

HUNTINGTON DODGE, INC.
a corporation

Plaintiff

vs

MILES G. O'SULLIVAN

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO.

3937

The plaintiff claims of the defendant the following personal property,
viz.:

Dodge Pick-up Truck, Year Model 1963, Brown, Identification No.

1281253490, California tag E82531,

AND

Dodge automobile, Year Model 1963, Aqua, Identification No.

6335100582, California tag IWM249,

with the value of the hire or use thereof during the detention, viz. from
the 1 day of February, 1964.

Paul W. Brunson
Paul W. Brunson, attorney for plaintiff
64 S. Lafayette Street, Mobile, Alabama
Telephone - Mobile 477-0786

Address of defendant:

Elberta, Alabama

The State of Alabama,
Baldwin County

No. 5937

CIRCUIT COURT

19

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon Miles G. O'Sullivan

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
Huntington Dodge, Inc. a corp

Witness my hand this 24 day of February 19 64

486

Alvise J. Aluck, 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

HUNTINGTON DODGE, INC a corp

Plaintiff

VS.

MILES G. O'SULLIVAN

Defendant

Detinue Summons and Complaint

Filed 2-24, 1964

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.

Alice J. Duck, Clerk

Executed 14 Feb. 24, 1964
By Taking the within
described property
in possession &
storing

Sheriff claims 100 miles at
Ten Cents per mile Total \$ 10.00
TAYLOR WILKINS, Sheriff

BY *[Signature]*
DEPUTY SHERIFF
[Signature]

Defendant lives at

Received in office

2/24, 1964
[Signature] Sheriff

I have executed this summons

this 24, 1964

by leaving a copy with

[Signature]

deft. made bond for pickup.

2-24-64 Signed By: Miles

G.O'Sullivan, Cornelia O'Sullivan

J. S. Lane, Prop. released to Deft.

Pltf. made bond for dodge auto.

3-3-64 Signed By: Worthington,

Dodge, Inc. Paul W. Brunson, Atty-

in fact Fidelity & Deposit Co.

By: B.R. Wilson, Jr.

Property released to Pltf.

[Signature] Sheriff
[Signature] Deputy Sheriff

Printed by Moore Printing Co.

[Signature]

HUNTINGTON DODGE, INC.,)	IN THE CIRCUIT COURT OF
A Corporation,)	
)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	
)	AT LAW
Vs.)	
)	
MILES G. O'SULLIVAN,)	
)	Case No. 5937
Defendant.)	

WORTHINGTON DODGE, INC.,
A Corporation,

Plaintiff,

Vs.

MILES G. O'SULLIVAN,

Defendant.

)
)
)
)
)
)
)
)
)
)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Case No. 5937

One Dodge automobile, Year Model 1963, Identification No. 6375DD582, together with the value of the hire of use thereof during the detention, viz, from the 1st day of February, 1964.

Hon James A. Brice
Attorney At Law
Foley, Alabama

SEP 3 1964

ALICE A. DUCK, CLERK
REGISTER

STATE OF ALABAMA
County of Mobile

KNOW ALL MEN BY THESE PRESENTS. That we, Worthington Dodge, Inc., a corporation,
Fidelity and Deposit Company of Maryland,
as Principal, and ~~xxx~~, as Sureties, are held and firmly bound
unto Miles G. O'Sullivan

in the sum of Three Thousand and No/100 (\$3,000.00) 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 2 day
of March in the year of our Lord, one thousand, nine hundred and sixty-four

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said
Worthington Dodge, Inc.

did, on the 24 day of February, (1) 1964, 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:

Dodge automobile, Year Model 1963, Identification No. 6335100582,
California tag IWM249,

which said writ was placed in the hands of Taylor Wilkins,
Baldwin
Sheriff of the County of Mobile on the 24 day of February, 19 64, by taking into his
possession the following described property, to-wit:

Dodge automobile described above

and whereas the said Miles G. O'Sullivan
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 if the said Worthington Dodge, Inc.

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.

WORTHINGTON DODGE, INC.
by Paul W. Brunson (Seal)
Paul W. Brunson as attorney in fact
FIDELITY & DEPOSIT CO. OF MARYLAND (Seal)
by B. R. Thron (Seal)
Taken and approved this the 3rd day of March, 19 64
Taylor Wilkins
Sheriff, Mobile County, Alabama

The State of Alabama, {

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, Miles G. O'Sullivan,
as principal

and

are held and firmly bound unto Huntington Dodge, Inc., a corp.

in the sum of Four Thousand & NO/100 (\$4,000.00) 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 24th day of February 1964

The condition of the above obligation is such that whereas the said Huntington Dodge, Inc.

did, on the 24th day of February 1964 sue out of the Circuit Court of Baldwin County, Ala., a writ of detinue directed to any Sheriff of said State and commanding him to take into his possession the following property, to-wit:

Dodge Pick-up Truck, Year Model 1963, Identification No.

