STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Melvin Johnson and Vera Johnson, and Louise Williams, to answer to the complaint of Home Security Corporation, a corporation, to appear within thirty days from the date of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Home Security Corporation, a corporation.

Witness my hand this 19 day of , 1970.

CLERK

HOME SECURITY CORPORATION, a corporation, PLAINTIFF	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
VS.	)	
MELVIN JOHNSON and VERA JOHNSON, and LOUISE WILLIAMS, DEFENDANTS	)	CASE NO. 8736

COMPLAINT

COUNT ONE: The Plaintiff sues to recover possession of the following tract of land in Baldwin County, Alabama:

Commencing at the North East Corner of the North East Quarter (NE¼) of the North West Quarter (NW¼) of Section 29, 5 S, Range 2 East; thence South along the East line of said North East Quarter (NE¼) a distance of 150 feet; thence South 89 degrees 21 minutes West a distance of 100 feet to the point of beginning; thence South a distance of 300 feet; thence North 89 degrees 21 minutes East, a distance of 75 feet; thence North, a distance of 300 feet, thence West 75 feet to the point of beginning, all being in the Northeast (NE¼) of the North East Quarter (NE¼), Section 29, TS 5 So. Range 2 East, Baldwin County, Alabama, containing 0.52 acres.

COUNT TWO: The Plaintiff sues to recover the possession of the following tract of land in Baldwin County, Alabama:

> (The plaintiff refers to and adopts the description of the real estate as set out and described in Count One of this Complaint as if same were fully and completely set out at length herein.)

to which said tract of land the Plaintiff has the legal title, and upon which tract of land, before the commencement of this suit, the defendants entered and unlawfully withhold, together with $1,000.00 for the detention thereof.

R. A. Norred
Attorney for Plaintiff,
Home Security Corporation,
a corporation

200 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203

PLAINTIFF'S ADDRESS:

Home Security Corporation
% R. A. Norred
200 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203

DEFENDANTS' ADDRESS:

Melvin Johnson
Vera Johnson
Daphne, Alabama
Directions to property - from intersection of U.S. Highway 98 and Alabama Highway 64, go South on U.S. 98 one mile, turn East onto paved road, go one-half mile, turn between two houses, about 150 feet.

Louise Williams
Address unknown, please obtain through other defendants, or Attorney Phyllis S. Nesbit.

FILED

JAN 19 1970

ALICE J. DUCK CLERK REGISTER

Ef 11-22-70

8734

Home Security Co.

vs

Melvin Johnson
Vera Johnson
Louise Williams

JAN 3 0 1970

ALICE J. DUCK CLERK REGISTER

R. A. Morrell

Received 19 day of January 19 70
and on 22 day of Jan. 19 70
I served a copy of the within Lis P
of Melvin Johnson, Vera Johnson,
Louise Williams
By service on Melvin Johnson, Vera Johnson
Louise Williams
TAYLOR WILKINS, Sheriff
By US Duck D.S.
DAPHNE, ALA

Sheriff claims $7.0 miles at
Ten Cents per mile Total $ 2.00
TAYLOR WILKINS, Sheriff
By
DEPUTY SHERIFF

notify: address
Daphne, Ala.

STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Melvin Johnson and Vera Johnson, Daphne, Alabama, to answer to the complaint of Home Security Corporation, a corporation, to appear within thirty days from the date of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Home Security Corporation, a corporation.

Witness my hand this 30 day of May, 1969.

CLERK

HOME SECURITY CORPORATION, a corporation, PLAINTIFF	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
VS.	
MELVIN JOHNSON and VERA JOHNSON, DEFENDANTS	CASE NO. 8736

COMPLAINT

COUNT ONE: The Plaintiff sues to recover possession of the following tract of land in Baldwin County, Alabama:

Commencing at the North East Corner of the North East Quarter (NE¼) of the North West Quarter (NW¼) of Section 29, 5 S, Range 2 East; thence South along the East line of said North East Quarter (NE¼) a distance of 150 feet; thence South 89 degrees 21 minutes West a distance of 100 feet to the point of beginning; thence South a distance of 300 feet; thence North 89 degrees 21 minutes East, a distance of 75 feet; thence North, a distance of 300 feet, thence West 75 feet to the point of beginning, all being in the Northeast (NE¼) of the North East Quarter (NE¼), Section 29, TS 5 So., range 2 East, Baldwin County, Alabama, containing 0.52 acres.

