

INTERSTATE SECURITIES COMPANY X
OF ALABAMA

Plaintiff

vs

HORACE WIGGINS and DORIS
WIGGINS

Defendants

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6208

Plaintiff amends the complaint in detinue heretofore
filed in said cause to read as follows:

-1-

The plaintiff claims of the defendants the following
personal property, to-wit: 1-G. E. Freezer of the value of
\$400.00; 1-Power mower of the value of \$13.00; 1-Stevens 12
gauge double barrell shotgun of the value of \$30.00 and
1-1957 Oldsmobile, 4. Dr. Ser. #5771915104 of the value of
\$215.00 with the value of the hire or use thereof during the
detention, to-wit: from January 21, 1964, to date.

-2-

Plaintiff claims of the defendants Eight Hundred Sixty-
one (\$861.00) Dollars balance due by promissory note made by them
on the 13th day of May, 1963, and payable in twenty-four monthly
payments of \$42.00 each with the further provision that if default
is made in the payment of any one installment as the same shall
become due and payable, the entire balance then remaining unpaid
shall become due and payable.

-3-

Plaintiff claims of the defendants a reasonable attorney
fee in accordance with the provisions of said note.

FILED

NOV 4 1964

ALICE L. DICK, CLERK
REGISTER

THOMPSON & WHITE

BY:

Attorneys for plaintiff.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Horace Wiggins & Doris Wiggins

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 Horace Wiggins
and Doris Wiggins....., Defendant.....
by Interstate Securities Company of Alabama.....

Plaintiff.....

Witness my hand this.....

day of.....

1964

Clerk

Ex- 11-9-64

31

Oliver J. Luck

No. 6208

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

INTERSTATE SECURITIES

COMPANY OF ALABAMA

Plaintiffs

vs.

HORACE WIGGINS AND DORIS

WIGGINS

Defendants

SUMMONS AND COMPLAINT

FILED

Filed NOV 4 1964 19.....

ALICE L. DUNN, CLERK Clerk
ALICE L. DUNN, REGISTER

Thompson & White
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at 100 Highway
411 Hall Avenue
Bay Minette, Alabama

Received In Office

..... 19.....

..... Sheriff

I have executed this summons

this Nov. 9 1964
by leaving a copy with

Horace Wiggins
Doris Wiggins

.....
.....
.....
.....
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.....
.....
.....
.....

Jayles Wilkerson Sheriff
W. A. Zeller Deputy Sheriff
Om

INTERSTATE SECURITIES
COMPANY OF ALABAMA,

Plaintiff,

vs.

HORACE WIGGINS and DORIS
WIGGINS,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 6208

Come the Defendants in the above styled cause and demur to the amended complaint filed in said cause, and each and every count thereof, separately and severally, and assign the following separate and several grounds, viz:

1. That said amended complaint does not state a cause of action.
2. That the property sued for in count "ONE" of the amended complaint is not sufficiently described.
3. That it is affirmatively shown by the Sheriff's return on the original complaint that the Plaintiff now has possession of all of the property sued for except the freezer.
4. That count "TWO" of the amended complaint fails to allege that the payments on the note referred to therein are due and payable.
5. That count "TWO" of the amended complaint is vague and indefinite.
6. That count "TWO" of the amended complaint does not allege that there has been a default in any of the payments due on the note.
7. That count "THREE" of the amended complaint does not claim any certain sum of money.
8. That count "THREE" of the amended complaint does not set out any demand.

FILED

DEC 7 1964

ALICE L. DUCK
CLERK
REGISTER

Chason Stone & Chason
Attorneys for Defendants

Defendants demand a trial of this
cause by a jury.

Shannon Stone & Shason
Attorneys for Defendants

FILED

DEC 7 1964

ALICE J. DUCK, CLERK
REGISTER

INTERSTATE SECURITIES
COMPANY OF ALABAMA

Plaintiff

VS

HORACE WIGGINS and DORIS
WIGGINS

Defendants

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 6208

Comes the plaintiff in the above styled cause and moves
to strike the Jury Demand filed in said cause and as grounds
for said motion shows unto this Honorable Court as follows:

1. That more than thirty days has elapsed from the
date said complaint was filed before said Jury Demand was
made.

FILED

DEC 15 1964

ALICE L. DUCK, CLERK
REGISTER

THOMPSON & WHITE

BY


Attorneys for plaintiff.

The State of Alabama, }
Baldwin County

No. 6208

CIRCUIT COURT

19

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon Horace Wiggins & Doris Wiggins

to appear within thirty days from the service of this writ, in the Circuit Court to be held for said County

at the place of holding the same, then and there to answer the complaint of

Interstate Securities Company of Alabama

Witness my hand this

28

day of

Sept 1964
Alice J. Duck

, Clerk

COMPLAINT

INTERSTATE SECURITIES COMPANY OF

HORACE WIGGINS & DORIS

ALABAMA

Plaintiff

Versus

WIGGINS

Defendant

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

1 - C. E. Freezer; 1 - Power Mower; 1 - Stevens 12 gauge double
barrell shotgun; 1 - 1957 Oldsmobile, 4 Dr. Ser. #5771915104 of
a value of \$861.00

with the value of the hire or use thereof during the detention, to-wit:

from January 21 1964, to date 19

FILED

SEP 28 1964

ALICE J. DUCK, CLERK
REGISTER

C. L. D. Thompson Plaintiff's Attorney.

State of Alabama

Baldwin County

CIRCUIT COURT

Interstate Securities Co.
of Alabama
Plaintiff...

VS.

Horace Wiggins &
Doris Wiggins
Defendant...

Detinue Summons and Complaint

FILED

Filed _____, 19__

SEP 20 1964

_____, Clerk

ALICE L. COOK, CLERK
REGISTER

Thompson & White
Plaintiff's Attorney

Defendant's Attorney

To the Sheriff of said County:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff with sufficient surety in double the amount of the value of the property, with condition that if the Defendant is cast in the suit he will within thirty days thereafter, deliver the property to the Plaintiff, and pay all damages and costs which may accrue from the detention thereof.

Alice L. Cook Clerk

Defendant lives at

411 Hall Ave.
Bay Minette, Ala.

Received in office

9/29/64, 1964

_____, Sheriff

I have executed this summons

this Oct 2, 1964
by leaving a copy with

Horace Wiggins
Doris Wiggins
attacked

1- Power mower
1- Stevens 12 gauge
double barrel shotgun
1- 1957 Oldsmobile 4dr

St. Ignace Ave. Bay Minette
Def. made bond 10/2/64
By Interstate Securities Fidelity
Co. Bay Minette, Ala.
Property returned to Plaintiff
W. A. Tolbert, Sheriff

W. A. Tolbert, Deputy Sheriff

8 m Printed by Moore Printing Co.

STATE OF ALABAMA
County of Mobile

KNOW ALL MEN BY THESE PRESENTS, That we, Interstate Securities Company
as Principal, and Fidelity and Deposit Company of Maryland
and _____, as Sureties, are held and firmly bound
unto HORACE WIGGINS and DORIS WIGGINS

in the sum of SEVENTEEN HUNDRED TWENTY TWO & 00/100 (\$1722.00) Dollars
for the payment of which well and truly to be made we, jointly and severally, bind ourselves and each of us, our
heirs, executors and administrators. Sealed with our seals and dated this 12 day
of October in the year of our Lord, one thousand, nine hundred and sixty-four

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said _____
Interstate Securities Company
 did, on the _____ day of _____, (1) _____, sue out in the Circuit Court
Baldwin
 of ~~Mobile~~ County, Alabama, a writ in detinue, direct to any Sheriff of the State of Alabama, commanding him
 to take into his possession the following described property, to-wit: _____

One (1) power mower
One (1) Stevens 12 guage shot gun, double barrell
One (1) 1957 Oldsmobile, Four door, Serial #: 5771915104
~~One XXXXXX XXXXXXXXXX~~

which said writ was placed in the hands of Baldwin
 Sheriff of the County of MOORE, on the _____ day of _____, 19____, by taking into his
 possession the following described property, to-wit: _____

One (1) power mower
One (1) Stevens 12 guage shot gun, double barrel
One (1) 1957 Oldsmobile, Fourdoor, Serial #:5771915104
~~XXXXXXXXXXXXXXXXXXXX~~

and whereas the said Horace Wiggins and Doris Wiggins
defendant in said writ, has failed and neglected, the the space of five days from the execution of said writ, to give
bond and take possession of said property as authorized by law.

Now is the said Interstate Securities Company

upon his failing in said suit, shall deliver the said property to the defendant within thirty days after judgment, and pay damages for the detention of the property and costs of suit, then this obligation to be void, otherwise to remain in full force and effect.

~~INTERSTATE SECURITIES COMPANY~~

BY: W. Johnson (Seal)

~~FIDELITY & DEPOSIT COMPANY OF MARYLAND~~

BY: [Signature] (Seal)

Attorney in fact

Taken and approved this the 12 day of October, 1962

Sheriff, Mobile County, Alabama

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

BALDWIN COUNTY

Before me, _____, a Notary Public in and for said County,
 personally appeared _____ who being by me
 duly sworn deposes and says that the property sued for in the complaint of Interstate Securities
Company of Alabama filed in said Court, to-wit:

Interstate Securities Company of Alabama v. Horace Wiggins & Doris
Wiggins, for 1 - G. E. Freezer; 1 - Power Mower; 1 - Stevens 12 gauge
double barrell shotgun; 1 - 1957 Oldsmobile, 4 Dr. Ser. #5771915104

belongs to Interstate Securities Company of Alabama, the plaintiff.

Sworn to and subscribed before me this 21

day of September, 1964

Charles L. Cravens
 Notary Public My Commission Expires Feb. 13, 1968

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

COUNTY

BALDWIN

COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, Interstate Securities Company of
Alabama, Principal, and
Fidelity and Deposit Company of Maryland, Sureties, are held and
 firmly bound unto Horace Wiggins & Doris Wiggins ^{their} ~~his~~ heirs, executors and admin-
 istrators in the sum of Fifty (\$50.00) Dollars,
 for the payment of which we jointly and severally bind ourselves, our heirs, executors and adminis-
 trators.

Sealed with our seals and dated the 21st day of September, 19 64

The condition of the above obligation is such that whereas, the above bound Interstate
Securities Company of Alabama has on the 22nd day of
September, 1964 sued out a writ of detinue in the Circuit Court of Baldwin
County, returnable to the said Circuit Court against the said Horace Wiggins
and Doris Wiggins for the recovery of the following
 described property, to-wit:

1 - G. E. Freezer; 1 - Power Mower; 1 - Stevens 12 gauge double barrell
shotgun; 1 - 1957 Oldsmobile, 4 Dr. Ser. #5771915104 of a value of
\$861.00.

Now, if the said Interstate Securities Co. of Alabama shall fail in said suit

and shall pay to the said Horace Wiggins & Doris Wiggins, the defendant in
 said suit, all such costs and damages as he may sustain by the wrongful complaint, then this obligation to
 be void, otherwise, to remain in full force and effect.

Taken and approved this 26 day of Sept. BY: John W. Johnson (SEAL)

1964 FIDELITY & DEPOSIT COMPANY OF MARYLAND (SEAL)

By JO. Wilson (SEAL)

Clifford L. Duck
 Clerk, Circuit Court

Attorney-in-Fact

Were this bond presented to me as Clerk of this Court I would approve

the same. Done this 22nd day of September, 1964
Clifford L. Duck
 Clerk, Circuit Court, Mobile County, Alabama.