

PERRY COKER

PLAINTIFF

VS

E. W. HUTCHINS

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

CASE NO. 2747

STIPULATION

WHEREAS, in the above styled cause the said Plaintiff caused a summons and complaint to be filed against the Defendant along with an attachment on One Frushauf Tractor, Serial No. FW 67926, owned by the said Defendant; and


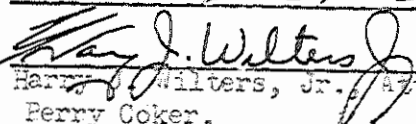
WHEREAS the said Defendant, by and through his attorney, has filed a general denial to each of the counts in the said Complaint and has made a demand for trial by jury; and

WHEREAS, the said Defendant is in need of obtaining possession of his tractor for business purposes and has requested that the Plaintiff agree to him making a lessor bond, with good and sufficient security, than is required by law. In consideration of the Plaintiff allowing the Defendant to make a lessor bond, he agrees to withdraw his demand for trial by jury and to allow the Plaintiff to take a judgment against him at the next regular monthly term of court to be held December 20, 1955. That said judgment is to be for the amount alleged in the complaint and court costs; and

WHEREAS, in consideration of the above agreement the Plaintiff, by and through his attorney, Harry J. Wilters Jr., agrees for the defendant to make a bond with good and sufficient security in the amount of \$1000.00. The Plaintiff also agrees for the execution of the judgment to be withheld for a period of ninety days from the date in which the said judgment is taken against the Defendant. The day for the taking of the judgment shall be December 20, 1955.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this

7 day of December, 1955.

 (SEAL)
 (SEAL)
Harry J. Wilters, Jr., Attorney for
Perry Coker,

The State of Alabama,
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we,

E. W. Hutchins and the undersigned

are held and firmly bound unto Perry Coker

in the sum of One Thousand (\$1000.00) DOLLARS,

for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators, jointly and severally. And for the payment of the above bond, we waive our right of exemption as to personal property, under the Constitution and Laws of the State of Alabama.

Sealed with our seals and dated this 7th day of December 19355

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas a Writ of Attach-

ment issued by Circuit Court of Baldwin County

at the suit of said Perry Coker against

the estate of the above named E. W. Hutchins and

returnable before the said next term of Circuit Court

as aforesaid, at his office on the _____ day of _____, 193____, for the

sum of One Thousand (\$1000.00) DOLLARS,

has been placed in the hands of Taylor Wilkins, Sheriff

in and for the said County, and has been levied by him upon the following property, to-wit:

One 1952 Fruehauf Trailer, Serial No. FW 57926

and whereas, the property has been delivered to the said _____

E. W. Hutchins

on his entering into this bond.

NOW, THEREFORE, If the Defendant shall fail in said action, he or his securities shall return the specific property attached and above mentioned to the said Sheriff, within ten days after judgment against said Defendant in this suit, then this obligation to be void, otherwise to remain in full force and effect.

Taken and approved this

7th

day of

Dec

, 19355

E. W. Hutchins (L. S.)

W. L. Thompson (L. S.)

Frank Middleton (L. S.)

BERRY JOHNS

PLAINTIFF

VS

E. W. HUTCHINS

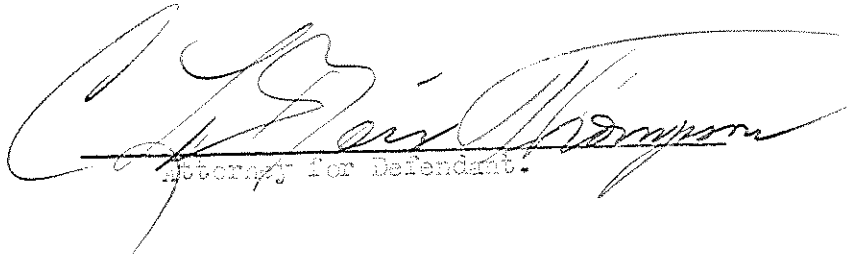
DEFENDANT

IN THE CIRCUIT COURT OF

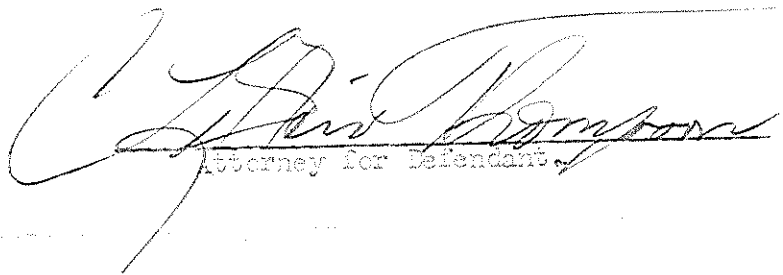
BALDWIN COUNTY, ALABAMA

AT LAW.

Comes the Defendant and denies the allegations of said complaint.


Attorney for Defendant.

Defendant demands trial by jury.


Attorney for Defendant.

ATTACHMENT

The State of Alabama, {
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Perry Coker

hath complained on oath to me, ALICE J. DUCK, Clerk of Circuit Court of Baldwin County, Ala., that

E. W. Hutchins

is justly indebted to the Plaintiff Perry Coker

in the sum of Five Hundred Forty Three and 06/100 Dollars, and

Perry Coker having made affidavit and given bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of

E. W. Hutchins, particularly One Fruehauf Tractor, Serial No. ~~46618~~ FW67926

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so
attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said
County, on 15th day Monday of November 1955
next; when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 15 day of October A. D., 1955.

Alice J. Duck Clerk.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons E. W. HUTCHINS to appear within thirty days from the service of this writ in the Circuit Court to be held for the said County at the place of holding the same, then and there to answer the complaint of PERRY COKER.

WITNESS my hand this 16 day of Oct, 1955.

Arice J. Vass
Clerk

PERRY COKER

PLAINTIFF

VS

E. W. HUTCHINS

DEFENDANT

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

1.

The Plaintiff claims of the Defendant FIVE HUNDRED FORTY THREE and 06/100 (\$543.06) DOLLARS due from him on account stated between Plaintiff and Defendant on the 1st day of October, 1955, which sum of money, with interest thereon, is due and unpaid.

Wiltors & Brantley

BY:

Robert M. Brantley
Attorneys for the Plaintiff

THE STATE OF ALABAMA }
 Baldwin County }

CIRCUIT COURT AT BAY MINETTE, ALA.

KNOW ALL MEN BY THESE PRESENTS, That We, Perry Coker & Lois RPhillips

, of the County of Baldwin

are held and firmly bound unto E. W. Hutchinsin the sum of One Thousand Eighty Six and 12/100 Dollars, tobe paid to the said E. W. Hutchins

heirs, executors, administrators, or assigns, for which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the 15 day of October, 1945

The Condition of this Obligation is such:

That whereas, the above bounden Perry Cokerhas, on the day of the date hereof, prayed an Attachment at the suit of Perry Cokeragainst the estate of above named E. W. Hutchinsfor the sum of Five Hundred Forty Three and 06/100 Dollars, and hath obtained the same, returnable to the Circuit Court of Baldwin County:Now, if the said Perry Coker

should prosecute said Attachment to effect, and pay the said Defendant all such damages as he may sustain by the wrongful or vexatious suing out said Attachment, then the above obligation to be void; otherwise to remain in full force and effect.

And we and each of us hereby waive all rights of claims of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama.

Signed, Sealed, and delivered the date above written.

Perry Coker (Seal)Lois R Phillips (Seal)

(Seal)

(Seal)

Approved, this 15 day of Oct, 1945W. J. ..., Clerk