

STATE OF ALABAMA
Baldwin County

IN THE CIRCUIT COURT OF
Baldwin County

Before me, Wilson Hayes, a Notary Public in and for said County,
personally appeared C. J. Hogan who being by me
duly sworn deposes and says that the property sued for in the complaint of
Hogan's Home Furnishings, Inc., a Corporation filed in said Court, to-wit:
Speed Queen Washing Machine, Serial Number SX000284

belongs to Hogan's Home Furnishings, Inc., a Corporation, the plaintiff.

Sworn to and subscribed before me this 19th
day of January, 19 72
Wilson Hayes Notary Public

C. J. HOGAN

STATE OF ALABAMA
Baldwin County

IN THE CIRCUIT COURT OF
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we,
HOGAN'S HOME FURNISHINGS, INC., A CORPORATION, Principal, and
WILSON HAYES, Surities, are held and
firmly bound unto James D. Shiver, his heirs, executors and admin-
istrators in the sum of Fifty (\$50) Dollars,
for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated the _____ day of _____, 19____

The condition of the above obligation is such that whereas, the above bound Hogan's
Home Furnishings, Inc., a Corporation has on the _____ day of
_____, 19____ sued out a writ of detinue in the Circuit Court of _____
Baldwin County, Alabama for the recovery of the following
described property, to-wit:

Speed Queen Washing Machine, Serial Number SX000284

Now if the said Hogan's Home Furnishings, Inc., a Corp. shall fail in said suit
and shall pay to the said James D. Shiver, the defendant in
said suit, all such costs and damages he may sustain by the wrongful complaint, then this obligation to
be void, otherwise, to remain in full force and effect. HOGAN'S HOME FURNISHINGS, INC.

Taken and approved this 19 day of January, 19 72 By C. J. Hogan (SEAL)
James D. Blackman (SEAL)
Clerk, Circuit Court Wilson Hayes (SEAL)

No. _____

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

HOGAN'S HOME FURNISHINGS, INC.
A Corporation Plaintiff

VS.

JAMES D. SHIVER
Defendant

Detinue — Affidavit and Bond

Filed this _____ day of _____ 19____

Clerk

000000

DETINUE — REPLEVY BOND OF PLAINTIFF

STATE OF ALABAMA }
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, _____
Hogan's Home Furnishings, Inc., a Corporation
and C. J. Hogan
are held and firmly bound unto James D. Shiver
in the sum of Seven Hundred Fifty-two and 50/100 Dollars, for the payment of
which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and ad-
ministrators.

Sealed with our seals and dated this 2nd day of February 19 72

The condition of the above obligation is such that whereas the said _____
Hogan's Home Furnishings, Inc., a Corp. did, on the 19 day
of January 19 72 sue out of the Circuit Court of Baldwin
County 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: _____
Speed Queen Washing Machine, Serial Number SX000284

which said writ was placed in the hands of Taylor Wilkins
Sheriff of Baldwin County, Alabama, on the _____ day of _____, 19____,
and executed by him on the 26 day of Jan, 19 72, by taking into his
possession the following property, to-wit:

Speed Queen Washing Machine, Serial Number SX000284

And whereas the said James D. Shiver
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 Hogan's Home Furnishings, Inc., a Corp. 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.

HOGAN'S HOME FURNISHINGS, INC.

By: [Signature] (SEAL)
President
[Signature] (SEAL)
C. J. Hogan (SEAL)

Taken and approved this 4 day of Feb 19 72
[Signature]
Sheriff, Baldwin County, Ala.

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

February 2, 1972

• Mr. T. M. Byrd
Sheriff's Office
Baldwin County Court House
Bay Minette, Alabama 36507

Re: Hogan's v Shiver

• Dear Mr. Byrd:

Enclosed is the Replevy Bond of Plaintiff
in the above noted case.

With kind regards, I am

Yours very truly,


Wilson Hayes

mm
Enc.

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

February 29, 1972

Mrs. Eunice B. Blackmon, Clerk
Circuit Court, Baldwin County
Bay Minette, Alabama 36507

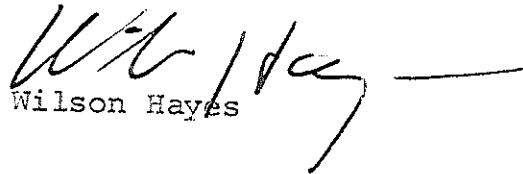
Re: Hogan's Home Furnishings Vs.
Shiver, #10,203

Dear Eunice:

Please file the enclosed motion to Strike
Jury Demand in the above noted case.

