

MERRILL & HARRISON

ATTORNEYS AT LAW

119-A SOUTH OATES STREET

DOTHAN, ALABAMA 36301

A. K. MERRILL (1885-1952)
G. M. HARRISON
G. M. HARRISON, JR.

P. O. BOX 1805
PHONE (205) 792-0061

October 26, 1970

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

9522

RE: Helena Chemical Company
vs. Chisenhall

Dear Mrs. Duck:

Please file the enclosed Complaint on our behalf and I would appreciate it if you would notify me when we have obtained service on the Defendant. I enclose a copy of the Complaint to be served on Mr. Chisenhall; and it is a good possibility that service may be obtained at Chisenhall Agricultural Service on Highway 59 South, Foley, Alabama. Thank you in advance for your cooperation and I look forward to hearing from you in the near future.

Very truly yours,

MERRILL & HARRISON

BY: 

GMHjr/lp
Enclosure

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT AT LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to summon Garnett L. Chisenhall, individually, and doing business as Chisenhall Agricultural Service to appear in the Circuit Court of Baldwin County, Alabama, and plead, answer or demur, within Thirty (30) days from service hereof, to the complaint of Helena Chemical Company-Southeast, Inc., a corporation.

Witness my hand, this 27 day of Oct., 1970.

Alice J. Duck
Clerk

COMPLAINT

HELENA CHEMICAL COMPANY,)	VS.	(GARNETT L. CHISENHALL,
SOUTHEAST, INC., a corp-	()	individually, and doing
oration)		(business as CHISENHALL
	()	AGRICULTURAL SERVICE,
Plaintiff)		(
	()	Defendant

9522

The Plaintiff claims of the Defendant the sum of \$16,712.40, due by promisory note made by him on the 22nd day of June, 1970 and payable on the 20th day of September, 1970, with interest thereon. Plaintiff avers that a true copy of said promisory note is attached hereto, marked Exhibit "A", and made a part hereof the same as if specially set forth herein.

Plaintiff further avers that as a part of the consideration for said note, the Defendant agreed to pay all costs of collection incurred in enforcing Exhibit "A", including a reasonable attorneys fee, wherefor Plaintiff claims of the Defendant the further additional sum of \$5,570.00 as attorneys fees and avers that the same is reasonable.

FILED


OCT 27 1970


MERRILL & HARRISON

BY: M. Harrison, Jr.
Attorneys for Plaintiff

ALICE J. DUCK CLERK
REGISTER

Plaintiff being a non resident of the State of Alabama
we hereby acknowledge ourselves as security for costs in this
cause.



G. M. Harrison, Jr.


G. M. Harrison, Sr.

FILED

OCT 27 1970

ALICE J. DUCK CLERK
REGISTER

\$ 16,712.40

Tampa, Florida JUNE 22, 1970

The undersigned (and if more than one, each of them jointly and severally), promises to pay to the order of

HELENA CHEMICAL COMPANY - SOUTHEAST

the principal sum of SIXTEEN THOUSAND, SEVEN HUNDRED TWELVE & 40/100 Dollars,
at its office at Tampa, Florida, with interest thereon from date hereof at the rate of 8 % per annum;
said principal and interest to be paid in the following manner:

~~\$ 5,000~~ on the 20 day of September 1970
~~\$ 5,000~~ on the 20 day of December 1970
\$ 8,712.40 on the 20 day of January 1971

until the entire principal sum is paid in full. Interest at the rate aforesaid on the principal amount remaining from time to time unpaid shall be paid on the date of each payment of principal and in addition to said principal payments; except that interest shall be payable at the rate of ten percent per annum after any default. The Maker shall have the privilege and option, at any time, to pay off the entire principal remaining unpaid, or any part thereof, together with interest thereon to date of payment only.

If default be made in the payment of any instalment of principal or any interest as above provided, the amount of the principal of this note remaining unpaid at the time of such default, together with all interest then accrued, shall, at the option of the holder or holders of this note become and be due and payable.

Each maker, endorser, and other party liable hereon, jointly and severally, promises and agrees to pay all costs of collection incurred in enforcing this note, including a reasonable attorney's fee, and each specifically waives presentment, demand, protest and notice of dishonor and consents and agrees to any and all extensions and renewals, in whole or in part, and all delays in time of payment which the holder hereof may grant or permit from time to time, without limitation and without any notice to or further consent of any such party.

Due: _____

Address: FOLEY, ALABAMA

G. L. CHISENHALL
CHISENHALL AGRICULTURAL SERVICE (SEAL)

G. L. Chisenhall (SEAL)

Exhibit "A"

NO. 9522

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT AT LAW

SUMMONS AND COMPLAINT

HELENA CHEMICAL COMPANY-
SOUTHEAST, INC., a corporation

PLAINTIFF

VS.

