

MIDLAND GUARDIAN COMPANIES) IN THE CIRCUIT COURT OF
a corporation)
Plaintiff) BALDWIN COUNTY,
VS) ALABAMA
AUBREY LONG) AT LAW
Defendant) CASE NO. 6732

Plaintiff claims of the defendant the following described
personal property, viz:

One (1) 1964 Model Armor 50 x 10 Housetrailer
Serial No. M-G-911

with the value of the use thereof during the detention, viz:

From, towit, June 1, 1965, said above described property
being the property of the plaintiff.


B. F. STOKES, III
Attorney for Plaintiff
P.O. Box 283 Mobile, Ala.

Serve Defendant c/o employment Still Motor Co., Bay Minette, Alabama
or at his residence Spanish Fort, Alabama.

FILED
OCT 14 1965
ALICE L. DUCK, CLERK
REGISTER

DETINUE SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

No. 6732

To Any Sheriff of the State of Alabama:

19

You Are Hereby Commanded to Summon Aubrey Long

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

Midland Guardian Companies, A Corp

Witness my hand this 14 day of October, 19 65

Beice J. ..., Clerk.

COMPLAINT

Plaintiff Versus Defendant

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

Complaint attached hereto

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

from 19 to 19

Plaintiff's Attorney.

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

CIRCUIT COURT

MIDLAND GUARDIAN COMPANIES, a corp

Plaintiff.

VS.

AUBREY LONG

Defendant.

DETINUE SUMMONS AND COMPLAINT

Filed 10-14, 19 65

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.

Defendant lives at

RECEIVED
Received in office

OCT 14 1965, 19__

TAYLOR WILKINS
SHERIFF Sheriff.

I have executed this summons

this Oct 15, 19 65

by leaving a copy with

Aubrey Long
attacked 1-1964 model
Armer 50x10 House trailer
Serial # M-B-911,
Pty. made bond
10/20/65 by Midland
Guardian Co. Fidelity
& Deposit Co. of Maryland
Property released to Pty.

Taylor Wilkins, Sheriff

Roy Randall, Deputy Sheriff

Ray Minette

265

STATE OF ALABAMA
County of ~~Mobile~~
Baldwin

KNOW ALL MEN BY THESE PRESENTS, That we, Midland Guardian Companies, a corporation
as Principal, and Fidelity & Deposit Co. of Maryland and _____, as Sureties, are held and firmly bound
unto Aubrey Long

in the sum of Six Thousand and no/100 (\$6,000.00) 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 18th day
of October in the year of our Lord, one thousand, nine hundred and sixty five

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said
Midland Guardian Companies
did, on the 18th day of October, (1) 965, 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 (1) 1964 Model Armor 50 x 10
Housetrailer Serial No. M-G-911

which said writ was placed in the hands of Taylor Wilkins
Sheriff of the County of Baldwin Mobile, on the 18th day of October, 19 65, by taking into his
possession the following described property, to-wit:

One (1) 1964 Model Armor 50 x 10
Housetrailer Serial No. M-G-911

and whereas the said Aubrey Long
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 Midland Guardian Companies

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.

Midland Guardian Companies, a corp.
By: [Signature] (Seal)
Fidelity & Deposit Co. of Maryland
By: [Signature] (Seal)
Attorney-in-Fact

Taken and approved this the 20th day of _____, 1965

[Signature]
Sheriff, Mobile County, Alabama

No. _____

Circuit _____ COURT

MOBILE COUNTY
~~MOBILE~~
Baldwin

Midland Guardian Companies

VS. { Detinue Forthcoming
Bond by Plaintiff

Aubrey Long

THE STATE OF ALABAMA }
MOBILE COUNTY.
BALDWIN

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, MIDLAND GUARDIAN COMPANIES,
a corporation, as Principal and Fidelity & Deposit Company of
Maryland, as Surety

are held and firmly bound unto Aubrey Long

his heirs, executors and administrators, in the
sum of Three Thousand and no/100 (\$3,000.00) 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 14th day of October, A. D. 19 65

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

Micland Guardian Companies, a corporation has, on

the 14th day of October 19 65, 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 Aubrey Long

for the recovery of the following property.

to-wit One (1) 1964 Model Armor 50 x 10
housetrailer Serial No. M-G-911

NOW, if the said Midland Guardian Companies shall fail

in said suit, and shall pay to the said Aubrey Long

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.

Midland Guardian Companies, a corp.
By: J. F. Stewart (Seal)

Fidelity & Deposit Company of Maryland

By: B. D. Whelan Jr. (Seal)
Atty-in-Fact

FILED

10-14 1965

ALICE J. DUCK, CLERK
REGISTER

Approved
9-14-65
Alice J. Duck
Clerk

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

DETINUE AFFIDAVIT

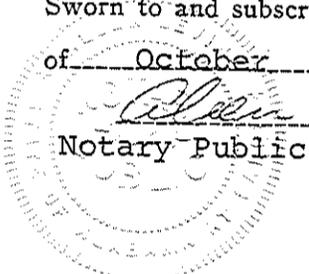
PERSONALLY appeared before me, Aleen Levine, Notary Public
~~John E. Mandeville, Clerk of the Circuit Court of Mobile County,~~
J. F. Stallworth

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

to-wit: One (1) 1964 Model Armor 50 x 10
housetrailer Serial No. M-G-911

belongs to Midland Guardian Companies the said Plaintiff.

Sworn to and subscribed the 14th day
of October, 1965, before me.



