## COMPLAIN AND SUMMONS

REPORT TO GENERAL SESSIONS COURTROOM "B" FIRST FLOOR

The State of Alabama, TO T	THE COURT OF MARKET CONTINUES.
٠ ١٠ ١	HE SHERIFF OF MOBILE COUNTY—GREETINGS
MOBILE COUNTY	
You are hereby commanded to summon	John L. Herron
***************************************	
to be and appear before the Court of General S	Sessions of Mobile County at the Courthouse of Mobile
	1 7
County, on the day of land	at the hour of 9:00 A.M.
then and there to answer a complaint ofGu	1f Oil Corporation
***************************************	
Anniewskiemment reference (AMI) Weight der der Germannen und Germannen und Germannen der Germannen d	TOTAL CONTRACTOR TO THE CONTRACTOR CONTRACTO
of a debt or other demand not exceeding Seven Herein fail not and have you then and then	re this precept with your doings.
Witness my hand, this day of	
	202 Ticherason
	Clerk of the Court of General Sessions of Mobile County
a salin primate alrino of	Clerk of the Court of General Sessions of Mobile County
Cause of Action Plaintiff claims of	Clerk of the Court of General Sessions of Mobile County
The state of the s	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55
Cause of Action Plaintiff claims Of	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55
The state of the s	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55 5-1-66 , which
due from him by account on	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55 5-1-66 , which est thereon is still
due from him by account on 5 sum of money with the intere unpaid. This suit is filed on a	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55 5-1-66 , which est thereon, is still n itemized verified
due from him by account on sum of money with the interes	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55 5-1-66 , which est thereon, is still n itemized verified
due from him by account on sum of money with the interesumpaid. This suit is filed on a account, which will be offered.	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55  5-1-66 , which est thereon, is still n itemized verified in evidence at trial OR PLAINTIFF
due from him by account on sum of money with the interesumpaid. This suit is filed on a account, which will be offered.	Clerk of the Court of General Sessions of Mobile County the defendant \$491.55 5-1-66 , which est thereon, is still in itemized verified in evidence at trial.

Atty for Plaintiff: GIBBONS & STOKES Atty. for Defendant:	REC'O SHERIFF D MOBILE COUNTY.
THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY	
No. 655/7	MAR 26 1968
Ret. Opril (?/868	
Gulf Öil Corporation VS.	Please forward to the sheriff of Baldwin County for service.
John L. Herron	TARLOR WILKINS, SHERIFF OF HALDWIN
Continued To	COUNTY, ALABAMA, CLAIM \$1.50 to vil.
Rt. 2 Box 312 G Bay Minette, Alaama	TRAVEL EXPENSE ON EACH OF \$  PROCESS[ES] OR A TOTAL OF \$
	Received 26 day of spall 1968
Executed by Service on  Defendant	mel co. day of
This	By service on
By W. O. Solker Deputy Sheriff	TAYLOR WILKINS, Sheeting By LE D. S

÷

STATE OF GEORGIA COUNTY OF FULTON

Notary Public, Georgia, State at Largé

My Commission Expires Aug. 23, 1969

Personally appeared before me, the undersigned attesting officer duly authorized to administer oaths in the State and County aforesaid, C. R. Fountain who, being duly sworn, deposes and says that he is Credit Manager of the firm of Gulf Oil Corporation and is authorized to make this affidavit; that he is familiar with the books and business of the firm of
Gulf Oil Corporation, that the attached statement of account is true, that
the debt is just; that the sum of \$ 491.55 is due and owing by
John L. Herron
to the said Gulf Oil Corporation and remains unpaid; and that there are no just discounts, offsets, credits or counter-claims against said demands, either in law or equity; and that said sum is now due, exclusive of any payment, offsets, or usurious interest; and that lawful interest is due from 30 days after the date of each invoice.
Sworn to and subscribed before me, this 7 day of February 19 68 .

81 ans 284

### ITEMIZED STATEMENT

GULF 2006



## Gulf Oil Corporation

Box 7245, Station C, Atlanta 9, Ga.

