

INTERSTATE SECURITIES COMPANY,
INC., A CORPORATION,

Plaintiff,

VS.

W. G. McCARR, ALSO KNOWN AS
W. G. McCAA,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

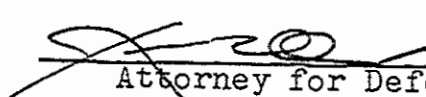
AT LAW

NO. 5480

PLEA

Now comes the Defendant in the above styled cause and for plea to the Plaintiff's complaint as last amended and to each count thereof, says separately and severally:

1. The allegations of the said count are untrue.
2. The allegations of the complaint are untrue.
3. The Defendant, as a defense to the action of the Plaintiff, says that, at the time said action was commenced, the Plaintiff was indebted to him in the sum of \$95.04 for money received by the Plaintiff to the use of the Defendant, which sum of money with the interest thereon, is still unpaid and which the Defendant hereby claims.


Attorney for Defendant

FILED

AUG 26 1963

ALICE J. DUCK, CLERK
REGISTER

INTERSTATE SECURITIES COMPANY,
INC., A CORPORATION,

Plaintiff,

VS.

W. G. McCARR, ALSO KNOWN AS
W. G. McCAA,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5480

AMENDED PLEA

Now comes the defendant in the above styled cause and amends the plea heretofore filed in said cause so that as amended the said plea will read as follows:

"Now comes the Defendant in the above styled cause and for plea to the Plaintiff's complaint as last amended and to each count thereof, says separately and severally:


1. The allegations of the said count are untrue.

2. The allegations of the complaint are untrue.

3. The Defendant, as a defense to the action of the Plaintiff, says that, at the time said action was commenced, the Plaintiff was indebted to him in the sum of \$97.41 for money received by the Plaintiff to the use of the Defendant, which sum of money with the interest thereon, is still unpaid and which the Defendant hereby claims.

4. The Defendant for answer to the complaint says that he has paid the debt for the recovery of which this suit was brought, before the action was commenced.

/s/ JAMES R. OWEN
Attorney for Defendant"


Attorney for Defendant

Filed - 3-11-64

INTERSTATE SECURITIES COMPANY,
INC., a corporation

Plaintiff

vs

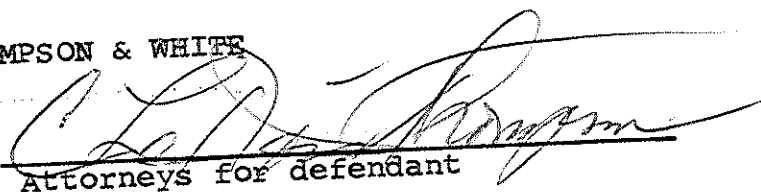
W. G. MCCARR, also known as
W. G. MCCA

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 5480

Comes the plaintiff in the above styled cause and joins issue
with the defendant on Count 3 of said plea and for further answer
denies the allegations of said Count 3 of the plea filed by said
defendant in this cause, as untrue.

THOMPSON & WHITE

BY: 
Attorneys for defendant

FILED

MAR 9 1964

ALICE I. DUCK, CLERK
REGISTER

INTERSTATE SECURITIES CO., INC.,
a corporation,

Plaintiff,

vs

W. G. McCARR, also known as

W. G. McCAA,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 5480

Now comes the Defendant in the above entitled cause and shows unto the Court the following:

1. That this cause of action against the Defendant is based on an alleged account owing by State Line Truck Stop or one "Bradshaw", whose name is otherwise unknown, to the Plaintiff in a sum shown by the complaint to be \$342.39, allegedly representing merchandise or chattels sold by the Plaintiff to either State Line Truck Stop or to the said "Bradshaw".

2. The Defendant further says that the Plaintiff has in its possession or under its control a statement of said alleged account and the original invoices allegedly constituting said account, which said invoices or conditional sales contract, allegedly show the date of purchase or purchases included in said account, the description of said purchase or purchases, the price therefor and to whom said merchandise or goods or chattels were sold and delivered, which said invoices or conditional sales contract or contracts and other written documents are pertinent to the issues in this case.

