

MARTHA HUDE, ) IN THE COURT OF GENERAL SESSIONS OF  
 Plaintiff ) MOBILE COUNTY,  
 ) ALABAMA  
 VS: )  
 ) AT LAW  
 ROLAND PARKER BUTTS, )  
 Defendant ) CASE NO. 62,126

Comes now Roland Parker Butts, appearing specially and for the sole and only purpose of filing this, his plea in abatement, and respectfully shows unto the Court as follows:

1. That Roland Parker Butts, Defendant in the above styled matter, is and has been for the next preceding ten (10) years been a bona fide resident of Baldwin County, Alabama.

WHEREFORE, the premises considered, the said Roland Parker Butts alleges that this cause is due to be abated as this Court lacks jurisdiction in said cause.

Roland P. Butts  
 ROLAND PARKER BUTTS

STATE OF ALABAMA )

COUNTY OF MOBILE )

I, Mildred K. Ingle, Notary Public in and for said County and State, do hereby certify that Roland Parker Butts, who was made known to me, deposes and says that he is aware of the contents of the above and that the same is true.

Roland P. Butts  
 ROLAND PARKER BUTTS

Sworn and subscribed to before me this 2nd day of December, 1967.

Mildred K. Ingle  
 NOTARY PUBLIC, MOBILE COUNTY, ALABAMA  
 STATE AT LARGE

*Gibbons & Stokes*  
*Attorneys for A*

*12/4/67*

MARTHA HUDE, ) IN THE COURT OF GENERAL SESSIONS OF  
Plaintiff ) MOBILE COUNTY,  
ALABAMA  
VS: )  
AT LAW  
ROLAND PARKER BUTTS, )  
Defendant ) CASE NO. 62,126

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1. That Roland Parker Butts, Defendant in the above styled matter, is and has been for the next preceding ten (10) years been a bona fide resident of Baldwin County, Alabama.

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ROLAND PARKER BUTTS

Sworn and subscribed to before me this 2nd day of December, 1967.

Mildred K Ingle  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA  
STATE AT LARGE

30 A  
2  
MARTHA HUDE,  
Plaintiff

VS:

ROLAND PARKER BUTTS,

Defendant

) IN THE COURT OF GENERAL SESSIONS OF  
) MOBILE COUNTY,  
ALABAMA  
)  
AT LAW

) CASE NO. 62,126

Comes now Roland Parker Butts, appearing specially and for the sole and only purpose of filing this, his plea in abatement, and respectfully shows unto the Court as follows:

1. That Roland Parker Butts, Defendant in the above styled matter, is and has been for the next preceding ten (10) years been a bona fide resident of Baldwin County, Alabama.

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ROLAND PARKER BUTTS

STATE OF ALABAMA )

COUNTY OF MOBILE )

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Roland P. Butts  
ROLAND PARKER BUTTS

Sworn and subscribed to before me this 2nd day of  
December, 1967.

Mildred K Ingle  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA  
STATE AT LARGE

*Clay & Clay*

ATTORNEYS AT LAW

GERRARD CLAY  
CALVIN CLAY

405 VAN ANTWERP BLDG.  
MOBILE, ALA. 36602  
438 - 9735

January 10, 1969

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

RE: Martha Hude, Assn.  
vs. Roland Parker Butts  
Case No. 7937

Dear Mrs. Duck:

Please enter a non-suit in the above case. This case was transferred from the General Sessions Court of Mobile County on motion of the Defendant's attorney, Mr. E. Graham Gibbons.

I did not know the case was pending until I received the docket sheet.

Very truly yours,

*Gerrard Clay*  
GERRARD CLAY

GC/mm

## COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS  
COURTROOM "B" FIRST FLOORThe State of Alabama,  
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon Roland Parker Butts

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 7 day of Dec, 1967 at the hour of 9:00 A.M., then and there to answer a complaint of Martha Hude, assignee

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 7 day of Dec, 1967

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

Plaintiff claims of Defendant \$ 336.00

Cause of Action due from him by account on transit  
which sum of money with the interest thereon, is still  
unpaid. An item of, verified statement of account is  
filed herein.

GERRARD CLAY

By

Gerrard Clay  
Attorney for Plaintiff

II  
**COMPLAINT AND SUMMONS**

Atty. for Plaintiff: **GERRARD CLAY**

Atty. for Defendant:

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

No. 62126

Ret. Dec 8/1967

**MARTHA HUDN**

**VS.**

**ROLAND PARKER BUTTS**

Continued To

Rec'd 11/10/67

Executed by Service on

Roland Parker Butts

Defendant

This 11 day Nov 1967

Paul  
Sheriff of Mobile County

By Charles L. Tucker  
Deputy Sheriff

R. H. O'Connell

REC'D SHERIFF DEPT.  
MOBILE COUNTY, ALA.

