

CHRYSLER CREDIT CORPORATION

Plaintiff

VS.

JOHN T. GRACE

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. _____

DEMURRERS

1.

The Complaint does not state a cause of action.

2.

The allegations are vague and indefinite.

WILTERS, BRANTLEY & NESBIT

BY: Thyler S. Nesbit

Attorneys for Defendant

The Defendant demands a trial by Jury.

WILTERS, BRANTLEY & NESBIT

BY: Thyler S. Nesbit

Attorneys for Defendant

FILED

DEC 17 1970

ALICE J. DUCK

CLERK
REGISTER

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 17 day of Dec
1970 served a copy of the foregoing pleading on counsel for all
parties to this proceeding by mailing the same by United States
Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Thyler S. Nesbit

Chrysler Credit

John Shuck
9575

1. Bishop, Ethel, Merchant, 456 S. Section St., Fairhope, Ala. D2
2. Clay, Ray, Ast. Cstdn. VAW, 504 Equality St., Fairhope, Fairhope, Ala.
3. Coleman, Carolyn F., Housewife, 1801 Auburn Av., Bay Minette, Ala.
4. Crosby, Wm., N., Crosby Lbr. Co., 608 Mixon Av., Bay Minette, Ala. P3
5. Davidson, Audrey N., Clk. West Bros., 310 Mango St., Bay Minette, Ala.
6. Dorch, Alexander, Fisherman, 701 Dan Horne Lane, Fairhope, Ala.
7. Graves, Susie, Housewife, 914 S. Dobson, Bay Minette, Ala.
8. Higgins, Robert, Salesman, 40 S. Section St., Fairhope, Ala. D3
9. Hollingsworth, George H., Bob White Chev., 503 1st St., Bay Minette, Ala. D1
10. Lee, Richard E., Merc. Stockton, Stockton, Ala.
11. Leon, Willie, Musician Grand Hotel, 253 S. Section Fairhope, Ala. Point Clear
12. Lewis, Dollie S., Housewife, 1105 Marks Av., Bay Minette, Ala.
13. Long, Lee, Merc., Rabon St., Bay Minette, Ala.
14. McGuire, Edith S., Housewife, Tensaw, Alabama
15. McKenzie, Gene E., Purch. Agt. Pinto Island Mtls. 113 Orange St., Fairhope, Ala. D4
16. McMillan, Raymond, Farmer, Stockton, Stockton, Alabama P4
17. Parker, Gertrude M., Bkpr. Bald, Co. Sav. & Loan, 8 North School St., Fairhope
18. Passmore, Lousie S., School Sec. P. O. Box 247, Silverhill, Ala.
19. Phillips, Maetha L., Vanity Fairh Star Rt. Stockton Atmore, Ala. D5
20. Pipkin, James E., PNAS Stockton, Ala. Pensacola, Fla.
21. Powell, John O., Kaiser Almn. 110 S. Day St., Bay Minette, Ala. P6
22. Robinson, Marlene B., Housewife, 155 Orange St., Fairhope
23. Rost, Charles H., Mech. NASS 22 Fig St., Fairhope, Ala. Pensacola, Fla. D6
24. Smith, Sidney K., Retired Lee St., Bay Minette, Ala.
25. Stephens, Robert T., Acct. Chevron Asphalt, 374 Ridgewood Cir. Fairhope, Ala.
26. Vick, Lloyd, Janitor F Hope High School, 306 Delmar, Fairhope, Ala.
27. Washington, John Ed., Retired, Blacksher Rt., Bay Minette, Ala. P5
28. Watts, McFarlan, Logger, 101 Banyan St., Bay Minette, Ala. P2
29. York, Annie W., Maid BCHS Tensaw, Ala. Bay Minette, Ala.
30. White, Elaine, Beauty Shop, Perdido
31. Brown, Mildred, Retired, Bay Minette P1
32. Dean, Mary, Housewife, Rabon
33. Eddins, Laura Lee, Clerk, Bay Minette
34. Weekley, Eleanor, Housewife, Perdido
35. Demko, Glenda, Housewife, Bay Minette
36. Bryars, Dollie Mae, Clerk, Bay Minette

P XXXXX 1

Q XXXXX 1

36
12
224
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212

9595

TRANSFER
NOTICE of APPEAL
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

STATE OF ALABAMA, }
MOBILE COUNTY }

~~CHRYSLER CREDIT CORPORATION~~

Plaintiff

VS.

~~JOHN T. GRACE~~

Defendant

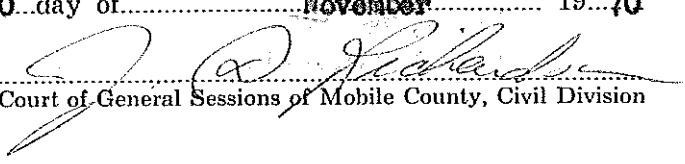
To ~~JOHN T. GRACE~~

in said Cause:

You are hereby notified that ~~CHRYSLER CREDIT CORPORATION~~

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 County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 20 day of November 19 70


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

Case No. 90138

9575

 CHRYSLER CREDIT CORPORATION

Plaintiff,

VS

JOHN T. GRACE

Defendant.

