

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT - LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Sunliner Motor Homes, Inc. of 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 Page Chevrolet, Inc.

Witness my hand this 21 day of Sept., 1972.

Eunice B. Blackmon
Clerk

PAGE CHEVROLET, INC.,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
SUNLINER MOTOR HOMES, INC.	X	AT LAW
OF ALABAMA,	X	
Defendant.	X	NO. <u>10,614</u>

COUNT ONE

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

One (1) 1972 Chevrolet truck chassis Model No. PE31132 bearing Serial No. CPE372J164739, with the value of the hire or use thereof during the detention from the 31st day of August, 1972.

CHASON, STONE & CHASON

Defendant may be served at:
Highway 59 South
Steelwood, Alabama

BY: Charles C. Parton

EUNICE B. BLACKMON
CLERK

FILED

SEP 21 1972

Ex 9-29-72

RECEIVED

SEP 27 1972

TAYLOR WILKINS
SHERIFF

PAGE CHEVROLET, INC.

Plaintiff

VS.

SUNLINER MOTOR HOMES, INC.
OF ALABAMA,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 18614

FILED

SEP 21 1972

EUNICE B. BLACKMON
CIRCUIT CLERK

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

28
2.80
TAYLOR WILKINS, Sheriff
Brewer

Received 27 day of Sept. 1972
and on 29 day of Sept. 1972
I served copy of the within
on Sunliner Motor Homes

By service on H. Deming
TAYLOR WILKINS, Sheriff

H. J. Brewer
28 mi R T
Steelwood.

PAGE CHEVROLET, INC.,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

X

vs.

X

BALDWIN COUNTY, ALABAMA

SUNLINER MOTOR HOMES, INC.,
OF ALABAMA,

X

AT LAW

NO. 10,614

X

Defendant.

X

WRIT

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA:

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

FILED

SEP 28 1972

EUNICE B. BLACKMON CIRCUIT CLERK

NOTICE OF DETINUE

PAGE CHEVROLET, INC.

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

SUNLINER MOTOR HOMES, INC., OF ALABAMA

Defendant

AT LAW

TO: SUNLINER MOTOR HOMES, INC., OF ALABAMA,

You will take notice that an action at law styled Page Chevrolet, Inc

vs: Sunliner Motor Homes,

Inc., of Alabama, and being assigned Case No. _____

has been brought against you in the Circuit Court of Baldwin County, Alabama, at law, on the 21 day of September, 1972, seeking to recover the personal property described therein.

The Plaintiff has executed a detinue bond in the sum, with such surety and on such conditions as have been approved by the Clerk of this Court and has executed an affidavit that the property sued for belongs to the Plaintiff.

NOW, THEREFORE, the Plaintiff having complied with the requirements of Code of Alabama, Title 7, Section 918, et seq., you are hereby offered an opportunity to appear before the Circuit Court of Baldwin County, Alabama, September Oct. 4 1972, at 11.00 o'clock A. M., and show cause why the Sheriff of this County should not be required to take the property described in the complaint into his possession, all as provided for in the Code of Alabama, Title 7, Section 918. In the event you do not wish to appear and be heard in this cause, the Plaintiff will proceed with its action consistent with the Laws of this State.

It is further ordered by the Court that the Sheriff of this County shall forthwith serve a copy of this order on Sunliner Motor Homes, Inc., of Alabama and after serving them, show by endorsement hereon that he has done so and by what manner.

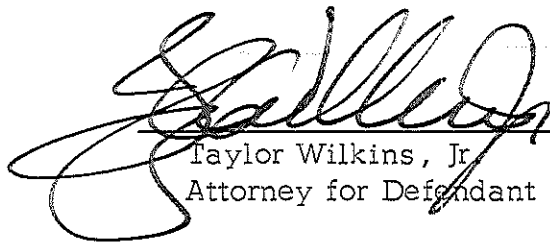
Eunice B. Blackmon
Eunice B. Blackmon, Circuit Clerk
Baldwin County, Alabama

PAGE CHEVROLET, INC. (IN THE CIRCUIT COURT OF
PLAINTIFF (BALDWIN COUNTY, ALABAMA
VS (AT LAW
SUNLINER MOTOR HOMES, INC. OF (
ALABAMA (
DEFENDANT (CASE NO: 10,614

DEMURRER

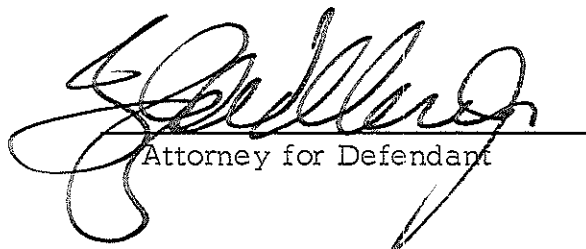
Comes now the Defendant, in the above styled cause, and files this demurrer to each and every count thereof in the Plaintiff bill of complaint and sets down and assigns the following grounds separately and severally:

1. Defendant alleges that the Plaintiff has failed to state a cause of action in said bill of complaint.


Taylor Wilkins, Jr.
Attorney for Defendant

I do hereby certify that I have on this day served a copy of the foregoing demurrer on Mr. Charles Parton, Attorney of record for the Plaintiff, by mailing the same in the United States Mail, properly addressed, postage prepaid.