GARNETT L. CHISENHALL,
individually, and doing
business as CHISENHALL
AGRICULTURAL SERVICE,

DEFENDANT.

FILED

OCT 27 1970

ALICE J. DUCK

CLERK
REGISTER

LAW OFFICES
MERRILL AND HARRISON
DOTHAN, ALABAMA

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY [Signature]
DEPUTY SHERIFF

Received 27 day of Oct 1970
and on 17 day of Dec 1970
I served a copy of the within 840
on Garnett L. Chisenhall
By service on _____
[Signature]
TAYLOR WILKINS, Sheriff

MERRILL & HARRISON

ATTORNEYS AT LAW

119-A SOUTH OATES STREET

DOTHAN, ALABAMA 36301

A. K. MERRILL (1885-1952)

G. M. HARRISON

G. M. HARRISON, JR.

P. O. BOX 1805

PHONE (205) 792-0061

December 16, 1970

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

RE: Helena Chemical Company
vs. Garnett L. Chisenhall
Case No. 9522

Dear Mrs. Duck:

I was advised by you on November 23, 1970 that the Sheriff had returned the Complaint in the above matter with no service. Mr. Chisenhall may be located at Chisenhall Argicultural Service on Highway 59 South, Foley, Alabama or at his residence at 217 Roosevelt Street, Foley, Alabama 36535. Please issue an Alias Summons on this Defendant as provided by Section 187 of Code of Alabama, Title 7. I would also appreciate it if you could advise me if and when service is obtained. Thank you in advance for your cooperation.

Very truly yours,

MERRILL & HARRISON

BY: 

GMHjr/lp

CC: Mr. Jim Roach

MERRILL & HARRISON

ATTORNEYS AT LAW

119-A SOUTH OATES STREET

DOTHAN, ALABAMA 36301

A. K. MERRILL (1885-1952)
G. M. HARRISON
G. M. HARRISON, JR.

P. O. BOX 1805
PHONE (205) 792-0061

January 12, 1971

Mrs. Alice J. Duck
Clerk
Circuit Court of Baldwin County
Baldwin County Court House
Bay Minnette, Alabama 36507

RE: Helena Chemical Company
vs. Garnett L. Chisenhall
Case No. 9522

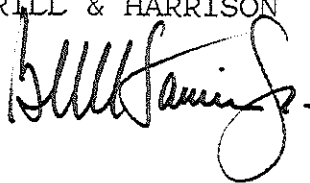
Dear Mrs. Duck:

Please file the enclosed Motion on our behalf and it would be appreciated if you could notify me if and when the Court has set the above matter for trial. Thank you in advance for your cooperation.

Very truly yours,

MERRILL & HARRISON

BY:



GMHjr/lp

HELENA CHEMICAL COMPANY,
SOUTHEAST, INC., a corp-
oration,

PLAINTIFF,

VS.

GARNETT L. CHISENHALL,
individually, and doing
business as CHISENHALL
AGRICULTURAL SERVICE,

DEFENDANT.

(
)
(IN THE CIRCUIT COURT OF

(
)
(BALDWIN COUNTY, ALABAMA

(
)
(AT LAW

(
)
(CASE NO. 9522
(
)
)

Comes now the Plaintiff in the above styled cause and moves this Honorable Court to transfer this cause from the appearance docket of this Honorable Court to the trial docket of said Court and to set the same for trial at the next term of Civil Jury Court to be held by this Honorable Court and assigns as grounds therefore the following, to-wit:

1. That on or about, to-wit, October 28, 1970, the Complaint in this cause was filed in the Circuit Court of Baldwin County, Alabama, At Law, and that thereafter, on to-wit, December 11, 1970, the Defendant was properly and personally served with process in this cause.

2. That on, to-wit, December 30, 1970, the Defendant filed pleas of not guilty that the allegations of the Complaint were untrue, which said pleas amount to a plea of the general issue and that said pleas join issue on the allegations of said Complaint.

MERRILL & HARRISON

BY: *[Signature]*
Attorneys for Plaintiff

I, G. M. Harrison, Jr., of counsel for Plaintiff do hereby certify that I have this 12th day of January, 1971 mailed a copy of the foregoing motion to the Honorable Richard C. Lacey, Attorney for Defendant, P. O. Box A-J, Fairhope, Alabama, 36523 with sufficient postage prepaid.

FILED

JAN 14 1971

ALICE J. DUCK CLERK
REGISTER

[Signature]
G. M. Harrison, Jr., Attorney
for Plaintiff

TO THE HONORABLE COURT OF

ALABAMA, IN AND FOR THE COUNTY OF

DADE

JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,

PLAINTIFF,

vs.

JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,

DEFENDANT.