February 7, 1968

John L. Herron Rt. 2, Box 312 G Bayminetee, Ala

Petroleum products, Services and/or	auto accessorie
purchased upon presentation of Gulf	Credit Card.
<b>₽</b> 227 314 184 2	
at various Gulf Service Stations.	
Nov. 1965	88.12
Dec.	178.88
	127.03
Feb.	128.93
Mar.	28.49
April	18.72
	46.38
	616.55
Less Payments:	
6/2/66	25.00
9/66	25.00
9/66	25:00
4/25/67	15.00
5/22/67	10.00
10/67	25.00
	491.55
	Z.S.
	5/753
	*
VOL O1 PAGE 200	

### COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS COURTROOM "B" FIRST FLOOR

The State of Alabama,  MOBILE COUNTY	THE SHERIFF OF MOBILE COUNTY—GREETINGS:
You are hereby commanded to summon.	John L. Herron
to be and appear before the Court_of General	l Sessions of Mobile County at the Courthouse of Mobile
986 S. C.	, 19 at the hour of 9:00 A.M.,
County, on the 1 day of the	$\frac{19}{2}$ at the hour of 9:00 A.M.,
then and there to answer a complaint of	ulf Oil Corporation
and the second of the second o	
of a debt or other demand not exceeding Seve	en Hundred Fifty Dollars.
Herein fail not and have you then and th	ere this precept with your doings.
Witness my hand, thisday of	M
witness my nand, thisday of	
	Ja. Vechander
	Clerk of the Court of General Sessions of Mobile County.
Cause of Action Plaintiff claims o	f the defendant \$491.55
10 50 Mg	
due from him by account on	5-1-66 , which
sum of money with the inter	est thereon is still
unpaid. This suit is filed on a	an itemized verified
**ccount, which will be offered	
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## COMPLAINT AND SUMMONS

REPORT TO GENERAL SESSIONS COURTROOM "B" FIRST FLOOR

The State of Alaba	ıma; 🕽 💮 📆	THE SHERIFF OF M	ORILE COUNTY-	-GREETINGS:
MOBILE COUNTY		illi Siiniari Or 16		
700 C		erio. Transport	# # ##	
Voy are hereby comm	nanded to summon	John L. Herror		
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And the second s	*****	**************************************		  
to be and appear before the	o Court of General	Sessions of Mobile Co	ounty at the Court	house of Mobile
to be and appear before u	ne Court of General	Despiolis of Indonite a	^ D	
County, on the day	of Inc		19 at the hou	ir of 9:00 A.M.,
then and there to answer		ulf Oil Corpora	tion	
then and there to answer	a complaint of	<u>UTT ATT POTFORG</u>	Seda WAA	
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and the second s		man entre company of the company of	and the state of t	grade and a second control of the particle of the
of a debt or other demand Herein fail not and h	ave you then and th	ere this precept with	your doings.	
Witness my hand th	is day of	MAR 19	<u> 1968</u>	., 19
Witness my hand, th	us	~/20.	Rehardson	ŕ
		Clerk of the Cour	t of General Sessions	
Cause of Action Plai	ntiff claims C	of the defendant	\$491.55	*************
Cause of Action				
due from	him by account on	5-1-66 which		************************
sum of n	noney with the inter	rest thereon is still		***************************************
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unpaid. 1	which-will-be-offered	in evidence at trial.		
		Local Total		
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tty. for Defendant:	:		141 1		•
THE COURT OF G				NS	
No. 6	551	7	M-1		Y.
et. April	17.	1960	P		Vigoromore Spirit est and
Gulf Oil Cor	pora	tion			
$\mathbf{v}$	s.		:		
John L.	Her	ron			
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Rt. 2 Box Bay Minett			a :		
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recuted by Service on	:			:	
			Defen	dant	
nis day			, 19	*******	

Deputy Sheriff

Please forward to the sheriff of  $B_a$ ldwin County for service.

#### JAMES R. OWEN

ATTORNEY AT LAW

BAY MINETTE, ALABAMA 36507

April 19, 1968

P. O. BOX 248 TEL, 937-2061 AREA CODE 205

Clerk of the Court of General Sessions . Mobile County Mobile County Courthouse Mobile, Alabama 36601

Dear Sir:

I enclose plea in abatement in the case of Gulf Oil Corporation vs. John L. Herron which is case number 65517.

