

JOHN V. DUCK
ATTORNEY AT LAW
P. O. BOX Y
FAIRHOPE, ALABAMA 36532

August 28, 1967

Mrs. Alice J. Duck
Clerk of the Circuit Court
P. O. Box 239
Bay Minette, Alabama

Re: Freeman Equipment, Inc.
vs.
Horace J. Williams, dba
Sawmill River Lumber Co.
Civil Case No. 7332

Dear Mrs. Duck:

Please enter my withdrawal as attorney for the
Defendant in captioned case.

Sincerely,


John V. Duck

JVD:lh

cc: Honorable Wilson Hayes
Attorney for Plaintiff

FILED

AUG 30 1967

ALICE J. DUCK

CLERK
REGISTER

August 30, 1967

Mr. Horace J. Williams
d/b/a Sawmill River Lumber Co.
Route 2, Box 264
Daphne, Alabama

Dear Sir:

Re: Freeman Equipment Inc.
vs: Horace J. Williams, Ind. & d/b/a
Sawmill River Lumber Company

Your attorney has withdrawn his appearance in your case as
styled above and you are hereby notified that this case is set
down for trial on Friday, September 15, 1967.

Yours truly,

Clerk

AJL/b

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

BALDWIN

COUNTY

BALDWIN

COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, FREEMAN EQUIPMENT, INC.D. B. FREEMAN and C. C. BRANTLEY

, Principal, and

firmly bound unto HORACE J. WILLIAMS

, Sureties, are held and

administrators in the sum of FIFTY and no/100 (\$50.00)

Dollars, for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated the 8th day of December, 19 66The condition of the above obligation is such that whereas, the above bound FREEMAN EQUIPMENT, INC.has on the 8th day of December, 19 66 sued out a writ of detinue in the Circuit Court of BaldwinCounty, returnable to the said Circuit Court against the said Horace J.Williams

described property, to-wit: _____ for the recovery of the following

on John Deere, Model 2010-CCrawler-Bulldozer TractorSN 32727Now, if the said FREEMAN EQUIPMENT, INC.

shall fail in said suit

and shall pay to the said HORACE J. WILLIAMS, 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. FREEMAN EQUIPMENT, INC.Taken and approved this 6th day of BY: D B Freeman (SEAL)

PRESIDENT

January, 19 67D B Freeman (SEAL)

Clerk, Circuit Court

W B Hayes (SEAL)

STATE OF ALABAMA } IN THE CIRCUIT COURT OF
BALDWIN + COUNTY } BALDWIN COUNTY

Before me, Ruth K. Howell, a Notary Public in and for said County,
personally appeared Wilson Hayes who being by me
duly sworn deposes and says that the property sued for in the complaint of Freeman Equipment,
Inc. filed in said Court, to-wit:
One John Deere Model 2010-C Crawler-Bulldozer Tractor
Ser. #32727

belongs to Freeman Equipment, Inc., the plaintiff.

Sworn to and subscribed before me this 19TH
day of December, 19 66

Ruth K. Howell
Notary Public

STATE OF ALABAMA } IN THE CIRCUIT COURT OF
BALDWIN COUNTY } BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, Freeman Equipment, Inc.

_____, Principal, and
_____, Sureties, are held and
firmly bound unto Horace J. Williams d/b/a Sawmill, his heirs, executors and admin-
River Lumber Company
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 _____ day of December, 19 66

The condition of the above obligation is such that whereas, the above bound _____

Freeman Equipment, Inc. has on the _____ day of
December, 19 66 sued out a writ of detinue in the Circuit Court of Baldwin
County, returnable to the said Circuit Court against the said Horace J. Williams
d/b/a Sawmill River Lumber Company for the recovery of the following
described property, to-wit:

One John Deere Model 2010-C Crawler-Bulldozer Tractor
Ser. #32727

Now, if the said Freeman Equipment, Inc shall fail in said suit
and shall pay to the said Horace J. Williams d/b/a Sawmill River, the defendant in
Lumber Company
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 _____ day of _____ (SEAL)
December, 1966 (SEAL)
_____, (SEAL)
Clerk, Circuit Court

No. 2332

THE STATE OF ALABAMA

COUNTY

CIRCUIT COURT

Plaintiff

vs.

Defendant

Definue — Affidavit and Bond

Filed this _____ day of _____, 19____

Clerk

DETINUE — REPLEVY BOND OF PLAINTIFF

STATE OF ALABAMA }

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, FREEMAN EQUIPMENT, INC.

and DAVE FREEMAN

are held and firmly bound unto TAYLOR D. WILKINS

in the sum of TWENTY-THOUSAND and NO/100 (\$20,000.00) Dollars, for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this 16th day of Jan 1967

The condition of the above obligation is such that whereas the said FREEMAN EQUIPMENT, INC. did, on the _____ day

of _____ 19____ sue out of the CIRCUIT Court of BALDWIN COUNTY,

ALABAMA a writ of detinue directed to any Sheriff of the State of Alabama commanding him to take into his possession the following property, to-wit: _____

One John Deere Model 2010-C Crawler-Bulldozer

Tractor Ser. #32727

which said writ was placed in the hands of TAYLOR D. WILKINS,

Sheriff of Baldwin County, Alabama, on the 6 day of January, 1967,

and executed by him on the 6 day of January, 1967, by taking into his possession the following property, to-wit: _____

One John Deere Model 2010-C Crawler-Bulldozer

Tractor Ser. #32727

And whereas the said HORACE J. WILLIAMS

Defendant in said writ, has failed and neglected for 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 if the said FREEMAN EQUIPMENT, INC. upon his failing in said suit shall deliver the said property to the Defendant within thirty days after judgment and pay all 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.