DONE this 11 day of October, 1972.


Attorney for Defendant

FILED

OCT 12 1972

EUNICE B. BLACKMON CLERK

FILED

OCT 12 1972

EUNICE B. BLACKMON CLERK

NOTICE OF DETINUE

PAGE CHEVROLET, INC.

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

INC.

SUNLINER MOTOR HOMES/OF ALABAMA,

Defendant

AT LAW

TO: SUNLINER MOTOR HOMES, INC. OF ALABAMA

Case No. 10,614


You will take notice that an action at law styled PAGE CHEVROLET, INC. vs: SUNLINER MOTOR HOMES, INC
OF ALABAMA, and being assigned Case No. 10,614

has been brought against you in the Circuit Court of Baldwin County, Alabama,
at law, on the 21st day of September, 1972, seeking to recover the
personal property described therein.

The Plaintiff has executed a detinue bond in the sum, with such surety
and on such conditions as have been approved by the Clerk of this Court and has
executed an affidavit that the property sued for belongs to the Plaintiff.

NOW, THEREFORE, the Plaintiff having complied with the requirements of
Code of Alabama, Title 7, Section 918, et seq., you are hereby offered an
opportunity to appear before the Circuit Court of Baldwin County, Alabama,
September 28 1972, at 9:00 o'clock A. M.,
and show cause why the Sheriff of this County should not be required to take
the property described in the complaint into his possession, all as provided
for in the Code of Alabama, Title 7, Section 918. In the event you do not wish
to appear and be heard in this cause, the Plaintiff will proceed with its action
consistent with the Laws of this State.

It is further ordered by the Court that the Sheriff of this County shall
forthwith serve a copy of this order on Sunliner Motor Homes, Inc. of Alabama
and after serving them, show by endorsement hereon that he has done so and by
what manner.


Eunice B. Blackmon, Circuit Clerk
Baldwin County, Alabama

RECEIVED

SEP 22 1972

TAYLOR WILKINS
SHERIFF

Sheriff claims 25
Ten Cents per mile Total \$ 2.50
TAYLOR WILKINS, Sheriff
BY FMB
DEPUTY SHERIFF

Received 22 day of Sept. 1972
and on 22 day of Sept
I served copy of the within Det. of Detenue
on Sunliner Motor Homes

By service on JJ. McCarthy

TAYLOR WILKINS, Sheriff
By FMB D.S.

NOTICE OF DETINUE

PAGE CHEVROLET, INC.

IN THE CIRCUIT COURT OF

Plaintiff

vs:

BALDWIN COUNTY, ALABAMA

SUNLINER MOTOR HOMES, INC., OF ALABAMA

Defendant

AT LAW

TO: SUNLINER MOTOR HOMES, INC., OF ALABAMA,

You will take notice that an action at law styled Page Chevrolet, Inc

vs: Sunliner Motor Homes,

Inc., of Alabama

, and being assigned Case No. _____

has been brought against you in the Circuit Court of Baldwin County, Alabama, at law, on the 21 day of September, 1972, seeking to recover the personal property described therein.

The Plaintiff has executed a detinue bond in the sum, with such surety and on such conditions as have been approved by the Clerk of this Court and has executed an affidavit that the property sued for belongs to the Plaintiff.

NOW, THEREFORE, the Plaintiff having complied with the requirements of Code of Alabama, Title 7, Section 918, et seq., you are hereby offered an opportunity to appear before the Circuit Court of Baldwin County, Alabama, September October 4 1972, at 10:00 o'clock A. M., and show cause why the Sheriff of this County should not be required to take the property described in the complaint into his possession, all as provided for in the Code of Alabama, Title 7, Section 918. In the event you do not wish to appear and be heard in this cause, the Plaintiff will proceed with its action consistent with the Laws of this State.

It is further ordered by the Court that the Sheriff of this County shall forthwith serve a copy of this order on Sunliner Motor Homes, Inc., of Alabama and after serving them, show by endorsement hereon that he has done so and by what manner.



Eunice B. Blackmon, Circuit Clerk
Baldwin County, Alabama

Received 21 day of Sept. 1972
and on day of 19
I served a copy of the within Net. 7 Det.
on Sunliner Motor Homes
By service on Howard D. Dwyer
TAYLOR WILKINS, Sheriff
By D. S.

