

95939

TAYLOR D. WILKINS, JR.
ATTORNEY AT LAW
TELEPHONE 937-7024 P. O. BOX 61
BAY MINETTE, ALABAMA 36507

April 13, 1971

Mr. J. D. Richardson
Clerk
Court of General Sessions
Mobile, Alabama 36600

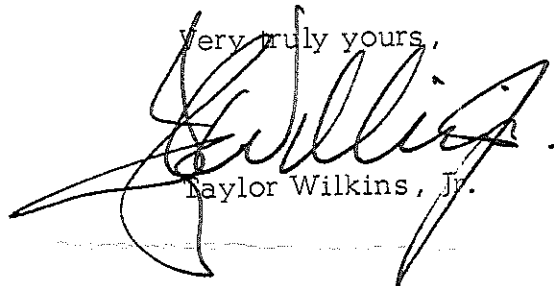
RE: Bay Slacks Federal Credit Union
vs
Grace Powell
Case # 95939

Dear Mr. Richardson:

Please find enclosed a plea in abatement in the above styled cause which I will appreciate you filing and notifying me when the same has been filed.

Thanking you for your consideration, I am

Very truly yours,


Taylor Wilkins, Jr.

TWJr:sp

COURT OF GENERAL
SESSION
APR 14 11 11 AM '71

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.....

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

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.....

Clerk of the Court of General Sessions of Mobile County.

Cause of Action

COMPLAINT AND SUMMONS

Atty. for Plaintiff:

Atty. for Defendant:

THE COURT OF GENERAL SESSIONS
OF MOBILE COUNTY

No. 95939

Ret.

May 28, 1971

Bay Slacks Federal Credit Union, (a corp) FOR SERVING 1 PROCESS(ES) AND

Bay Minette, Alabama
VS.

Grace Powell
805 F Cedar Drive Bay Minette, Alabama

Continued To

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
TRAVEL EXPENSE ON EACH OF \$ 0
PROCESS(ES) OR A TOTAL OF \$ 1.50

APR 5 1971

TAYLOR WILKINS
SHERIFF

Sheriff's Return

Executed by Service on

Grace Powell

Defendant

This 5 day April, 1971

Buel
Sheriff of Mobile County

By W A Zolbeck
Deputy Sheriff

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.
APR 7 9 21 AM '71

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

APR 2 9 05 AM '71

BY

BAY SLACKS FEDERAL CREDIT UNION	X	IN THE COURT OF GENERAL SESSIONS
a corporation		
	X	MOBILE COUNTY, ALABAMA
PLAINTIFF		
	X	AT LAW
VS		
	X	
GRACE POWELL		
	X	CASE NO: 95,939
DEFENDANT		
	X	

PLEA IN ABATEMENT

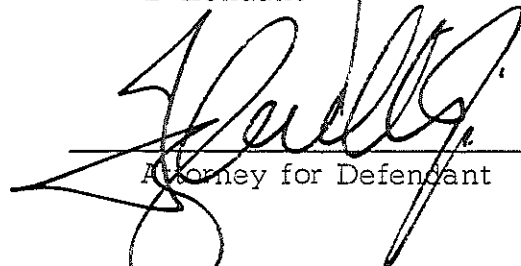
Comes now Grace Powell, the defendant in the above styled cause by her attorney, Taylor D. Wilkins, Jr., and makes her appearance in this cause specially and only for the purpose of making the following plea:

(1) The Plaintiff ought not to have and maintain the above styled cause for that Defendant is now and was at the time of the filing of this cause a resident citizen of Baldwin County, Alabama.

(2) Plaintiff ought not to have and maintain its suit in this cause for that Defendant is now now and never has been a resident of Mobile County, Alabama.

(3) Plaintiff ought not to have and maintain its suit in the above styled cause for that Defendant resided in and has always resided in Bay Minette, Baldwin County, Alabama, and that Plaintiff well knows this fact, that the said address given for service is Defendant's address in Baldwin County, Alabama.


Defendant


Attorney for Defendant

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Grace Powell, the defendant in the above styled cause, who being known to me and

COURT OF GENERAL
SESSIONS
APR 14 11 21 AM '97

being duly sworn, deposes and says:

I have read the foregoing plea in its entirety and know it to be true and without error.

