

9974

LAW OFFICES OF
MATRANGA, HESS & SULLIVAN
919 DAUPHIN STREET
MOBILE, ALABAMA
36604

JOSEPH M. MATRANGA
BARRY HESS
DOMINICK J. MATRANGA
JAMES D. SULLIVAN
RODERICK P. STOUT

AREA CODE 205
TELEPHONE 433-1634
433-6589

February 22, 1972

Clerk of the Court
Baldwin County Circuit Court
Bay Minette, Alabama

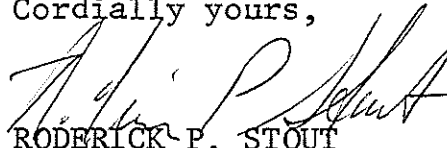
Re: Kaiser Agricultural Chemicals
-v- W. M. Campbell

Dear Sir:

I wish at this time to non-suit an action which was filed in the Circuit Court of Mobile County and transferred to the Circuit Court of Baldwin County. Please forward me a cost bill when this action has been non-suited.

Thank you for your attention to this matter.

Cordially yours,



RODERICK P. STOUT

RPS/jkt

CC: Honorable J. Connor Owens, Jr.

no/9974

[illegible]

MATRANGA, HESS & SULLIVAN
BY: Roderick P. Stout

KAISER AGRICULTURAL CHEMICALS, a Division of
KAISER ALUMINUM AND CHEMICAL CORPORATION

VS. Suit for \$2,064.71 due on itemized, verified account.

W.M. CAMPBELL

* FILING DATE

* 6-23-71

* 7-7-71

* C & S served on Defendant on June 26, 1971.

August 2, 1971 - Plea in Abatement sustained, Case ordered transferred to the Circuit Court of Baldwin County, Alabama.

7041 VOL 68 PAGE 677 *

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 4th day of August 1971.

John E. Mandeville, Clerk

as such Clerk of said Court at Mobile, Alabama
John E. Mauderlee, Clerk

KAISER AGRICULTURAL
CHEMICALS, a division of
KAISER ALUMINUM AND
CHEMICAL CORPORATION,

Plaintiff,

vs.

W. M. CAMPBELL,

Defendant.

) IN THE CIRCUIT COURT OF

) MOBILE COUNTY, ALABAMA

) AT LAW.

) CASE NO. 35980

COUNT ONE

Plaintiff claims of the defendant TWO THOUSAND
SIXTY-FOUR and 71/100 (\$2,064.71) DOLLARS due from the defendant
by account on, to-wit: November 29, 1970, which sum of money
with the interest thereon, is still unpaid. This suit is filed
on an itemized verified account, which will be offered into evidence
at the trial of this cause.

MATRANGA, HESS & SULLIVAN
Attorneys for the Plaintiff

BY

Roderick P. Stout
RODERICK P. STOUT

Defendant may be served:

Robertsdale, Alabama

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

JUN 23 10 54 AM '71

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

W. M. CAMPBELL,

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

KAISER AGRICULTURAL CHEMICALS, a division of KAISER ALUMINUM
AND CHEMICAL CORPORATION

WITNESS: John E. Mandeville, Clerk of said Court, this 23 day of June, 1971

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.

Mail

No. 35980

JUDGE

DOCKET

CIVIL DIVISION

CIRCUIT COURT
MOBILE COUNTY

KAISER AGRICULTURAL CHEMICALS,
etc

VS.

Complaint and Summons

W. M. CAMPBELL

Issued 23 day of June, 19 71

Defendant's Address

Robertsdale, Alabama

JUN 24 1971

TAYLOR WILKINS
SHERIFF

RODERICK P. STOUT

AVOL

68

Plaintiff's Attorney

PAGE 680

MOBILE SHERIFF DEPT.
MOBILE COUNTY, ALA.
JUN 23 3 07 PM '71

Received 24 day of June 19 71
and on 26 day of June 19 71
I served a copy of the within on W. M. Campbell
By service on _____
TAYLOR WILKINS, Sheriff
by R. D. Dale
D.S.

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
FOR SERVING 1 PROCESSIES) AND
TRAVEL EXPENSE ON EACH OF \$5.00
PROCESSIES) OR A TOTAL OF \$6.50

KAISER AGRICULTURAL CHEMICALS,)
a division of KAISER ALUMINUM)
AND CHEMICAL CORPORATION,) IN THE CIRCUIT COURT OF
Plaintiff,)
vs.) MOBILE COUNTY, ALABAMA
W. M. CAMPBELL,) AT LAW. NO. 35,980-*B*
Defendant.)

