

CHARLES A. SULLINS
CHARLES C. KING

SULLINS & KING
ATTORNEYS AT LAW
206 RANDOLPH AVENUE S. E.
SUITE 211, STRUVE BUILDING
HUNTSVILLE, ALABAMA 35801

TELEPHONE 539-9571
AREA CODE 205

February 22, 1967

IN REPLY REFER TO:

Cler, Circuit Court of Baldwin County
Baldwin County Court House
Bay Minette, Alabama

Gentlemen:

Please file the enclosed complaint. Return a copy
to me in the enclosed envelope showing the date filed and
the case number.

Thanking you for your consideration.

Most cordially,

Charles A. Sullins

Charles A. Sullins

CAS:pmm
Ecn.

February 24, 1967

Sullins & King
Attorneys at Law
Suite 211-214 Struve Building
Huntsville, Alabama 35801

Gentlemen:

Re: Bill Brooks, Inc. & Bill Brooks
Ind.
vs: James W. Howell
Case No. 7392

You will find enclosed your bond for the detinue suit in the above styled cause. I have checked in the Tax Assessor's Office and do not find any property for Mr. Bill Brooks in this county; therefore, your bond will have to be approved by the Circuit Clerk in your County, mail back to me and I will approve same, then we will issue your Bill for Detinue.

Yours very truly,

Circuit Clerk of Baldwin County,
Alabama

AJD/eb

Enclosure

October 30, 1967

Sullins & King
Attorneys at Law
Huntsville, Alabama

Re: Bill Brooks, Inc. & Bill Brooks, Ind.
vs: James W. Howell, Case No. 7392

Gentlemen:

The above styled cause has not been dismissed.

Very truly yours,

Circuit Clerk

AJD/eb

BILL BROOKS, INC., and BILL BROOKS,
INDIVIDUALLY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

PLAINTIFF

vs.

JAMES W. HOWELL

DEFENDANT

IN EQUITY, NO. 7392

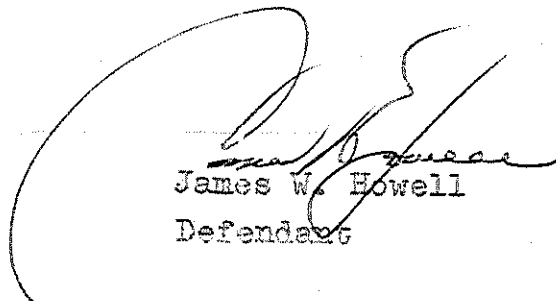
Comes the Defendant in the above styled cause and
demurs to the Complainant's complaint and to each count
thereof separately and assigns the following grounds of
demurrer:

I

The Complainant fails to state a cause of action.

II

The Complainant fails to show that demand has been made
upon the Defendant for the personal property listed in the
complaint.


James W. Howell
Defendant

after copy

CHARLES A. SULLINS
CHARLES C. KING

SULLINS & KING
ATTORNEYS AT LAW
206 RANDOLPH AVENUE S. E.
SUITE 211, STRUVE BUILDING
HUNTSVILLE, ALABAMA 35801

TELEPHONE 539-9571
AREA CODE 205

March 6, 1967

IN REPLY REFER TO:

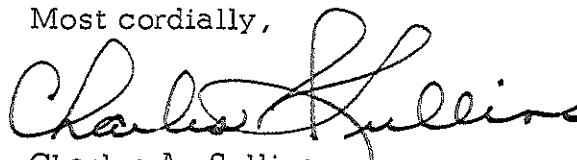
Ms. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Bay Minette, Alabama

Re: Bill Brooks, Inc., and Bill
Brooks, Individually
vs.
James W. Howell
Case No. 7392

Dear Ms. Duck:

I have enclosed the detinue bond and affidavit with
the approval of the Circuit Clerk of Madison County shown
on the face of the bond.

Most cordially,


Charles A. Sullins

CAS:pmm
Enc.

BILL BROOKS, INC., and BILL BROOKS,
INDIVIDUALLY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

PLAINTIFF

vs.

JAMES W. HOWELL

DEFENDANT

IN EQUITY, NO. 7392

Comes the Defendant in the above styled cause and demurs to the Complainant's complaint and to each count thereof separately and assigns the following grounds of demurrer:

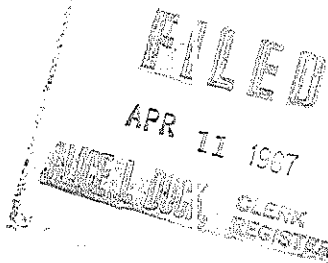
I

The Complainant fails to state a cause of action.

II

The Complainant fails to show that demand has been made upon the Defendant for the personal property listed in the complaint.


James W. Howell
Defendant



The State of Alabama,

CIRCUIT

COURT.

BALDWIN

COUNTY.