Grace Powell
Grace Powell

SWORN to and subscribed before me this the 13 day of April, 1971.

Sarah S. Pusley
Notary Public

Defendant respectfully demands a trial of this cause by jury.

[Signature]
Attorney for Defendant

I, the undersigned, Taylor Wilkins, Jr., do hereby certify that I have on this the 13th day of April, 1971, forwarded a true and exact copy of the foregoing Plea in abatement to Cole & Wyatt, Birmingham, Alabama, attorneys of record for the Plaintiff, by mailing the same in the United States Post Office, properly addressed, with the postage paid thereon.

DONE this the 13th day of April, 1971.

[Signature]
Attorney for Defendant

THE COURT OF GENERAL SESSIONS OF MOBILE COUNTY

Case No. 95939

BAY SLACKS FEDERAL CREDIT UNION,
(A CORPORATION)

Plaintiff,

VS

GRACE POWELL

Defendant.

Amount of Claim: \$109.44

(Filed: March 31, 1971
(Summons Issued: April 1, 1971
(Returnable: May 28, 1971
(Service Had: April 5, 1971
(Cause of Action: Promissory Note
(Attorney for Plaintiff: Cole & Wyatt
(Attorney for Defendant: Taylor Wilkins, Jr.
)

April 14, 1971 - Defendant's plea in Abatement filed

May 28, 1971 - Plea Granted - Cause Transferred to Baldwin County, Circuit Court

Paul M. ...
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 10 day of June, 1971.

J. D. Richardson

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

FILED

JUN 15 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

COST BILLCOLE & WYATT
ATTORNEYS FOR PLTF:—**General Sessions (Civil Div.) Court of Mobile, Mobile County Court House, Mobile, Ala.**BAY SLACKS FEDERAL CREDIT UNION, A CORP.

Plaintiff

GRACE POWELL

Defendant

CASE NO. 95939

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 \$ 6.35

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 ~~ARREST~~ ~~XXXXXX~~ TRANSFER

STATE OF ALABAMA,)
MOBILE COUNTY)

BAY SLACKS FEDERAL CREDIT UNION, (A CORP.)

Plaintiff

VS.

GRACE POWELL

Defendant

To GRACE POWELL

in said Cause:

You are hereby notified that GRACE POWELL

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

Given under my hand this the 11 day of June 1971

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

COLE & WYATT

Case No. 95939

BAY SLACKS FEDERAL CREDIT UNION, (A Corp.)

Plaintiff,

VS

GRACE POWELL

Defendant.

NOTICE OF ~~VERBAL~~ TRANSFER

Returnable To The Circuit Court of
Baldwin County

Issued: June 11, 1971

Serve On: TAYLOR WILKINS
TAYLOR D. WILKINS, JR., Attorney for Deft.
Bay Minette, Ala.

COE & WYATT

9875

Case No. 95939

BAY SLACKS FEDERAL CREDIT UNION, (A Corp.)

Plaintiff,

VS

GRACE POWELL

Defendant.

NOTICE OF APPEAL

Returnable To The Circuit Court of Baldwin County

Issued: June 11, 1971

Serve On: TAYLOR D. WILKINS, JR., Attorneys for Deft.
Bay Minette, Ala.

JUN 18 1971

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

JUN 14 1 40 PM '71

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH

FOR SERVING 1 PROCESS(ES) AND

TRAVEL EXPENSE ON EACH OF \$ 2

PROCESS(ES) OR A TOTAL OF \$ 1.50

Received 18 day of June 1971

and on 18 day of June 1971

I served a copy of the within Notice of Transfer
on Taylor D. Wilkins, Jr.

By service on

TAYLOR WILKINS, Sheriff
By Lee H. Galt D. S.

NOTICE of ~~APPEAL~~ TRANSFER

STATE OF ALABAMA,)
MOBILE COUNTY)

SAY SLACKS FEDERAL CREDIT UNION, (A CORP.)

Plaintiff

VS.

GRACE POWELL

Defendant

To GRACE POWELL

in said Cause:

You are hereby notified that GRACE POWELL

the PLAINTIFF in the above entitled cause has prayed and obtained a transfer to the Circuit Court of Baldwin County, Ala., 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 11 day of June 1971

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