

FILED

GSB-945-70

APR 12 1971
CLERK

EUNICE B. BLACKMON

COMPLAINT AND SUMMONS

9794

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 THOMAS C. KERVIN & ELIZABETH C. KERVIN
jointly & separately

to be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile
County, on the 11 day of March, 1971 at the hour of 9:00 A.M.,
then and there to answer a complaint of FAIRFAX FAMILY FUND, INC., a corp.

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 JAN 28 1971 day of JAN 28 1971, 1971

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

Cause of Action

Plaintiff claims of Defendant \$ 244.71
due by ~~promissory note~~ contract made by
him on to-wit: 9/10/70
Defendant failed to pay said note contract
according to its terms. By said note-con-
tract defendant waived all right of exemp-
tion and agreed to pay a reasonable attor-
ney's fee which is claimed in the amount
of \$ 81.57

J. Doughty Led

Attorneys for Plaintiff

COMPLAINT AND SUMMONS

Atty. for Plaintiff: Perloff, Reid & Brickman
257 St. Anthony St.
Mobile, Alabama
Atty. for Defendant:

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 93910

Ret.

March 11, 1971

Fairfax Family Fund, Inc.

VS.

Thomas C. Kervin & Elizabeth C. Kervin
jointly & separately

Continued To

108 Oak Street, Fairhope, Alabama
or serve him at Dairy Fresh Corp., Prichard, Ala.

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 FLOORThe State of Alabama,
MOBILE COUNTY

TO THE SHERIFF OF MOBILE COUNTY—GREETINGS:

You are hereby commanded to summon THOMAS C. KERVIN & ELIZABETH C. KERVIN
jointly & separatelyto be and appear before the Court of General Sessions of Mobile County at the Courthouse of Mobile
County, on the 11 day of March, 1971 at the hour of 9:00 A.M.,
then and there to answer a complaint of FAIRFAX FAMILY FUND, INC., a corp.

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.....

JAN 28 1971

Clerk of the Court of General Sessions of Mobile County.

Cause of Action

Plaintiff claims of Defendant \$246.71
due by ~~promissory note contract~~ made byhim on to-wit: 9/10/70Defendant failed to pay said ~~note contract~~
according to its terms. By said ~~note con-~~
tract defendant waived all right of exemp-
tion and agreed to pay a reasonable attor-
ney's fee, which is claimed in the amount
of \$ 81.57.J. Dwight Leid
Attorneys for Plaintiff

F HORE

COMPLAINT AND SUMMONS

Atty. for Plaintiff:
Atty. for Defendant:

Perloff, Reid & Bridgman
257 St. Anthony St.
Mobile, Alabama

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

JAN 29 4 40 PM '71

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.
FEB 16 9 53 AM '71

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 93910 *Bald*

Ret.

March 11, 1971

Fairfax Family Fund, Inc.

VS.

Sheriff claims 140 miles at

Ten Cents per mile Total \$ 14.00

TAYLOR WILKINS, Sheriff

BY J. Galloway
DEPUTY SHERIFF

Thomas C. Kervin & Elizabeth C. Kervin
jointly & separately

Continued To *Staffs Post*
108 Oak Street, Fairhope, Alabama

or serve him at Dairy Fresh Corp., Prichard, Ala.

FEB 2 1971

TAYLOR WILKINS
SHERIFF

CR

Executed by Service on

Thomas C. Kervin

Elizabeth C. Kervin Defendant

This 9 day FEB, 1971

Bald

Sheriff of Mobile County

By W. Crook J. Galloway
Deputy Sheriff

93910
FAIRFAX FAMILY FUND, INC.

PLAINTIFF

VS.

THOMAS C. KERVIN & ELIZABETH
C. KERVIN, Jointly & Separately

DEFENDANTS

IN THE COURT OF GENERAL SESSIONS

OF MOBILE COUNTY

NUMBER 93910

Now comes the defendants, Thomas C. Kervin and Elizabeth C. Kervin, jointly and separately, resident citizens of Baldwin County, Alabama, and files this their special plea to the jurisdiction of this Court in the above styled cause to the complaint filed against them by the plaintiff on, to-wit: January 28, 1971, and says, that the plaintiff, cannot maintain said cause against them in this Court, the defendants enters this plea in said cause, for the only and sole purpose of pleading to the jurisdiction of this Court and says:

1. That the defendants Thomas C. Kervin and Elizabeth C. Kervin are resident citizens of Baldwin County, Alabama and that Baldwin County, Alabama is the permanent residence of both of the defendants and that the contract or note or instrument of writing sued on in this cause was made in Baldwin County, Alabama, and the said defendants further avers that neither of these defendants made said contract or instrument of writing sued on in this cause in Mobile County, Alabama. And the defendants further avers that they have never been a resident citizen of Mobile County, Alabama.

Thomas C. Kervin
Elizabeth C. Kervin

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Arthur C. Epperson, a Notary Public in and for the state of Alabama, at large, personally appeared Thomas C. Kervin and Elizabeth C. Kervin, who, being by me first duly sworn, deposes and says that they are the defendants in the above styled cause and that they are cognizant of the facts stated in the above and foregoing

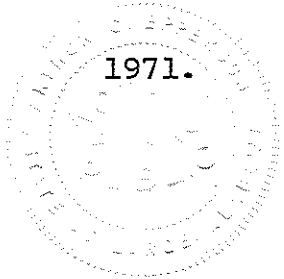
COURT OF GENERAL
SESSION
MAR 10 12 47 PM '71

plea in abatement, and that the facts stated therein are true to the best of their knowledge, information and belief.

