

The State of Alabama,
Baldwin County.

No.

CIRCUIT COURT.

--January 31st-- 1944.

To any Sheriff of the State of Alabama:

You are hereby commanded to summon the

U.N.I.O.N...E.X.P.R.E.S.S...F.R.E.I.G.H.T...S.O.M.P.A.N.Y., Inc
and Alabama Corporation

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 the

B.A.N.K...O.F...F.A.I.R.H.O.P.E.,

an Alabama Corporation

Witness my hand this 31st day of January, 1944.

Clerk.

COMPLAINT

BANK OF FAIRHOPE,

a corporation

UNION EXPRESS FREIGHT COMPANY, Inc

a corporation,

Plaintiff

Versus

Defendant

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

ONE 1941 DODGE TRUCK & CAB, Motor Number T120-1120

of one and one-half tons capacity with the value of the hire
or use thereof during the detention, from, to-wit, the first day
of January, 1944.

SECOND: Plaintiff claims of the defendant the sum of THREE HUNDRED,
EIGHTY-EIGHT and 30/100 DOLLARS balance due by promissory note made
by it on the 21st day of April, 1943 and payable on, to-wit: the
21st day of October, 1943, with interest thereon.

Plaintiff further avers that by the terms of said note the
Defendant agree to pay a reasonable attorney's fee if same be placed
in the hands of an attorney for collection, which fee Plaintiff now
claims in the additional sum of SEVENTY-FIVE DOLLARS.

Attorney for Plaintiff.

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

from 192, to 192

Plaintiff's Attorney.

51 73 RECORDED
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State of Alabama,
Baldwin County.
Circuit Court

BANK OF FAIRHOPE,
vs.
UNION EXPRESS FREIGHT COMPANY
Ino.

Defendants

Detinue Summons and Complaint

Filed January 31st 1924
Clerk.
105-4 Baldwin

Plaintiff's Attorney,
Defendant's Attorney,
MOORE P.T.O. CO.
2-2-44

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

3-4-44
Clerk
47830
132

Defendant lives at
Received in office
192
Sheriff
I have executed this summons
192
this
by leaving a copy with
SHERIFF
DEPUTY SHERIFF

Sheriff's Return
Bank of Fairhope VS. Union Express Freight Co., Inc.
Received on the 2nd day of February, 1944 and on the 3rd day of February, 1944 I executed the within by serving a copy of the detinue Summons and Complaint on the Union Express Freight Co., Inc., and by collecting the amount of \$478.30. By order of the Plaintiff's Attorney, I paid the sum of \$478.30 to W.R. Stuart, Sheriff of Baldwin County and this writ is herewith returned to court. W.H. Holcombe, Sheriff.
E. P. Condon D.S.

Rec'd
March 3-1944

State of Alabama

Detinue Bond and Affidavit

BALDWIN COUNTY

Know all Men By these Presents, That We, the BANK OF FAIRHOPE

as principal and Kirby Wharton and

as sureties

are held and firmly bound unto the

UNION EXPRESS FREIGHT COMPANY, Inc. its successors and

assigns

~~being executives and administrators, in~~

the sum of N I N E H U N D R E D - - - - - 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 29th day of January A. D. 1924.

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

has, on

the 29th day of January 1924 sued out from the office of the Clerk of the Circuit Court of Baldwin County, in the State of Alabama, a writ of Detinue, returnable ~~fourth Monday~~ in thirty days to 1924 of said Circuit Court of Baldwin County against the said

Union Express Freight Company, Inc., for the recovery
of the following described property to- wit: _____

One 1941 Dodge Truck and Cab, Motor Number T120-1120, one and one-half ton capacity

Now, if the said ~~Bank of Fairhope~~ shall fail in said suit, and shall pay to the said ~~Union Express Freight Company, Inc.~~ 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.

Approved May 31 1944
W. B. Smith
Chief

by Bank of Fairhope
Kirby Webb President

[L. S.]

~~Richard Carlson~~

[L. S.]

Elliott G. Rinsbury

U. S. 1

State of Alabama

Detinue Affidavit

BALDWIN COUNTY

Personally appeared before me, Elliott G. Rickarby, a Notary Public
for Baldwin County, Alabama, Kirby Wharton

Who, being duly sworn, deposes and says,
that property sued for in the complaint of the Bank of Fairhope against
the Union Express Freight Co. Inc to-wit:

One 1941 Dodge Truck & Cab, Motor Number T120-1120, One and
one half ton capacity

belongs to the Bank of Fairhope,

Sworn to and subscribed the 29th day
of January, 1944 before me.

Clerk.

Notary Public, Baldwin County,
Alabama

DEFINITE BOND.

BANK OF FAIRHOPE,
Plaintiff,
vs
UNION EXPRESS FREIGHT
COMPANY, Inc.
Defendant.

No. 851
LAW RECORDED

Handwritten:
J. H. Wharton
29th Jan 1944