1281253490, California tag E82531

1281264597

which said writ was placed in the hands of Taylor Wilkins, Sheriff of Baldwin County, Alabama, on the 24 day of February, 1964, and executed by him on the 24 day of February, 1964, by taking into his possession the following property, to-wit:

Dodge Pick-up Truck, Year Model 1963, Identification No.

1281253490, California tag E82531

And whereas the above bound Miles G. O'Sullivan

Defendant in said suit, has, within five days from the execution of said writ, entered into and executed this bond as required by law and thereby obtained possession of said property seized under this writ.

Now if the said Miles G. O'Sullivan is cast in said suit and within thirty days after judgment deliver the property aforesaid to the Plaintiff and pay all costs and damages which may accrue from the detention thereof, then this obligation to be void, otherwise to remain in full force and effect.

Miles G. O'Sullivan (SEAL)

Cornelia O'Sullivan (SEAL)

V. J. S. Lanna (SEAL)

Taken and approved this 7 day of Feb 1964

Taylor Wilkins
Sheriff, Baldwin County, Ala.

HUNTINGTON DODGE, INC.	:	IN THE CIRCUIT COURT OF
a corporation	:	BALDWIN COUNTY, ALABAMA
Plaintiff	:	
vs	:	
MILES G. O'SULLIVAN	:	AT LAW
Defendant	:	NO. _____

Comes the plaintiff in the above styled cause and for the purpose of correcting a typographical error in the name of the plaintiff corporation amends the style of the suit to read as follows:

WORTHINGTON DODGE, INC.	:	IN THE CIRCUIT COURT OF
a corporation	:	BALDWIN COUNTY, ALABAMA
Plaintiff	:	
vs	:	
MILES G. O'SULLIVAN	:	AT LAW
Defendant	:	NO. <u>5937</u>

And the plaintiff retains all and singular the rest and remainder of the allegations as set forth in the original of this complaint.

Paul W. Brunson
Paul W. Brunson, attorney for plaintiff
64 S. Lafayette St., Mobile, Alabama
Telephone - Mobile 477-0786

FILED
FEB 26 1964
ALICE J. DUCK, CLERK
REGISTER

5937

Received 26 day of Feb 1907
and on 14 day of March 1907
I served a copy of the within Notice
on Miss O. Sullivan

By service on _____

TAYLOR WILKINS, Sheriff

Lillian

Sheriff claims 100 miles at

Ten Cents per mile Total \$ 10.00

TAYLOR WILKINS, Sheriff

BY

H. H. H. H.
DEPUTY SHERIFF

Huntington Dodge
vs.

Miss L. O. Sullivan

Pardueville
close to old C. C. Road

WORTHINGTON DODGE, INC.,
a Corporation,

Plaintiff,

VS.

MILES G. O'SULLIVAN,

Defendant.

IN THE

CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA. AT LAW.

NO. 5937

Judgment for the Plaintiff for the property sued for viz:

One Dodge Pick-up truck, year Model 1963, identification
No. 1281264597, Body Type ZB63PU, the

alternate value of said truck being ascertained to be \$1273.00

and

One Dodge Automobile, year Model 1963, identification
No. 6335100582.

The alternate value of said automobile being ascertained to be
\$1875.00; damages for the detention being assessed by the Court
at the sum of \$420.00 and all cost of this cause.

On suggestion of the Defendant the amount of the unpaid
balance of the purchase price of said property sued for hereby
is ascertained by the Court to be \$4425.46.

It is further ordered by the Court that, if the unpaid balance
of the purchase price as ascertained herein, interest and all
cost of this cause, be paid within 30 days, no execution or other
process shall issue on this judgment.

This the 4th day of September, 1964.

