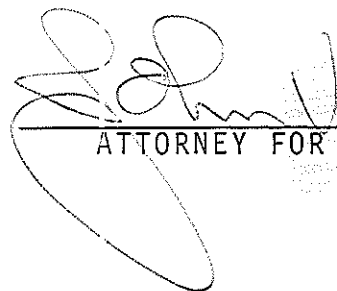


W. T. GRANT COMPANY,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
ERNEST TATE and BERNICE)	
TATE, jointly and severally,)	
Defendants.)	

ANSWER

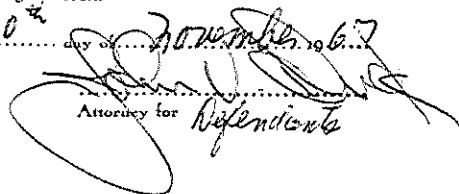
Comes now the Defendants in the above styled cause, and
for answer to the Bill of Complaint filed herein, says:
NOT GUILTY.


ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel
for the opposing party in the foregoing matter, with a copy
of this pleading by depositing in the United States Mail
a copy of same in a properly addressed envelope with
adequate postage thereon.

This.....20th.....day of.....November.....1967.....


Attorney for Defendants

FILED

NOV 21 1967

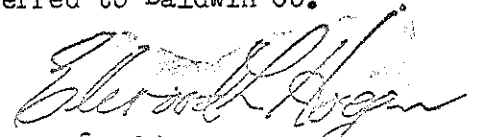
ALICE J. DUCK CLERK
REGISTER

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

	:	Case No. <u>60629</u>
	:	
<u>W. T. Grant Company</u>	:	Filed: Sept. 6, 1967
Plaintiff	:	
	:	Summons Issued: Sept. 11, 1967
	:	
VS	:	Returnable: October 19, 1967
	:	
<u>Ernest Tate & Bernice Tate</u>	:	Service Had: (Both) 9-21-67
Defendant	:	
	:	Cause of Action: Complaint & Summons
	:	
Amount of Claim <u>251.08</u>	:	Attorney for Plaintiff: Perloff & Reid
	:	
	:	Attorney for Defendant: John Duck - Fairhope
	:	

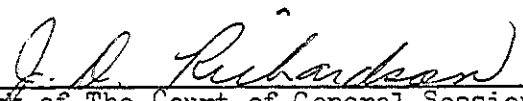
Plea In Abatement filed 10-17-67

Nov. 2, 1967Plea In Abatment Confessed - Pleadings transferred to Baldwin Co.


Special Judge

I hereby certify that the foregoing is a true and correct copy of the above styled cause, as it appears on record and in the files of The Court of General Sessions of Mobile County, Alabama.

Witness my hand this the 6th day of November, 1967.


Clerk of The Court of General Sessions of Mobile County, Alabama

TRANSFER

NOTICE of APPEAL

STATE OF ALABAMA, }
MOBILE COUNTY }

W. T. Grant Company

Plaintiff

VS.

Ernest Tate & Bernice Tate

Defendant

To W. T. Grant Company

in said Cause:

You are hereby notified that Ernest Tate & Bernice Tate

the defendant in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama from the Court of General Sessions of Mobile County, and having complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 6 day of November 19.67.

J. P. Hill
Clerk, Court of General Sessions of Mobile County, Civil Division

Case No. 60829

W.T. Grant Company

Plaintiff,

VS

Ernest Tate & Bernice Tate
Gen. Del., Fairhope, Ala.

Defendant.

NOTICE OF ~~APPEAL~~ TRANSFER

Returnable To The Circuit Court
of Baldwin County

Issued: November 6, 1967

Serve On:

received 15 day of Nov. 1967
and on 20 day of Nov 1967
served a copy of the within Noting transfer
on Ernest Tate &
Bernice Tate
By service on about

Taylor Wilkins, Sheriff

By Ray Randall D.

Sherriff claims 140 miles at
Total Courts for mile & Total \$ 14.00

Taylor Wilkins, Sheriff
Ray Randall
DEPUTY SHERIFF

117

VI
NOTICE of ~~APPEAL~~

STATE OF ALABAMA,)
 MOBILE COUNTY)

W. T. Grant Company

Plaintiff

VS.

Ernest Tate & Bernice Tate

Defendant

To W. T. Grant Company

in said Cause: W. T. Grant Co. VS Ernest Tate & Bernice Tate

You are hereby notified that Ernest Tate & Bernice Tate

the defendants in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama, from the ~~Circuit Court of Baldwin County, Alabama~~

~~Judge of the~~ COURT OF GENERAL SESSIONS OF MOBILE COUNTY, and having

complied with the requirements of the law in such cases made and provided, the same has been granted to the next term of the CIRCUIT COURT of Baldwin County, to be held for

said County, you are hereby notified accordingly.

Given under my hand this the 6 day of November 1967.

J. P. Richardson
 Clerk, Court of General Sessions of Mobile County, Civil Division

VI
Case No. 60629

W. T. Grant Company

Plaintiff,

VS

Ernest Tate & Bernice Tate
Gen. Del., Fairhope, Alabama

Defendant.