Comes now the Plaintiff in the above styled cause and
moves this Honorable Court to sustain this cause from the
appearance before it of the Defendant to the trial books
of this Court and to set the same for trial at the next term
of this Court to be held by this Honorable Court and
assigns as grounds therefor the following, to-wit:

1. That on or about, to-wit, October 22, 1970, the

Defendant, John J. Brown, Jr., in violation of the laws of
Alabama, County of Alabama, State of Alabama, on
to-wit, November 11, 1970, did unlawfully and purposely and
personally commit the crime of this cause.

2. That on, to-wit, November 22, 1970, the Defendant

did place of his body upon the shoulders of the De-
fendant, John J. Brown, Jr., and place himself in a place of
the defendant, John J. Brown, Jr., and place himself on the
shoulders of said Defendant.

95222

JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,

JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,

JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,

JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,

JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,
-vs-
JOHN J. BROWN, JR.,

HELENA CHEMICAL COMPANY-S.E., INC. ()
a corporation.)

PLAINTIFF,)

VS.)

GARNETT L. CHISENHALL, individu-)
ally , and doing business as ()
CHISENHALL AGRICULTURAL SERVICE.)

DEFENDANT.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9522

SUGGESTION OF DEATH AND MOTION TO REVIVE

Comes now the Plaintiff in the above styled cause and suggests that on or about April 7, 1971, the Defendant in this cause, Garnett L. Chisenhall, died. Pursuant to Title 7, Code of Alabama, Section 154, Plaintiff moves this Honorable Court to revive this cause of action against the personal, or other proper representative, of the decedent, the exact name of such representative being unknown to your Plaintiff, and further that this Honorable Court issue citation to such representative to appear within thirty (30) days from the date of such citation and defend this cause of action.

MERRILL & HARRISON

BY: B. M. Harrison, Jr.

Attorneys for Plaintiff

I, G. M. Harrison, Jr., of counsel for Plaintiff in the above styled cause, hereby certify that I have this date mailed a copy of the above and foregoing to the Honorable Richard C. Lacey, attorney at law, Post Office Box A-J, Fairhope, Alabama 36523, with sufficient postage prepaid.

On this the 30th day of April, 1971.

FILED

MAY 4 1971

EUNICE B. BLACKMON CIRCUIT CLERK

G. M. Harrison, Jr.

*Presented to
Judge No action
taken 5-5-71*

RICHARD C. LACEY

Attorney-At-Law

P. O. DRAWER A-J
FAIRHOPE, ALABAMA 36532

TELEPHONE 928-2373

December 30, 1970

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

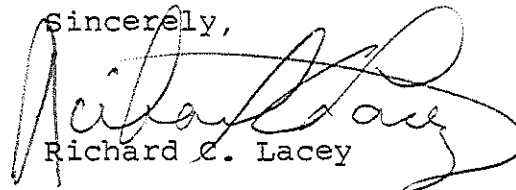
Re: Helena Chemical Company-
Southeast, Inc., a Corporation,
-vs- Garnett L. Chisenhall d/b/a
Chisenhall Agricultural Service.

Dear Mrs. Duck:

Please file enclosed papers on above subject case.

Thanks.

Sincerely,



Richard C. Lacey

RCL:jbp

Enclosures

HELENA CHEMICAL COMPANY-
SOUTHEAST, INC., a Corp-
oration,

Plaintiff,

VS.

GARNETT L. CHISENHALL,
individually, and doing
business as CHISENHALL
AGRICULTURAL SERVICE,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

CASE NO. _____

P L E A

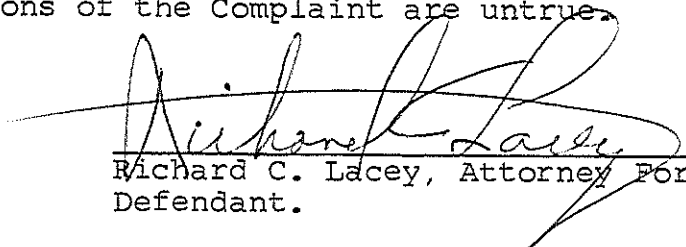
Now comes the Defendant and for answer to the
Complaint and to each and every count thereof, says:

I

Not Guilty.

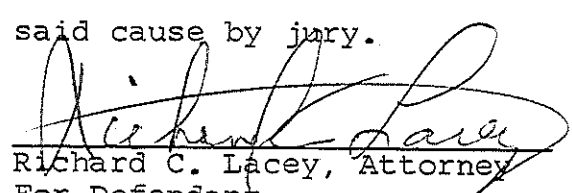
II

The allegations of the Complaint are untrue.


Richard C. Lacey, Attorney For
Defendant.

Defendant demands trial of

said cause by jury.


Richard C. Lacey, Attorney
For Defendant.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 30 day
of DECEMBER, 1970, served a copy of the fore-
going pleading on counsel for all parties to this proceeding
by mailing the same by United States mail, properly addressed,
and first class postage prepaid.


RICHARD C. LACEY

FILED

DEC 31 1970

ALICE J. DUCK

CLERK
REGISTER