COUNT TWO: The Plaintiff sues to recover the possession of the following tract of land in Baldwin County, Alabama:

> (The Plaintiff refers to and adopts the description of the real estate as set out and described in Count One of this Complaint as if same were fully and completely set out at length herein.)

to which said tract of land the Plaintiff has the legal title, and upon which tract of land, before the commencement of this suit, the defendants entered and unlawfully withhold, together with $1,000.00 for the detention thereof.

R. A. Norred
Attorney for the Plaintiff,
Home Security Corporation,
a corporation

200 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203

PLAINTIFF'S ADDRESS:

Home Security Corporation
% R. A. Norred
200 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203

DEFENDANTS' ADDRESS:

Mr. and Mrs. Melvin Johnson
Daphne, Alabama
Directions to property — From Intersection of U.S. Highway 98 and Alabama Highway 64, go South on U.S. 98 one mile, turn East onto paved road, go one-half mile, turn between two houses, about 150 feet.

FILED

MAY 30 1969

VOL 64 PAGE 65 ALICE J. DUCK CLERK REGISTER

24:6-9-69

No. 8736

Home Security Corp

vs.

Melvin Johnson
&
Vera Johnson

FILED

MAY 30 1969

ALICE J. BUCK CLERK REGISTER

R. A. Morred

Received 30 day of May 1969
and on 9 day of June 1969
I served a copy of the within Sc
on Melvin Johnson, Vera Johnson
By service on

Sheriff claims 10 miles as
Ten Cents per mile Total $ 10.80
TAYLOR WILKINS, Sheriff
BY Randall DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff
By Ray Randall D. S.
Daphne

HOME SECURITY CORPORATION, a Corporation	)	IN THE CIRCUIT COURT OF
Plaintiff		BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
MELVIN JOHNSON and VERA JOHNSON, and LOUISE WILLIAMS,		CASE NO. 8736
Defendants	)	

ANSWER TO AMENDED COMPLAINT

Comes now, Melvin Johnson and Vera Johnson, Defendants, in the above styled cause and for answer to the Bill of Complaint says as follows:

1.

The Defendant and his wife, Vera Johnson, have not entered and unlawfully withheld the land in controversy.

2.

Melvin Johnson and Vera Johnson allege that they are renting the property in controversy on a month to month basis from Louise Williams since March 29, 1968, and that Louise Williams has not requested that they move nor has any person or organization so requested.

3.

The Defendants, Melvin Johnson and Vera Johnson, further allege that they made all of the monthly rental payments when due and they were not in arrears. When on, to-wit: April 22, 1970, they terminated their month to month rental with Louise Williams and moved from said property.

WILTERS, BRANTLEY & NESBIT

BY: Hughes S. Nesbit
Attorney for Respondents

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 14 day of May 1970 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Hughes S. Nesbit

FILED

MAY 14 1970

ALICE J. DUCK CLERK REGISTER

HOME SECURITY CORPORATION, a corporation, PLAINTIFF	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
VS.	)	
MELVIN JOHNSON, VERA JOHNSON, and LOUISE WILLIAMS, DEFENDANTS	)	CASE NO. 8736

WRIT OF POSSESSION

STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF SAID STATE - GREETINGS:

You are hereby commanded to deliver to Home Security Corporation a corporation, possession of the lands andtenements which the said Home Security Corporation, a corporation, recovered of Melvin Johnson and Vera Johnson and Louise Williams, by the judgment of our Circuit Court, held for the County of Baldwin on the 29th day of July, 1970, to-wit:

Commencing at the North East Corner of the North East Quarter (NE¼) of the North West Quarter (NW¼) of Section 29, 5 S, Range 2 East; thence South along the East line of said North East Quarter (NE¼) a distance of 150 feet; thence South 89 degrees 21 minutes West a distance of 100 feet to the point of beginning; thence South a distance of 300 feet; thence North 89 degrees 21 minutes East, a distance of 75 feet; thence North a distance of 300 feet, thence West 75 feet to the point of beginning, all being in the Northeast (NE¼) of the North East Quarter (NE¼), Section 29, TS 5 So., Range 2 East, Baldwin County, Alabama, containing 0.52 acres.

You are further commanded to make return of this Writ and the execution thereof according to law.

Witness my hand, this 16th day of Sept, 1970.

Alice J. Huck
CLERK

Received 17 day of Sept 1970
and on 19 day of Sept 19 70
I served a copy of the within Writ of Possession
on Melvin Johnson 9-19-70
Vera Johnson 9-19-70
By service on Louise Williams 9-19-70
Also Above
TAYLOR WILKINS, Sheriff
By C. D. S.