With kind regards, I am

Yours very truly,


Wilson Hayes

mm
Enc.

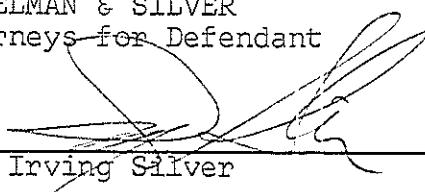
HOGAN'S HOME FURNISHINGS,)
INC., a corporation,)
Plaintiff,)
vs.)
JAMES D. SHIVER,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
CASE NO. 10,203

JURY DEMAND

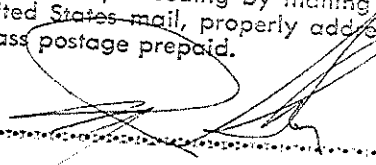
For the trial of this cause, Defendant respectfully demands a
trial by jury.

FEIBELMAN & SILVER
Attorneys for Defendant

By 
Irving Silver

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 25th
day of February, 1972, 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.


Eunice B. Blackmon

FILED

FEB 25 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

HOGAN'S HOME FURNISHINGS,
INC., a Corporation,

Plaintiff,

Vs.

JAMES D. SHIVER,

Defendant.

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

X

AT LAW

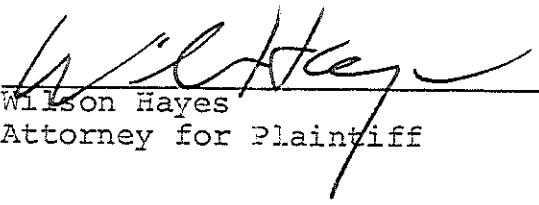
X

X

NUMBER: 10,203

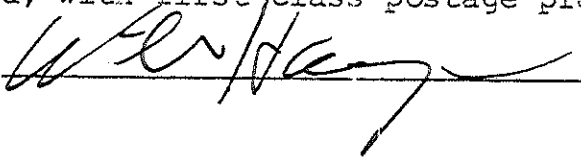
MOTION TO STRIKE JURY DEMAND

Comes now Plaintiff in the above styled cause and moves the court to strike the Defendant's demand for jury trial filed February 25, 1972 for that the same comes late, being not endorsed on the first pleadings of the appearance of the Defendant.


Wilson Hayes
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3rd day of March, 1972, 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, with first class postage prepaid.



FILED

MAR 7 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

HOGAN'S HOME FURNISHINGS,
INC., a Corporation,

Plaintiff,

Vs.

JAMES D. SHIVER,

Defendant.

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

X

AT LAW

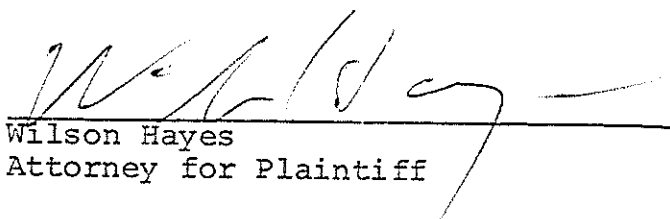
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NUMBER: 10,203

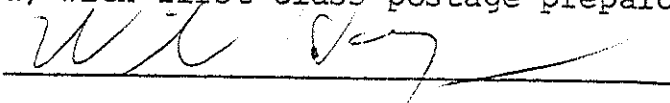
Comes now Plaintiff in the above styled cause and
moves to strike the motion to stay heretofore filed by Defendant
for that the said motion comes late and is therefore moot.

Respectfully moved.


Wilson Hayes
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 14 day of Feb,
1972, 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, with first class postage prepaid.



FILED

FEB 15 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

HOGAN'S HOME FURNISHINGS, INC., a Corporation)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	
vs.)	AT LAW
JAMES D. SHIVER,)	
Defendant.)	CASE NO. 10,203

MOTION TO STAY

Comes the Defendant in the above styled cause, by and through his attorney, Irving Silver, and shows unto this Honorable Court as follows:

That on, to-wit: the 1st day of February, 1972, the said Defendant filed a proceeding under the Bankruptcy Act as amended in the U. S. District Court for the Southern District of Alabama, Southern Division, Case No. 32,477; that his property and assets, both presently and in the future, are under the jurisdiction and control of said District Court.

