

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

CASE NO. 35682 - HOCKLANDER

FEIBELMAN & SILVER  
BY: Herbert P. Feibelman, Jr.

MADISON HOUSE, INC., a corporation

VS. Suit for \$2,840.26 due by account.

FOREST CHRISTIAN  
Attorney at Law  
200 S. McKenzie St.- Foley, Alabama 36535

HOLLIS FURNITURE CO.

N.J.

N.J.

FILED  
AUG 9 1971  
JUNICE B. BLACKMON CLERK

PLEADINGS, PROCESS, ETC,

FILING DATE

1. Complaint & Summons

5-31-71

C & S served on Hollis Furniture Co. by service on Wayne Hollis, Co-Owner on June 21, 1971.

2. Plea in Abatement

7-13-71

August 5, 1971 - Plea in Abatement sustained and case ordered transferred to Circuit Court of Baldwin County, Alabama.  
/s/ Joseph M. Hocklander 43-617

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 5th day of August 1971.

John E. Mandeville, Clerk

MADISON HOUSE, INC., a corporation, : IN THE CIRCUIT COURT OF  
Plaintiff, : MOBILE COUNTY, ALABAMA  
vs. : AT LAW  
HOLLIS FURNITURE CO., :  
Defendant : CASE NO. 35682

COUNT ONE

Plaintiff claims of the Defendant the sum of TWO THOUSAND EIGHT HUNDRED FORTY AND 26/100 (\$2,840.26) DOLLARS, due from said Defendant by account on, to-wit, 8th day of July, 1969, which sum of money, with interest thereon, is still due and unpaid. This suit is filed on an itemized statement of the account, verified by the affidavit of a competent witness, which will be introduced at the trial hereof.

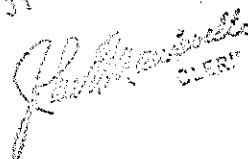
FEIBELMAN & SILVER  
Attorneys for Plaintiff

By: 

Of Counsel

Defendant may be served at: 200-204 S. McKenzie Street, Foley, Alabama

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON  
MAY 31 8 10 AM '71

  
CLERK

**THE STATE OF ALABAMA**  
MOBILE COUNTY

**CIRCUIT COURT**

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

HOLLIS FURNITURE CO.

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

MADISON HOUSE, INC., a corporation

WITNESS: John E. Mandeville, Clerk of said Court, this 31st day of May, 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.

No. 35682 - H

JUDGE [Signature] DOCKET

CIVIL DIVISION

**CIRCUIT COURT**  
MOBILE COUNTY

MADISON HOUSE, INC., a  
corporation

VS. } Complaint and Summons

HOLLIS FURNITURE CO.

Issued 31st day of May, 1971

Defendant's Address

200-204 S. McKenzie Street  
Foley, Alabama

HERBERT P. FEIBELMAN, JR.

Plaintiff's Attorney

Received 3 day of June 1971  
and on 1 day of June 1971  
I served a copy of the within Order  
on Hollis Furniture Co.

By service of Herbert P. Feibelman, Jr. to Dunnell

TAYLOR WILKINS, Sheriff  
By Michael L. [Signature]  
D. S.

TAYLOR WILKINS, SHERIFF OF BALDWIN  
COUNTY, ALABAMA CLAIM \$1.50 EACH  
FOR SERVING 1 (PROCESSES) AND  
TRAVEL EXPENSE ON EACH OF \$ 7.20  
(PROCESSES) OR A TOTAL OF \$ 8.70

MADISON HOUSE, INC.,  
a corporation,

Plaintiff,

Vs:

HOLLIS FURNITURE CO.,

Defendant

IN THE CIRCUIT COURT OF  
MOBILE COUNTY, ALABAMA

CASE NO. 35682

PLEA IN ABATEMENT

AFFIDAVIT

STATE OF ALABAMA, )

COUNTY OF BALDWIN. )

FOREST A. CHRISTIAN, first being duly sworn, deposes and says as follows: My name is FOREST A. CHRISTIAN and I am a practicing attorney in Foley, Alabama, I represent HOLLIS FURNITURE COMPANY which does business at 200 South McKenzie Street, Foley, Alabama, concerning above case, in which MADISON HOUSE, INC. is Plaintiff and FEIBELMAN & SILVER are attorneys for Plaintiff.

