

FIRST NATIONAL BANK OF ATLANTA, a corporation)	IN THE CIRCUIT COURT
)	OF BALDWIN COUNTY,
Plaintiff)	ALABAMA
VS)	AT LAW
LUTHER D. COX)	
Defendant)	Case No. <u>8721</u>

Plaintiff claims of the defendant the following described personal property, viz: One 1968 model Chevrolet Chevelle. two door hardtop automobile, motor number or identification number 36378A155999, with the value of the use thereof during the detention, viz: from, to-wit April 17, 1969, said above described property being the property of the plaintiff.

B. F. Steber
Attorney for Plaintiff

Serve the defendant at 801 Prospect Street, Fairhope, Alabama or care of Bill Steber Chevrolet Company, Fairhope, Alabama

FILED

MAY 28 1969

ALICE J. DUBOK CLERK
REGISTER

The State of Alabama, }
Baldwin County

No. 8721

CIRCUIT COURT

19

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon LUTHER D. COX

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 FIRST NATIONAL BANK OF
ATLANTA, A Corporation

Witness my hand this 28th day of May 1969

Alice J. Luck 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

FIRST NATIONAL BANK OF ATLANTA,

A Corporation

Plaintiff--

VS.

LUTHER D. COX

Defendant--

Detinue Summons and Complaint

Filed May 28, 1969, 19

Alice J. Duck, Clerk

B. F. Stokes, III

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

Green

Pla 9-33498

2-Da. H.T.

S

Defendant lives at

Received in office
RECEIVED

MAY 28 1969

, Sheriff

I have executed this summons

this *5/28*, 19 *69*

by leaving a copy with

*Luther D. Cox
Not Found In
This County &
No Property Found.*

Walter Williams, Sheriff

Brown, Deputy Sheriff

8721

THE STATE OF ALABAMA,
MOBILE COUNTY.
Baldwin

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, First National Bank of Atlanta,
a corporation, as Principal, and Fidelity and Deposit Company of
Maryland, as Surety,

are held and firmly bound unto Luther D. Cox,

his heirs, executors and administrators, in the

sum of TWO THOUSAND DOLLARS (\$2,000) 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 28 day of May, A. D. 19 69

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

First National Bank of Atlanta, a corporation has, on

the 28 day of May 19 69, 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
Baldwin

term of said Circuit Court of Mobile against the said Luther D. Cox
Baldwin

for the recovery of the following property.

to-wit One 1968 model Chevrolet Chevelle two door hardtop

automobile, motor number or identification number

36378A155999

NOW, if the said First National Bank of Atlanta, a corporation, shall fail

in said suit, and shall pay to the said Luther D. Cox

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.

FIRST NATIONAL BANK OF ATLANTA,
a corporation
By: [Signature] (Seal)

FEDERALITY AND DEPOSIT COMPANY OF MARYLAND
By: [Signature] (Seal)

FILED

MAY 28 1969

approved
5-28-69
Alice J. Duck
clerk

}

DETINUE AFFIDAVIT

PERSONALLY appeared before me, ~~John F. Mendelvik, Clerk of the Circuit Court of Mohave County,~~ Notary Public, Baldwin County,

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

to-wit: One 1968 model Chevrolet Chevelle two door hardtop

belongs to First National Bank of Atlanta, a corporation the said Plaintiff

Sworn to and subscribed the 28 day

of May _____, 1969, before me.

~~Check.~~

No. _____

CIRCUIT COURT
MOBILE COUNTY

FIRST NATIONAL BANK OF ATLANTA,
a corporation

VS. } Plaintiff
Detinue Affidavit
and Bond

LUTHER D. COX

Defendant:

Filed _____ day of _____ 19____

Clerk Circuit Court, Mobile County

Attorney



Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by WM. H. C. GRIFFITH, Vice-President, and JOHN C. GARDNER, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The President, or any one of the Executive Vice-Presidents, or any one of the additional Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto."

does hereby nominate, constitute and appoint B. R. Wilson, Jr., Clifton C. Inge, and W. G. DeMouy, all of Mobile, Alabama, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings each in a penalty not to exceed the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000).....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of B. R. Wilson, Jr., et al, dated November 16, 1964.

The said Assistant Secretary does hereby certify that the foregoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 14th day of July, A.D. 1966.

ATTEST: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

(SIGNED)

JOHN C. GARDNER

By WM. H. C. GRIFFITH

(SEAL)

Assistant Secretary

Vice-President

STATE OF MARYLAND }
CITY OF BALTIMORE } ss:

On this 12th day of July, A.D. 1966, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

(SIGNED)

FRANK G. MEURER

(SEAL)

Notary Public Commission Expires July 1, 1967

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 19th day of October, 1966.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this

28th day of May, 1969

J. J. Moore
Assistant Secretary

FIRST NATIONAL BANK OF ATLANTA,) IN THE CIRCUIT COURT
a corporation)
Plaintiff) OF BALDWIN COUNTY,
VS) ALABAMA
LUTHER D. COX) AT LAW
Defendant) Case No. 8721

Plaintiff claims of the defendant the following described personal property, viz: One 1968 model Chevrolet Chevelle two door hardtop automobile, motor number or identification number 36378A155999, with the value of the use thereof during the detention, viz: from, to-wit April 1, 1969, said above described property being the property of the plaintiff.

B. J. Steber
Attorney for Plaintiff

Serve the defendant at 801 Prospect Street, Fairhope, Alabama or care of Bill Steber Chevrolet Company, Fairhope, Alabama

FILED

MAY 28 1969

ALICE J. DUCK CLERK
REGISTER

The State of Alabama,
Baldwin County

No. 8721

CIRCUIT COURT

19

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon LUTHER D. COX

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 FIRST NATIONAL BANK OF
ATLANTA, A Corporation

Witness my hand this 28th day of May 1969

Alice J. Huck 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

FIRST NATIONAL BANK OF ATLANTA,

A Corporation

Plaintiff

VS.

LUTHER D. COX

Defendant

Detinue Summons and Complaint

Filed May 28, 1969, 19

Alice J. Duck, Clerk

B. F. Stokes, III

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 in office

, 19

, Sheriff

I have executed this summons

this, 19

by leaving a copy with

, Sheriff

, Deputy Sheriff

8721

GIBBONS & STOKES

ATTORNEYS AT LAW
160 CONGRESS STREET
MOBILE, ALABAMA
TELEPHONE 433-2611

June 10, 1969

E. GRAHAM GIBBONS
B. F. STOKES, III
WILLIAM L. HOWELL

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

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

Re: First National Bank of Atlanta vs Luther D. Cox

8721

Dear Mrs. Duck:

I understand that the defendant skipped town and the sheriff was unable to locate him. Therefore, please enter a nonsuit in this case. Kindly send me a bill of costs and I will make prompt payment of the same.

Sincerely,


B. F. Stokes, III

BFS:fo