TRANSFER
NOTICE OF ~~XXXXXX~~

Returnable To The Circuit Court
OF BALDWIN COUNTY

Issued: November 6, 1967

Serve On:

W. T. GRANT COMPANY,)	IN THE COURT OF GENERAL
Plaintiff,)	SESSIONS, MOBILE COUNTY
vs.)	ALABAMA, CASE NO. 60629
ERNEST TATE and BERNICE TATE,)	
jointly and severally,)	
Defendants,)	

PLEA IN ABATEMENT

Comes now the Defendants, ERNEST TATE and BERNICE TATE, and shows unto the Court that this cause should be abated, and for grounds therefor, assigns the following separately and severally:

1. That the Defendants, at the time that this cause of action arose, were resident citizens of Baldwin County, Alabama, and are presently citizens of Baldwin County, Alabama, and were residents of Baldwin County, Alabama at the time said suit was brought, and that Mobile County has no jurisdiction over this cause and hence this action should be abated.

Ernest Tate

ERNEST TATE

Bernice Tate

BERNICE TATE

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared ERNEST TATE and BERNICE TATE, who being by me first duly and legally sworn, doth depose and say that the matters and facts alleged in the foregoing Plea in Abatement are true and correct.

Ernest Tate

ERNEST TATE

Bernice Tate

BERNICE TATE

Sworn to and subscribed before
me this 16 day of Se October, 1967

Riana Hughes

NOTARY PUBLIC

113

10/17/67

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter, ^{and} a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 16 day of October, 1967

Attorney for Defendants

MEMO-LETTER

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

111

MESSAGE

REPLY

TO Court of General Sessions
Mobile, Alabama

DATE

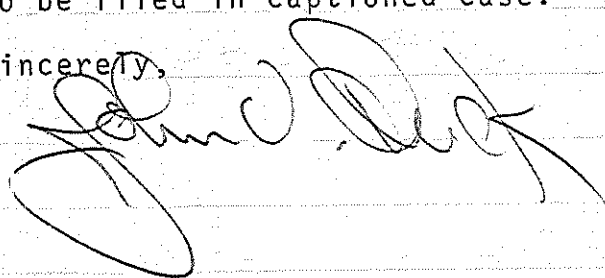
DATE October 16, 1967

RE: W.T. Grant Co. vs. Ernest Tate.
Case No. 60629

Gentlemen:

Enclosed please find Plea in Abatement
to be filed in captioned case.

Sincerely,



SIGNED

SIGNED

PERLOFF & REID
ATTORNEYS AT LAW
SUITE 205 VAN ANTWERP BUILDING
MOBILE, ALABAMA, 36602
433-5412

MAYER W. PERLOFF
T. DWIGHT REID

April 5, 1968

Circuit Court of Baldwin County
Bay Minette, Alabama

~~Mobile County Court House~~
~~Mobile, Alabama~~

W. 7824

Re: W. T. Grant Co. vs. Ernest & Bernice Tate

(PLEASE REFER TO ITEMS CHECKED BELOW)

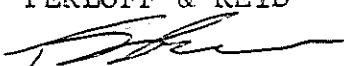
Gentlemen:

1. ☐ Please issue an alias (pluries) complaint and summons at the following address:
2. ☐ Please issue a Writ of Discovery to the defendant, commanding him to file in Court a sworn list of his assets, if any.
3. ☐ Please discharge the garnishee in the above styled cause.
4. ☐ Please furnish me with Certificate of Judgement in the above case. My check in the amount of 50¢ is enclosed.
5. ☐ Please issue an alias execution against the defendant.
6. ☒ Please dismiss the above case on motion of the plaintiff.
7. ☐ Please enter a non-suit in the above case on motion of plaintiff.
8. ☐ Please send me your bill of costs.
9. ☐

REMARKS:

Very truly yours,

PERLOFF & REID


T. Dwight Reid
/rms

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck
Bay Minette, Ala.

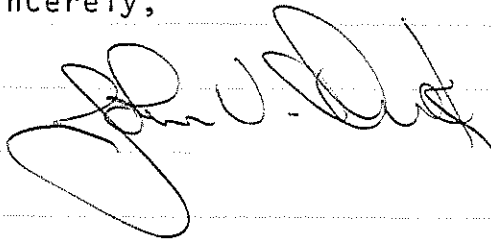
DATE November 20, 1967

Re: W. T. Grant Company vs. Ernest Tate
and Bernice Tate.

Dear Mrs. Duck:

Enclosed please find Answer to be filed
in captioned cause.

Sincerely,



SIGNED

DATE

FILED

NOV 21 1967

ALICE J. DUCK

CLERK
REGISTER

SIGNED

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon ERNEST TATE and BERNICE TATE,

jointly and severally,

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 19 day of October, 1967 at the hour of 9:00 A.M., then and there to answer a complaint of W. T. GRANT COMPANY, a corporation,

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 11 day of September, 1967.

J. D. Richardson
Clerk of the Court of General Sessions of Mobile County.

Cause of Action Plaintiff claims of Defendant \$ 257.08
due by promissory note contract made by

him on to-wit: 7/3/67.

