

The State of Alabama, }

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, _____

Albert T. Nix & Carl Nix

and _____

are held and firmly bound unto Carwin Fulkin the sum of One Thousand - - - - - Dollars, for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.Sealed with our seals and dated this 10 day of May, 1963

The condition of the above obligation is such that whereas the said _____

Albert T. Nix & Carl Nix did, on the 10 day of May, 1963 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:

One International Tractor, Model 300 Utility, Serial # 18872J,
Motor #40796

One Henry Backhoe Witte Telescopic Boom, 12" and 18" Buckets,

Model # C-10-H, Serial # 4608

One Henry Hydraulic Tractor Shovel, 1/2 yard bucket, Model # TS-7-F,
Serial #4093

which said writ was placed in the hands of Taylor Wilkins

Sheriff of Baldwin County, Alabama, on the 10 day of May, 1963,

and executed by him on the 21 day of May, 1963, by taking into his possession the following property, to-wit:

same as / above

And whereas the said Carwin Fulk

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 Albert T. Nix & Carl Nix 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.

Albert T. Nix By John P. Biddle
as Attorney of Record (SEAL)
Amos Garrett (SEAL)
Howard Brooker (SEAL)

Taken and approved this 30 day of May, 1963

Taylor Wilkins
 Sheriff, Baldwin County, Ala.

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

BALDWIN COUNTY

Before me, Gertrude M. Bankester, a Notary Public in and for said County, personally appeared John P. Beebe, as attorney for the Plaintiff, who being by me duly sworn deposes and says that the property sued for in the complaint of Albert T. Nix and Carl Nix, operating under the name and style of Nix Brothers, filed in said Court, to-wit:

One (1) International Tractor, Model 300 Utility, Serial No. 18872J, Motor No. 40796;
 One (1) Henry Backhoe Witte Telescopic Boom, 12" and 18" Buckets, Model No. C-10-H, Serial No. 4608; and
 One (1) Henry Hydraulic Tractor Shovel, 1/2 yard Bucket, Model No. TS-7-R, Serial No. 4093, which belongs to Nix Brothers, as aforesaid, the plaintiff.

John P. Beebe
 Attorney for the Plaintiff

Sworn to and subscribed before me this 10th

day of May, 19 63.

Gertrude M. Bankester
 Notary Public

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, Nix Brothers, Amos Garrett and Howard Brooks, Principal and Sureties,

~~Principal and~~ ~~Sureties~~ are held and firmly bound unto Carwin Fulk, his heirs, executors and admin-

istrators in the sum of TWO HUNDRED (\$200.00) Dollars, for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated the 10th day of May, 19 63

The condition of the above obligation is such that whereas, the above bound Nix Brothers,

as aforesaid, has on the 10th day of May, 19 63 sued out a writ of detinue in the Circuit Court of Baldwin

County, returnable to the said Circuit Court against the said

Carwin Fulk, for the recovery of the following described property, to-wit: One International Tractor, One Henry Backhoe Witte Telescopic Boom and One Henry Hydraulic Tractor Shovel,

Now, if the said Nix Brothers, as aforesaid, shall fail in said suit

and shall pay to the said Carwin Fulk, 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.

Taken and approved this 10 day of Amos Garrett (SEAL)

May, 19 63 Howard Brooks (SEAL)

Clifford Duck (SEAL)
 Clerk, Circuit Court

The State of Alabama, }
Baldwin County

CIRCUIT COURT
No. 53767

19__

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon CARWIN FULK

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 Albert T. Nix and Carl Nix, operating under the name and style of Nix Brothers,

Witness my hand this 10 day of May 1963

Rebecca J. Welch, Clerk

COMPLAINT

ALBERT T. NIX and CARL NIX, operating CARWIN FULK,
under the name and style of Nix Brothers,

Plaintiff COUNT ONE Versus Defendant

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

One (1) International Tractor, Model 300 Utility, Serial No. 18872J, Motor No. 40796;
One (1) Henry Backhoe Witte Telescopic Boom, 12" and 18" Buckets, Model No. C-10-H, Serial No. 4608; and
One (1) Henry Hydraulic Tractor Shovel, 1/2 yard Bucket, Model No. TS-7-F, Serial No. 4093,

with the value of the hire or use thereof during the detention, to-wit: From December 3rd, 1962, to date.

From XX XX XX

John P. Beale Plaintiff's Attorney.

State of Alabama

Baldwin County

CIRCUIT COURT

Albert T. Nix & Carl Nix

Plaintiff

VS.

Carwin Fulk

Defendant

Detinue Summons and Complaint

Filed _____, 19

FILED
MAY 10 1963
CLERK
REGISTER
ALICE L. DUCK

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 70 1/2 miles at
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

Alice L. Duck Clerk
Dick Ferguson
Shirley Service
Executed this 21st day
of May, 1963 by taking
the within described
property into my
possession. Bond made
5/31/63 by Pity Howard Brooks
Taylor Wilkins
Sheriff
By: Fred Leibert D.S.

Defendant lives at

Received in office

, 19

, Sheriff

I have executed this summons

this 5/21, 1963

by leaving a copy with

Carwin Fulk

Taylor Wilkins Sheriff

Leibert, Deputy Sheriff

Printed by Moore Printing Co.

I hope

COUNT TWO

5567

The Plaintiff claims of the Defendant the sum of SIX HUNDRED SEVENTY EIGHT & 39/100 (\$678.39) DOLLARS, balance due by promissory note made by him on the 16th day of October, 1956, in the original amount of THIRTY NINE HUNDRED SEVENTY THREE & 61/100 DOLLARS, payable in installments, the last payment thereon being made December 3rd, 1962, with interest thereon is still unpaid. The Plaintiff alleges that in and by the said note the Defendant agreed to pay all costs of collecting the same, by suit or otherwise, including a reasonable attorney's fee; and the Plaintiff claims of the Defendant the further and addition sum of ONE HUNDRED FIFTY & No/100 (\$150.00) DOLLARS, as a reasonable attorney's fee in the premises.