUNTY

REMITTANCE SHOULD BE MADE PAYABLE TO
MONSANTO COMPANY
AT ABOVE ADDRESS

TERMS 4% 30 days-Net due 7-20-67-1/2% interest per month after 7-20-67

DESCRIPTION PACKED MATERIAL SHOULD BE DESCRIBED BY NUMBER AND SIZE OF CONTAINERS.	GUARANTEED ANALYSIS			SALES QUANTITY	PRICE & UNIT	AMOUNT
	% N	% AVAIL. P ₂ O ₅	% SOL. K ₂ O			
Monsanto 13-13-13 bulk	13	13	13	4.00/T	65.00/T 260.00	260.00
Equipment rental					1.00/T	4.00

DEDUCT CASH DISCOUNT OF \$ 10.56 IF PAID BY 12/4/66 TOTAL AMOUNT 264.00

CUSTOM BLEND MATERIALS	GUARANTEED ANALYSIS			QUANTITY	UNIT	Pounds of Plant Foods		
	% N	% AVAIL. P ₂ O ₅	% SOL. K ₂ O			N	P ₂ O ₅	K ₂ O
TOTALS					VOL 61	PAGE 305		

11-4-66

THE STATE OF ALABAMA
MOBILE COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

A. V. CAMPBELL, SR.

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
MONSANTO COMPANY, a corporation

WITNESS: John E. Mandeville, Clerk of said Court, this 14th day of June, 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.

Et 16-24-68

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REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.

JUN 19 4 11 PM '68

BY _____

JUDGE _____

DOCKET _____

CIVIL DIVISION

CIRCUIT COURT
MOBILE COUNTY

Monsanto Company, a corporation

VS. } Complaint and Summons

A. V. Campbell, Sr.

Issued 17th day of June, 1968

Defendant's Address

Loxley, Alabama

T. DWIGHT REID

Plaintiff's Attorney

Received 27 day of June 1968
and on 24 day of June 1968
I served a copy of this summons on A. V. Campbell, Sr.

By service on _____

TAYLOR WILKINS, Sheriff

By H. F. HALL D. S.

R. Reid

Sheriff claims 50 miles at
(Ten Cents per mile Total \$ 5.00)
TAYLOR WILKINS, Sheriff
BY Mal DEPUTY SHERIFF

MONSANTO COMPANY, a Corporation X
Plaintiff, X
vs. X
A. V. CAMPBELL, SR. X
Defendant X

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA
AT LAW
CASE NO. 25851 *MC*

PLEA IN ABATEMENT

Comes the Defendant, A. V. Campbell, Sr., in the above styled cause, and appears especially for the purpose of filing the following plea in abatement, and for no other purpose, pleas in abatement to the Complaint filed in this cause, and to each count thereof as follows, separately and severally:

1.

That this Honorable Court is without jurisdiction of this cause of action sued on in this:

That he has been a resident continuously of Baldwin County, Alabama, for forty years; that he is not now, nor has he ever been a resident of Mobile County, Alabama.

WHEREFORE, the Defendant says, he cannot be sued in Mobile County, Alabama, and that the Circuit Court of Mobile County, Alabama, has no jurisdiction of the cause of action made the basis of this suit, and that this Court ought not to take further jurisdiction of this cause.

A. V. Campbell
A. V. Campbell, Sr.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Richard S Fountain, a Notary Public, in and for said County, in said State, personally appeared A. V. Campbell, Sr., who, being by me first duly sworn, deposes and says that he is the Defendant in the above styled cause, and that he 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 his knowledge, information and belief.

A. V. Campbell
A. V. Campbell, Sr.

Sworn to and subscribed before me this the 29th day of June, 1968.

Richard S Fountain
Notary Public,

Harry J. Wilters, Jr.
Attorney for the Defendant

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

JUL 3 8 34 AM '68

John Marshall
CLERK

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FRIDAY, JULY 12, 1968

MONSANTO COMPANY, a corporation)	
McCALL	-vs-	25851
A.V. CAMPBELL, SR.)	
)	PLEA IN ABATEMENT SUSTAINED
)	AND CASE ORDERED TRANSFERRED
)	TO CIRCUIT COURT OF BALDWIN
)	COUNTY, ALABAMA

This day in open Court came the parties by their attorneys, and this cause coming on to be heard on the defendant's Plea in Abatement filed in this cause, and said Plea in Abatement being argued by counsel and understood by the Court; It is ordered and adjudged by the Court that the defendant's said Plea in Abatement be, and the same is hereby sustained, and case ordered transferred to Circuit Court of Baldwin County, Alabama.

Minute Book 37

Page 355

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

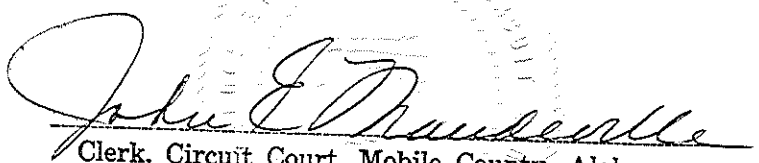
as rendered by the said Circuit Court on the 12th day of July, 19 68, in the cause
entitled No. 25851 - MONSANTO COMPANY, a corporation

_____, Plaintiff,
— versus — A.V. CAMPBELL, SR.

Defendant, (~~Taken with the case in the name of~~), as the same remains of record in this office in
Minute Book No. 37, Page No. 355

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 16th day of July, 19 68.

ATTEST:


Clerk, Circuit Court, Mobile County, Alabama.

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

MONSANTO COMPANY, a Corporation

Plaintiff

No. 25851

VS.

A.V. CAMPBELL, SR.,

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.
			Mileage \$5.00		
Suits for \$100 or less\$ 6.00			Serving Summons & Complaint\$ 1.50	6 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			Levying 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			Serving subpoenas, each75		
Sessions 15.00			Impanelling Jury75		
Appeals from Probate Court 20.00			Taking & Approving Bond 2.00		
Appeals from JP Courts 6.00			Collecting Costs Execution 1.50		
Appeals from State Dept of Pub. Safety, and other State			Serving Contempt Writ 1.50		
Agencies 10.00			Making Deed for Property sold 2.50		
Workmen's Compensation Settle. 10.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3% \$		
Garnishment on Judgment 6.00					
Order of Sale, Motions to sell. 6.00			Total \$	6 50	
Recording executions from State					
Agencies 3.00					
Cert. Copy of Record - per			RECAPITULATION		
100 words15	80		Clerk 20 80		
Taking Appeal Bond75			Sheriff 6 50		
Record for Supreme Court etc., per 100 words15			Inferior Civil Court		
Add'l Copies of Record for Supreme Court, per 100 words05			Justice Peace fees		
Checking - including Reporters			Witness fees		
Transcript of Evidence 10.00			Commissioner's fees		
Certifying Abstract in lieu of Transcript on Appeal 5.00			Certificate of Judgment		
Collecting Money on Judgments			Judgment		
over 30 days old; ½ the per- centage allowed Sheriffs \$			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				

\$31.80

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