

FORD MOTOR CREDIT
COMPANY, a corporation,

Plaintiff,

-VS-

CHARLES W. BAIN,

Defendant.

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

*

*

CASE NO. 5711

*

The Plaintiff claims of the Defendant the following personal property, viz: one 1962 Ford F-100 ½-ton pickup truck, six cylinder, Serial No. F10JK302867, with the value of the hire or use thereof during the detention, viz: from the 1st day of July, 1963.

DIAMOND, ENGEL & LATTOF
Attorneys for Plaintiff
610 Van Antwerp Building
Mobile, Alabama

BY: [Signature]

Member Appearing

DEFENDANT'S ADDRESS:

Foley, Alabama

FILED

SEP 17 1963

ALICE L. DUCK, CLERK
REGISTER

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed on

SEP 17 1963

and that no tax was collected. Recorded in

Book

Page

By

Judge of Probate

Detinue Summons and Complaint

The State of Alabama, }
Baldwin County

CIRCUIT COURT

No. 5711

19

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon Charles W. Bain

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

Ford Motor Credit Company, a corporation.

Witness my hand this 17th day of September 1963

246

Alice J. Luck, Clerk

COMPLAINT

Plaintiff

Versus

Defendant

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

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

from 19, to 19

Plaintiff's Attorney.

State of Alabama
Baldwin County

CIRCUIT COURT

FORD MOTOR CREDIT COMPANY, A corp.
Plaintiff

VS.

CHARLES W. BAIN,

Defendant

Detinue Summons and Complaint

Filed September 17, 1963

Alice J. Duck, Clerk

Diamond, Engel & Lattof
610 Van Antwerp Bldg
Mobile, Alabama

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.

Alice J. Duck, Clerk

Executed Sept. 18, 1963
By taking in possession
the within described
Property and storing
at Bilgoin Coast
Mobile, in delay
Pkg. made sent 9/27/63 by
Ford Motor Credit. Nat'l. Property
Corp. Property released to pkg.
Disposal
Carroll

Defendant lives at

Received in office

Sept. 17, 1963

Sheriff

I have executed this summons

this, 19

by leaving a copy with

Sheriff claims
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF
7.20 miles at

Sheriff

Deputy Sheriff

THE STATE OF ALABAMA,
Baldwin ~~Mobile~~ County

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, Ford Motor Credit Company,
a corporation, and National Surety Corporation

are held and firmly bound unto Charles W. Bain

his heirs, executors and administrators, in the

sum of Two Thousand and No/100 (\$2,000.00) Dollars, for
the payment of which, we bind ourselves, our and each of our heirs, executors, and administrators, jointly
and severally, firmly by these presents.

Sealed with our seals and dated this 16th day of September, A. D. 19 63.

The Condition of the above Obligation is such, That whereas the above bounden

Ford Motor Credit Company, has, on

the 16th day of September 19 63, sued out from the office of the

Baldwin

Clerk of the Circuit Court of ~~Mobile~~, in the State of Alabama, a Writ of Detinue, returnable to the present

Baldwin

term of said Circuit Court of ~~Mobile~~ against the said Charles W. Bain

for the recovery of the following property.

to-wit one 1962 Ford F-100 1/2 Ton, 6 cylinder pickup truck,
Serial No. F10JK302867

NOW, if the said Ford Motor Credit Company, a corporation, shall fail

in said suit, and shall pay to the said Charles W. Bain

the defendant in said writ all such costs and damages as he may sustain by the wrongful suing out of said
Writ of Detinue, then this obligation to be void, otherwise to remain in full force and benefit.

FORD MOTOR CREDIT COMPANY,

BY: George T. McClenahan (Seal)
George T. McClenahan, Collection Mgr.