Sheriff claims 16 miles at
Ten Cents per mile Total $ 16.20
TAYLOR WILKINS, Sheriff
By
DEPUTY SHERIFF

8236

Lorene Johnson
Melvin Johnson
Petitioners

vs.

Louise Williams
Respondent

P. A. Norred
Atty

HOME SECURITY CORPORATION, a corporation	)	IN THE CIRCUIT COURT OF
Plaintiff	)	BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
MELVIN JOHNSON and VERA JOHNSON	)	CASE NO. 8736
Defendants	)	

DEMURRER

Comes now the Defendants in the above styled cause, by their attorneys, and demur to the Bill of Complaint filed against them and to each count thereof separately and severally and assign the following separate and several grounds in support thereof:

1. The Complaint fails to state a cause of action.

2. Count One of the Complaint fails to state a cause of action.

3. Court Two of the Complaint fails to state a cause of action.

4. The Plaintiff fails to allege a cause of action against both of the Defendants.

5. The Allegations of the Complaint are vague, indefinite and uncertain.

6. The allegations of Count One are vague, indefinite and uncertain.

7. The allegations of Count Two are vague, indefinite and uncertain.

8. Count One of the Complaint fails to allege under what right the Plaintiff may recover possession of the described land.

9. The allegations of Count One of the Complaint are conclusions of the pleader.

10. The allegations of Count Two of the Complaint are conclusions of the pleader.

RESPECTFULLY SUBMITTED,

WILTERS, BRANTLEY & NESBIT

BY: Phyllis J. Nesbit
Attorneys for Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 19 day of June 1969 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Phyllis J. Nesbit

FILED

JUN 19 1969

ALICE J. BUCK CLERK REGISTER

HOME SECURITY CORPORATION	)	IN THE CIRCUIT COURT OF
Plaintiff		BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
MELVIN JOHNSON, et al		
Respondents	)	CASE NO. 8736

ANSWER

Come now, Melvin Johnson and Vera Johnson, Defendants, in the above styled cause and for answer to the Bill of Complaint says as follows:

1.

The Defendant and his wife, Vera Johnson, have not entered and unlawfully withheld the land in controversy.

2.

Melvin Johnson and Vera Johnson allege that they are renting the property in controversy on a month to month basis from Louise Williams since March 29, 1968 and that Louise Williams has not requested that they move nor has any person or organization so requested.

3.

The Defendants, Melvin Johnson and Vera Johnson, further allege that they have made all of the monthly payments when due and they are not in arrears.

WILTERS, BRANTLEY & NESBIT

BY: Phyllis S. Nesbit
Attorney for Respondents

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 24 day of July 19 69 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Phyllis S. Nesbit

FILED

JUL 24 1969

ALICE J. DUCK CLERK REGISTER

R. A. Norred
ATTORNEY

200 2121 BUILDING
2121 8TH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203
TELEPHONE
323-4076

May 26, 1969

Clerk
Circuit Court of Baldwin County
Baldwin County Court House
Bay Minette, Alabama

Re: Home Security Corporation
vs.
Melvin Johnson and Vera Johnson

Dear Sir:

I enclose herein an original and two copies of a Summons and Complaint which I would like to have filed and issued for service as soon as possible.

I will appreciate it if you would acknowledge receipt hereof, and advise of the filing date. I will further appreciate it if you would be kind enough to let us know when service is perfected on the defendants.

Yours very truly,

R. A. Norred

RAN/hc

Enc.

HOME SECURITY CORPORATION	)	IN THE CIRCUIT COURT OF
Plaintiff		
VS.	)	BALDWIN COUNTY, ALABAMA
MELVIN JOHNSON, et al		AT LAW
Defendants	)	CASE NO. 8736

MOTION

Defendants move to make Louise Williams a third-party Defendant to this action and in support of said motion states:

That if the Defendant, in the trial of this case, be held liable on the allegations of the petition filed herein by the Plaintiff against Defendant, Defendant will be entitled to an action against the third-party Defendant, Louise Williams, to recover the amount for which Defendant may be held liable to Plaintiff herein.

This Motion is made to the end that the rights of all concerned may be determined in one action, and is pursuant to the provisions of Title 7, Section 943, Code of Alabama.

Attached hereto, marked Exhibit 1, and by this reference made a part hereof, is affidavit in support of this Motion.

WILTERS, BRANTLEY & NESBIT

BY: Phyllis A. Nesbit

Attorneys for Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 24 day of July, 1969 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Phyllis A. Nesbit

FILED

JUL 24 1969

ALICE J. DUCK CLERK REGISTER

STATE OF ALABAMA)
)
BALDWIN COUNTY)

Exhibit I

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Melvin Johnson and Vera Johnson, Daphne, Alabama, to answer to the complaint of Home Security Corporation, a corporation, to appear within thirty days from the date of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Home Security Corporation, a corporation.