WHEREFORE, the Defendant moves the Court that the Plaintiff herein be directed and ordered to produce for the inspection of the Defendant at a time and place designated by the Court before trial date each and every invoice, conditional sales contract or contracts and other written documents alleged by the Plaintiff to constitute the account set forth in the complaint, which invoice, conditional sales contract or contracts and other written documents show the nature of the alleged purchase or purchases, and to whom sold, the date of the same, the amount or amounts of the said purchase or purchases, the description of the merchandise purchased and by whom purchased, and each

and every written document acknowledging delivery to the purchaser or purchasers of the said merchandise alleged to be the basis of this suit.

John P. Beebe
Attorney for Defendant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared W. G. McCaa, who being by me first duly sworn deposes and says: That he is the Defendant in the above entitled cause and that the Plaintiff herein has in its possession or under its control a statement or statements of the account sued for in the complaint in this cause, and also has in its possession or under its control the original invoices or conditional sales contract or contracts allegedly constituting said account and which said invoices or conditional sales contract or contracts show the date, the description of the merchandise, the price therefor, and to whom said goods or chattels were sold and delivered.

And the affiant further avers that said statement or statements of said account and invoices, conditional sales contract or contracts are necessary and material under the issues in said cause and that it is necessary that affiant see and inspect said documents prior to the date of trial in order to properly prepare his defense to the claim of the Plaintiff.

W. G. McCaa
W. G. McCaa

Sworn to and subscribed before me, this the 12th day of June, 1963.

John P. Beebe
Notary Public

570

FILED
JUN 13 1963
ALICE J. DUCK, CLERK
REG.

INTERSTATE SECURITIES CO., INC.,

Plaintiff,

vs

W. G. McCARR,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 5480

PLEA IN ABATEMENT

Comes now, WaightsG. McCaa, defendant in the above entitled cause, and not waiving process or notice of service for any of his rights and privileges, and appears specially and not generally, for the sole purpose of filing this plea in abatement to this cause, and says:

That the true and correct name of the defendant herein is WaightsG. McCaa, all of which is hereby verified.

WHEREFORE, defendant, WaightsG. MaCaa moves the Court to quash the service of the summons and complaint herein.

Waights G. McCaa
Defendant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, John P. Beebe, a Notary Public in and for said County in said State, personally appeared WaightsG. McCaa, who being duly sworn, says on oath that he has read the foregoing plea in abatement and that the facts stated therein are true to the best of his knowledge, information and belief.

Waights G. McCaa
Defendant

Subscribed and sworn to before me on this the 11th day of April, 1963.

FILED

APR 10 1963

ALICE J. DUNN, CLERK
REGISTER

567

John P. Beebe
Notary Public

INTERSTATE SECURITIES CO., INC,
a corporation,

Plaintiff,

vs

W. G. McCARR, also known as
W. G. McCaa,
Defendant.

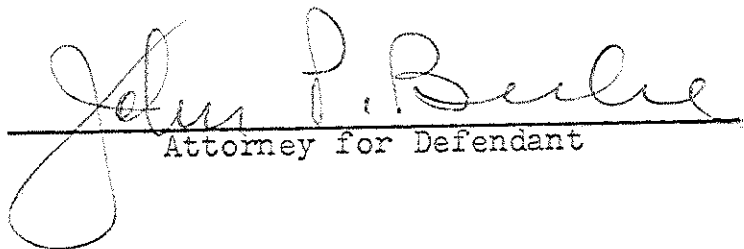
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

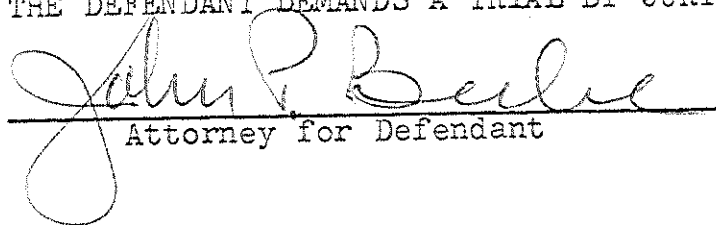
AT LAW No. 5480

Comes the Defendant in the above entitled cause and demur-
ring to the Plaintiff's amended complaint and to each count seperately
and severally says:

1. That the said complaint does not state a cause of action.
2. That Count One of the complaint doe not allege that it is
the property of the Plaintiff.


