1728

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. AT LAW.

Case No. 1728.

HOUSEHOLD FINANCE CORPORATION,

PLAINTIFF,

versus

CLAUDE BILLIE and EDITH BILLIE,
Separate & Severally,
DEFENDANTS.

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO THE DEFENDANTS CLAUDE W. BILLIE AND EDITH BILLIE, SEPARATE AND SEVERALLY, AS PROVIDED BY SECTION 477 OF TITLE 7, OF THE CODE OF ALABAMA OF 1940.

1. Please give your full name, age and address.

2. Are you a resident of Alabama? If so, how long have you resided in the State of Alabama continuously next preceding the filing of suit in this cause

3. Did you ever reside in the State of Indiana?

4. If so, please give the name of the places in the state of Alabama in which you have resided.

5. Give the length and time of residence in each place in Indiana in which you ever resided.

6. Did you reside in Mishawaka, Indiana?

7. If so, please give the place of residence in that place.

8. When did you live in Mishawaka, Indiana?

9. Give the exact time when you moved out of the State of Indiana.

10. Where did you move when you moved from the State of Indiana.

11. Name each and every place which you lived since you moved away from the State of Indiana, giving the dates and length of time in which you resided in each place.

12. When did you last move into the State of Alabama.

13. Where did you live when you moved into the State of Alabama.

14. Do you live in Fairhope, Alabama at the present time.

15. How long have you lived there up to this time continuously?

16. In Plea Two filed to the Complaint herein you allege that the note sued on was paid before the commencement of the suit; please give the dates and the amount which was paid to the plaintiff herein in payment of the indebtedness

evidenced by the note forming the basis of this suit.

17. Where were such payments, if any, made and to whom?

18. State whether or not you received receipts covering any of such payments alleged to have been made by you on said note. If so, please attach to your answers to these Interrogatories a true and correct copy of each receipt.

A. S. Whiting
ATTORNEY FOR PLAINTIFF.

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, Erma Louise Whiting, a Notary Public in and for said county and State, personally appeared A. S. Whiting, known to me, who, being first duly sworn, deposes and says that he is the attorney of record for the plaintiff in the above-styled cause; that the answers to the interrogatories propounded by the plaintiff to the defendant herein, truthfully made, will be material evidence for the plaintiff in the trial of this cause ~~the issues of the claim of exemption of the defendant heretofore filed herein by the defendant on April 22, 1952.~~

A. S. Whiting

Subscribed and sworn to before me
this 1st day of April, A. D., 1952.

Erma Louise Whiting
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

HOUSEHOLD FINANCE CORPORATION,	)	
PLAINTIFF	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA,
VS	)	
	)	AT LAW
CLAUDE W. BILLIE, ET AL,	)	
	)	NO. 1728
DEFENDANTS	)	

Now comes the Defendant and demurs to the Plaintiff's complaint and for grounds thereof says:

1.

That said complaint does not state a cause of action.

Attorney for the Defendant

The defendant demands a trial by jury.

Attorney for the Defendant

1728

HOUSEHOLD FINANCE CORPORATION

PLAINTIFF

VS

CLAUDE W. BILLIE ET AL

DEFENDANT

DEMURRERS

Filed 12-3-51
Ann Jenkins
Clerk

HOUSEHOLD FINANCE CORPORATION,	)	
PLAINTIFF	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA,
VS	)	
	)	AT LAW
CLAUDE W. BILLY	)	
	)	NO. 1728
DEFENDANT	)	

Now comes the Defendant, Claude W. Billy, and for answer to the Plaintiff's complaint says:

1.

The facts therein are untrue.

2.

That the note sued on was paid before the commencement of this suit.

3.

That the said note is barred by the Statutes of Limitations by six years.

4.

That the said note is barred by the Statutes of Limitations ~~by~~ ten years.

Attorney for Defendant, Claude W. Billy

HOUSEHOLD FINANCE COMPANY

PLAINTIFF

VS

CLAUDE W. BILLY

DEFENDANT

ANSWER

HOUSEHOLD FINANCE CORPORATION, PLAINTIFF, VS. CLAUDE BILLIE and EDITH BILLIE. Separate & Severally, DEFENDANTS.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. AT LAW.

ANSWER TO INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO THE DEFENDANT, CLAUDE BILLIE.

Comes Defendant, Claude Billie and in reply to interrogatories propounded by the Plaintiff, answer said interrogatories as follows:

1.

Claude W. Billie, over the age of 21 years. P. O. Box 347, Fairhope, Alabama.

2.

Yes. Since 1941.

3.

Yes.

4.

