

CAREY HARRIS

Plaintiff

vs

E. F. SLAY

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 8109

Comes the defendant in the above styled cause and appearing specially shows unto this Honorable Court as follows:

1. That the said defendant has a mechanics and materialmen's lien in the sum of \$198.81 against the said equipment.

2. That the said repairs were made and materials added to said skidder at the instance of James Shiver and Leroy Barron and that the said equipment was left on the premises of your said defendant pending payment of this said amount, affidavit as to a mechanic's lien having been filed in the Probate Court of Baldwin County and a copy attached to the original hereof.

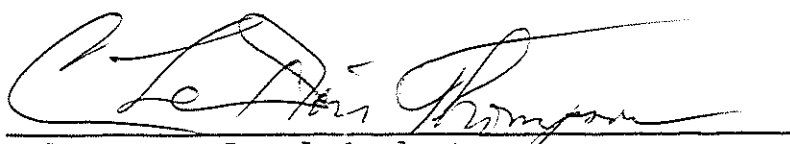
3. And for further answer to said Bill of Complaint, this said defendant further avers that prior to the filing of the Bill of Complaint in this cause, this said defendant made repairs to the blue Dodge skidder as alleged in the complaint hereto, said repairs being made at the instance of James Shiver and Leroy Barron claiming to own said property and this defendant avers he has been called upon to employ the services of an attorney for the purpose of protecting his interest and for the purpose of collecting the repairs aforesaid and that said expense should be a legal charge on the equipment, subject of this action.

Wherefore, your said defendant moves this Honorable Court that the said James Shiver and Leroy Barron be made parties to this detinue action and that said defendant's mechanic's lien be protected and held as a lien on the said equipment.

FILED

MAY 7 1968

ALICE J. DUCK CLERK
REGISTER


Attorney for defendant.

No. 8104

Cary Harris

vs.

F. F. Slay

Received 8 day of May 1968
and on 22 day of May 1968

I served a copy of the within Notice
on James Shiver ~~Barrow~~
~~Barrow~~
By service on James Shiver

TAYLOR WILKINS, Sheriff
By W. D. Tolbert D. S.
Reshida

Returned 22 day of May 1968
Not found in my county after diligent search and in-
quiry, as to Leroy Barrow
Taylor Wilkins, Sheriff
By Tolbert
Deputy Sheriff

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
FOR SERVING 1 PROCESS(ES) AND
TRAVEL EXPENSE ON EACH OF \$ 2.40
PROCESS(ES) OR A TOTAL OF \$ 4.10

FILED

MAY 7 1968

ALICE J. DUCK CLERK
REGISTER

c. L. J.

CAREY HARRIS

Plaintiff

vs

E. F. SLAY

Defendant

X

X

X

X

X

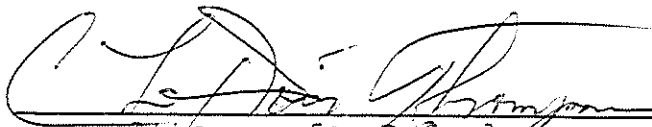
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8109

Comes the defendant in the above styled cause and inasmuch as a bill of interpleader is this day being filed together with a claim of a mechanic's lien in the sum of One Hundred Ninety-eight and 81/100 (\$198.81) Dollars, that this Honorable Court increase the bond requirement by the plaintiff herein or in the alternative, dismiss said attachment.


Attorney for Defendant

FILED

MAY 6 1968

ALICE J. DUCK

CLERK
REGISTER

CAREY HARRIS,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

E. F. SLAY,

X

AT LAW

NO. 8109

Defendant.

X

AFFIDAVIT

Before me, the undersigned authority, personally appeared Carey Harris, who after being by me first duly and legally sworn, did depose and say under oath as follows:

That the property sued for in the above styled cause belongs to me, the Plaintiff.

Carey Harris
Carey Harris

Sworn to and subscribed before

me this 29th day of April, 1968.

John Earle Chason
Notary Public, State of Alabama, At Large

FILED

APR 29 1968

ALICE J. DUCK CLERK
REGISTER

STATE OF ALABAMA

BOND

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, Carey Harris, as principal, and John Earle Chason as surety, are held and firmly bound unto E. F. Slay in the sum of Fifty Dollars (\$50.00), to be paid to the said E. F. Slay, his 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 and firmly, by these presents. Sealed with our seals, and dated this 28th day of April, in the year of our Lord, one thousand nine hundred and sixty-eight.

