

10,181

STATE OF ALABAMA

Baldwin County

IN THE CIRCUIT COURT OF

Baldwin County

Before me, Taylor Wilkins, Jr., a Notary Public in and for said County,
personally appeared Adolph Sutton, Jr. who being by me
duly sworn deposes and says that the property sued for in the complaint of
Adolph Sutton filed in said Court, to-wit:
One 1962 Ford Galaxie, Motor #2G67Z161050

belongs to Adolph Sutton, the plaintiff.

Sworn to and subscribed before me this 7
day of December, 19 71

Notary Public

Adolph Sutton, Jr.

STATE OF ALABAMA

Baldwin County

IN THE CIRCUIT COURT OF

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, Adolph Sutton

Principal, and
Adolph Sutton, Jr. Sureties, are held and
firmly bound unto Leon Chaudron, his heirs, executors and admin-
istrators 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 _____ day of December, 19 71

The condition of the above obligation is such that whereas, the above bound _____

Adolph Sutton has on the _____ day of
December, 19 71 sued out a writ of detinue in the Circuit Court of Baldwin
County, returnable to the said Circuit Court against the said _____

Leon Chaudron for the recovery of the following
described property, to-wit:

One 1962 Ford Galaxie, motor #2G67Z161050

Now, if the said Adolph Sutton shall fail in said suit

and shall pay to the said Leon Chaudron, 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 4 day of _____ (SEAL)

December, 19 71 (SEAL)

Clerk, Circuit Court

No. _____

THE STATE OF ALABAMA

_____ COUNTY

CIRCUIT COURT

Plaintiff

vs.

Defendant

Detinue — Affidavit and Bond

Filed this _____ day of _____ 19____

Clerk

CHASON & UNDERWOOD

Attorneys at Law

CECIL G. CHASON
THOMAS W. UNDERWOOD, JR.

P. O. DRAWER 458
216 W. LAUREL AVENUE
FOLEY, ALABAMA 36535
PHONE 205/943-3171

May 22, 1972

Mr. Taylor Wilkins, Jr.
Attorney at Law
Bay Minette, Alabama

Re: Sutton vs. Chaudron
Case Number 10,181

Dear Red:

I note the above case is set on the docket for June 13, 1972. I filed a special plea for the defendant denying any ownership of the vehicle which is the subject of this suit. It was my understanding that you agreed to dismiss this suit and pay the court costs and re-take possession of the automobile.

Please advise of your intentions in this matter.

Yours very truly,

Thomas W. Underwood, Jr.

TWU, Jr./vd

cc: Eunice Blackmon, Clerk

C
O
P
Y

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 LEON CHAUDRON

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 _____

ADOLPH SUTTON

Witness my hand this _____

day of _____

19__

Eunice B. Blackmon Clerk

COMPLAINT

Adolph Sutton

Leon Chaudron

Plaintiff

Versus

Defendant

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

One 1962 Ford Galaxie, Motor #2G67Z161050

FILED

JAN 4 - 1972

EUNICE B. BLACKMON
CIRCUIT CLERK

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

from December 1 19__ 71, to _____ 19__

Plaintiff's Attorney.

State of Alabama

Baldwin County

CIRCUIT COURT

ADOLPH SUTTON

Plaintiff

VS.

LEON CHAUDRON

Defendant

Detinue Summons and Complaint

Filed _____, 19____

FILED

_____, Clerk

JAN 4 - 1972

EUNICE B. BLACKMON
CIRCUIT CLERK

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

JAN 4 1972

TAYLOR WILKINS
SHERIFF

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.

Exceeded 2/19/72

By taking in poss 1/1/1962

Ford Galaxie M#2G67Z161050

Gannie B. Blackmon, Clerk

& storing it with So. Baldwin
Auto Supply Co. Gulf Shores, Ala.
Taking a Bailee's Receipt for it.

Taylor Wilkins Shrf.

