

OLIN CORPORATION, a
Virginia corporation

Plaintiff,

VS.

V. V. RHODES, JR.,

Defendant.

)

)

IN THE CIRCUIT COURT OF

)

BALDWIN COUNTY, ALABAMA

)

AT LAW

)

CASE NO. 9333

)

ANSWER

Comes now the Defendant in the above styled cause and files the following Plea to each and every Count in the Plaintiff's Complaint:

1.

The Defendant does not owe the amount sued for nor any amount.

2.

Not guilty.

WILTERS & BRANTLEY

BY:

Solomon M Brantley
Attorneys for Defendant

The Defendant demands a trial by jury.

WILTERS & BRANTLEY

BY:

Solomon M Brantley
Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 19th day of June 1970 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:

Solomon M Brantley

FILED

JUN 19 1970

ALICE J. DUCK CLERK
REGISTER

9333

July

Olin Corp.

vs

V. V. Rhodes Jr

NOTICE TO CREDITORS
AND OTHER INTERESTED PARTIES
IN THE ESTATE OF
V. V. RHODES, JR.
DECEASED
The undersigned, Clerk of the Court, do hereby give notice that the estate of V. V. Rhodes, Jr., deceased, is now open for the settlement of claims against the same. All persons having claims against the estate are hereby notified to present them to the undersigned for allowance within the time prescribed by law. This notice is given pursuant to the provisions of the Probate Code of the State of California.

FILED

JUN 19 1970

ALICE J. DUCK CLERK
REGISTER

9333-88

SUMMONS

STATE OF ALABAMA,)

COUNTY OF BALDWIN.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons V. V. RHODES, JR., to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at the place of holding same by OLIN CORPORATION, a Virginia Corporation.

Witness my hand this the 17th day of June, 1970.

Alice J. Duck
Clerk

** ** *

COMPLAINT

OLIN CORPORATION, a
Virginia corporation,

PLAINTIFF,

VS:

V. V. RHODES, JR.,

DEFENDANT.

X

X IN THE CIRCUIT COURT OF

X BALDWIN COUNTY, ALABAMA

X

AT LAW

X

X

9333

COUNT I:

The Plaintiff claims of the Defendant FIVE THOUSAND SIX HUNDRED TWENTY-FOUR & 95/100 DOLLARS (\$5,624.95), due from him by account on, to wit: the 5th day of May, 1969, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The Plaintiff claims of the Defendant FIVE THOUSAND SIX HUNDRED TWENTY-FOUR & 95/100 DOLLARS (\$5,624.95), due from him on account stated between the Plaintiff and the Defendant on, to wit: the 5th day of May, 1969, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The Plaintiff claims of the Defendant FIVE THOUSAND SIX HUNDRED TWENTY-FOUR & 95/100 DOLLARS (\$5,624.95), due from him for merchandise, goods and chattels sold by the Plaintiff and the Defendant on, to wit: the 5th day of May, 1969, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 11th day of June, 1970.

Forest A. Christian
Forest A. Christian, Attorney for
Plaintiff

Defendant's address:

Bay Minette, Alabama

FILED

JUN 17 1970

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PAGE 157

ALICE J. DUCK

CLERK
REGISTER

AFFIDAVIT TO AN ACCOUNT

STATE OF ARKANSAS

COUNTY OF PULASKI

Before me, a notary public in and for said county and state, this day personally appeared _____

Orvis A. Watson, who being by me first duly sworn, on oath states that _____ he is
(name of individual making affidavit)

Asst. Mgr., Cr.-Treas. Dept. of Olin Corporation
(title) (full firm, corporate or trade name)

hereinafter called "claimant"; that the said claimant is:

1. Use when Concern is a corporation.

1. A corporation organized and existing under the laws of the State of Virginia

2. A co-partnership composed of _____

2. Use when Concern is a partnership.

(full names of all general partners)

3. Use when one person owns the business.

3. A sole proprietorship owned by _____

(full name of sole proprietor)

and that affiant has been duly authorized by claimant to make this affidavit; that affiant is familiar with the books and business of claimant, and that the annexed account in favor of claimant and against