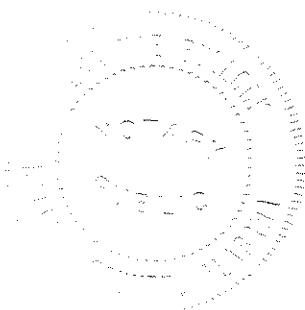
The Deputy Sheriff of Baldwin County, Alabama, served Defendant on June 21, 1971, and the said Defendant, HOLLIS FURNITURE COMPANY which does business at 200 South McKenzie Street, Foley, Alabama, and not in Mobile County. Therefore, the Defendant files a Plea in Abatement as to venue. This affidavit and pleading is filed only for the purpose of filing a Plea in Abatement and for no other purpose.

  
Forest A. Christian

200 S. MCKENZIE ST  
FOLEY, ALA.

Sworn to and subscribed before me on  
this the 23rd day of June, 1971.

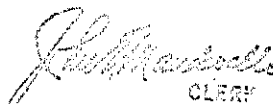
  
Notary Public, Baldwin County, Alabama



Era Mae Brillock  
Notary Public  
Baldwin County, Alabama  
My Commission Expires on 6/1/73

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

JUL 13 8 03 AM '71

  
CLERK

CERTIFICATE OF SERVICE

JUN 23 1971

I do hereby certify that I have on this the \_\_\_\_\_ day of \_\_\_\_\_, 1971, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing \_\_\_\_\_ by United States Mail, properly addressed, and \_\_\_\_\_ postage prepaid.

THURSDAY, AUGUST 5, 1971

MADISON HOUSE, INC., a corporation	)	PLEA IN ABATEMENT SUSTAINED
	)	AND CASE ORDERED TRANSFERRED
HOCKLANDER        -vs-        35682	)	TO THE CIRCUIT COURT OF BALDWIN
	)	COUNTY, ALABAMA
HOLLIS FURNITURE CO.	)	

This day in open Court came the parties by their Attorneys, and Defendant's Plea in Abatement filed July 13, 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 13, 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 617

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 5th day of August, 1971, in the cause  
entitled No. 35682 - MADISON HOUSE, INC., a corporation

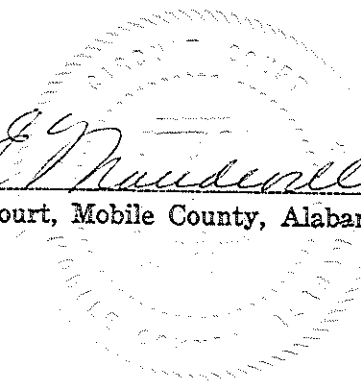
\_\_\_\_\_, Plaintiff,  
— versus — HOLLIS FURNITURE CO.

Defendant, (~~Emphatic on the time recordation of same~~), as the same remains of record in this office in  
Minute Book No. 43, Page No. 617

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 5th day of August, 1971

ATTEST:

  
Clerk, Circuit Court, Mobile County, Alabama.



**CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY**

MADISON HOUSE, INC., a corporation

Plaintiff

No. 35682

**VS.**

HOLLIS FURNITURE CO.

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)

CLERK'S FEES		Pltff.	Deft.	SHERIFF'S FEES		Pltff.	Deft.
Suits for \$100 or less	\$ 8.00			<b>Mileage \$7.20</b>		8	70
Suits for over \$100 but less than \$1,000	10.00			Serving Summons & Complaint	\$ 1.50		
Suits for \$1,000 and over	20.00	20	00	Serving Writ of Garnishment	1.50		
Suits in detinue, ejectment, etc.	10.00			Serving Sci Fa.-Notices	1.50		
Suits not otherwise provided	10.00			Levying Attachment & Return	6.25		
Writs, Mandamus, Prohibition, etc.	15.00			Executing Writ Possession	5.00		
Appeals from Court General Sessions	15.00			Seizing personal property under Writ of Detinue	6.00		
Appeals from Probate Court	20.00			Serving subpoenas, each	.75		
Appeals from JP Courts	6.00			Impanelling Jury	.75		
Appeals from State Dept of Pub. Safety, and other State Agencies	10.00			Taking & Approving Bond	2.00		
Workmen's Compensation Settle.	10.00			Collecting Costs Execution	1.50		
Garnishment on Judgment	6.00			Serving Contempt Writ	1.50		
Order of Sale, Motions to sell.	6.00			Making Deed for Property sold	2.50		
Recording executions from State Agencies	3.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3%			
Cert. Copy of Record - per 100 words	.15	80			\$	8	70
Taking Appeal Bond	.75			Total	\$		
Record for Supreme Court etc., per 100 words	.15			<b>RECAPITULATION</b>			
Add'l Copies of Record for Supreme Court, per 100 words	.05			Clerk		20	80
Checking - including Reporters Transcript of Evidence	10.00			Taylor Wilkins			
Certifying Abstract in lieu of Transcript on Appeal	5.00			Baldwin County		8	70
Collecting Money on Judgments over 30 days old, % the percentage allowed Sheriffs	\$			CT. ADM. FUND		2	00
	\$			Inferior Civil Court			
	\$			Justice Peace fees			
	\$			Witness fees			
	\$			Commissioner's fees			
	\$			Certificate of Judgment			
	\$			Judgment			
	\$			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				