NATIONAL SURETY CORPORATION (Seal)

BY: E. S. Jenkins (Seal)
Its Attorney in Fact

Approved
this 17 of Sept 1963
Arling J. Duck
Clerk

THE STATE OF ALABAMA,
Baldwin ~~Mobile~~ County

DETINUE AFFIDAVIT

the Undersigned notary public ~~Baldwin~~
PERSONALLY appeared before me, ~~John D. Maxwell, Clerk of the Circuit Court of Mobile County~~

George T. McClenahan,

who, being duly sworn deposes and says, that the property sued for in the complaint of
Ford Motor Credit Corporation, a corporation, vs Charles W. Bain
to-wit: one 1962 Ford F-100 1/2 Ton 6 cylinder pickup truck,
Serial #F10JK302867

belongs to Ford Motor Credit Corporation, a corporation, the said Plaintiff.

Sworn to and subscribed the 16th day
of September 1963, before me.
George T. McClenahan ~~XXXX~~

George T. McClenahan
Affiant

Notary Public, State of Alabama at Large
My Commission Expires March 8, 1965

No. _____

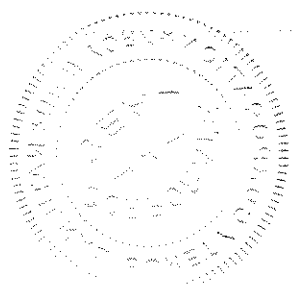
CIRCUIT COURT
BALDWIN ~~MOBILE~~ COUNTY

VS. } Detinue Affidavit
and Bond

Filed _____ day of _____ 19____

Clerk Circuit Court, ~~Mobile County~~
Baldwin County

Attorney



NATIONAL SURETY CORPORATION

A Member of The FUND Insurance Companies

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that NATIONAL SURETY CORPORATION, a Corporation duly organized and existing under the laws of the State of New York, and having its principal office in the City of New York, New York, and its home office in the City and County of San Francisco, California, (hereinafter called the Corporation), has made, constituted and appointed, and does by these presents make, constitute and appoint

D. E. LUDLOW, P. F. BEVILLE AND E. S. JENKINS
JOINTLY OR SEVERALLY

of MOBILE and State of ALABAMA
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings; provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed ONE MILLION (\$1,000,000.00) DOLLARS

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

IN WITNESS WHEREOF, NATIONAL SURETY CORPORATION has caused these presents to be signed by its Vice President, attested by its Assistant Secretary, and its corporate seal to be hereto affixed this 2nd day of November A.D., 19 62

NATIONAL SURETY CORPORATION

By C. A. KEPPLER

Vice President

[Seal]

ATTEST: H. L. JOHNSON
Assistant Secretary

STATE OF NEW YORK
COUNTY OF NEW YORK

ss.:

On this 2nd day of November A.D., 19 62, before me personally came C. A. KEPPLER, to me known, who, being by me duly sworn, did depose and say, that he is Vice President of NATIONAL SURETY CORPORATION, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order. And said C. A. KEPPLER further said that he is acquainted with H. L. JOHNSON and knows him to be an Assistant Secretary of said Corporation; and that he executed the above instrument.

GEORGE SCHULMAN

Notary Public

STATE OF NEW YORK
COUNTY OF NEW YORK

ss.:

I, H. L. JOHNSON, Assistant Secretary of NATIONAL SURETY CORPORATION, do hereby certify that the following is a full, true and correct copy of Article VIII of the By-laws of the NATIONAL SURETY CORPORATION adopted on the 25th day of October, 1955, and now in full force and effect, to wit:

ARTICLE VIII

Appointment and Authority of Resident Assistant Secretaries, and Attorneys-in-Fact and Agents to Accept Legal Process and Make Appearances.

"SECTION 30. APPOINTMENT. The President, any Vice President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

"SECTION 31. AUTHORITY. The authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of NATIONAL SURETY CORPORATION, this 2nd day of November, 19 62

H. L. JOHNSON

Assistant Secretary of

NATIONAL SURETY CORPORATION

[Corporate Seal]

STATE OF GEORGIA
COUNTY OF FULTON

ss.:

I, R. R. SWANSON, Resident Assistant Secretary of NATIONAL SURETY CORPORATION, a corporation of the State of New York, do hereby certify that the above and foregoing is a full, true and correct copy of the original power of attorney issued by said Corporation and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original. Said power of attorney is in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the City of ATLANTA, this 16th day of September, 1963