V. V. Rhodes, Jr., Bay Minette, Alabama
(name of debtor)

hereinafter called "debtor", showing a balance due of \$ 5,624.95 is, within the knowledge of the affiant, just, true and correct, and is due from said debtor to claimant,

Subscribed and sworn to before me this 11th

day of June, 19 70

Virginia L. Herrington
Notary Public

My commission expires November 1, 19 71
(Notary's Seal)

Orvis A. Watson
(Person making affidavit sign here)

ORIGINAL STATEMENT
IN ACCOUNT WITH



AGRICULTURAL DIVISION

AD-201 (REV.868)

- V. V. RHODES, JR.
- BAY MINETTE, ALABAMA

DATE	CODE	INVOICE NUMBER	CONTINUATION OF DETAILS			UNIT PRICE	NET AMOUNT
			PHYSICAL INVENTORY	QUAN. & PACKAGE	ANALYSIS		
Inv. Date		Inv. No.	Charges		Credits		Balance
Sep 30 67		74127	\$ 2,392.75				\$ 2,392.75
Dec 11 67		86562	1,487.50				3,880.25
Dec 11 67		86563	453.30				4,333.55
Dec 30 67		90198			138.20 cr		4,195.35
Dec 30 67		90795	350.00				4,545.35
Aug 13 68		64619	2,079.60				6,624.95
May 5 69		Payment			1,000.00 cr		5,624.95

CONSIGNMENT ACCOUNT	OPEN ACCOUNT	DUE FROM SALE	Over or Under Payment	TOTAL

\$
AMOUNT COLLECTED

DATE

SIGNATURE OF
FIELD REPRESENTATIVE

THIS IS A STATEMENT, NOT AN INVOICE. PRICES ARE NET, AFTER ALL DEDUCTIONS FOR TRUCKING ALLOWANCES AND ANY OTHER APPLICABLE TERMS OF SALE. PLEASE EXAMINE THIS STATEMENT CAREFULLY—IF ANY MONEY IS DUE FROM SALE OF CONSIGNED OR OTHERWISE, YOUR PROMPT REMITTANCE WILL BE APPRECIATED.

SHIPMENT IDENTIFICATION						
NO.	LOT	TER	ST	CL	DO	
3000	D	43	01	02	D	

FERTILIZERS
FERTILIZERS AGRICULTURAL DIVISION

SOLD TO • V. V. RHODES JR.

SHIPPED TO • 3740

JAY MINETTE ALA

30507

JAY MINETTE ALA

INVOICE	
NUMBER	DATE
741217	9-30-67

CAR NO. • CUSTOMER'S TRUCK

REMIT TO • OLIN MATTHEWSON CHEMICAL CORP.

HOW SHIPPED • COLLECT

30 LITTLE ROCK AR

ROUTE •

72115

TERMS • 2% 15 DAYS NET 30

ROUTE	TERMS
4002	4R

PRODUCT	EAC	PKG	ALLOW	CALC.
1021052	2	93	AO151	
1021052	2	93	AO151	
1021095	2	93	AO151	

ORDER NO.	FIELD REPRESENTATIVE	SHIPPED FROM		S/T OR S/O NO.		B/L NO.		DATE SHIPPED
	CARSON L S	MOBILE TERA		- RZ-17				09-17-67
QUANTITY	PRODUCT DESCRIPTION	PACKAGE	GROSS WEIGHT	NET WEIGHT	UNIT	UNIT PRICE	UNIT	NET AMOUNT
	AMMO PHOS FERT WITH POTASH 13-13-13	BULK	13.990	13.990	TON	48.00	TON	651.32
	AMMO PHOS FERT WITH POTASH 13-13-13	BULK	13.335	13.335	TON	48.00	TON	606.78
	AMMO PHOS 6-24-24 FERTILIZER COMP FERTILIZER MATERIAL TRANS FROM L. I. RHODES JAY MINETTE ALA	BULK	7.225	7.225	TON	74.00	TON	534.65
12-26-67 NV 454 - \$4.00 per ton Bulk discount on: 13.990 ← 13-13-13 13.335 ← 13-13-13 7.225 ← 6-24-24								