Attorney for Defendant

THE DEFENDANT DEMANDS A TRIAL BY JURY


Attorney for Defendant

FILED
APR 22 1963
ALICE J. DUCK, CLERK
REGISTER

INTERSTATE SECURITIES CO., INC.
a corporation,

Plaintiff

vs

W. G. MCCARR

Defendant

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5480

-1-

The plaintiff claims of the defendant Three Hundred Forty-two and 39/100 Dollars (\$342.39) damages for the conversion by him to-wit, January 1, 1962, of the following chattels:

1 - Frigidaire Ice Machine, Model CMV-22, Serial No. 83JB635

-2-

The plaintiff claims of the defendant the following personal property, to-wit:

1 - Frigidaire Ice Machine, Model CMV-22, Serial No. 83JB635
with the value of the hire or use thereof during the detention to-wit,
January 1, 1962, to date.

THOMPSON & WHITE

BY: 

Attorneys for plaintiff

FILED

FEB 19 1963

ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. _____

_____ TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon W. G. McCARR

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

W. G. McCARR _____, Defendant. _____

by INTERSTATE SECURITIES CO., INC., a corporation _____

_____, Plaintiff. _____

Witness my hand this 19 day of Feb 1963

64-3-14-63

Alice J. Luck _____, Clerk

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

INTERSTATE SECURITIES CO., INC.

A CORPORATION

Plaintiffs

vs.

W. G. McCarr

Defendants

Summons and Complaint

FILED

Filed _____ 19__

FEB 19 1963

ALICE J. DUCK

CLERK
REGISTER

Clerk

Thompson & White

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
State Line Truck Stop
near Seminole, Ala.

Received In Office

Feb. 28, 1963

Sheriff.

I have executed this summons

this March 14 1963

by leaving a copy with

W. G. McCarr

Sheriff claims 90

Ten Cents per mile Total \$ 9.00 miles at

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

Taylor Wilkins
Sheriff.

Charles Brown
Deputy Sheriff.

Memorials

INTERSTATE SECURITIES CO., INC.
a corporation

Plaintiff

vs

W. G. McCARR

Defendant

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. _____

Comes the plaintiff in the above styled cause and amends the complaint filed in said cause to read as follows:

INTERSTATE SECURITIES CO., INC.
a corporation

Plaintiff

vs

W. G. McCARR, also known as

W. G. McCAA

Defendant

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. _____

-1-

The plaintiff claims of the defendant Three Hundred Forty-two and 39/100 Dollars (\$342.39) damages for the conversion by him to-wit, January 1, 1962, of the following chattels:

1- Frigidaire Ice Machine, Model CMV-22, Serial No. 83JB635

-2-

The plaintiff claims of the defendant the following personal property, to-wit:

1 - Frigidaire Ice Machine, Model CMV-22, Serial No. 83JB635 with the value of the hire or use thereof during the detention to-wit, January 1, 1962, to date.

THOMPSON & WHITE

BY: 

Attorneys for plaintiff

FILED

APR 10 1963

ALICE I. DUCK, CLERK
REGISTER

JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

April 9th, 1963

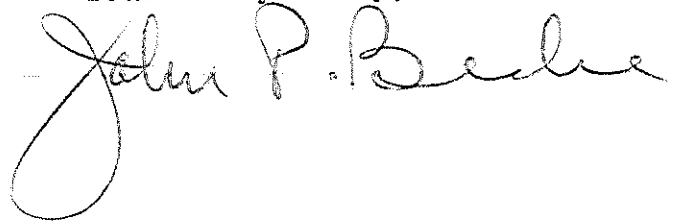
Mrs. Alice J. Duck, Clerk,
Circuit Court, Baldwin County,
Bay Minette, Alabama.