Fairhope, Alabama.

5.

From 1927 to 1937. South Bend, Indiana.

6.

No.

7.

No.

8.

Did not live there.

9.

1937.

10.

Rome, Georgia.

11.

Rome, Georgia from 1937 to 1941 moved to Fairhope, Alabama, 1941, went into service, discharged from service in 1945, returned to Fairhope.

12.

1941.

13.

13.

Fairhope, Alabama.

14.

Yes.

15.

Since 1941 except for Army service, but Fairhope was my residence.

16.

About September or October, 1937, the exact date is not clear in my mind. The company received the collateral in payment of the debt so far as I know.

17.

The Company took possession and received the entire collateral shown on the note.

18.

I have not kept any of the papers covering this transaction since it occurred approximately 16 years ago.

Claude W. Billie

Claude W. Billie, Defendant.

Before me the undersigned authority personally appeared Claude W. Billie who being duly sworn depcses and says: That the foregoing facts are true and correct to the best of his knowledge and belief.

Notary Public.

1728

HOUSEHOLD FINANCE CORPORATION,

PLAINTIFF,

VS.

CLAUDE BILLIE andEDITH BILLIE.
Separate & Severally,

DEFENDANT.

Answer

FILED
4-4-53
ALICE J. DUCK, Clerk

SUMMONS AND COMPLAINT

Moore Printing Co.

THE 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 _____

_____

_____

_____

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 _____

_____, Defendant____

by _____

_____, Plaintiff____

Witness my hand this 3rd day of November 19 51.

_____, Clerk

No. 1760 Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

PROGRESS PLAZAS CORP

Plaintiffs

vs.

CLAUDE W. ELLIS AND

EDITH E. ELLIS

Defendants

SUMMONS and COMPLAINT

Filed 11-3, 19 53

, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this ,19

by leaving a copy with

Sheriff

Deputy Sheriff

HOUSEHOLD FINANCE CORPORATION,	)	IN THE CIRCUIT COURT OF BALDWIN
PLAINTIFF,	)	COUNTY, ALABAMA.
-vs-	)	
CLAUDE W. BILLIE and EDITH F.	)	
BILLIE, Jointly and Severally,	)	
DEFENDANTS.	)	

COUNT ONE.

Plaintiff claims of the defendants, jointly and severally, the sum of $292.00, due by defendants to the plaintiff by promissory note, dated June 19, 1937, made by the defendants in the City of South Bend, State of Indiana, payable to the order of the plaintiff in equal consecutive monthly installments of $15.00 beginning July 19, 1937, which said sum, with the interest thereon is still unpaid.

A. S. WHITING, ATTORNEY FOR PLAINTIFF.
708-9 Annex, First National Bank Bldg.,
Mobile, Ala.

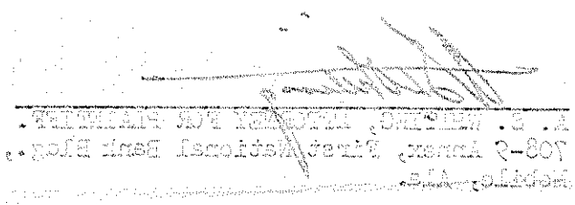
Defendant's Address:

Defendants are said to reside in Fairhope, Alabama, and the defendant, Claude W. Billie is said to be employed by Ruffles Supply Co., at Fairhope, Ala.

HOUSEHOLD FINANCE CORPORATION,	)	IN THE CIRCUIT COURT OF BALDWIN
PLAINTIFF,	)	COUNTY, ALABAMA.
-vs-	)	
CLAUDE W. BILLIE and EDITH E.	)	
BILLIE, jointly and severally,	)	
DEFENDANTS.	)	

COUNT ONE.

Plaintiff claims of the defendants, jointly and severally, the sum of $292.00, due by defendants to the plaintiff by promissory note, dated June 19, 1971, made by the defendants in the City of South Bend, State of Indiana, payable to the order of the plaintiff in equal consecutive monthly installments of $15.00 beginning July 19, 1971, which said sum, with the interest thereon is still unpaid.



A. E. WHITING, ATTORNEY FOR PLAINTIFF.
708-9 Lyons, First National Bank Bldg.,
Mobile, Ala.

Defendant's Address:

Defendants are said to reside in Fairhope, Alabama, and the defendant, Claude W. Billie is said to be employed by Buffles Supply Co., at Fairhope, Ala.

HOUSEHOLD FINANCE CORPORATION,	)	IN THE CIRCUIT COURT OF BALDWIN
PLAINTIFF,	)	COUNTY, ALABAMA.
-vs-	)	
CLAUDE W. BILLIE and EDITH F.	)	
BILLIE, Jointly and Severally,	)	
DEFENDANTS.	)	

COUNT ONE.