Thomas C. Kerner

Elizabeth C. Kerner

Sworn to and subscribed before me this 9th day of March,



Arthur Epperson
Notary Public, State of Alabama
at large

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 93910

FAIRFAX FAMILY FUND, INC., A CORPORATION

Plaintiff,

VS

THOMAS C. KERVIN & ELIZABETH C.
KERVIN

Defendant

Amount of Claim \$326.28

Filed: January 27, 1971

Summons Issued: January 28, 1971

Returnable: March 11, 1971

Service Had: February 9th 1971

Cause of Action: Written Contract

Attorney for Plaintiff: Perloff, Reid

Attorney for Defendant: A. C. Epperson

March 10, 1971 - Defendant's Pleas filed

March 25, 1971 - Pleadings

March 25, 1971 - Transferred to Circuit Court of Baldwin County

Paul W. Bunker

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 26 day of March, 1970.

Jed. Richardson

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

16-9-5^M-6-70

COST BILL

PERLOFF, REID & BRESKMAN
ATTORNEYS FOR PLTF:—

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

RAIFAX FAMILY FUND, INC., ACORP.

Plaintiff
THOMAS C. KEVIN & ELIZABETH C. KEVIN
Defendant

CASE NO. 93910

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 \$ 21.85

GRAND TOTAL \$

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

TRANSFER
NOTICE of ~~DEFERRED~~

STATE OF ALABAMA,)
MOBILE COUNTY)

FAIRFAX FAMILY FUND, INC., A CORP.

Plaintiff

VS.

THOMAS C. KERVIN & ELIZABETH C. KERVIN

Defendant

To **THOMAS C. KERVIN & ELIZABETH C. KERVIN**

in said Cause:

You are hereby notified that **FAIRFAX FAMILY FUND, INC., A CORPORATION**

the **PLAINTIFF** 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 **26** day of **March** 19 **71**

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

PERLOFF, REID & BRISKMAN

Case No. 93910

FAIRFAX FAMILY FUND, INC., A CORPORATION

Plaintiff,

VS

THOMAS C. KERVIN & ELIZABETH C. KERVIN

108 Oak Street
Fairhope, Ala.

Defendant.

NOTICE OF ~~RECEIVED~~ transfer

Returnable To The Circuit Court of
Baldwin County

Issued: March 26, 1971

Serve On: THOMAS C. KERVIN & ELIZABETH C. KERVIN
108 Oak Street,
Fairhope, Ala.

Atty. - A. C. Epperson

TRANSFER
NOTICE of ~~APPEAL~~

STATE OF ALABAMA,)
MOBILE COUNTY)

FAIRFAX FAMILY FUND, INC., A CORP

Plaintiff

VS.

THOMAS C. KERVIN & ELIZABETH C. KERVIN

Defendant

To ~~THOMAS C. KERVIN & ELIZABETH C. KERVIN~~

in said Cause:

You are hereby notified that ~~FAIRFAX FAMILY FUND, INC., A CORPORATION~~

the ~~PLAINTIFF~~ in the above entitled cause has prayed and obtained ~~a transfer to the Circuit Court of Baldwin County, Alabama~~
~~an appeal from the judgement therein rendered by~~

~~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 ~~Mobile~~ ^{Baldwin} County, to be held for said County, you are hereby notified accordingly.

Given under my hand this the 26 day of March 1991


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

PERLOFF, REID & BRISKMAN

Case No. 93910

FAIRFAX FAMILY FUND, INC., A CORPORATION

Plaintiff,

VS

THOMAS C. KERVIN & ELIZABETH C. KERVIN

108 Oak Street
Fairhope, Ala.

Defendant.

NOTICE OF APPEAL ~~transfer~~ transfer

Returnable To The Circuit Court of
Baldwin County

Issued: March 26, 1971

Serve On:

4/13
THOMAS C. KERVIN & ELIZABETH C. KERVIN
108 Oak Street,
Fairhope, Ala.

Atty. - A. G. Epperson

Received 12 day of April 1971 REC'D. SHERIFF DEPT.
and on 13 day of April 1971 MOBILE COUNTY, ALA.

I served a copy of the within Not of transfer APR 9 8 57 AM '71

on Thomas C. Kervin

By Elizabeth C. Kervin BY

By service on Elizabeth C. Kervin

Elizabeth C. Kervin

TAYLOR WILKINS, Sheriff

By A.W. Choat

J. L. PPS

TAYLOR WILKINS, SHERIFF OF BALDWIN

COUNTY, ALABAMA, CLAIM \$1.50 EACH

FOR SERVING 2 PROCESS[ES] AND 176

TRAVEL EXPENSE ON EACH OF \$14.00

PROCESSING OR A TOTAL OF \$17.00

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

APR 15 10 39 AM

CR

FAIRFAX FAMILY FUND, INC.)
 A Corporation)
 Plaintiff)
VS.)
)
THOMAS C. KERVIN & ELIZABETH)
C. KERVIN,)
 Defendant)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW 9794

Comes the defendants in the above styled cause and for
answer to the complaint and to each count thereof separaetly
and severally says:

Plea One

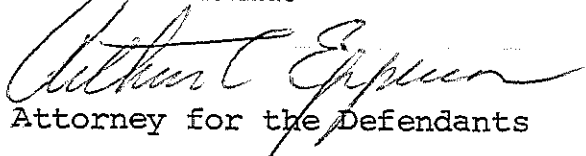
Not guilty.

Plea Two

The money for which the Plaintiff sues has been paid to
the Plaintiff.

Plea Three

The Plaintiff was guilty of charging excessive interest
in violation of the laws of the State of Alabama.


Attorney for the Defendants

Attorney for Plaintiff

Perloff & Reid
Mobile, Ala.

FILED

MAY 7 1971

EUNICE B. BLACKMON CIRCUIT
CLERK