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



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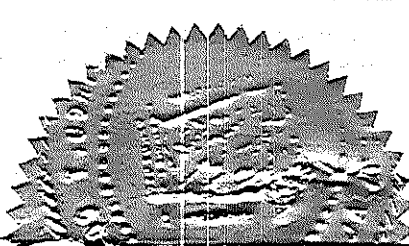
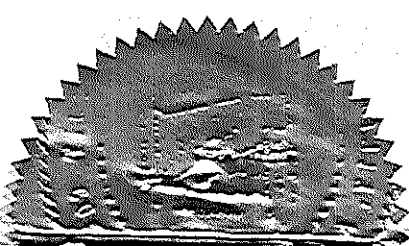
Handwritten notes in the top right corner, including the number 30.

Main body of handwritten text, consisting of several paragraphs of cursive script.

Continuation of handwritten text in the lower middle section of the page.

Final lines of handwritten text at the bottom of the page.

9979



FEIBELMAN & SILVER  
ATTORNEYS AT LAW  
2103 FIRST NATIONAL BANK BUILDING  
MOBILE, ALABAMA 36601

HERBERT P. FEIBELMAN, JR.  
IRVING SILVER

P. O. BOX 2082  
TELEPHONE 205 433-1597

March 10, 1972

Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama 36507

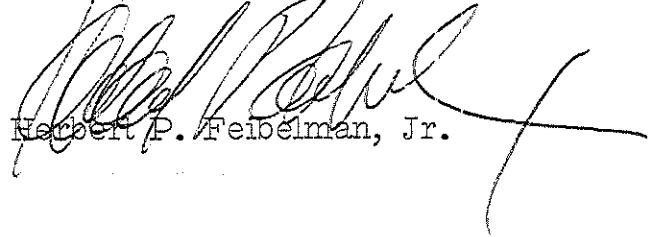
Re: Madison House, Inc.  
Vs: Hollis Furniture Company  
Case No. 9979

Gentlemen:

The above case is set for trial next Tuesday, March 14. It has been agreed that a judgment by consent be entered in favor of the Plaintiff and against the Defendant in the amount of \$3,294.70. We should appreciate it if you would enter such judgment.

Thanking you, I am

Very sincerely yours,



Herbert P. Feibelman, Jr.

hpf/srr

cc: Forest A. Christian, Esq.

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

February 29, 1972

Mrs. Eunice Blackmon  
Clerk of Court  
Bay Minette, Alabama 36507

Re: Madison House Inc., A Corp.

Vs: Hollis Furniture Co.  
On Account, Case #9979

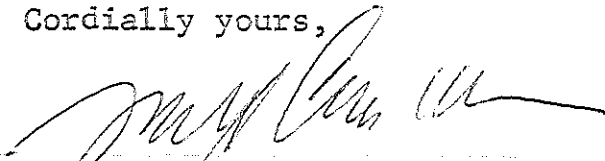
Dear Mrs. Blackmon:

This case is set for Tuesday, March 14.

It is my understanding that the attorneys for the plaintiff have agreed with Hollis for substantial payments and therefore, no judgment should be entered at this time.

Kindly attach this to the docket sheet.

Cordially yours,



FOREST A. CHRISTIAN

FEIBELMAN & SILVER  
ATTORNEYS AT LAW  
2103 FIRST NATIONAL BANK BUILDING  
MOBILE, ALABAMA 36601

HERBERT P. FEIBELMAN, JR.  
IRVING SILVER  
DANIEL E. ROBISON

P. O. BOX 2082  
TELEPHONE 205 433-1597  
205 438-9717

August 30, 1972

Circuit Court of Baldwin County  
Civil Division  
Baldwin County Courthouse  
Bay Minette, Alabama 36507

Re: Madison House, Inc.  
Vs: Hollis Furniture Company  
Case No. 9979

Gentlemen:

We should appreciate it if you would issue alias execution in the above matter, giving credit for \$500.00. Thereafter, we should appreciate it if you would instruct the Sheriff to levy on the assets of the Defendant located on South McKenzie in Foley, Alabama, including stock of merchandise, fixtures, office equipment, cash register, and cash therein, in an amount sufficient to satisfy the judgment with a balance of \$2,794.70 plus costs of court.

Thanking you, I am,

Very sincerely yours,



Herbert P. Feibelman, Jr.

HPF/law  
cc: Mr. John Hollis