Defendant failed to pay said note contract
according to its terms. By said note contract
defendant waived all right of exemp-
tion and agreed to pay a reasonable attor-
ney's fee, which is claimed in the amount

of \$ 89.69.

SEP 6 1967

Philip Reid
Attorneys for Plaintiff

I
COMPLAINT AND SUMMONS

Atty. for Plaintiff: ~~XXXXXX~~ PERLOF P & RBID

Atty. for Defendant:

**THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY**

No. 60629

Ret.

Oct 19, 1967

W. T. Grant Company

VS.

Ernest Tate & Bernice Tate
General Delivery, Fairhope, Alabama

Continued To

His Emp: ~~Anna~~ E. James School
Anana Jean
~~Fairhope~~ Fairhope, Alabama

Executed by Service on

Defendant

This _____ day _____, 19____

Sheriff of Mobile County

By _____
Deputy Sheriff

COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS
COURTROOM "B" FIRST FLOOR

The State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon ARNOLD TATE and BERNICE TATE,

jointly and severally.

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 19 day of October, 1967 at the hour of 9:00 A.M., then and there to answer a complaint of M. I. GRANT COMPANY, a corporation.

of a debt or other demand not exceeding Seven Hundred Fifty Dollars.

Herein fail not and have you then and there this precept with your doings.

Witness my hand, this 11 day of September, 1967

J. D. Grant
Clerk of the Court of General Sessions of Mobile County.

Cause of Action

Plaintiff claims of Defendant \$ 257.08
due by promissory note contract made by
Defendant to wit: 9/3/67
Defendant failed to pay said note contract
to its terms. He said note contract
defendant waived all right of exemp-
tion and to pay a reasonable attor-
ney's fee, which is claimed in the amount

\$ 257.08

Philip Lee
Attorneys for Plaintiff

II
COMPLAINT AND SUMMONS

Atty. for Plaintiff: ~~KINNEY PERLON P & FIELD~~

Atty. for Defendant:

**THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY**

No. 60629

Ret.

Oct. 19, 1967
W. T. Grant Company

VS.

Ernest Tate & Bernice Tate
General Delivery, Fairhope, Alabama

Continued To

Bald co
His Rep: SWANZ, James School

RECEIVED
Fairhope, Alabama

SEP 19 1967

TAYLOR WILKINS
SHERIFF

Executed by Service on

Ernest Tate
Bernice Tate

Defendant

This 21 day Sept, 1967

Sheriff of Mobile County

By Ray Randall
Deputy Sheriff

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

SEP 11 3 48 PM '67

BY

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.

SEP 25 6 25 AM '67

BY

115

Sheriff claims 1/80

14.00
Ray Randall
DEPUTY SHERIFF

T. Tate

over

Perloff & Reid
ATTORNEYS FOR PLTF:—

COST BILL

THE STATE OF ALABAMA }
MOBILE COUNTY }

The Court of General Sessions
of Mobile County

W. J. Grant Company
Plaintiff
Ernest Tate & Bernice Tate
Defendant

CASE NO. 60629

COURT FEES

Summons and proceedings thereon to judgment	(2)	\$1.00	✓
Docketing each cause		.10	✓
Attachment Bond and Affidavit		1.50	
Issuing each Attachment		.50	
Summoning Garnishee and taking examination		.75	
Subpoena for each witness		.15	
Execution and taxing costs thereon		.50	
Each appeal or certiorari, including bond and certificate of proceedings		1.00	✓
Every necessary Certificate or Notice not otherwise provided for		.25	✓
For issuing each Writ of Detinue		.50	
For each Scire Facias, or notice in the nature thereof		.50	
Every other Bond		.50	
Administering an oath and certifying the same		.25	
Issuing Notice of Appeal		.25	
Law Library Fee		1.00	✓
Judgment Ni Si against Garnishee		.50	
Writ of Discovery		.50	
Writ of Contempt		.50	
Writ of Arrest		.50	
Alias Summons		1.00	
Witness Fee fifty cents for each day's attendance			

TOTAL \$

SHERIFF'S FEES

Levying Attachment		6.00	
Entering and returning same		.25	
Summoning Garnishee and making return		1.50	
Serving Summons and other mesne process, and returning the same	(2)	1.50	✓
Summoning each Witness and returning Subpoena		.75	
Collecting execution for costs only		1.50	
Serving Scire Facias or other like notice		1.50	
Serving any summons not herein provided for, and making return		1.50	✓
Seizing personal property under Writ of Detinue		6.00	
Taking care of such property, such just compensation as Court may fix			
Taking and approving bonds of every kind		2.00	
When property is sold under execution or attachment			
Commission:		5%	
When sale is stayed by restraining order	mileage	2 1/2%	14.00
Total		\$	
GRAND TOTAL		\$	22.85

I respectfully call your attention to the above Court Cost Bill which if not paid by 19_____, it will be my unpleasant duty to issue execution on your property for the recovery of the same.

J. D. Richardson, Clerk