WHEREFORE, said Defendant moves this Honorable Court to stay and hold in abeyance, all further matters in this proceeding.

FEIBELMAN & SILVER
Attorneys for Defendant

By 
Irving Silver

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3rd
day of February, 1972, 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.

FILED

FEB 7 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

2151 7 1934

day of February 1977, served a copy of the foregoing on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, and first class postage prepaid.

CERTIFICATE OF SERVICE

TRAVLING SILVER

As

~~FEIBELMAN & SILVER
Attorneys for Defendant~~

in advance, all further matters in this proceeding.

Comes the Defendant in the above styled cause, by and through his attorney, Irving Silver, and shows unto this Honorable Court as follows: That on, to-wit: the 1st day of February, 1972, the said Defendant filed a proceeding under the Bankruptcy Act as amended in the U. S. District Court for the Southern District of Alabama, Southern Division, Case No. 32,477; that his property and assets, both presently and in the future, are under the jurisdiction and control of said District Court. WHEREFORE, said Defendant moves this Honorable Court to stay and hold

NOTION TO STAY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
vs.
JAMES D. SHIVER,
Defendant.
CASE NO. 10,203

BAILEE'S RECEIPT

BAY MINETTE, ALA., January.....1972

The State of Alabama, {
Baldwin County

I hereby agree to take, care for and preserve as the Bailee of Taylor Wilkins
Sheriff of Baldwin County, Alabama, the following described personal property this day levied upon
under Writ of Fieri Facias, Attachment, Detinue, issued out of the Circuit Justice Civil Court of Baldwin
County, Alabama, in the above styled case, to-wit:

Speed Queen Washing Machine, Serial No. SX000284
Alternate Value of \$376.25

I further agree to deliver the above described personal property to the said.....Taylor Wilkins
....., Sheriff of Baldwin County, Alabama, upon his written order of demand.

Ralph S Hare....., Bailee.

Witness :

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

No. 10,203

19.....

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon

James D. Shiver

106 Mitchell Avenue

Bay Minette, Alabama

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

Hogan's Home Furnishings, Inc., a Corporation

Witness my hand this 19 day of Jan 1972

Eunice B. Blackmon Clerk

COMPLAINT

HOGAN'S HOME FURNISHINGS,

JAMES D. SHIVER

INC., a Corporation

Plaintiff...

Versus

Defendant...

The plaintiff... claims of the defendant the following personal property, to-wit:

Speed Queen Washing Machine, Serial Number SX000284

Alternate Value of \$376.25

with the value of the hire or use thereof during the detention, to-wit:

from December 1, 1971 19..... to January 19 1972..

The Plaintiff claims of the Defendant \$251.95 due from him by account on the 1st day of December, 1971 which sum of money, with the interest thereon, is still unpaid.

FILED

JAN 19 1972

EUNICE B. BLACKMON CIRCUIT CLERK

Wilson Hayes

Plaintiff's Attorney

No. 10,203

Page.....

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

HOGAN'S HOME FURNISHINGS, INC.

A Corporation

Plaintiff....

VS.

JAMES D. SHIVER

Defendant....

Detinue Summons and Complaint

Filed 19.....

FILED

Clerk

JAN 19 1972

EUNICE B. BLACKMON
CIRCUIT CLERK

Wilson Hayes

Plaintiff's Attorney

Defendant's Attorney

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.

Eunice B. Blackmon Clerk

Defendant lives at

Received in office

Jan. 19 1972
Taylor W. Wilkins Sheriff
I have executed this summons

this *Jan 26 1972*
by leaving a copy with

James D. Shiver
and attached
one Speed Queen
Washing Machine
Ser No SX00284

Stored at Hogan's
Furnishings Store

Taylor Wilkins Sheriff
W. A. Zeller Deputy Sheriff

Moore Printing Co. - Bay Minette, Ala.

3 miles West of Bay

VOL 69 PAGE 604

CONFIDENTIAL

WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

February 14, 1972

Mrs. Eunice B. Blackmon, Clerk
Circuit Court, Baldwin County
Bay Minette, Alabama 36507

Re: Hogan's Home Furnishings, Inc.
Vs. James D. Shiver, #10,203

Dear Mrs. Blackmon:

Please file the enclosed motion to strike
the motion to stay heretofore filed by Defendant.

With kind regards, I am

Yours very truly,


Wilson Hayes

WH/mm
Enc.