DETINUE

The condition of the above obligation is such, That whereas the above bound Carey Harris, on the day of the date hereof hath obtained at the suit of Carey Harris vs. E. F. Slay, a summons and complaint for the recovery of personal property in specie against said defendant and asks an endorsement by the Clerk of this Court "That the Sheriff is required to take the property mentioned in said complaint into his possession," as required by law in such cases, which summons and complaint are returnable to the next term of the Circuit Court of Baldwin County, Alabama for said County, and which said endorsement is made upon the Plaintiff entering into this bond.

Now, if the said Plaintiff shall fail in this suit, and shall pay the Defendant all such costs and damages as he may sustain by reason of the wrongful complaint in said case, then this obligation to be void, otherwise to remain in full force and effect.

Carey Harris
John Earle Chason

Approved this 29 day of April, 1968.

101

Alfred M. Muck
Clerk

~~100~~

FILED

APR 29 1968

ALICE J. DUCK

CLERK
REGISTER

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon E. F. Slay 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 same, then and there to answer the Complaint of Carey Harris.

Witness my hand this 29 day of April, 1968.

Alice J. Duck
Clerk

CAREY HARRIS,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

E. F. SLAY,

X

AT LAW

NO. 8109

Defendant.

X

The Plaintiff claims of the Defendant the following personal property, viz:

One blue Dodge "Loggers Dream",
with the value of the hire or use thereof during the detention,
viz: from the first day of September, 1967.

CHASON, STONE & CHASON

By:

John Earle Chason

FILED

APR 29 1968

102

ALICE J. DUCK

CLERK
REGISTER

Devinue
8109

CAREY HARRIS,

Plaintiff,

VS.

E. F. SLAY,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8109

* * * * *

SUMMONS AND COMPLAINT

* * * * *

Property may be attached at
Defendant's home on Phillippsville
Road.

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA

Received 29 day of April 1968
and on 1 day of May 1968
I served a copy of the within Devinue & C
on E. F. Slay

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Lelbert D. S.

10 miles north of Bay

attached one blue
Dodge "Loggins Dream

Stored at E. F. Slay

Neither party made
Bond. Property released
to Dept.

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$~~100.00~~

~~20 miles~~

TRAVEL EXPENSE ON EACH OF \$ 2.00

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. Luck Clerk

CAREY HARRIS

Plaintiff

vs

E. F. SLAY

Defendant

X

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 8109

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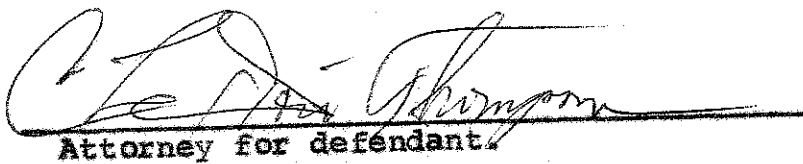
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FILED

MAY 7 1963

ALICE J. DICK CLERK
REGISTER


Attorney for defendant.

STATE OF ALABAMA

BALDWIN COUNTY

E. F. Slay files this statement in writing, verified by the oath of E. F. Slay who has personal knowledge of the facts herein set forth:

That said E. F. Slay claims a lien upon the following property, to-wit:

One blue Dodge "Loggers Dream" presently situate on the property of your said affiant near the community of Perdido in Baldwin County. The lien is claimed separately and severally for repairs, parts, labor and welding \$46.40; rings, gaskets, coil, spark plugs and oil \$41.41; 800 feet of cable \$111.00.

Said lien is claimed to secure the aforesaid indebtedness of \$198.81 with interest from to-wit, August 31, 1967.

The name or names of the owner or owners of said property being James Shiver and Leroy Barron.

E. F. Slay
claimant

Before me, C. D. Thompson a Notary Public, in and for the County of Baldwin, State of Alabama, personally appeared E. F. Slay, who being duly sworn, doth depose and say:

That he has personal knowledge of the facts set forth in the foregoing statement of lien, and that the same are true and correct to the best of his knowledge and belief.

E. F. Slay

Sworn to and subscribed before me this 4 day of April, 1968.

C. D. Thompson
Notary Public, Baldwin County, Alabama.