Joseph J. Mullins
Special Judge

FILED

SEP 4 1964

AUGUST DUCK, CLERK
REGISTER

495

Copy mailed to
Miles O'Sullivan
J.A. Brown (with 30) 9-11-64

THE STATE OF ALABAMA,
Mobile County

DETINUE AFFIDAVIT

PERSONALLY appeared before me, ^{Alice J. Duck}~~John B. Henderson~~, Clerk of the Circuit Court of ^{Baldwin}~~Mobile~~ County,
Paul W. Brunson, attorney at law.

who, being duly sworn deposes and says, that the property sued for in the complaint of
Huntington Dodge, Inc., a corporation vs. Miles G. O'Sullivan

to-wit:
Dodge Pick-up Truck, Year Model 1963, Brown, Identification No. 1281253490,
California tag E82531, AND Dodge automobile, Year Model 1963, Aqua, Identification
No. 6335100582, California tag IWM249,
belongs to Huntington Dodge, Inc., a corporation, the said Plaintiff.

Sworn to and subscribed the _____ day
of _____, 19____, before me.

Clerk.

Paul W. Brunson

No. _____

CIRCUIT COURT
MOBILE COUNTY

VS. } Detinue Affidavit
and Bond

Filed _____ day of _____ 19____

Clerk Circuit Court, Mobile County

Attorney



THE STATE OF ALABAMA,
Mobile County

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, Huntington Dodge, Inc., a corporation,
as principal, and Fidelity and Deposit Company of Maryland, as surety,

are held and firmly bound unto Miles G. O'Sullivan

his heirs, executors and administrators, in the
sum of Two Thousand and No/100 (\$2000.00) 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 24th day of February, A. D. 1964

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

Huntington Dodge, Inc. has, on
the 24 day of February 1964, 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 Miles G. O'Sullivan

for the recovery of the following property.

to-wit

Dodge Pick-up Truck, Year Model 1963, Brown, Identification No. 1281253490,

California tag E82531, AND

Dodge automobile, Year Model 1963, Aqua, Identification No. 6335100582,

California tag IWM249,

NOW, if the said Huntington Dodge, Inc. shall fail

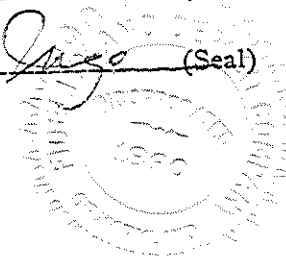
in said suit, and shall pay to the said Miles G. O'Sullivan
the defendant in said writ all such costs and damages as he may sustain by the wrongful suing out of said
Writ of Detinue, then this obligation to be void, otherwise to remain in full force and benefit.

by HUNTINGTON DODGE, INC.
Paul W. Brunson (Seal)
Paul W. Brunson as attorney in fact

FIDELITY & DEPOSIT CO. OF MARYLAND (Seal)

by Cliff C. Jago (Seal)

FILED
FEB 24 1964
ALICE I. DUCK, CLERK
REGISTER



HUNTINGTON DODGE, INC.
a corporation

PLAINTIFF

VS

MILES G. O'SULLIVAN

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, NO. 5937

ANSWER

Comes now the Defendant by his Attorney and for answer to
the complaint heretofore filed says:

1. Not guilty.
2. Indebtedness has been paid in full before the commence-
ment of this suit.


Attorney for Defendant

FILED

APR 2 1938

ALICE J. DUCK, CLERK
REGISTER

WORTHINGTON DODGE, INC.,)
A Corporation,)
Plaintiff,)
Vs)
MILES G. O'SULLIVAN,)
Defendant.)

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

Case No. 5937

(3 September 1964)

TO THE HON JOSEPH J. MULLINS, ACTING JUDGE OF SAID COURT:

Comes now the Plaintiff in above styled cause, and at the request of your Honor this date, submits the following "Pay-Off" balance due on the 1963 Dodge Automobile, after giving all proper credits and allowances:

Gross balance due as per Conditional Sales
Contract (Plaintiff's Exhibit #2)..... \$4,896.00

Net "Pay-Off" balance due as of
3 September, 1964..... 4,425.46

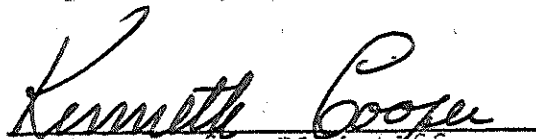
A breakdown on the rebate allowances of \$470.54 is shown
as follows:

Finance charge rebate..... \$258.14

Life, health and accident rebate 212.40

Although not asked for in your oral request of this date, the Plaintiff respectfully draws Your Honor's attention to the fact that above said "pay-off" figure does not include any costs for adjuster's fees, legal fees, storage fee or charges on the automobile (at \$1.00 per day for 180 days - since March 1st, 1964), nor bond premium costs for the forthcoming and detinue bonds, which cost \$50.00 on the automobile. If your Honor desires, the Plaintiff is ready to submit additional evidence on these matters.

Respectfully submitted,


Attorney for Plaintiff