If you will let me know when this plea is set, I will appear and represent the defendant.

Yours very truly,

JAIVIES R. OWEN

JRO/ers

Enclosure

GULF OIL CORPORATION, IN THE COURT OF GENERAL Plaintiff, SESSIONS OF MOBILE COUNTY VS. JOHN L. HERRON, NO. 65517

Defendant.

#### PLEA IN AFATEMENT

Now comes John L. Herron, the defendant in this cause, for the special purpose of filing the following plea to the complaint in said cause, and for no other purpose:

The said John L. Herron says that at the time said suit was instituted and at the time said cause of action arose he was a bona fide resident of Baldwin County, Alabama, and that the court of General Sessions of Mobile County is without jurisdiction to try this suit.

STATE OF ALABAMA ) BALDWIN COUNTY

Before me, the undersigned authority, personally appeared John L. Herron, the defendant in the above styled cause, who, being by me first duly sworn, says on oath, the facts set forth in the foregoing plea are true and correct.

Sworn to and subscribed before me on this the 22 day of April, 1968.

Crnedic Auma Notary Public, Baldwin County, Alabama

## CHATIFICATE OF SERVICE

I comity that a copy of the foregoing riseling has been served upon ocurred or all parties to this proceeding, by totalling the same to each by Eist Class United States Mail, properly addlesped and position proposed on this 23<sup>th</sup> day of April 1968.

Actornoy for Defendant

61 PAGE 266

#### GIBBONS & STOKES

ATTORNEYS AT LAW

160 CONGRESS STREET

MOBILE, ALABAMA

TELEPHONE 433-2611

E. GRAHAM GIBBONS
B. F. STOKES, III

JOHN S. GONAS, JR.

June 11, 1968

MAILING ADDRESS P. O. BOX 293 MOBILE, ALABAMA, 36601

Mr. J. D. Richardson, Clerk Court of General Sessions Mobile County Courthouse Mobile, Alabama

Re: Gulf Oil Corporation vs. John L. Herron, Case No. 65,517

Dear Sir:

According to our file, previously, we confessed the plea in abatement and requested that the cause be transferred to the Circuit Court of Baldwin County, Alabama.

By my letter of May 29th I wrote the clerk of the Circuit Court of Baldwin County, Alabama, as to whether or not the file had been received, the case number, etc. I received a reply that they have not received the file.

If you have not forwarded this matter to the clerk, Baldwin County, please do so at your earliest opportunity.

Sincerely yours,

B. F. Stokes, III

BFS:mi

#### THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 65517 March 13, 1968 Filed: Gulf Oil Corporation Plaintiff March 19, 1968 Summons Issued: Returnable: April 17, 1968 ٧S Service Had: 4-15-68 John L. Herron Cause of Action: IVA Defendant Attorney for Plaintiff: Gibbons & Stokes Amount of Claim: \$491.55 Attorney for Defendant: James R. Owen

5-15-68

Deft's Plea in Abatement filed 4-24-68

5-29-68

6-12-68 Plea Confessed Case transferred to Baldwin County, Alabama.

Pondonamen

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 25th day of June, 1968.

Eyerk of The Court of General Sessions

of Mobile County, Alabama

M-G,5,-E	6-2/66

## COST BILL

TTORNEYS FOR PLIF:

General Sessions (Civil Div.) Court of Mobile, Mobile County County Court Of Mobile, Mobile County Court Of Mobile, Mobile County Court Of Mobile County County Court Of Mobile Cou	t House, Mobile, Ala.
	0.65517
Defendant	
Garnishee	
COURT FEES	7 _
Summons and proceedings thereon to judgment	.\$1.00
Docketing each cause	
Law Library Fee	1.00 i
Garnishment Opped or Transfer TOTAL	1.25
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
Collecting execution for costs only	_ 1.50
Serving any summons not herein provided for, and making return	1.50.
TOTAL	
GRAND TOTAL	\$ 6.25
I respectfully call your attention to the above Court Cost Bill which if no 19, it will be my unpleasant duty to issue execution on your property	ot paid by, y for the recovery of the
same.	Richardson, Clerk