Re: Interstate Secutiries Company, Inc.,
vs
W. G. McCarr - Civil No. 5480

Dear Mrs. Duck:

I enclose original and copy of plea in abatement to be
filed in the above pending suit. Please mail a copy of same to
Thompson & White, Attorneys for Plaintiff, Bay Minette.

Yours very truly,

A handwritten signature in cursive script, reading "John P. Beebe". The signature is written in dark ink and is positioned below the typed name "John P. Beebe".

INTERSTATE SECURITIES CO., INC.,
a corporation,

Plaintiff,

vs

W. G. McCARR, also known as

W. G. McCAA,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 5480

153
This motion now comes on to be heard at this time and there are present counsel for the respective parties and the motion having now been heard and argued and submitted, the Court is of the opinion that the Plaintiff should be required to produce the invoices, conditional sales contract or contracts and other written documents mentioned in the affidavit and the motion to produce, it appearing that said papers and documents are in the possession or under the control of the said Plaintiff, it is THEREFORE,

Considered, ordered and adjudged by the Court that the Plaintiff produce in Court at 10 AM on the 27 day of June, 1963, the said invoices, conditional sales contract or contracts and other written documents described in said motion and affidavit for the inspection by the Defendant in the presence of and under the supervision of the Court.

Dated this the 18 day of June, 1963.

Hubert M. Moore

Judge

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 5480

Notary Public, Baldwin County, Alabama

JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

April 20th, 1963

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

Re: Interstate etc., vs McCarr etc.,
Civil No. 5480

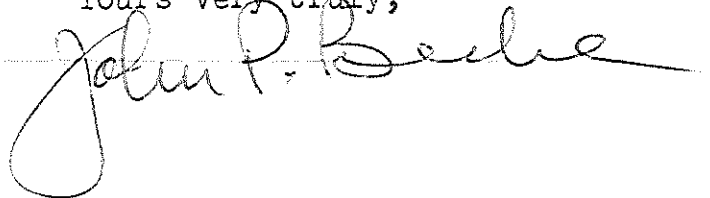
Dear Mrs. Duck:

Enclose is original and copy of demurrer to be filed in
the above pending case.

Please deliver the copy of the demurrer to Messrs. Thompson
and White.

A jury is demanded.

Yours very truly,

A handwritten signature in cursive script, reading "John P. Beebe". The signature is written in dark ink and is positioned below the typed name "John P. Beebe".

INTERSTATE SECURITIES CO., INC.	X	
a corporation		
	X	IN THE CIRCUIT COURT OF
Plaintiff		
	X	BALDWIN COUNTY, ALABAMA
vs		
	X	AT LAW NO. 5480
W. G. McCARR, also known as		
W. G. McCaa,	X	
Defendant	X	

Comes the plaintiff in the above styled cause and propounds the following interrogatories to the defendant, W. G. McCarr, also known as W. G. McCaa:

1. State your name.
2. Are you the defendant in this case?
3. If your answer is "yes", did you purchase the equipment located at the State Line Truck Stop on Highway 90 East of Robertsedale, Alabama, in Baldwin County?
4. Give the date when you purchased this equipment and took possession.
5. Give the name of the party from whom you purchased this equipment.
6. Did you discuss the purchase of this equipment with the man in possession prior to purchasing it?
7. Have you had any conversation with any agent, servant or employee of Interstate Securities Co., Inc., about any equipment on the premises of the State Line Truck Stop?
8. Have you had any conversation with any agent, servant or employee of Appliance Service Co. about any of the equipment on the premises of the State Line Truck Stop?
9. If your answer is "yes", to any of these questions, describe or identify the equipment about which your conversation was held.
10. Have you made any payments of any kind on any equipment which was located on the premises when you took possession?
11. If so, describe the equipment on which you made payments and to whom you made these payments.