Sheriff claims miles on
Ten Cents per mile Total \$
TAYLOR WILKINS, Sheriff
BY DEPUTY SHERIFF

Steelhead

Returned w/o action by request of Atty.

PAGE CHEVROLET, INC.

VS:

SUNLINER MOTOR HOMES, INC. OF ALABAMA

CASE #10, 614

RECEIVED

SEP 21 1972

TAYLOR WILKINS

SHERIFF

State of Alabama }
FRANKLIN COUNTY }

IN THE CIRCUIT COURT OF
BALDWIN COUNTY

Before me, the undersigned _____, a Notary Public in and for said County, personally appeared J. M. Page _____ who being by me duly sworn deposes and says that the property sued for in the complaint of Page Chevrolet, Inc.

_____ filed in said Court, to-wit:
That he is President of said corporation and has personal knowledge of the facts and that Sunliner Motor Homes, Inc. of Alabama has in its possession the property sued for which belongs to Page Chevrolet, Inc. _____, the plaintiff.

Sworn to and subscribed before me this 12th day of September, 1972.

Mr. Jasper Phillips
Notary Public
My Commission Expires July 19, 1974

State of Alabama }
FRANKLIN COUNTY }

IN THE CIRCUIT COURT OF
BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, Page Chevrolet, Inc. _____, Principal, and the undersigned _____, Sureties, are held and firmly bound unto Sunliner Motor Homes, Inc. of Alabama, its successors, his heirs, executors and administrators in the sum of - ONE HUNDRED - - - - - Dollars, for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated the 15th day of September, 1972.

The condition of the above obligation is such that whereas, the above bound Page Chevrolet, Inc. _____ has on the _____ day of September, 1972 sued out a writ of detinue in the Circuit Court of Baldwin County, returnable to the said Circuit Court against the said Sunliner Motor Homes, Inc. of Alabama _____ for the recovery of the following described property, to-wit:
1972 Chevrolet Chassis Model No. PE 31132 bearing Serial No. CPE 372 J 164 739

Now, if the said Page Chevrolet, Inc. _____ shall fail in said suit and shall pay to the said Sunliner Motor Homes, Inc. of Alabama _____, 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. PAGE CHEVROLET, INC.

Taken and approved this 21st day of September, 1972

By, *J. M. Page* (SEAL)
Its President

UNITED STATES FIDELITY & GUARANTY COMPANY

Ernie D. Blackman
Clerk, Circuit Court

BY: *D. L. Huey III* (SEAL)
D. L. HUEY, III ATTORNEY-IN-FACT

PAGE CHEVROLET, INC.,

Plaintiff,

vs.

SUNLINER MOTOR HOMES, INC.,
OF ALABAMA,

Defendant..

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 10,614

WRIT

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA:

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

FILED

SEP 28 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

9/29/72
Mo. Property Guard
A. J. Brown.

10.614
Brown

Page Chevrolet, Inc.

Mo.

Sunliner Mobile

Homes, Inc. of Ala.

Writ of Detinue

RECEIVED

SEP 28 1972

TAYLOR WILKINS

FILED

SEP 28 1972

EUNICE B. BLACKMON
CLERK J

Chasem, Stone Chasem

Received 28 day of Sept 72
and on day of
I received a copy of the within Writ of Det.
on Sunliner Motor Homes
by service on
TAYLOR WILKINS, Sheriff

Sheriff claims
Ten Cents per mile Forat S.
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF

PAGE CHEVROLET, INC.,

Plaintiff,

vs.

SUNLINER MOTORS HOMES, INC.,
OF ALABAMA

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

10,614 LAW SIDE.

ORDER:

This cause coming on to be heard by the Court on the motion of the Plaintiff herein and notice to the Defendant, Sunliner Motors Homes, Inc., of Alabama, to appear before this Court and show cause why the Sheriff of this County should not be required to take the property described in the complaint filed in this cause into his possession, all as provided for in the Code of Alabama, Title 7, Section 918, and

It appearing to the satisfaction of this Court that service was obtained upon the said Defendant, Sunliner Motors Homes, Inc., of Alabama, alleged to have in its possession the property sued for, on September 21, 1972 and that the said Defendant did not appear in Court on this day, and the Court finding from the evidence produced at said hearing that there is reasonable cause for the issuance of detinue in this cause, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that said Clerk of the Circuit Court of Baldwin County, Alabama, be, and she is hereby authorized to issue a writ of detinue in this cause, directing the Sheriff of Baldwin County, Alabama, to take into his possession and under his control, the property sued for, subject to the Laws of the State of Alabama.

DONE this 28th day of September, 1972.

Jeffrey M. Marksbauer
Circuit Judge.

FILED

SEP 28 1972

EUNICE B. BLACKMON CIRCUIT CLERK

70 VOL

PAGE 345