PLEA IN ABATEMENT:

Now comes the Defendant, W. M. CAMPBELL, and appearing specially for the purpose of filing this Plea in Abatement, and for no other purpose, and says that this case should be abated for that at the time of the filing of this suit, the Defendant herein was a resident of Baldwin County, Alabama; that at the time of the creation of the account sued on in this case, the Defendant was a resident of Baldwin County, Alabama, and has been since said time.

WHEREFORE, the Defendant prays that the summons and complaint in this cause be quashed and the case abated, or in the alternative, that said Court order said action transferred to the Circuit Court of Baldwin County, Alabama.

J. Connor Owens, Jr.
J. Connor Owens, Jr.,
Attorney for Defendant.

Defendant demands a trial of this cause by
Jury.

STATE OF ALABAMA)
()

BALDWIN COUNTY)
()

Before me, the undersigned authority within and for said State and County, personally appeared W. M. CAMPBELL, who first being duly sworn, deposes and says that he is the Defendant in the foregoing cause; that he is a bona fide resident of Baldwin County, Alabama, and was such at the time of the filing of this cause and of the creation of the account sued on in this cause, and that the facts and matters alleged in the foregoing plea are true and correct.

W. M. Campbell
W. M. Campbell.

Sworn to and subscribed before
me on this the 30th day of
June, 1971.

Alice L. Miller
Notary Public, Baldwin County, Alabama.

I, the undersigned Attorney of Record for the Defendant in
the foregoing cause, do hereby certify that I have caused a copy
of the foregoing Plea in Abatement to be served on Roderick P.
Stout of the firm of Matranga, Hess & Sullivan, the Attorneys of
Record for the Plaintiff in said cause, by placing the same in
the United States Mail, properly addressed, with postage prepaid,
this 6 day of July, 1971.

James Owens, Jr.

MONDAY, AUGUST 2, 1971

KAISER AGRICULTURAL CHEMICALS,)	
a Division of KAISER ALUMINUM)	PLEA IN ABATEMENT SUSTAINED,
& CHEMICAL CORPORATION)	CASE ORDERED TRANSFERRED TO
)	THE CIRCUIT COURT OF BALDWIN
BOLLING -vs-)	COUNTY, ALABAMA
)	
W.M. CAMPBELL)	

This day in open Court came the parties by their attorneys, and defendant's Plea in Abatement filed July 7, 1971, to the complaint in this cause, coming on to be heard and being argued by counsel and understood by the Court;

It is ordered and adjudged by the Court that defendant's said Plea in Abatement filed July 7, 1971, to the complaint in this cause be, and the same is hereby sustained, and Case ordered transferred to the Circuit Court of Baldwin County, Alabama.

Minute Book 43

Page 603

STATE OF ALABAMA, }
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

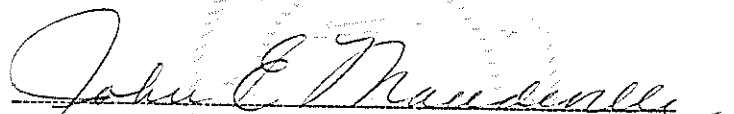
I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby
certify that the foregoing is a full, true and correct copy of ORDER OF COURT

as rendered by the said Circuit Court on the 2nd day of August, 19 71, in the cause
entitled No. 35980- KAISER AGRICULTURAL CHEMICALS, a Division of KAISER
ALUMINUM AND CHEMICAL CORPORATION, Plaintiff,
— versus — W.M. CAMPBELL

Defendant, (~~to appear on the return of the writ~~), as the same remains of record in this office in
Minute Book No. 43, Page No. 603.

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 4th day of August, 19 71.

ATTEST:


Clerk, Circuit Court, Mobile County, Alabama.

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

KAISER AGRICULTURAL CHEMICALS, etc.

Plaintiff

No. 35980

VS.

W.M. CAMPBELL

Defendant

BILL OF COST

(Act No. 740, Reg. Session Ala. Legislature 1957
Appvd. Sept. 20, 1957)
(Amend Sec. 21, Title 11, Code Ala. 1940)

(Act No. 571, Reg. Ses. Leg. 1955)
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

[illegible]

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

J. CONNOR OWENS, JR.

ATTORNEY AT LAW

DAHLBERG BUILDING

P. O. BOX 729

BAY MINETTE, ALABAMA 36507



Mr. John E. Mandeville
Clerk of Circuit Court of Mobile County
Mobile County Courthouse
Mobile, Alabama 36601