THOMPSON & WHITE

BY:

C. LeNoir Thompson
Attorneys for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned Notary Public, in and for said State and County, personally appeared C. LeNoir Thompson, who being by me first duly sworn, deposes on oath and says as follows:

My name is C. LeNoir Thompson and I am one of the Attorneys of record for the complainant in the above entitled cause, and as such, I am authorized to make this affidavit. I further state that the answer of the respondent to the foregoing interrogatories will, if truthfully made, be material evidence for the defendant on the trial of said cause.

C. LeNoir Thompson
C. LENOIR THOMPSON

Subscribed and sworn to before me by the said C. LeNoir Thompson on this the 23rd day of April, 1963.

Mary Thompson White
Notary Public State of Alabama at Large

FILED

APR 24 1963

ALICE I. DUCK, CLERK
REGISTER

No. 5480

INTERSTATE SECURITIES CO., INC
a corp.

VS

W. G. McCARR

1. Amended Complaint
2. interrogatories

FILED

APR 24 1963

AJICE J. DUCK, CLERK
REGISTER

20 be served on
Hon John P. Beebe

Received 24 day of April 1963

at 26 day of April 1963

served a copy of the within return.

Hon. John P. Beebe

By _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

R. W. Duck

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

JURY LIST - MARCH 9, 1964.

105480

Interale Sum

25.

W.R. McEarr

1. Beck, Charles C., Businessman, Lillian
2. Blalock, Greene C., Carpenter, Fairhope
3. Bloch, Herman, Farmer, Elberta
4. Malone, T.E., Merchant, Fairhope
5. Mason, Jimmy, Salesman, Fairhope
6. Mosley, Rufus, Farmer, Stapleton
7. Esclava, Clarence, Farmer, Mag. Spgs.
8. Haden, James T., Salesman, Robertsedale
9. Quinley, Wilburn, Farmer, Bay Minette
10. Rhodes, Charles R., Farmer, Foley
11. Rhodes, Larkin T., Jr., Farmer, Bay Minette
12. Rieben, Ray, Paper Mill, Bay Minette
13. Roberson, Mutt, Laborer, Robertsedale
14. Lazzari, Anglo, Farmer, Belforest
15. Lazzari, Joe, Jr., Farmer, Belforest
16. Lazzari, John, Farmer, Belforest
17. Lager, J.E., Salesman, Foley
18. Little, W.F., Mgr. Bell Tele. Commercial, Spanish Fort
19. Robinson, Dale L., Ins. Agt., Foley
20. Sanders, E. Frank, Banker, Foley
21. Address, Herbert E., Farmer, Foley
22. Dickey, O.L., Butcher, Robertsedale
23. Crosby, James W., Bookkeeper, Foley
24. Arnould, M.L., Floor Finisher, Robertsedale
25. Barton, John, Jr., Newport, Bay Minette
26. Thompson, Albert M., Merchant, Bay Minette
27. Wenzel, Emmett O., Merchant, Gulf Shores
28. Woodward, C.H., Merchant, Fairhope
29. Wright, Justice D., Forester, Stapleton
30. Boan, Jessie Forest, Farmer, Stapleton
31. Bung, Floyd, Merchant, Fairhope
32. Oblak, John, Jr., Farmer, Silverhill
33. Leiterman, Nick, Civil Service, Elberta
34. Smith, Clinton, Defense Worker, Bay Minette
35. Suddith, Jack, Officer Manager, Bay Minette
36. Bosby, Eugene, Construction Worker, Fairhope
37. Bryant, Nathan, Clerk, Fairhope
38. Denton, Alphonse, Carpenter, Fairhope
39. Lamar, Reuben, Laborer, Foley
40. McReynolds, Leon, Labor Worker, Bay Minette
41. Moore, Jessie, Court House, Bay Minette
42. Wilson, Frank E., Brookley Field, Daphne
43. Tullos, Abe, Brookley Field, Fairhope
44. Nix, C. Herbert, Reserve Fleet, Bay Minette

P XXXXX
D XXXXX

4 2
2 2
1 6
9 0
1 8