

4213

BEBLAND WHOLESALE COMPANY,
A CORPORATION,

PLAINTIFF

VS.

R. O. ROBERTS,

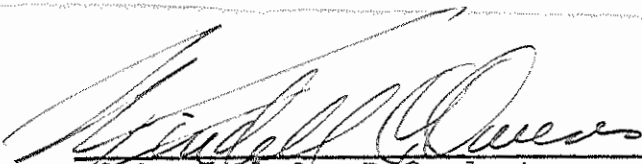
DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

PLEA IN ABATEMENT

Now comes R. O. Roberts, the defendant in the above styled cause, and appears solely and specially for the purpose of filing this plea in abatement and for no other purpose, and pleading in abatement, says:

That the Defendant is a resident citizen of Escambia County, Alabama, with a permanent residence in Atmore, Escambia County, Alabama, and that the defendant has never been a resident citizen of Baldwin County, Alabama and that the Circuit Court of Baldwin County, Alabama is without jurisdiction in the premises.


Counsel for Defendant


Defendant

STATE OF ALABAMA)
)
MONROE COUNTY)

Before me, Jewel Wiggins, a Notary Public in and for said County and State, personally appeared R. O. Roberts, who being by me first duly sworn, deposes and says that the matters set forth in the foregoing plea are true and that he is a resident of Escambia County, Alabama.



Sworn to and subscribed before
me this 19th day of April, 1960.


Notary Public

HARRY H. PERDUE, JR.

ATTORNEY AT LAW

TEL. AM 5-1281

137 LEE STREET
MONTGOMERY 4, ALABAMA

April 20, 1960

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

Dear Mrs. Duck:

Please dismiss the case of Beeland Wholesale Company versus
R. O. Roberts, Case #4212 and forward a cost bill to my
office.

Very truly yours,

Harry H. Perdue, Jr.

(Miss) Bette DeRamus

BY: Bette DeRamus, Sec.

bd

C:C: Mr. Windell C. Owens

WINDELL C. OWENS

Attorney At Law

MONROEVILLE, ALABAMA

April 19, 1960

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

Re: Beeland Wholesale Company, a
Corporation, vs. R. O. Roberts.

Dear Mrs. Duck:

I am enclosing herein a plea in abatement
in the above styled case and I will appreciate your
placing it on file. I have this day mailed a copy
of the plea to Mr. Harry Perdue, Jr., the Attorney for
the Plaintiff.

With best regards,

Yours very truly,


Windell C. Owens

WCO/jw

Enc.

BEELAND WHOLESALE COMPANY

MERCHANDISE PURCHASED BY:

R. O. ROBERTS (Mixon Mercantile Company)

DATE:

DATE	CHARGES	CREDITS	BAL.
1/2/57			507.52
1/3/57	65.29	60.00	447.52
1/9/57		75.00	512.81
1/10/57	74.45		437.81
1/16/57		90.00	512.26
1/17/57	86.53	85.00	422.26
1/24/57	82.82	1/30/ 75.00	423.79
1/31/57	75.52	2/6/57 85.00	431.61
2/7/57	85.03	2/13/57 60.00	422.13
1/14/57	56.99	2/20/57 65.00	445.16
2/21/57	65.56	2/27/57 80.00	437.15
2/28/57	80.41	3/1/57 2.09	420.71
		3/6/57 70.00	499.03
3/7/57	66.13	3/20/57 200.00	429.03
3/21/57	185.06	3/22/57 5.01	295.16
3/22/57	20.62	3/27/57 75.00	475.21
3/28/57	76.66	4/3/57 75.00	420.85
4/4/57	78.66	4/10/57 75.00	422.49
4/11/57	79.01	4/12/57 1.25	426.15
		4/17/57 90.00	413.91
4/18/57	90.04	4/24/57 100.00	403.95
4/25/57	105.07	5/1/57 75.00	454.02
5/2/57	76.81	5/7/57 75.00	434.02
5/16/57	78.98	5/22/57 100.00	435.83
5/23/57	98.37	5/29/57 110.00	414.81
5/30/57	112.75	5/31/57 1.65	403.18
		6/5/57 210.00	304.28
6/6/57	194.12	6/17/57 50.00	448.40
6/20/57	58.93	6/26/57 50.00	457.33
6/27/57	75.46		512.79
		Plus two bad checks-----	50.00
			562.79