12-26-67 KV 454 - \$4.00 per ton Bulk discount on!
 13.990 - 13-13-13
 13.335 - 13-13-13
 7.225 - 6-24-24

TOTAL NET AMOUNT

2,392.75

OLIN MATTHEWSON CHEMICAL CORPORATION

CUSTOMER IDENTIFICATION

OFFICE	DIST.	TELE	SL	COUNTY	DO	
MOBILE	D	43	01	002	D	

FERTILIZERS
PESTICIDES

AGRICULTURAL DIVISION

SOLD TO • V V RHODES JR

SHIPPED TO • SAME

DAY MINETTE ALA

36507

BALDWIN

DAY MINETTE ALA

INVOICE

NUMBER

DATE

86562-12-11-67

CAR NO. •

HOW SHIPPED •

ROUTE •

TERMS • 2 1/2 15 DAYS NET 30

REMIT TO • OLIN - P O BOX 392
NO LITTLE ROCK ARK
72115

PAGE 1

ROUTE	TERMS				
0000	4R				
PRODUCT	BAG	PKG.	ALLOW	CALC.	
1 1021095	2	98	A0151		
1 1021095	2	98	A1052		

ORDER NO.	FIELD REPRESENTATIVE	SHIPPED FROM			S/T OR S/O NO.		B/L NO.		DATE SHIPPED
	CAKSON L S	MOBILE TERM			- KV365		-		12-05-67
QUANTITY	PRODUCT DESCRIPTION		PACKAGE	GROSS WEIGHT	NET WEIGHT	UNIT	UNIT PRICE	UNIT	NET AMOUNT
	AMMO PHOS 6-24-24 FERTILIZER COMP BULK DISCOUNT MATERIAL TRANS FROM L T RHODES DAY MINNETT ALA		BULK	21.250	21.250	TON	74.00	TON	1,572.50
						TON	4.00	TON	85.0000

TOTAL NET AMOUNT

1,487.50

OLIN MATTHEWSON CHEMICAL CORPORATION

CUSTOMER IDENTIFICATION						
ST NO	DIST	TERR	SL	COUNTY	PO	
33000	D	43	01	GOV	U	

PESTICIDES
SERVICES

AGRICULTURAL DIVISION

SOLD TO • V V RHODES JR

SHIPPED TO • SATE

BAY MINETTE ALA

36507

GALVIN

BAY MINETTE ALA

CAR NO. •

HOW SHIPPED •

ROUTE •

TERMS • NET 30 DAYS

REMIT TO • CLIN - P O BOX 372
 NO LITTLE ROCK ARK
 72115

PAGE 1

INVOICE	
NUMBER	DATE
86563	12-11-67

ROUTE	TERMS				
9000	30				
PRODUCT	EAC	PKG	ALLOW	CALC	
6023928	1	08	AL131		
6224804	1	55	AL141		

ORDER NO.	FIELD REPRESENTATIVE	SHIPPED FROM		S/T OR S/O NO.		B/L NO.		DATE SHIPPED
	CARSON L S	LELAND WORKS		- KV545		-		12-05-67
QUANTITY	PRODUCT DESCRIPTION	PACKAGE	GROSS WEIGHT	NET WEIGHT	UNIT	UNIT PRICE	UNIT	NET AMOUNT
7	PLARAVIN-75 TOX-DDT-METHYL	B LB		56	LB	505.00	CW	252.80
1	PARA 44-21-10 EC MATERIAL TRANS FROM L I RHODES BAY MINETTE ALA	55 GAL		55	GAL	3.10	GAL	170.50

