

1912

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon PHIL BRADY 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 AMERICAN NATIONAL BANK & TRUST COMPANY OF MOBILE.

Witness my hand, this 28<sup>th</sup> day of January, 1953.

Alice J. Duck  
Alice J. Duck, Clerk.

THE AMERICAN NATIONAL BANK &  
TRUST COMPANY OF MOBILE,  
A Corporation,

Plaintiff,

versus

PHIL BRADY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO: \_\_\_\_\_

COUNT ONE:

The Plaintiff claims of the Defendant the following described personal property, To-wit:

One (1) 1949 Ford Custom Fordor Automobile, motor number 98BA - 622549

together with the value of the hire or use thereof during its detention, to-wit; from the 22nd day of November, 1952.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Two Hundred and Sixteen and 75/100 Dollars (\$216.75) due by promissory note made by him on the 22nd day of September, 1952 and payable on November 22, 1952, together with interest thereon.

The Plaintiff avers that in and by the terms of said note the Defendant agreed to pay all costs of collecting or securing, or attempting to collect or secure said note, including a reasonable attorney's fee whether the same be collected or secured by suit or otherwise and the Plaintiff further claims of the Defendant the

further and additional sum of Sixty Dollars (\$60.00) as such reasonable attorney's fee.

The Plaintiff further avers that in and by the terms of said note the Defendant waived as to this debt, or any renewal thereof, all rights of exemption under the Constitution and Laws of Alabama, or of any State, as to personalty and of this waiver, the Plaintiff now claims the benefit.

CHASON & STONE

By:

  
Attorneys for Plaintiff

Defendant's address: Fairhope, Alabama.

Baldwin County

TO TAYLOR WILKINS, SHERIFF  
WIN COUNTY, ALABAMA:

The Plaintiff, The American  
National Bank & Trust Company of  
Mobile, A Corporation, having made  
affidavit and bond as required by  
law you are required to take the  
property described in the Com-  
plaint into your possession unless  
the Defendant, Phil Brady, give  
bond payable to the Plaintiff,  
with sufficient surety, in double  
the value of the property, and  
conditioned as required by law.

Witness my hand this 28<sup>th</sup>  
day of January, 1953.

*Alice J. Duck*  
Alice J. Duck, Clerk,  
Circuit court of Baldwin  
County, Alabama

*Executed Feb. 3, 1953*  
*By attaching the With in*  
*described property*  
*one (1) 1949 Ford Custom*  
*Fordor Automobile*  
*motor number 98BA-*  
*622549*  
*Tag number 5-7792*  
*Sheriff*  
*Taylor Wilkins*

*Edleigh Steadham*  
Received in Sheriff's Office  
this 28 day of Jan, 1953  
TAYLOR WILKINS, Sheriff

& Trust Company of Mobile,  
A Corporation,

Plaintiff,

vs.

Phil Brady,

Defendant.

In The Circuit Court of  
Baldwin County, Alabama

At Law

No: 1912

SUMMONS AND COMPLAINT

FILED  
JAN 28, 1953  
ALICE J. DUCK, Clerk

LAW OFFICES  
HYBART, CHASON & STONE  
BAY MINETTE, ALABAMA

THE STATE OF ALABAMA, {  
Mobile County

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, THE AMERICAN NATIONAL BANK & TRUST COMPANY OF MOBILE, Alabama; and REX G. RAPIER and SAM HOOKS, as sureties,

are held and firmly bound unto PHIL BRADY,  
his heirs, executors and administrators, in the  
sum of TWO HUNDRED FIFTY & NO/100 (\$250.00) 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 27th day of January, A. D. 1953.

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

The American National Bank & Trust Company of Mobile has, on  
the        day of January 1953, 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 term of said Circuit Court of Mobile against the said Circuit Court of Baldwin,  
in the State of Alabama for the recovery of the following property,

to-wit:

One (1) Ford Custom Fordor Automobile, motor  
number 98BA - 622549, Model of 1949.

NOW, if the said The American National Bank & Trust Company of Mobile shall fail  
in said suit, and shall pay to the said Phil Brady  
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.

Taken and approved this the 28th  
day of January, 1953.

THE AMERICAN NATIONAL BANK & TRUST  
COMPANY OF MOBILE (Seal)

By M. E. M... (Seal)  
Its Asst. Vice Pres.

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

Rex G. Rapier (SEAL)

[Signature] (SEAL)

State of Alabama,  
County of Mobile.

Where this bond presented to me I would  
approve the same.  
J. E. Mandeville  
Clerk, Circuit Court, Mobile County.

THE STATE OF ALABAMA  
Mobile County

DETINUE AFFIDAVIT

PERSONALLY appeared before me, John E. Ward, Clerk of the Circuit Court of Mobile County, the undersigned authority, M. E. Ward, who is known to me, and who, being duly sworn, deposes and says, that the property sued for in the complaint of The American National Bank & Trust Company of Mobile vs. Phil Brady

to-wit:

One (1) Ford Custom Fordor Automobile, motor  
number 98BA - 622549, Model of 1949;

Mobile

belongs to The American National Bank & Trust Company of / the said Plaintiff, and that he is Ass't. Vice-President of the said Plaintiff and duly authorized to make this affidavit.

Sworn to and subscribed the 27<sup>th</sup> day

of January, 1953, before me.

Notary Public, Mobile County, Alabama

RECORDED

No. 1912

Circuit Court

MOBILE COUNTY

THE AMERICAN NATIONAL BANK &  
TRUST COMPANY OF MOBILE,  
A Corporation,

Plaintiff,

VS. { Detinue Affidavit  
and Bond

PHIL BRADY,

Defendant.

Filed 28th day of January 1953

Clerk Circuit Court  
Baldwin

CHASON & STONE

Attorneys