NOTICE OF APPEAL
~~XXXXXXXX~~ TRANSFER

Returnable To The Circuit Court of
Baldwin County

Issued: November 20, 1970
12/5

Serve On:

JOHN T. GRACE
Rt. 1, Box 620 264-BBB
Robertsdale, Alabama



Sheriff claims 50 miles at
Ten Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY Baldwin
DEPUTY SHERIFF

Received 1 day of Dec. 19 70
and on 5 day of Dec 19 70
I served a copy of the within Not of Grace
on John T. Grace

By service on

TAYLOR WILKINS, Sheriff

By 12/5/70 D. S.

see me at
11-Dale

REC'D SHERIFF DEPT
MOBILE COUNTY, ALA

NOV 20 4 24 PM '70

BY

REC'D SHERIFF DEPT
MOBILE COUNTY, ALA

DEC 8 9 05 AM '70

BY

10-22

90138

CHRYSLER CREDIT CORPORATION	(IN THE COURT OF GENERAL SESSIONS
Plaintiff,	(OF MOBILE COUNTY, ALABAMA,
vs.	(
JOHN T. GRACE	(
Defendant	(CASE NO. _____

Plaintiff claims of the defendant \$ 643.00 due from him by written contract heretofore executed by the defendant. Plaintiff avers that the defendant breached said contract in that he failed and refused to pay the installments due thereunder and as a result of said default, the plaintiff did, in accordance with the terms of said contract, repossess the vehicle described in said contract. Plaintiff further avers that said vehicle was duly sold and that the price received therefor constituted the fair and reasonable market value of said vehicle at the time of said sale by plaintiff and that said sale price has been duly credited to the defendant's account and further, plaintiff avers that all just and proper credits have been allowed the defendant, but that the above sum remains due and unpaid. Plaintiff avers that in said contract the defendant waived as to this debt all rights of exemption under the Constitution and Laws of the State of Alabama and further, plaintiff claims the sum of \$ 107.00 as a reasonable attorney's fee, as provided under the terms of said contract, and plaintiff avers that said fee is reasonable.

PERLOFF & REID

BY: J. Dwight Reid
 Attorney for Plaintiff

Serve the defendant at:

Route 1, Box 620, Robertsdale, Alabama

emp: Sweats Tire Co., Robertsdale, Alabama

COURT OF GENERAL
SESSION

SEP 15 11 09 AM '70

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 JOHN T. GRACE

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile County, on the 22 day of Oct., 1970 at the hour of 9:00 A.M., then and there to answer a complaint of CHRYSLER CREDIT 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 day of SEP 16 1970, 19.

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

Cause of Action

EVOL

68 PAGE 305

COMPLAINT AND SUMMONS

Atty. for Plaintiff: PERLOFF, REID & BRISKMAN

Atty. for Defendant:

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 90138

Ret.

Oct. 22, 1970

CHRYSLER CREDIT CORPORATION

VS.

JOHN T. GRACE

Route 1, Box 620

Robertsdale, Ala.

Continued To Empl: Sweats Tire Co.
Robertsdale Ala.

Executed by Service on

Defendant

This day, 19.....

Sheriff of Mobile County

By
Deputy Sheriff

CHRYSLER CREDIT CORPORATION

Plaintiff,

vs.

JOHN T. GRACE

Defendant

IN THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY, ALABAMA,

CASE NO. _____

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PERLOFF & REID

BY:

W. Dwight Reid
Attorney for Plaintiff

Serve the defendant at:

Route 1, Box 620, Robertsdale, Alabama

emp: Sweats Tire Co., Robertsdale, Alabama

COMPLAINT AND SUMMONS

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

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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.....day of....., 19.....

SEP 16 1970

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

Cause of Action

COMPLAINT AND SUMMONS

Atty. for Plaintiff: PERLOFF, REID & BRISKMAN

Atty. for Defendant:

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 90138

Ret.

Oct. 22, 1970

CHRYSLER CREDIT CORPORATION

VS.

JOHN T. GRACE

Route 1, Box 620

Robertsdale, Ala.

Continued To Empl: Sweats Tire Co.
Robertsdale Ala.

RECEIVED

SEP 25 1970

TAYLOR WILKINS
SHERIFF

Shing's Return

Executed by Service on

John T. Grace

Defendant

This 13 day Oct, 1970

Taylor Wilkins

Sheriff of Mobile County

By *H. L. Brown*

Deputy Sheriff

*50 miles R. T.
R-dale*

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.

SEP 17 2 05 PM '70

BY

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY

Brown
DEPUTY SHERIFF

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.