TOTAL NET AMOUNT

423.30

OLIN MATHIESON CHEMICAL CORPORATION

CUSTOMER IDENTIFICATION						
ST. NO.	DIST.	TEER	ST.	COUNTY	D.G.	
483000	0	43	01	002	0	

PESTICIDES

AGRICULTURAL DIVISION

INVOICE	
NUMBER	DATE
50198	12-30-67

SOLD TO • V V ANDRES JR

SHIPPED TO • SAGE

DAY HERITAGE ALA

33007

DAY HERITAGE ALA

CAR NO. •

HOW SHIPPED •

ROUTE •

TERMS •

CREDIT

REMIT TO • OLIM - P O BOX 392
NO LITTLE ROCK ARK
72115

PAGE 1

ROUTE	TERMS				
9000	9H				
PRODUCT	BAG	PKG.	ALLOW	CALC.	
1 1021052	2	98	A1052		
2 1021052	2	98	A1052		
3 1021095	2	98	A1052		

ORDER NO.	FIELD REPRESENTATIVE	SHIPPED FROM		S/T OR S/O NO.	B/L NO.	DATE SHIPPED		
	CARSON L S	MOBILE TERM		- KV45	-	12-26-67		
QUANTITY	PRODUCT DESCRIPTION	PACKAGE	GROSS WEIGHT	NET WEIGHT	UNIT	UNIT PRICE	UNIT	NET AMOUNT
	AMMO PHOS FERT WITH							
	POTASH 13-13-13	BULK	13.990		TON	4.00	TON	55.9600
	BULK DISCOUNT	BULK	13.335		TON	4.00	TON	53.3400
	AMMO PHOS 6-24-24							
	FERTILIZER COMP	BULK	7.225		TON	4.00	TON	28.9000
	FERTILIZER							
	BULK DISCOUNT							
	REF INV 74127							
	74127 74127							
TOTAL NET AMOUNT								\$ 138.2000

OLIM HATHLESON CHEMICAL CORPORATION

CUSTOMER IDENTIFICATION						
	DIST	TECH	ST	COUNTY	PO	
1000	0	43	01	002	0	

PESTICIDES AGRICULTURAL DIVISION

INVOICE	
NUMBER	DATE
90795	12-30-67

SOLD TO • L. T. RHODES JR.

SHIPPED TO • SAME

BAY MINETTE ALA

10007

BAY MINETTE ALA

CAR NO. •

REMIT TO •

HOW SHIPPED •

ROUTE •

TERMS •

2% 15 DAYS NET 30

OLIN - P. O. BOX 302
MOBILE MOBILE ALA
36615

PAGE 1

ROUTE		TERMS				ORDER NO.	FIELD REPRESENTATIVE	SHIPPED FROM	S/T OR S/O NO.		B/L NO.		DATE SHIPPED		
0000		48					CARSON L S	MOBILE ALA	RV500				12-18-67		
PRODUCT		BAG	PKG.	ALLOW	CALC	QUANTITY	PRODUCT DESCRIPTION		PACKAGE	GROSS WEIGHT	NET WEIGHT	UNIT	UNIT PRICE	UNIT	NET AMOUNT
1021095		2	98	AC	51		AMMO PHOS 6-24-24 FERTILIZER COMP		BULK		5.000	100	74.00	100	170.00
1021095		2	98	AI	52		BULK DISCOUNT MATERIAL TRANS FROM L T RHODES JR BAY MINETTE ALA FERTILIZER			5.000		100	4.00	100	20.00

TOTAL NET AMOUNT

\$

350.00

OLIN MATTHEWSON CHEMICAL CORPORATION

**FERTILIZERS
PESTICIDES**

AGRICULTURAL DIVISION



INVOICE	
NUMBER	DATE
64619	08-13-68

SOLD TO • V V RHODES JR

SHIPPED TO • SAME
BALDWIN
BAY MINETTE ALA

BAY MINETTE ALA

36507

CAR NO. •
HOW SHIPPED •
ROUTE •
TERMS •

2% 15 DAYS NET 30

REMIT TO • OLIN - P O BOX 392
NO LITTLE ROCK ARK
72115

PAGE 1

INVOICE NO.	ROUTE	TERMS				
2038	9000	4R				
LINE	PRODUCT	PKG	PKG	ALLOW	CALC	
1921	1021095	2	98	A0151		
1921	1021095	2	98	A1052		
1921	1021095	2	98	Y3552		
1921	1021052	2	98	A0151		
1921	1021052	2	98	A1052		
1921	1021052	2	98	Y3552		
1921	1021095	2	98	A0151		
1921	1021095	2	98	A1052		
1921	1021095	2	98	Y3552		
1921	1021052	2	98	A0151		
1921	1021052	2	98	A1052		
1921	1021052	2	98	Y3552		