Plaintiff claims of the defendants, jointly and severally, the sum of $292.00, due by defendants to the plaintiff by promissory note, dated June 19, 1937, made by the defendants in the City of South Bend, State of Indiana, payable to the order of the plaintiff in equal consecutive monthly installments of $15.00 beginning July 19, 1937, which said sum, with the interest thereon is still unpaid.

A. S. WHITING, ATTORNEY FOR PLAINTIFF.
708-9 Annex, First National Bank Bldg.,
Mobile, Ala.

Defendant's Address:

Defendants are said to reside in Fairhope, Alabama, and the defendant, Claude W. Billie is said to be employed by Ruffles Supply Co., at Fairhope, Ala.

HOUSEHOLD FINANCE CORPORATION,	X	IN THE CIRCUIT COURT OF BALDWIN
PLAINTIFF,	X	COUNTY, ALABAMA.
-vs-	X	
CLAUDE W. BILLIE and MILDRED F.	X	
BILLIE, Jointly and Severally,	X	
DEFENDANTS.	X	

COUNT ONE.

Plaintiff claims of the defendants, jointly and severally, the sum of $232.00, due by defendants to the plaintiff by promissory note, dated June 19, 1937, made by the defendants in the City of South Bend, State of Indiana, payable to the order of the plaintiff in equal consecutive monthly installments of $15.00 beginning July 19, 1937, which said sum, with the interest thereon is still unpaid.

R. E. WHITING, ATTORNEY FOR PLAINTIFF.
708-9 Annex, First National Bank Bldg.,
Mobile, Ala.

Defendant's Address:

Defendants are said to reside in Fairhope, Alabama, and the defendant, Claude W. Billie is said to be employed by Buffles Supply Co., at Fairhope, Ala.

SUMMONS AND COMPLAINT

Moore Printing Co.

THE 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 CLAUDE W. BILLIE AND EDITH F. BILLIE

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

CLAUDE W. BILLIE AND EDITH F. BILLIE, Defendant____

by

HOUSEHOLD FINANCE CORPORATION, Plaintiff____

Witness my hand this 3rd day of November 19 51.

_____, Clerk

Fairhope
JP Muffler

No. 1728 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

HOUSEHOLD FINANCE CORP

Plaintiffs

vs.

CLAUDE W. BILLIE AND

EDITH F. BILLIE

204 N. Summit Defendants

SUMMONS and COMPLAINT

Filed 11-3, 1951

Alvin Lemmon Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

Nov. 3, 1951

Taylor Wilson Sheriff

I have executed this summons

this Nov. 7, 1951

by leaving a copy with

Claude W. Billie

Edith F. Billie deceased

Taylor Wilson Sheriff

H. F. Hall Deputy Sheriff

ALMUR S. WHITING
ATTORNEY AND COUNSELOR AT LAW
SUITE 708-9 ANNEX FIRST NATIONAL BANK BUILDING
MOBILE 6, ALABAMA

TELEPHONES:
OFFICE: 2-3604
RESIDENCE: 6-6226

P. O. BOX 988

December 5, 1952.

Hon. Alice J. Duck,
Clerk of Circuit Court,
Bay Minette, Alabama.

Dear Madam:

Re: Case No. 1728
Household Finance Corporation vs. Claude Billie, et al.

Enclosed herewith please find original and copy of interrogatories propounded by the plaintiff to the defendants. Mr. Hubert Hall is the attorney for the defendants and should be served with a copy of the interrogatories.

Yours truly,

W.
enc.

ALMUR S. WHITING
ATTORNEY AND COUNSELOR AT LAW
SUITE 708-9 ANNEX FIRST NATIONAL BANK BUILDING
MOBILE 6, ALABAMA

TELEPHONES:
OFFICE: 2-3604
RESIDENCE: 6-6226

P. O. BOX 988

Nov. 2, 1951.

Hon. Alice Duck,
Circuit Clerk,
Bay Minette, Ala.

Dear Mrs. Duck:

Re: Household Finance Co. vs. Claude W. Billie and Edith F. Billie, Fairhope, Ala.

Please find complaint in the above matter, which kindly docket and procees through the Sheriff's office for service on the defendants.

I shall appreciate it if you would advise me when service has been perfected.

Yours truly,

ASW/e

20172-S

Household Finance Corp

vs.

Claude W. Billie
and Edith F. Billie

Promissory Note

Filed 11-3-51

C. Whitney