R. R. Swanson
Resident Assistant Secretary

STATE OF ALABAMA
County of Mobile

KNOW ALL MEN BY THESE PRESENTS, That we, FORD MOTOR CREDIT COMPANY, a
National Surety Corporation corporation,
as Principal, and xxx, as Sureties, are held and firmly bound
unto Charles W. Bain

in the sum of Two Thousand and No/100 (\$2,000.00) Dollars
for the payment of which well and truly to be made we, jointly and severally, bind ourselves and each of us, our
heirs, executors and administrators. Sealed with our seals and dated this 16th day
of September in the year of our Lord, one thousand, nine hundred and sixty-three.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said
Ford Motor Credit Company, a corporation,
did, on the 16th day of September, (1) 963, sue out in the Circuit Court
of Baldwin County, Alabama, a writ in detinue, direct to any Sheriff of the State of Alabama, commanding him
to take into his possession the following described property, to-wit:

One 1962 Ford F-100 1/2 Ton 6 cylinder pickup truck,
Serial #F10JK302867

which said writ was placed in the hands of Baldwin
Sheriff of the County of Mobile, on the _____ day of _____, 19____, by taking into his
possession the following described property, to-wit:

One 1962 Ford F-100 1/2 Ton 6 cylinder pickup truck,
Serial #F10JK302867

and whereas the said Charles W. Bain
defendant in said writ, has failed and neglected, the 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 is the said Ford Motor Credit Company, a corporation,

upon his failing in said suit, shall deliver the said property to the defendant within thirty days after judgment,
and pay 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.

FORD MOTOR CREDIT COMPANY,

BY: [Signature] (Seal)
Its Collection Manager

NATIONAL SURETY CORPORATION (Seal)

BY: [Signature] (Seal)
Its Attorney in Fact

Taken and approved this the 27 day of Sept, 1963

[Signature]
Sheriff, Mobile County, Alabama
Baldwin

NATIONAL SURETY CORPORATION

A Member of The FUND Insurance Companies

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that NATIONAL SURETY CORPORATION, a Corporation duly organized and existing under the laws of the State of New York, and having its principal office in the City of New York, New York, and its home office in the City and County of San Francisco, California, (hereinafter called the Corporation), has made, constituted and appointed, and does by these presents make, constitute and appoint

D. E. LUDLOW, P. F. BEVILLE AND E. S. JENKINS
JOINTLY OR SEVERALLY

of MOBILE and State of ALABAMA
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings; provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed ONE MILLION (\$1,000,000.00) DOLLARS.

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

IN WITNESS WHEREOF, NATIONAL SURETY CORPORATION has caused these presents to be signed by its Vice President, attested by its Assistant Secretary, and its corporate seal to be hereto affixed this 2nd day of November A.D., 19 62.

NATIONAL SURETY CORPORATION

By C. A. KEPPLER

Vice President

[Seal]

ATTEST: H. L. JOHNSON

Assistant Secretary

STATE OF NEW YORK
COUNTY OF NEW YORK

ss.:

On this 2nd day of November A.D., 19 62, before me personally came C. A. KEPPLER

, to me known, who, being by me duly sworn, did depose and say, that he is Vice President of NATIONAL SURETY CORPORATION, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order. And said C. A. KEPPLER

further said that he is acquainted with H. L. JOHNSON

and knows him to be an Assistant Secretary of said Corporation; and that he executed the above instrument.

GEORGE SCHULMAN

Notary Public

STATE OF NEW YORK
COUNTY OF NEW YORK

ss.:

I, H. L. JOHNSON

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of NATIONAL SURETY CORPORATION, this 2nd day of November, 19 62.

H. L. JOHNSON

Assistant Secretary of
NATIONAL SURETY CORPORATION

[Corporate Seal]

STATE OF GEORGIA
COUNTY OF FULTON

ss.:

I, R. R. SWANSON

, Resident Assistant Secretary of NATIONAL SURETY CORPORATION, a corporation of the State of New York, do hereby certify that the above and foregoing is a full, true and correct copy of the original power of attorney issued by said Corporation and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original. Said power of attorney is in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the City of ATLANTA, this 16th day of September, 1963.

R. R. Swanson
Resident Assistant Secretary