# NOTICE of xxidix xxixxx

STATE OF ALABAMA, \ MOBILE COUNTY				
Gulf Oil Corporation			N.	
VS.	Plaintiff			
John L. Herron				
Rt. 2, Box 312-G., Bay Mine	tta. Alabama efendant			
ToJohn	n L. Herrøn			.,,
		÷	( m	*
in said Cause: Gulf Oil Corp.	VS John L	. Herron		•
You are hereby notified that				
Gulf Oil (	Corporation			
the plaintiff	in the	e above entitled ca	ause has praye	d and ob-
a transfer to the Cirtained an appear to the Cirtained an appear to the Cirtained from	rquit Court q ntx///exemxxem	of Baldwin Cou	nty, Alabam	a,,
complied with the requirements of				
-		Baldwin		
been granted to the next term of the			County, to be	e neig for
said County, you are hereby notifi				
Given under my hand this the	()	June  Meral Sessions of Me	LLAA.	168 Lean vil Division

Case No. 65517

Gulf Oil Corporation

Plaintiff,

VS

John L. Herron Rt. 2, Box 312-G., Bay Minette, Alabama

Defendant.

NOTICE OF XXXXEXX. TRANSFER

Returnable To The Circuit Court
OF BALDWIN COUNTY

Issued: June 25, 1968

Serve On:

John L. Herron

JUN 26 1968

ALICE J. DUCK REGISTE

Gulf Oil Corporation,

Plaintiff,

VS.

BALDWIN COUNTY, ALABAMA

JOHN L. HERRON,

Defendant.

Plaintiff,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

8/89

PLEA

Now comes the defendant in the above styled cause and for plea to the complaint heretofore filed in said cause and to each and every count thereof says, separately and severally:

1. The allegations of the complaint are untrue.

Attorney for Defendant

Defendant demands a trial by jury of said cause.

Attorney for Defendant

FILED

JUL 16 1968

ALCE J. DUSK CLERK REGISTER

#### GIBBONS & STOKES

ATTORNEYS AT LAW

160 CONGRESS STREET

MOBILE, ALABAMA

TELEPHONE 433-2611

E. GRAHAM GIBBONS B. F. STOKES, III WILLIAM L. HOWELL July 9, 1969

MAILING ADDRESS P. O. BOX 293 MOBILE, ALABAMA 36601

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

Re: Gulf Oil Corporation vs John L. Herron, #8189

Dear Mrs. Duck:

Please forward your bill of costs. This claim has been paid in full.

Sincerely,

B. F. Stokes, III

BFS: fo

# NOTICE of XXIIII EXXXX

STATE OF ALABAMA, MOBILE COUNTY		
Gulf Oil Corporati	Lon	na konik, san Vila <sup>nda</sup> n.
vs.	Plaintiff	
John L. Herron		935. 18
Rt. 2, Box 312-G., I	Bay Minette Alabama Defendant	
То	John L. Herron	ve <sub>i</sub>
	West Control	
Gu	ied that	the first the expression
	in the above er	
tained anappeakirounthe	the Circuit Court of Bolder Exhibite the Court of Bolder CENERAL SESSIONS OF MC	rin County, Alabama,
·	ements of the law in such cases m	
-		Baldwin
-		throughte County, to be near for
said County, you are her		<b>\</b>
Given under my hand	d this the .25 day of June  Clerk Court of General Session	Chardson 168

8189 Casa No. 65517	
Case No. Corporation	
E' Plaintiff,	
John L. Herron  Rt. 2, Box 312-0., Bay Minette, Alak	
Defendant.	Received 27 day of June 10 66 8  served a copy of the within letter of the
NOTICE OF XX PYXXI, TRANSFER	m form 2. Thomas
	By service on
Returnable To The Circuit Court OF BALDMIN COUNTY	TAYLOR WILKINS, Sheriff By W. a. Saller D. S.
Issued: <b>June 25, 1</b> 968	
Serve On:  John L. Herren	TAYLOR WILKINS, SHERIEF OF BALDWIN COUNTY, ALABAMA, CLAIM \$ 1.50 EACH
The second of the second secon	FOR SERVING LILLE FLORITIPES) AND
	TRÂVEL EXPENSE ON EACH OF \$
	PROCESS(ES) OR A TOTAL OF \$