D. Long Deputy
2/26/72

Bond made by pltf.
Property returned to
Pltf.
JMB

Defendant ~~XXXX~~ may be served:

South Baldwin Auto Supply
Gulf Shores, Alabama

Received in office

JAN 4 1972

_____, 19____

_____, Sheriff

I have executed this summons

this 19th Feb., 1972

by leaving a copy with

Leon Chaudron

Sheriff claims 100 miles at

Ten Cents per mile Total \$ 10.00

TAYLOR WILKINS, Sheriff

BY D. Long
DEPUTY SHERIFF

Taylor Wilkins, Sheriff

D. Long, Deputy Sheriff

Printed by Moore Printing Co.

ADOLPH SUTTON,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
LEON CHAUDRON,)	CASE NO. 10,181
Defendant)	

PLEA

Comes the Defendant, Leon Chaudron, by his attorney, Thomas W. Underwood, Jr., and in answer to the Complaint in the above styled cause, says as follows:

That the Defendant disclaims any interest to the automobile described in the Complaint; that the Defendant was informed by Cecil Lyles that the automobile described in the Complaint was the property of Cecil Lyles and the Defendant was employed by Cecil Lyles to tow the vehicle from a parking lot belonging to the Town of Gulf Shores to the Defendant's place of business which is described as M & M Service Station. That the said Cecil Lyles paid the Defendant for towing said vehicle, but has never removed the automobile from the Defendant's service station. The Defendant specifically acknowledges that he has no title to said automobile and only desires that the true and correct owner be put into the possession of the subject automobile.

Thomas W. Underwood, Jr.
Attorney for Defendant

CERTIFICATE OF SERVICE ⁴⁶ ₂₉

I do hereby certify that I have on this 29 day of February, 1972, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, and first class postage prepaid.

Thomas W. Underwood, Jr.

FILED

MAR 3 1972

EUNICE B. BLACKMON CIRCUIT CLERK

DETINUE — REPLEVY BOND OF PLAINTIFF

STATE OF ALABAMA }

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That ~~we~~ I, Adolph Sutton, Jr.

and

are held and firmly bound unto Leon Chaudron

in the sum of ONE HUNDRED THIRTY (\$130.00) Dollars, for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this 24th day of January 19 72

The condition of the above obligation is such that whereas the said

Adolph Sutton did, on the 4th day of January 19 72 sue out of the Circuit Court of Baldwin County, Alabama, a writ of detinue directed to any Sheriff of the State of Alabama commanding him

to take into his possession the following property, to-wit:

One 1962 Ford Galaxie, motor # 2G67Z161050

which said writ was placed in the hands of Taylor Wilkins

Sheriff of Baldwin County, Alabama, on the 4th day of January 19 72, and executed by him on the day of 19, by taking into his possession the following property, to-wit:

One 1962 Ford Galaxie, motor #2G67Z161050

And whereas the said Leon Chaudron

Defendant in said writ, has failed and neglected for 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 if the said Adolph Sutton upon his failing in said suit shall deliver the said property to the Defendant within thirty days after judgment and pay all 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.

x Adolph Sutton (SEAL)
(SEAL)
(SEAL)

Taken and approved this 26 day of Feb. 19 72

Taylor Wilkins
Sheriff, Baldwin County, Ala.

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

REPLEVY BOND
Of Plaintiff

vs.

Taken and approved this _____

day of _____, 196_____

BAILEE'S RECEIPT

BAY MINETTE, ALA., ~~January~~ Feb-14 19 72

The State of Alabama, {
Baldwin County

I hereby agree to take, care for and preserve as the Bailee of Taylor D. Wilkins,
Sheriff of Baldwin County, Alabama, the following described personal property this day levied upon
under Writ of Fieri Facias, Attachment, Detinue, issued out of the Circuit Justice Civil Court of Baldwin
County, Alabama, in the above styled case, to-wit:

One 1962 Ford Galaxie Motor #2G67Z161050

I further agree to deliver the above described personal property to the said.....

Taylor D. Wilkins, Sheriff of Baldwin County, Alabama, upon his written order of demand.

Leon Chauda, Bailee.

Witness : [Signature]