Aleen Levine Notary Public
~~Clark~~

J. F. Stallworth

No. 6732

CIRCUIT COURT
MOBILE COUNTY
BALDWIN

MIDLAND GUARDIAN COMPANIES
VS. } Detinue Affidavit
and Bond
AUBREY LONG

Filed 14 day of Oct 1965

Aleen Levine
Clerk Circuit Court, ~~MOBILE~~ County
Baldwin

J. F. Stallworth
P.O. Box 203
Mobile, Ala.
Attorney



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MIDLAND GUARDIAN COMPANIES

a corporation

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

~~MOBILE COUNTY~~

PLAINTIFF,

ALABAMA

-versus-

AT LAW

AUBREY LONG

DEFENDANT.

CASE NO. 6732

NON-MILITARY AFFIDAVIT

STATE OF ALABAMA)

~~COUNTY OF MOBILE~~

BALDWIN COUNTY

Now comes, B. F. STOKES, III,

who being first duly sworn, deposes and says that the defendant herein, AUBREY LONG,

was not at the time of the filing of this suit, and is not now in the Military or Naval Service of the United States.

The Defendant resides at SPANISH FORT, ALABAMA

B. F. Stokes, III

Sworn to and subscribed before me,
this 18th day of November, 1965.

Jean R. Cooper
~~CIRCUIT CLERK, MOBILE COUNTY, ALABAMA.~~

NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

FILED _____

_____, Clerk.

FILED

NOV 19 1965

MADE I. DICK, CLERK REGISTER

CONDITIONAL SALE CONTRACT (Alabama)

_____ (City) _____ (State) March 3, 1965
 _____ (hereinafter called Purchaser) hereby orders and agrees to purchase, and _____ (hereinafter called Seller) hereby sells, subject to the terms and conditions herein set forth, the following described property, (vehicle) complete with attachments and equipment, delivery and acceptance of which, in its present condition and after careful inspection, is hereby acknowledged by purchaser, viz:

STATEMENT OF TRANSACTION

| New or Used | Year Model | Make Trade Name | Description of Body | Model Letter or Number | Manufacturer's Serial No. |
|-------------|------------|-----------------|---------------------|------------------------|---------------------------|
| ONE TRAILER | 1964 | Arman | | | M-3-011 |

kept at the following address: Little-Long of garden station
 _____ (City) _____ (State)
 Purchaser's residence or business address _____ (City) _____ (State)

THE PRICE IS \$ 512.00, LESS TOTAL DOWN PAYMENT OF \$ 0.00, LEAVING A TOTAL TIME BALANCE OF \$ 512.22, PAYABLE IN INSTALMENTS OF \$ 20.38 ON THE SAME DAY OF EACH SUCCESSIVE MONTH COMMENCING March 15th, 1965, THE FINAL INSTALMENT TO EQUAL THE AMOUNT REMAINING DUE, AND EVIDENCED BY PROMISSORY NOTE OF EVEN DATE BEARING INTEREST ON INSTALMENTS AFTER MATURITY AT THE HIGHEST LAWFUL RATE, ATTACHMENT OF WHICH NOTE IS HEREBY AUTHORIZED.

TITLE TO THE PROPERTY IS RETAINED BY SELLER UNTIL SAID TIME BALANCE IS PAID IN FULL WHEN TITLE SHALL PASS TO PURCHASER.

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed and the following tax collected on

MAR 12 1965

Deed \$ 512.00 Mort. \$ 1.80 Recorded in 817
 Book 477
 Page 16 Harry D'olive
 Judge of Probate
 By AS

→ James O. Harrell
 (Original Purchaser)
 → Shirley L. Daniel
 (Original Co-Purchaser)

Paul Long
 (Seal) Purchaser and Co-Purchaser

BOOK 477 PAGE 16

| | | |
|----------------------------|---|-------------------------|
| MIDLAND GUARDIAN COMPANIES |) | IN THE CIRCUIT COURT OF |
| a corporation, |) | BALDWIN COUNTY, |
| Plaintiff |) | ALABAMA |
| VS |) | AT LAW |
| AUBREY LONG |) | |
| DEFENDANT |) | CASE NO. 6732 |

MOTION FOR JUDGMENT BY DEFAULT

Comes now the plaintiff in the above styled cause and shows unto the court that on October 15, 1965, the defendant was served with the complaint and summons in the above case and that the defendant has defaulted in that he has not filed an answer or other pleading to said complaint.

WHEREFORE, plaintiff moves the court for judgment by default.

B. F. Holbert

ATTORNEY FOR PLAINTIFF

FILED
 NOV 19 1965
 ALICE L. DUCK, CLERK
 REGISTER

GIBBONS & STOKES

ATTORNEYS AT LAW
201 AMERICAN NATIONAL BANK BUILDING
BIENVILLE OFFICE
MOBILE, ALABAMA
TELEPHONE 433-2611

E. GRAHAM GIBBONS
B. F. STOKES, III

MAILING ADDRESS
P. O. BOX 293
MOBILE, ALABAMA, 36601

November 18, 1965

Mrs. Alice J. Duck, Clerk
Circuit Court
Baldwin County Alabama
Bay Minette, Alabama

RE: Midland Guardian Companies vs Aubrey Long,
#6732

Dear Mrs. Duck:

More than 30 days have expired since the defendant was served in the above case. Therefore, I am enclosing a motion for judgment by default. I also enclose a non military affidavit. Finally, I enclose the applicable conditional sales contract, which the plaintiff hereby offers in evidence. Also, the plaintiff waives the damages for the detention of the property.

I would appreciate it if you would present this to Judge Mashburn with a request for judgment by default and if anything further is needed, please advise by telephone call, reversing the charges. Also, I would appreciate your kindness in advising when and if the judgment is entered and please send me a bill of costs.

Sincerely yours,


B. F. Stokes, III

BFS:l
Encl: As indicated above