FREEMAN EQUIPMENT, INC.

BY: [Signature]

DAVE FREEMAN

(SEAL)

[Signature]

DAVE FREEMAN

(SEAL)

(SEAL)

Taken and approved this 16 day of January, 1967

[Signature]
Sheriff, Baldwin County, Ala.

FREEMAN EQUIPMENT, INC.

Plaintiff,

vs.

HORACE J. WILLIAMS, individually)
and d/b/a SAWMILL RIVER LUMBER)
COMPANY,

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

NO. 7332

DEMURRER

Comes now the Defendant in the above styled cause, and demurs to the Bill of Complaint filed herein, and for grounds thereof says:

1. That said Bill of Complaint does not state a cause of action.
2. That said Bill of Complaint has a misjoinder of cause of action.


ATTORNEY FOR DEFENDANT

Defendant demands a trial by Jury.


ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 6th day of February 1967


Attorney for Defendant

FILED

FEB 6 1967

**CLERK
REGISTER**

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Horace J. Williams 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 Freeman Equipment, Inc. a corporation.

Witness my hand this the 6 day of January 1967 ~~December 1966~~.

Alice J. Clark
CLERK

FREEMAN EQUIPMENT, INC.
PLAINTIFF

VS

HORACE J. WILLIAMS INDIVIDUALLY
and d/b/a SAWMILL RIVER LUMBER
COMPANY

DEFENDANT

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 7332

.....
I

The Plaintiff claims of the Defendant the following personal property, to-wit:

One John Deere Model 2010-C Crawler-Bulldozer
Tractor Ser. #32727

with the value of the hire or use thereof during the detention, to-wit: from October 17, 1966 to July 28, 1966 and of the alternate value of \$10,000.00.

II

The Plaintiff claims of the Defendant the sum of FIVE-HUNDRED and NO/100 (\$500.00) DOLLARS, due by a promissory note made by him on the 28th day of March, 1966 and payable on the 28th day of May, 1966 with interest thereon.

The note contains provision for a reasonable Attorney's fee and waiver of exemption whereof Plaintiff claims benefit.

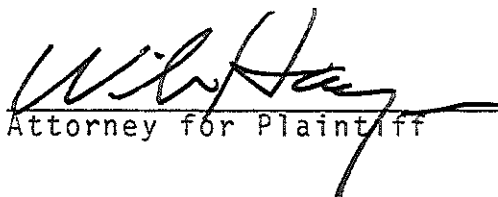
III

The Plaintiff claims of the Defendant the sum of FIVE-HUNDRED SIXTY-FIVE and NO/100 (\$565.00) DOLLARS, due by a promissory note made by him on the 28th day of March, 1966 and payable on the 28th day of July, 1966 with interest thereon.

The note contains provision for a reasonable Attorney's fee and waiver of exemption whereof Plaintiff claims benefit.

IV

The Plaintiff claims of Defendant the sum of TWO-HUNDRED SIXTY-TWO and FIVE/100 (\$262.00) DOLLARS, due from him by account on the 30th day of October, 1966 which sum of money with interest thereon, is still unpaid.


Attorney for Plaintiff

Defendant may be found
at Rt. 2 Box 264
~~Bay Minette, Alabama~~

Daphne.

1/8 mi. N. of U.S. 31 on
Busby Ichins Camp Rd. On
left in trailer. Bulldozer
is probably half-way
between Sp. Int + Crossroad
on 225 or on N. side
On Hwy 31 across road
from Shiner Den Sta.

FILED

JAN 6 1967

ALICE L. DUCK, CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

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 J. Duck
CLERK

FILED

JAN 6 1968

ALICE J. DUCK, CLERK
REGISTER

2332

Freeman Equipment
Inc.

P/H.

vs.

Horace J. William Ind.
& dlla. Sawmill River
Lumber Co. Dept.

We the Jury
find for the Plaintiff
in the amount of
\$5,627.07

Jordan

W. Hayes

Received to day of Jan 1961
of day of Jan 1961
Horace J. William

Horace J. William
James F. Felt
TAYLOR WILKINS STAFF
By Roy Randall

attached 1-John
Worce Model 2010-C
Crawler - Bulldozer
Motor Ser. # 32727
2.00 made bond
1/16/67 by Freeman
Equipment Co.
Wm. Freeman -
Property released
to Dwy

44 miles