Term, 191

KNOW ALL MEN BY THESE PRESENTS:

That ~~xxx~~ I, James W. Howell
 is
~~xxx~~ held and firmly bound unto BILL BROOKS, INC. and BILL BROOKS, individually
 in the sum of Eight Hundred (\$800.00) Dollars.
 I myself, my
 for which payment, well and truly to be made, ~~we~~ bind ourselves, our heirs, executors and administrators,
 jointly and severally, firmly by these presents.

Sealed with our seals and dated, this 11th day of March 1967

The Condition of the above Obligation is Such, That whereas the said Bill Brooks, Inc. and
 Bill Brooks, individually, did on the 24th day
 of February 1967, sue out of the Baldwin County Circuit
 Court of said County a writ in detinue, directed to any Sheriff of the State of Alabama, and commanding
 him to take into his possession the following property, sued for in action of detinue, to wit:

One G.E. Automatic Washer

One Anana Deep Freezer

One G. E. Dryer

Three Bedrm. Suites (3 pc. each)

One T. V. Philco

One G. E. Refrigerator

One T. V. Zenith

One 1954 Chrysler 4-dr. auto-
mobile, Motor No. 7272696

which said writ was placed in the hands of Taylor Wilkins

Sheriff of the County of Baldwin, on the 7th day

of March 1967, and executed by him on the 7th day of

March 1967, by taking into his possession the aforescribed
 personal property

and whereas the above bound James W. Howell

has within five days from the execution of said writ entered into this bond as required by law, and hereby
 obtain possession of said property.

Now, if the said James W. Howell shall well and truly, within
thirty days after the determination of said suit, if the said James W. Howell
be cast in said suit, deliver the property replevied, and also pay all the costs and such damages for detention
as may accrue from said detention, then this obligation to be void, otherwise to remain in full force and effect.
And we, and each of us, hereby waive all rights of claim of exemption we or either of us have now, or may
hereafter have, under the Constitution and Laws of Alabama, and I hereby severally certify that
I have property free from all encumbrance to the full amount of the above bond.

Witness our hands and seals, this 11th day of March 1967

Taken and approved,

James W. Howell (L.S.)

(L.S.)

1967

Dequinta B. Coe (L.S.)

James W. Howell
Sheriff.

(L.S.)

672

No.

The State of Alabama,

COUNTY.

COURT.

SHERIFF'S OFFICE.

vs. Plaintiff.

Defendant.

DETINUE REPLEVIN BOND, DEFENDANT,

Filed 191

Sheriff.

Sheriff's Execution Docket, page

STATE OF ALABAMA

IN THE CIRCUIT COURT

BALDWIN COUNTY

OF BALDWIN COUNTY

Before me, Charles C. King, a Notary Public in and for said County, personally appeared Bill Brooks, who being by me duly sworn deposes and says that the property sued for in the complaint of Bill Brooks, Inc., and Bill Brooks, individually, filed in said court, to-wit:

One G. E. automatic washer	One Amana deep freezer
One G. E. dryer	Three bedroom suites (3 pieces each)
One T. V. (Philco)	One G. E. refrigerator
One T. V. (Zenith)	One 1954 Chrysler 4-door automobile, Motor No. 7272696

belongs to Bill Brooks, Inc., and Bill Brooks, individually, the Plaintiff.

Sworn to and subscribed before me this 9th day of February, 1967.

Bill Brooks
Bill Brooks

Charles C. King
NOTARY PUBLIC

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that we, Bill Brooks, Inc., and Bill Brooks, individually, Principal, and Charles A. Sullins, Sureties, are held and firmly bound unto James W. Howell, his heirs, executors and administrators in the sum of Fifty and no/100 (\$50.00) Dollars, for the payment of which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated the 9 day of February, 1967.

The condition of the above obligation is such that whereas, the above bound Bill Brooks, Inc., and Bill Brooks, individually, has on the 9 day February, 1967, sued out a writ of detinue in the Circuit Court of Baldwin County, returnable to the said Circuit Court against the said James W. Howell for the recovery of the following described property, to-wit:

One G. E. automatic dryer	One Amana deep freezer
One G. E. dryer	Three bedroom suites (3 pieces each)
One T. V. (Philco)	One G. E. refrigerator
One T. V. (Zenith)	One 1954 Chrysler 4-door automobile Motor No. 7272696

Now, if the said Bill Brooks, Inc., and Bill Brooks, individually, shall fail in said suit and shall pay to the said James W. Howell, 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 9 day of February 1967.

Bill Brooks
Bill Brooks, individually and as agent of Bill Brooks, Inc.

Sarah J. Daves
CLERK, CIRCUIT COURT

Charles A. Sullins
Charles A. Sullins

FILED

MAR 7 1967

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ALICE L. DICK, CLERK
REGISTER

THIS IS TO CERTIFY THAT THIS IS A GOOD AND SUFFICIENT BOND AND IF PRESENTED TO ME IN THIS COUNTY, WOULD ACCEPT SAME.
THIS 6th DAY OF March, 1967.