OCT 15 12 24 PM '70

BY

28 PAGE 30

90138

CHRYSLER CREDIT CORPORATION

Plaintiff

VS.

JOHN T. GRACE

Defendant

I

IN THE COURT OF GENERAL SESSIONS

OF MOBILE COUNTY, ALABAMA

CASE NO.

90138

I

VERIFIED PLEA IN ABATEMENT

Comes now the Defendant, John T. Grace, a resident citizen of Baldwin County, Alabama, and files this, his special plea to the jurisdiction of this Court in the above styled cause, to the Complaint filed against him by the Plaintiff on, to-wit; October 22, 1970, and says that the Plaintiff cannot maintain said cause against him in this Court. The Defendant enters this plea in said cause for the only and sole purpose of pleading to the jurisdiction of this Court, and says that the Defendant is a resident citizen of Baldwin County, Alabama, that this is his permanent place of residence and has been for the last two years; that the contract on which this cause is based was made in Baldwin County, Alabama. The Defendant further avers that he has never been a resident of Mobile County, Alabama.

John T. Grace
John T. Grace

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Carol S. Stallings, a Notary Public, in and for said County, in said State, personally appeared John T. Grace, who having been by me first duly sworn, deposes and says that he has read the foregoing Plea In Abatement and that the facts stated therein are true.

John T. Grace
John T. Grace

Sworn to and subscribed before me on this the 6th day of November, 1970.

Carol S. Stallings
Notary Public, Baldwin County, Alabama

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 6th day of November 1970 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Shirley J. Nesbit COURT OF GENERAL SESSION

VOL 68 PAGE 308 NOV 9 11 45 AM '70

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 90138

CHRYSLER CREDIT CORPORATION
Plaintiff,

VS

JOHN T. GRACE
Defendant.

Amount of Claim: \$750.00

(Filed: September 15, 1970
(Summons Issued: September 16, 1970
(Returnable: October 22, 1970
(Service Had: October 13, 1970
(Cause of Action: Written Contract
(Attorney for Plaintiff: T. DWIGHT REED
(Attorney for Defendant: P. S. NESBIT
(

November 19, 1970 - Trial (Defendant in Court - 10/22/70)

November 9, 1970 Defendant's verified Plea in Abatement filed

November 19, 1970 - Cause Transferred to Circuit Court of Baldwin County on Motion of Plaintiff.

Paul M. Minter

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 20 day of November, 1970.

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

16-9-5M-6-70

COST BILL

PERLOFF, REID & BRISKMAN
ATTORNEYS FOR PLTF:—

General Sessions (Civil Div.) Court of Mobile, Mobile County Court House, Mobile, Ala.

CHRYSLER CREDIT CORP.

Plaintiff

JOHN T. GRACE

Defendant

CASE NO 90138

Garnishee

COURT FEES

Summons and proceedings thereon to judgment

\$1.00

Docketing each cause

.10

Law Library Fee

1.00

Garnishment

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 \$ 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

NOTICE of APPEAL

STATE OF ALABAMA, }
MOBILE COUNTY }

CHRYSLER CREDIT CORPORATION

Plaintiff

VS.

JOHN T. GRACE

Defendant

To JOHN T. GRACE

in said Cause:

You are hereby notified that.....CHRYSLER CREDIT CORPORATION

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 County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 20 day of November 1970.

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

Case No. 90138

720,957.5

CHRYSLER CREDIT CORPORATION

Plaintiff,

VS

JOHN T. GRACE

Defendant.

NOTICE OF APPEAL TRANSFER

Returnable To The Circuit Court of
Baldwin County

Issued: November 20, 1970

Serve On: JOHN T. GRACE
Rt. 1, Box 620
Robertsdale, Alabama

We the Jury find
for the Plaintiff -

In the amount
of \$200⁰⁰ -

Mellie Mae Boyer,
Foreman

TO

Mrs. Eunice Blackmon
Clerk Circuit Court
Bay Minette, Alabama

PERLOFF, REID & BRISHMAN

Attorneys at Law

257 St. Anthony Street

Mobile, Alabama 36603 • Telephone 433-5412

SUBJECT:

FOLD HERE

DATE

Chrysler Credit Corporation Vs. John T. Grace Case #95758

11-29-72

MESSAGE

I am in receipt of a copy of the garnishee's answer of June 28th, stating that deductions under this garnishment would be made to your office monthly and I would appreciate your bringing me up to date on the amount you have received on this case and whether or not you anticipate a remittance in full within the near future so that I can set my file up accordingly.

Enclosed please find a self-addressed stamped envelope for your convenience.

Thanking you, I am

SIGNED

L. Reid

DATE

I would assume this should be paid in 1 or 2 mo.

REPLY

Remitted 11-2-72 \$80.28
" 11-27-72 106.82

Total Audit = \$211.00 - cost

SIGNED

\$47.10

RECIPIENT: RETAIN WHITE COPY, RETURN PINK COPY