STATE OF ALABAMA

BUTLER COUNTY

Before me, a Notary Public in and for said County and State,
 personally appeared the undersigned J. F. Steele, who is known to me, and who on
 oath duly administered deposes and says that he is the ~~partner~~ *President*
 of Beeland Wholesale Company and that the above is true, correct and unpaid, and
 of which he has personal knowledge.

Sworn to and subscribed before me this 17 day of March, 1960.

Ima Harrison
 Notary Public

4213

Sworn to and subscribed before me this 12 day of March 1961.

of which he has personal knowledge.

of Beeland Wholesale Company and that he is aware of and control and manage, and
own only administrative offices and sales (not in the business).

Before me, a Notary Public in and for said County and State,

SOUTHERN COUNTY

STATE OF ALABAMA

Beeland Wholesale

vs.

R. O. Roberts

Notary Public
John H. Hester

J. H. Hester

TAYLOR WILKINS, Sheriff

By: Taylor Wilkins D.S.

FILED

MAR 21 1961

ALICE J. DICK, Clerk

Received 24 day of March 1961

and on 23 day of March 1961

I served a copy of the within Summons

on R. O. Roberts

By service on

THE STATE OF ALABAMA }

~~Montgomery~~ County

Baldwin

To any Sheriff of the State of Alabama—GREETING:

You are Hereby Commanded to Summon

R. O. Roberts

Baldwin

to appear before the Circuit Court of ~~Montgomery~~ County, in and for said County, at the place of holding the same, within thirty days from the service of this summons and complaint, then and there to demur or plead to the complaint of

Beeland Wholesale Company, A Corporation

And you are hereby commanded to execute this process instanter and make return as required by law.

Witness my hand this

21

day of

March

1960

Clerk.

THE STATE OF ALABAMA

~~Montgomery~~, Alabama.

Bay Minette

Beeland Wholesale Company,
A Corporation

Plaintiff.

COMPLAINT

VS.

In the Circuit Court of ~~Montgomery~~

County

Term, 19

R. O. Roberts

Defendant.

The plaintiff claim of the Defendant. the sum of Five Hundred Sixty Two and 79/100

(\$562.79) Dollars for merchandise, goods and chattels sold by the Plaintiff to

the Defendant on, to-wit: the 27th day of June, 1957, which sum of money with

interest thereon is still due and unpaid.

Filed herewith is a sworn, itemized statement of account which may be used as evidence in the trial of this cause.

Harry H. Perdue, Jr., Attorney for Plaintiff
137 Lee Street, Montgomery, Alabama

CLAIM: \$562.79

COSTS:

TOTAL:

FILED

MAR 21 1960

AUGIE J. DUCK, CLERK
REGISTER

THE STATE OF ALABAMA
Montgomery County

To the Sheriff of Said County—GREETINGS:

The Plaintiff having given bond and made affidavit as required by law, you are hereby required to take the property mentioned in the complaint into your possession, unless the defendant give bond, payable to the Plaintiff, with security in double value of the property, conditioned that if the Defendant is cast in the suit he will, within thirty days thereafter, deliver the property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof.

WITNESS my hand this day of A.D., 19

Clerk, Circuit Court, Montgomery County.

Received in office	day of
19.	Sheriff.
Executed by serving	cop
of the within Summons and Complaint on	
Defendant this the	day of
19	Sheriff.

No.	
Beeland Wholesale Company, A Corporation	
vs.	
R. O. Roberts emp: Mixon Mercantile Company Atmore, Alabama	

CIRCUIT COURT OF MONTGOMERY COUNTY Baldwin Term, 19	
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SUMMONS AND COMPLAINT	
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Filed in office this	day of
	A. D. 19
Harry H. Perdue, Jr. 137 Lee St., Montgomery, Ala. Plaintiff's Attorney.	Clerk.