

ASSOCIATES DISCOUNT CORPORATION
a corporation,

Plaintiff

VS.

JOHN ASBELL,

Defendant.

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

* CASE NO. 5784

The Plaintiff claims of the Defendant the following
personal property, viz: One (1) 1960 Model Mack Tractor, Serial
No. G73LT1899, Motor No. NH 220278478, with the value of the hire
or use thereof during the detention, viz: from the 16th day of
June, 1963.

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

BY: 
Member Appearing

Defendant's address:

Causeway Truck Port
Mobile Bay Causeway

FILED

OCT 21 1963

ALICE J. DUCK, CLERK
REGISTER

State of Alabama

Baldwin County

CIRCUIT COURT

ASSOCIATES DISCOUNT CORPORATION

a corp

Plaintiff

VS.

JOHN ASBELL

Defendant

Detinue Summons and Complaint

Filed 10-21-63, 19__

Alice J. Duck, Clerk

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.

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY Fred Seibert
DEPUTY SHERIFF

Alice J. Duck, Clerk

*Executed this 21st
day of Oct., 1963,
by taking into my
possession ~~the~~ 1-1960
mag. tractor, serial
number ~~discarded~~
Property, # 1A/250278478
by John Asbell bond 10/28/63 by
Assoc. Disc. Corp. John Asbell Corp.
Property released Taylor Wilkins
to Plt. Sheriff
Sgt. Fred Seibert D.S.
(Cause No. 2)*

Defendant lives at

Received in office

Oct. 21, 1963

Taylor Wilkins, Sheriff

I have executed this summons

this _____, 19__

by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff

THE STATE OF ALABAMA,
Mobile County
Baldwin

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, Associates Discount Corporation,
a corporation, and National Surety Corporation

are held and firmly bound unto John Asbell

his

heirs, executors and administrators, in the

sum of Ten Thousand and No/100 (\$10,000.00) Dollars

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 21st day of October, A. D. 19 63

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

Associates Discount Corporation

has, on

the 21st day of October

19 63

, sued out from the office of the

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

term of said Circuit Court of Mobile against the said John Asbell

for the recovery of the following property.

to-wit One (1) 1960 Model Mack Diesel Tractor, Serial No. G 73L T 1899

Motor No. NH 220278478

NOW, if the said Associates Discount Corporation, a corporation shall fail

in said suit, and shall pay to the said John Asbell

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.

BY: [Signature] (Seal)
ASSOCIATES DISCOUNT CORPORATION
Its Office Manager

NATIONAL SURETY CORPORATION (Seal)

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

Approved
10-21-63
Alice Duck
Clerk
FILED
OCT 21 1963

ALICE I. DUCK, CLERK
REGISTER

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

DETINUE AFFIDAVIT

PERSONALLY appeared before me, ~~John F. Mandeville, Clerk of the Circuit Court of Mobile County~~
the undersigned notary public

John Asbell

who, being duly sworn deposes and says, that the property sued for in the complaint of

Associates Discount Corporation, a corporation, v. John Asbell

to-wit: One (1) 1960 Model Mack Diesel Tractor, Serial No. G 73L T 1899

Motor No. NH 220278478

belongs to Associates Discount Corporation, a corporation the said Plaintiff.

Sworn to and subscribed the 21st day
of October 1963, before me.

[Signature]
Affiant

NOTARY PUBLIC

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

No. _____

CIRCUIT COURT

~~MOBILE~~ COUNTY

BALDWIN

VS. } Detinue Affidavit
and Bond

Filed _____ day of _____ 19____

Clerk Circuit Court, ~~Mobile~~ County
Baldwin

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

[Seal]

By C. A. KEPPLER

Vice President

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 21st day of October, 1963.

R. R. Swanson
Resident Assistant Secretary