FIELD REPRESENTATIVE		SHIPPED FROM		S/T OR S/O NO.				DATE SHIPPED
CARSON L S		MOBILE TERM		- KY362		-		08-01-68
QUANTITY	PRODUCT DESCRIPTION	PACKAGE	GROSS WEIGHT	NET WEIGHT	UNIT	UNIT PRICE	UNIT	NET AMOUNT
	AMMO PHOS 6-24-24 FERTILIZER COMP	BULK		15.000	TON	74.00	TON	1,110.00
	BULK DISCOUNT		15.000		TON	4.00	TON	60.00CR
	LABOR ALLOWANCE		15.000		TON	2.00	TON	30.00
	AMMO PHOS FERT WITH POTASH 13-13-13	BULK		13.330	TON	68.00	TON	906.44
	BULK DISCOUNT		13.330		TON	4.00	TON	53.32CR
	LABOR ALLOWANCE		13.330		TON	2.00	TON	26.66
	AMMO PHOS 6-24-24 FERTILIZER COMP	BULK		.500	TON	74.00	TON	37.00
	BULK DISCOUNT		.500		TON	4.00	TON	2.00CR
	LABOR ALLOWANCE		.500		TON	2.00	TON	1.00
	AMMO PHOS FERT WITH POTASH 13-13-13	BULK		1.270	TON	68.00	TON	86.36
	BULK DISCOUNT		1.270		TON	4.00	TON	5.08CR
	LABOR ALLOWANCE		1.270		TON	2.00	TON	2.54
	FERTILIZER OR PESTICIDES FOR AGRICULTURAL USE MATERIAL TRANSFERRED FROM ANOTHER LOCATION							
TOTAL NET AMOUNT							\$	2,079.60

OLIN MATHIESON CHEMICAL CORPORATION

T

Received 17 day of June 19 70
and on 17 day of June 19 70
I served a copy of the within on
on V. V. Rhodes

By service on _____

TAYLOR WILKINS, Sheriff

VOL

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LAW OFFICE OF
FOREST A. CHRISTIAN
(205) 943-2201
P. O. DRAWER 190
FOLEY, ALABAMA 36535

9333
SUMMONS AND COMPLAINT

OLIN CORPORATION, a Virginia
corporation,

PLAINTIFF,

VS:

V. V. RHODES, JR.,

DEFENDANT.

FILED

JUN 17 1970

ALICE J. DUCK CLERK
REGISTER

FOREST A. CHRISTIAN
ATTORNEY AT LAW
P. O. DRAWER 190
AREA CODE 205 - PHONE 943-2201
FOLEY, ALABAMA 36535

July 26, 1972

Clerk of Court
Bay Minette, Alabama 36507

Re: Olin Corp, a Virginia Corp

Vs: V. V. Rhodes, Jr. 9333

Dear Eunice:

Since this judgment has been paid off in full without the assistance of the sheriff's office, it would be appreciated if you would recall the execution from the sheriff's office so that we will not be assessed with any further costs.

Cordially yours,



FOREST A. CHRISTIAN

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

July 26, 1972

Clerk of Court
Bay Minette, Alabama 36507

Re: Olin Corp, a Virginia Corp

Vs: V. V. Rhodes, Jr.

Dear Eunice:

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Cordially yours,

FOREST A. CHRISTIAN

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 543-2201

FOLEY, ALABAMA 36535

July 28, 1972

J. A. Ertzinger & Son
Bay Minette, Alabama

Re: Olin Corp., a Virginia Corp.
Vs: V. V. Rhodes, Jr.
Judgment dated Nov. 4, 1971
Recorded in Judgment Book 19,
page 573

Gentlemen:

I had some disturbing news this morning from Mr. Byrd, deputy sheriff. We had a long conversation in which he claims there is due \$200.37 on the case above and this ~~and this~~ must be paid since they have been working on this case for several months.