SARAH J. DAVES, CLERK, CIRCUIT COURT OF MADISON COUNTY, ALABAMA

BILL BROOKS, INC., and
BILL BROOKS, individually
Plaintiff
VS.
JAMES W. HOWELL
Defendant

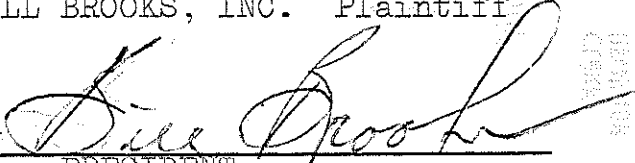
In the Circuit Court of
Baldwin County, Alabama
Case No. 7392

Comes the Plaintiff, BILL BROOKS, INC., and BILL
BROOKS, individually, in the above styled cause, and
moves this honorable court that the complaint heretofore
filed in this cause be dismissed on motion of the
Plaintiff.

Cost of court in this cause to be assessed against
the defendant.

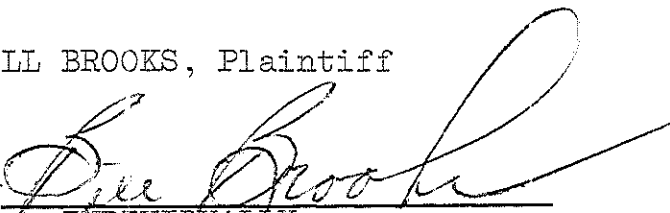
BILL BROOKS, INC. Plaintiff

By


PRESIDENT

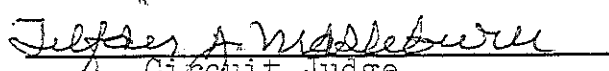
BILL BROOKS, Plaintiff

By


INDIVIDUALLY

ORDER

Comes the Plaintiff in the above styled cause and
moves that the same be dismissed and upon consideration
of the same it is ordered and adjudged by the court
that this cause be and the same is hereby dismissed,
Plaintiff the cost in this behalf expended, for which
let execution issue. This 29th day of December,
1967.


Circuit Judge

STATE OF ALABAMA

IN THE CIRCUIT COURT

#7392

BALDWIN COUNTY

To Any Sheriff of the State of Alabama--Greetings:

You are hereby commanded to summon James W. Howell, Foley, Alabama, to appear within thirty (30) days from the service of this writ, in the Circuit Court of said county, at the place of holding same, then and there to plead, answer, or demur to the complaint of Bill Brooks Inc., and Bill Brooks, individually.

Witness my hand this 24 day of February, 1967.

Clarence J. Duck
CLERK

BILL BROOKS, INC., and BILL BROOKS, individually PLAINTIFF

VS.

JAMES W. HOWELL DEFENDANT

COMPLAINT

COUNT ONE. The Plaintiff claims of the Defendant the following personal property, viz:

<i>Not Found</i> - One G. E automatic washer	One Amana deep freezer - 50.00
One G. E. dryer 75.00	Three bedroom suites (3 pc. each) 150.00
<i>Not Found</i> - One T. V. Philco	One G. E. refrigerator - 25.00
<i>This is a General Electric instead of a Zenith</i> - One T. V. Zenith 25.00	One 1954 Chrysler 4-dr.
	automobile, Motor No. 7272696 - 75.00

with the value of the hire or use thereof during the detention, viz., from the 10th day of March 1964.

COUNT TWO. Plaintiff avers that the Defendant conveyed by a chattel mortgage and promissory note the property described in Count One to the Plaintiff on to-wit: 10 March 1964, and that said note is in default, and that the Defendant agreed in said mortgage and note to pay a reasonable attorney fee for the collection of said note, and Plaintiff claims the further and additional sum of \$165.00 which Plaintiff avers is a reasonable fee for making said collection.

SULLINS & KING

By Charles Sullins
Plaintiff's Attorney

FILED

FEB 24 1967

AME L BUCK, CLERK
REGISTER

450.00 Value
800.00 Bond

No 2392

Bill Brooks, Inc
Bill Brooks Indn

DS.

James W. Harwell

FILED

FEB 21 1967

Alice J. Duck, CLERK
REGISTER

Gallins & King
206 Randolph Ave SE
Huntsville, Ala 36801

The State of Alabama, }
Baldwin County

CIRCUIT COURT
No. _____
_____ 19____

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon _____

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 _____

Witness my hand this _____ day of _____ 19____

_____, 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

BILL BROOKS, Inc.,

BILL BROOKS, ind

Plaintiff

VS.

JAMES W. HOWELL

Defendant

Detinue Summons and Complaint

Filed ~~xxxx~~ 2-24, 19-67

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

*This Det. S.C. executed
by having the Def. sign
Bullock's Receipt for the
Property listed on Bullock's
Receipt.
approximate values listed on
reverse side of each item come
to \$400.00*

*The Bond required is \$800.00
Deft. made bond
3/11/67 Cash Bond \$800.00
Property released to Deft*

Defendant lives at

RECEIVED
Received in office

MAR 7 1967

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this *7 day of March*, 19*67*
by leaving a copy with

James W. Howell

Taylor Wilkins

Sheriff

Jim Eastman

Deputy Sheriff

Tolay, Ala

Printed by Moore Printing Co.

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