Witness my hand this 30 day of May, 1969.

CLERK

HOME SECURITY CORPORATION, a corporation, PLAINTIFF	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
VS.	
MELVIN JOHNSON and VERA JOHNSON, DEFENDANTS	CASE NO. 8736

COMPLAINT

COUNT ONE: The Plaintiff sues to recover possession of the following tract of land in Baldwin County, Alabama:

Commencing at the North East Corner of the North East Quarter (NE¼) of the North West Quarter (NW¼) of Section 29, 5 S, Range 2 East; thence South along the East line of said North East Quarter (NE¼) a distance of 150 feet; thence South 89 degrees 21 minutes West a distance of 100 feet to the point of beginning; thence South a distance of 300 feet; thence North 89 degrees 21 minutes East, a distance of 75 feet; thence North, a distance of 300 feet, thence West 75 feet to the point of beginning, all being in the Northeast (NE¼) of the North East Quarter (NE¼), Section 29, TS 5 So., range 2 East, Baldwin County, Alabama, containing 0.52 acres.

COUNT TWO: The Plaintiff sues to recover the possession of the following tract of land in Baldwin County, Alabama:

> (The Plaintiff refers to and adopts the description of the real estate as set out and described in Count One of this Complaint as if same were fully and completely set out at length herein.)

to which said tract of land the Plaintiff has the legal title, and upon which tract of land, before the commencement of this suit, the defendants entered and unlawfully withhold, together with $1,000.00 for the detention thereof.

R. A. Norred
Attorney for the Plaintiff,
Home Security Corporation,
a corporation

200 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203

PLAINTIFF'S ADDRESS:

Home Security Corporation
% R. A. Norred
200 2121 Building
2121 8th Avenue North
Birmingham, Alabama 35203

DEFENDANTS' ADDRESS:

Mr. and Mrs. Melvin Johnson
Daphne, Alabama
Directions to property -- From Intersection of U.S. Highway 98 and Alabama Highway 64, go South on U.S. 98 one mile, turn East onto paved road, go one-half mile, turn between two houses, about 150 feet.

FILED

MAY 3 - 1965

ALICE J. [illegible] CLERK

HOME SECURITY CORPORATION	)	IN THE CIRCUIT COURT OF
Plaintiff		BALDWIN COUNTY, ALABAMA
MELVIN JOHNSON, et al	)	AT LAW
Defendants	)	CASE NO. 8736

AFFIDAVIT ON MOTION

Melvin Johnson, being duly sworn, deposes and says:

1. That he is one of the Defendants in the above styled action and that Vera Johnson, the other Defendant is his wife.

2. That this action was commenced by the service of a summons and complaint on Deponents on the 9th day of June, 1969 and that demurrers to the Complaint were filed by Deponents' attorney on June 19, 1969. No further proceedings have been had in this action.

3. That the Complaint, a copy of which is hereto attached and made a part hereof, alleges that the Deponents entered and unlawfully withheld the described land.

4. That the Deponents answer denies that he and his wife entered and unlawfully withheld the said land and as a separate defense alleges that they are renting said property on a month to month basis from Louise Williams since March 29, 1968 and that Louise Williams has not requested that they move nor has any person or organization so requested.

5. That effective determination of the controversy in this action cannot be had without the presence of Louise Williams, who resides at Daphne, Alabama, for the reason that she is holding herself out to be the owner of the property and landlord of the Defendants, Melvin Johnson and Vera Johnson, and has accepted the monthly rental money from said Defendants and that if there be any money due for detention of said land, Louise Williams would be the person who has been unlawfully withholding.

WHEREFORE Deponents ask that an Order be made by this Court directing that the said Louise Williams be added as a new party Defendant, and for such other and further relief as may be just.

Melvin Johnson

STATE OF ALABAMA
BALDWIN COUNTY

Personally appeared before me, the undersigned, Melvin Johnson, who being by me first duly and legally sworn, doth depose and say, that the matters and facts alleged in the foregoing Affidavit are true and correct.

Melvin Johnson

Sworn to and subscribed before me this 18th day of July, 1969.

Barbara Ann Baggette
Notary Public, State at Large

MY COMMISSION EXPIRES 10/16/72

VOL 64 PAGE 71

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 24 day of July, 1969 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Phyllis J. Nesbit

FILED

JUL 24 1969

ALICE J. DUCK CLERK REGISTER