Please refer to my letter of July 3, 1972 to you which reads as follows:

"Dear Jim: Thank you for your telephone call on Saturday. As you will see by the judgement, which is recorded in Judgment Book 19, page 573, the principal amount is \$6,445.61. To this should be added 6% interest which I believe will be eight (8) months at 6%, which is \$257.80 or a total rounded figure of \$6,702.00, principal and interest. Also, the judgment provides for \$30.00 court costs, which was advanced by me at the time of suit so this amount should be added to the total amount and any other court costs should be paid so we will not be assessed with any further court costs. I have court costs receipt No. 7094 signed by Mrs. Duck for Case No. 9333. The total check should be rounded to \$6,733.00."

If my memory serves me correctly, I am sure that I emphasized by underlining in pencil that I did not wish to be responsible for any other court costs. But at any rate, the contents of the letter are self-explanatory. You will note very definitely that I state, "Any other court costs must be paid so we will not be assessed with any further court costs."

Mr. Byrd also stated that he had furnished the clerk, you, and Mr. Rhodes an itemized statement which included the court costs of \$200.37. So apparently you disregarded both my letter that I would not be responsible for any additional court costs and also disregarded the itemized statement prepared by the sheriff's office which included \$200.37.

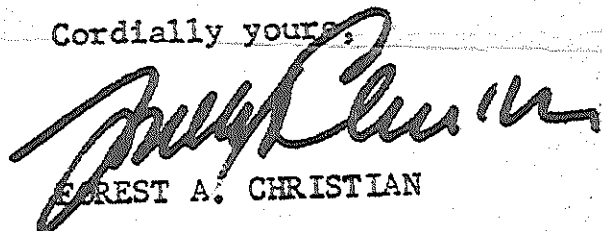
So it is very urgent in some way or other that this be taken

care of that this amount be paid so that my name will be cleared of this matter.

I am sure that the Judge of Probate, Clerk of Circuit Court and the sheriff's office would not hesitate to state that I do not owe any of them as much as a dollar in court costs and never have in my past 28 years of practice in Baldwin County. In the past I have paid the court costs out of my own pocket but in the last few years, I have learned in any settlement to require that there be no hereafter court costs bills after the case has been settled.

Please settle this to the satisfaction of the sheriff's office and let me know when this has been done.

Cordially yours,



FOREST A. CHRISTIAN

cc: Deputy Byrd, Bay Minette, Ala.
V. V. Rhodes
Clerk of Circuit Court ✓

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

July 7, 1972

Clerk of Court
Bay Minette, Alabama

Re: Olin Corporation, a
Virginia Corporation

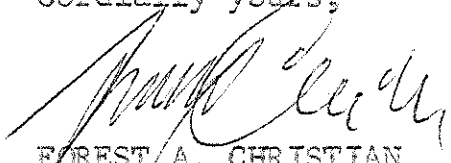
Vs: V. V. Rhodes
#9333

Dear Mrs. Blackmon:

Kindly request the Sheriff's office to return the
execution papers in this case since it was paid off by
the judgment debtor.

It is recorded in Book 19, page 573 and is being
released.

Cordially yours,


FOREST A. CHRISTIAN

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

September 24, 1971

#9333

Kenneth Cooper, Esq.
Attorney at Law
Bay Minette, Alabama

Dear Kenneth:

Reference is made to your letter dated September 7, 1971, and addressed to Wolbert M. Brantley, Esq. concerning Olin Corporation versus Virgil V. Rhodes, Jr. in the amount of \$6,548.93.

The Court calendar shows that this case is set for Wednesday, October 13, 1971, and that you are doing your best to assist me in this case for which I am grateful.

The suggestions made in your letter of September 7, 1971, are acceptable.

Cordially yours,


FOREST A. CHRISTIAN

FILED

SEP 27 1971

EUNICE B. BLACKMON
CIRCUIT
CLERK

13 Oct 71

Miss Blackburn.

Please withhold
execution on this case
no. 9333, for 90 days
from this date. Do ahead
of issue Cert of Judgment
now, I put in my box
Kenneth Cooper