NOV 21 8 53 AM '67

BY

Serve the defendant at

General Delivery,  
Robertsdale, Alabama

Sheriff claims 5.0 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY Childers  
DEPUTY SHERIFF

# COST BILL

THE STATE OF ALABAMA }  
MOBILE COUNTY

The Court of General Sessions  
of Mobile County

Martha Hude Plaintiff  
Roland Parker Butts Defendant

CASE NO. 62126

## COURT FEES

Summons and proceedings thereon to judgment	\$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	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		
<del>Commission:</del> <u>Mileage</u>	<del>5.00</del>	
When sale is stayed by restraining order	2 1/2 %	

Total \$

GRAND TOTAL \$ 11.35

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

## COMPLAINT AND SUMMONS

REPORT TO GENERAL S.  
COURTROOM "B" FIRST F.The State of Alabama,  
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon Roland Parker Butts

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 4 day of Dec, 1967 at the hour of 9:00 A.M., then and there to answer a complaint of Martha Hude, assignee

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 2 day of Dec, 1967

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

Cause of Action Plaintiff claims of Defendant \$336.00  
due from him by account on to-wit: 8-30-67  
which sum of money with the interest thereon, is still  
unpaid. An itemized, verified statement of account is  
filed herein.

GERRARD CLAY

By

Gerrard Clay  
Attorney for Plaintiff

10/26/67



I.

# COMPLAINT AND SUMMONS

Atty. for Plaintiff: GERRARD CLAY

Atty. for Defendant:

THE COURT OF GENERAL SESSIONS  
OF MOBILE COUNTY

No. 62/26

Ret. Dec 4, 1967

MARTHA HUDE  
VS.

ROLAND PARKER BUTTS

Continued To

Executed by Service on

Defendant

This \_\_\_\_\_ day \_\_\_\_\_, 19\_\_\_\_

Sheriff of Mobile County

Deputy Sheriff

Serve the defendant at

General Delivery,  
Robertsdale, Alabama

The COURT OF GENERAL SESSIONS OF MOBILE COUNTY

	:	Case No. <u>62126</u>
	:	
<u>Martha Hude</u>	:	Filed: October 26, 1967
Plaintiff	:	
	:	Summons Issued: November 2, 1967
	:	
VS	:	Returnable: December 4, 1967
	:	
<u>Roland Parker Butts</u>	:	Service Had: 11-11-67
Defendant	:	
	:	Cause of Action: Complaint & Summons
	:	
Amount of Claim: <u>\$336.00</u>	:	Attorney for Plaintiff: Clay
	:	Attorney for Defendant: Gibbons & Stokes
	:	

Plea in Abatement filed 12-4-67.

12-18-67 for pleadings - Transferred to Baldwin County.

*Paul Bonner*

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 4th day of January, 1968.

*J. D. Richardson*  
Clerk of The Court of General Sessions  
of Mobile County, Alabama

TRANSFER

NOTICE of ~~APPEAL~~STATE OF ALABAMA, }  
MOBILE COUNTY }

Martha Hudge

Plaintiff

VS.

Roland Parker Butts

Defendant

To Roland Parker Butts

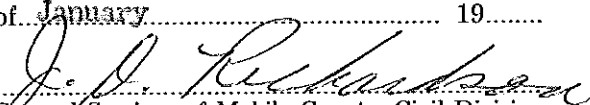
in said Cause: Martha Hudge VS Roland Parker Butts

You are hereby notified that.....

Martha Hudge

the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama from the 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 Mobile County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 4 day of January 19

  
 Clerk, Court of General Sessions of Mobile County, Civil Division

Ex. 1-10-68

Case No. 62126

7937

Martha Hude

Plaintiff,

VS

*for*  
Roland Parker Butts  
General Delivery, Robertsdale, Alabama

Defendant.

200  
TRANSFER  
NOTICE OF ~~APPEAL~~

Returnable To The Circuit Court

BALDWIN COUNTY, ALABAMA

Issued: January 1, 1968

Serve On:

REC'D SHERIFF DEPT  
MOBILE COUNTY, AL

JAN 4 4 42 PM '68

BY

10 Jan. 68  
12 day of Jan 68  
I have a copy of the with *Notie of trans*  
Roland Parker Butts

TAYLOR WILKINS, Sheriff

*Barbara Shearer*

*R. Dick*

Sheriff of 50

Ten Cents per mile Total 5.00

TAYLOR WILKINS, Sheriff

*Charles Childress*

CLERK

TRANSFER

*VI*  
**NOTICE of** ~~XXXXXXXXXX~~  
~~XXXXXXXXXX~~

STATE OF ALABAMA, }  
MOBILE COUNTY }

Martha Hude

Plaintiff

VS.

Roland Parker Butts

Defendant

To Roland Parker Butts

in said Cause: Martha Hude VS Roland Parker Butts

You are hereby notified that

Martha Hude

the plaintiff in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Alabama ~~XXXXXXXXXX~~  
~~XXXXXXXXXX~~ 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 Mobile County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 4 day of January

1968

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

VI  
Case No. 62126

md. 7931

Martha Hude

Plaintiff,

VS

Roland Parker Butts  
General Delivery, Robertsedale, Alabama

Defendant.

TRANSFER

NOTICE OF ~~APPEAL~~

Returnable To The Circuit Court

BALDWIN COUNTY, ALABAMA

Issued: January 4, 1968

Serve On: