

INTERSTATE SECURITIES, INC.
A Corporation,

Plaintiff,

Vs.

FRED WRIGHT and SHIRLEY
WRIGHT, Jointly and
Individually,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6530

Come now the Defendants in the above styled cause and
amend their Pleas heretofore filed in this cause to read as
follows:

1.

Not guilty.

2.

That the Defendants have paid the debt or demand for which
this suit was brought before this action was commenced.

3.

For further answer to this Complaint, the Defendants say
that the Plaintiff should not recover in this action because:
The Plaintiff sold the Defendants a refrigerator in December of
1964 for the total sum of, to-wit, \$818.44. That the Defendants
made some payments on the same; and then defaulted. The Plain-
tiff repossessed this refrigerator in February of 1965 and sold the
same for \$100.00. That the refrigerator was in as good state of
repair and appearance when repossessed as when sold. That the
sale of the refrigerator by the Plaintiff was a sham or a fraud.
That had it been put on the open market, the refrigerator would
have brought enough money to pay the balance due on this con-
tract. This fraud should stop recovery by the Plaintiff.

WILTERS, BRANTLEY & NESBIT

BY:

Attorney for the Defendants

FILED

JAN 21 1966

ALICE J. DUCK, CLERK
REGISTER

6536
INTERSTATE SECURITIES, INC.
A Corporation,

Plaintiff,

Vs.

FRED WRIGHT and SHIRLEY
WRIGHT, Jointly and
Individually,

Defendants.

AMENDED COMPLAINT

FILED
JAN 22 1966
ALICE A. DUCK, CLERK
REGISTER

WILTERS, BRANTLEY & NESBIT
Robertsdale, Alabama

Attorneys for the Defendants.

JOHN V. DUCK
Fairhope, Alabama

Attorney for the Plaintiff

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT LAW

CASE NO. 15855

WILLIAM H. CARD, JR.
P.O. Box 560
Mobile, Alabama 36601

INTERSTATE SECURITIES, INC., a Corporation

NON-JURY

VS. Suit for \$629.52 due by written contract, plus
attorney's fee of \$314.76 (WAIVER)

WILTERS, BRANTLY & NESBIT
BY: Phyllis S. Nesbit
P.O. Box 327
Bay Minette, Alabama

FRED WRIGHT and SHIRLEY WRIGHT, jointly and individually

PLEADINGS, PROCESS, ETC. * FILING DATE *

1. Complaint and Summons 4-29-65 *

2. Plea in Abatement 5-10-65 *

COMPLAINT AND SUMMONS served on Defendants on May 7, 1965.

May 21, 1965 - Plea in Abatement confessed and sustained, and case ordered
transferred to Circuit Court of Baldwin County, Alabama. 31-877

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above
is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court.

In witness whereof I have hereunto set my hand and attached my official seal as such Clerk of said Court at Mobile, Mobile
County, Alabama, on this the 24th day of May, 1965.

Clerk.

FILED

MA. 25 1965

ALICE J. DUCK, CLERK
REGISTERED

368

720.65.30

INTERSTATE SECURITIES, INC.
a corporation,

Plaintiff,

VS.

FRED WRIGHT AND SHIRLEY
WRIGHT, jointly and
individually Defendant.

: IN THE CIRCUIT COURT

:

: OF MOBILE COUNTY, ALABAMA

:

AT LAW

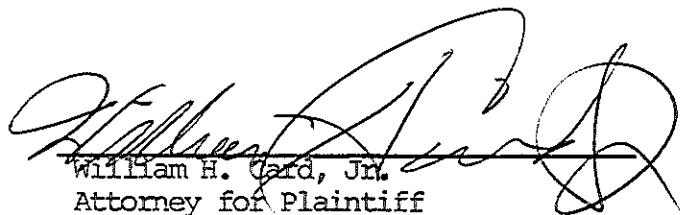
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CASE NO. 15855 - Coffey

Plaintiff claims of the defendant \$ 629.52 due by written contract executed by the defendant on, to-wit, 12-14-64. Plaintiff avers that the defendant breached said contract in that he failed and refused to pay the installments due on said contract. Plaintiff avers that as a result of said default, the Plaintiff did on, to-wit, 2-26-65, in accordance with the terms of said contract, reposses the following described chattel or personal property, viz: One Carrier 16' Freezer Model: 14Pl6, Serial 3420143 sold under the terms of said contract, and that on, to-wit, 4-21-65, the plaintiff did sell said chattel or personal property for the sum of \$ 100.00. Plaintiff further avers that said sum was the fair and reasonable market value of said chattel or personal property at the time of said sale by plaintiff and that said sale price has been duly credited to the defendant's account, and further, plaintiff avers that all just and proper credits have been allowed the defendant, but that there remains due and payable on said contract the sum of \$ 629.52. Plaintiff avers that in said contract defendant waived as to this debt all rights of exemption under the Constitution and Laws of the State of Alabama and further, plaintiff claims a reasonable attorney's fee, as provided under the terms of said contract, and plaintiff avers that said fee is reasonable. \$314.76.


William H. Gard, Jr.
Attorney for Plaintiff

Serve the defendant at:

P. O. Box 269
Robertsdale, Alabama

or

Mr. Fred Wright
Gulf Sausage Company
Robertsdale, Alabama

STATE OF ALA. MOBILE CO.
I CERTIFY THIS PLEADING
WAS FILED ON

APR 29 10 55 AM '65

THE STATE OF ALABAMA
MOBILE COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

FRED WRIGHT AND SHIRLEY WRIGHT, jointly and individually

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,
at the place of holding the same, then and there to answer the complaint of

INTERSTATE SECURITIES, INC., a corporation

WITNESS: John E. Mandeville, Clerk of said Court, this 29th day of April, 1965

Attest:

John E. Mandeville
Clerk

SHERIFF'S RETURN

Received _____ day of _____, 19____ and on _____ Day
of _____, 19____, I served a copy of
the within _____ on _____
by service on _____

RAY D. BRIDGES, SHERIFF

By _____ D.S.

No. 15855 - C

JUDGE

DOCKET

CIVIL DIVISION

CIRCUIT COURT
MOBILE COUNTY

INTERSTATE SECURITIES, INC.,
a corporation

VS. } Complaint and Summons

FRED WRIGHT AND SHIRLEY
WRIGHT, jointly and individually

Issued 29th day of April, 1965

Defendant's Address

P. O. Box 269
Robertsdale, Alabama

WILLIAM H. CARD, JR.

Plaintiff's Attorney

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

APR 30 9 01 PM '65

BY

Received 4 day of May 1965
and on 7 day of May 1965
I served a copy of the within 545
on Fred & Shirley Wright

By service on

Sheriff claims

100

miles at

Ten Cents per mile Total \$ 10

TAYLOR, WILKINS, Sheriff

BY Carle H. Wilkins
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff

By Robertsdale, Alabama

R. H. Card

2. PLEA IN ABATEMENT

INTERSTATE SECURITIES, INC.,
a Corporation

PLAINTIFF

vs

FRED WRIGHT and SHIRLEY WRIGHT,
jointly and individually

DEFENDANTS

IN THE CIRCUIT COURT OF

MOBILE COUNTY, ALABAMA

AT LAW

NO. 15855

VERIFIED
PLEA IN ABATEMENT

Comes now the Defendant's Fred Wright and Shirley Wright, 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: the 29th day of April, 1965, and says, that the Plaintiff cannot maintain said cause against them in this Court, the Defendant's enter this plea in said cause for the only and sole purpose of pleading to the jurisdiction of this Court, and says:

1.

That the Defendant's are resident citizens of Baldwin County, Alabama, and that Baldwin County, Alabama, is the permanent residence of both of the Defendant's and that the contract or note or instrument of writing sued on in this cause was made in Baldwin County, Alabama, and the Defendant's further aver that neither of them made said contract or instrument in writing sued on in this cause in Mobile County. The Defendant's further aver that they have never been resident citizens of Mobile County.

Fred Wright
Shirley Wright

STATE OF ALA. MOBILE CO.
I CERTIFY THIS PLEADING
WAS FILED ON

MAY 10 12 14 PM '65

John M. Anderson
CLERK

371

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Phyllis S. Nesbit, a Notary Public, in and for said County in said State, personally appeared Fred Wright and Shirley Wright, who having been by me first duly sworn, deposes and says that they have read the foregoing plea in abatement and that the facts stated therein are true.

Fred Wright

Shirley Wright

Sworn to and subscribed before me on this the 7th day of May, 1965.

Phyllis S. Nesbit
Notary Public

State of Alabama
At Large

WILTERS, BRANTLEY & NESBIT
Attorneys
Robertsdale, Alabama

RECORDED
INDEXED
MAY 10 1965
CLERK
STATE OF ALABAMA
BALDWIN COUNTY
NOTARY PUBLIC
PHYLIS S. NESBIT
AT LARGE

STATE OF ALA. MOBILE CO.
I CERTIFY THIS PLEADING
WAS FILED ON

MAY 10 12 14 PM '65

Phyllis S. Nesbit
CLERK

372

copy: William H. Card, Jr.

SECRET

INFORMATION
FOR THE
SECRETARY OF THE
NAVY

[illegible]

RECEIVED
JAN 10 1968

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

TO THE SECRETARY OF AGRICULTURE
FROM THE DIRECTOR OF THE BUREAU OF PLANT INDUSTRY
SUBJECT: [illegible]

[illegible signature]

[illegible text]

[illegible][illegible]

STREET OF
MONTMARTRE

WILTERS, BRANTLEY & NESBIT
Robertsdale, Alabama
Defendants Attorney

FRIDAY, MAY 21, 1965

INTERSTATE SECURITIES, INC.,)	
a Corporation)	
)	
CAFFEY	-vs-	15855
)	PLEA IN ABATEMENT CONFESSED
)	AND SUSTAINED, AND CASE
)	ORDERED TRANSFERRED TO CIR-
FRED WRIGHT and SHIRLEY WRIGHT,)	CUIT COURT OF BALDWIN COUNTY,
jointly and individually)	ALABAMA

This day in open Court came the parties by their attorneys, and plaintiff confessing defendants' Plea in Abatement in this cause; It is ordered and adjudged by the Court that said Plea in Abatement in this cause be, and the same is hereby sustained, and case ordered transferred to the Circuit Court of Baldwin County, Alabama.

Minute Book 31

Page 877

Baldwin County

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

No. 15855 Interstate Securities, Inc., a Corporation Plaintiff
VS. Fred Wright and Shirley Wright, etc. Defendant

(Act No. 740, Reg. Session Ala. Legislature 1957
Appvd. Sept. 20, 1957)
(Amend Sec. 21, Title 11, Code Ala. 1940)

BILL OF COST

(Act No. 571, Reg. Ses. Leg. 1955)
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES	Pltff.	Deft.	SHERIFF'S FEES	Pltff.	Deft.
Suits for \$100 or less \$ 6.00			mileage \$10.00 2	13 00	
Suits for over \$100 but less than \$1,000 10.00	10 00		Serving Summons & Complaint \$ 1.50		
Suits for \$1,000 and over 20.00			Serving Writ of Garnishment 1.50		
Suits in detinue, ejectment, etc. 10.00			Serving Sci Fa.-Notices 1.50		
Suits not otherwise provided 10.00			Levying Attachment & Return 6.25		
Writs, Mandamus, Prohibition, etc. 15.00			Executing Writ Possession 5.00		
Appeals from Court General Sessions 15.00			Seizing personal property under Writ of Detinue 6.00		
Appeals from Probate Court 20.00			Serving subpoenas, each .75		
Appeals from JP Courts 6.00			Impanelling Jury .75		
Appeals from State Dept of Pub. Safety, and other State Agencies 10.00			Taking & Approving Bond 2.00		
Workmen's Compensation Settle. 10.00			Collecting Costs Execution 1.50		
Garnishment on Judgment 6.00			Serving Contempt Writ 1.50		
Order of Sale, Motions to sell. 6.00			Making Deed for Property sold 2.50		
Recording executions from State Agencies 3.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3% \$		
Cert. Copy of Record - per 100 words .15					
Taking Appeal Bond .75			Total \$	13 00	
Record for Supreme Court etc., per 100 words .15					
Add'l Copies of Record for Supreme Court, per 100 words .05			RECAPITULATION		
Checking - including Reporters Transcript of Evidence 10.00			Clerk	10 00	
Certifying Abstract in lieu of Transcript on Appeal 5.00			Sheriff Taylor Wilkins - #1300 Baldwin County	13 00	
Collecting Money on Judgments over 30 days old; ½ the percentage allowed Sheriffs \$			Inferior Civil Court		
			Justice Peace fees		
			Witness fees		
			Commissioner's fees		
			Certificate of Judgment		
			Judgment		
			10% Damages		
			Interest		
			Stenographer's fees (\$10.00 Day)		
			Library fee 1.50	1 50	
			Trial Tax (County) 1.50	1 50	
			Trial Tax (State) 1.50	1 50	
			Advertisement		
			Garnishee's fees		
Total \$	10 00				

I respectfully beg to advise that if this bill for costs is not paid before 19____, it will be my unpleasant duty to issue execution for same.

JOHN E. MANDEVILLE, Clerk

27.50

JOHN V. DUCK
RICHARD C. LACEY

DUCK & LACEY
Attorneys at Law
FAIRHOPE, ALABAMA

319 MAGNOLIA AVENUE
P. O. BOX 296
TELEPHONE 928-2191

June 24, 1965

Mrs. Alice J. Duck
P. O. Box 239
Bay Minette, Alabama

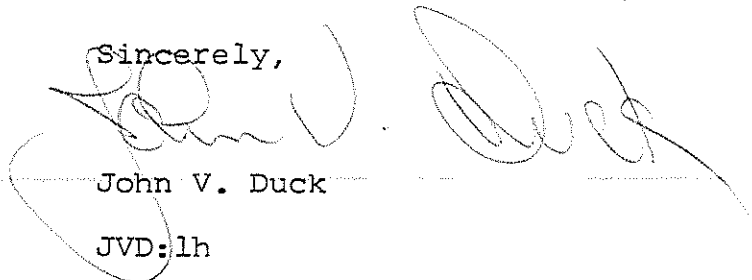
Re: Interstate Securities, Inc.
vs. Fred and Shirley Wright
Circuit Court - At Law
65-30

Dear Mrs. Duck

There has been a suit filed for a Deficiency
Judgment in the above styled cause.

Would you please enter me as the Attorney for
the Plaintiff in this cause.

Sincerely,



John V. Duck

JVD:lh

INTERSTATE SECURITIES, INC.
A CORP.

Plaintiff

vs

FRED WRIGHT & SHIRLEY
WRIGHT, Jointly and
Individually

Defendants

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6530

Comes now the Defendants in the above styled cause and
for answer to the Complainants Complaint says:

1.

That they are not guilty of the matters alleged therein.

WILTERS & BRANTLEY

BY:

James J. Wilters
Attorneys for the Defendants

FILED

JUL 19 1955

ALICE L. DUCK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6530

INTERSTATE SECURITIES, INC.
A CORP.

Plaintiff

vs

FRED WRIGHT & SHIRLEY WRIGHT,
Jointly and individually

Defendants

ANSWER

WILTERS & BRANTLEY
Attorneys at Law
Bay Minette, Alabama