

41122

DETINUE SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

No. _____

December 31, 1959.

To Any Sheriff of the State of Alabama:

You Are Hereby Commanded to Summon CHARLES C. LINDSEY

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 _____

UNIVERSAL C. I. T. CREDIT CORPORATION

Witness my hand this 4 day of June, 1960

Priscilla J. Newell Clerk.

COMPLAINT

UNIVERSAL C. I. T. CREDIT

CHARLES C. LINDSEY

CORPORATION, a corporation Plaintiff Versus _____ Defendant.

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

1959 Ford Custom 300 8 cylinder, 4 Dr., Motor #C9AG 159749 of a
value of Twenty -eight hundred eighty and 26/100 (\$2880.26) Dollars.

576052

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

from October 2, 1959, to date, 19____

Jeffrey D. Morgan, Plaintiff's Attorney.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Universal C. & J. Credit
Corp.

Plaintiff.

VS.

Charles C. Lindsey

Defendant.

DETINUE SUMMONS AND COMPLAINT

FILED

Filed _____, 19____

JAN 4 1960

ALICE J. DUCK, CLERK
REGISTER

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.

Defendant lives at

Bay Minette (Danceland)
Received in office

_____, 19____

_____, Sheriff.

I have executed this summons

this Jan 8, 1960
by leaving a copy withCharles C LindseyOne 1959 Ford
Custom 300 8 Cylinders
4 dr Motor #C 924
159749Ray W. Wilkins, SheriffW. A. Talbot, Deputy Sheriff

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NATIONAL SURETY CORPORATION

New York

A Member of The FUND Insurance Companies
GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that NATIONAL SURETY CORPORATION, a Corporation duly organized and existing under the laws of the State of New York, and having its principal office in the City of New York, N. Y., hath made, constituted and appointed, and does by these presents make, constitute and appoint E. F. ADAMS, JR. & E. S. JENKINS

JOINTLY OR SEVERALLY

of MOBILE and State of ALABAMA
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver ANY AND ALL BONDS, RECOGNIZANCES, CONTRACTS, AGREEMENTS OF INDEMNITY AND OTHER CONDITIONAL OR OBLIGATORY UNDERTAKINGS;
PROVIDED, HOWEVER, THAT THE PENAL SUM OF ANY ONE SUCH INSTRUMENT EXECUTED
HEREUNDER SHALL NOT EXCEED ONE MILLION (\$1,000,000.00) DOLLARS.

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following provisions of the By-laws of NATIONAL SURETY CORPORATION:

"ARTICLE XII. RESIDENT OFFICERS AND ATTORNEYS-IN-FACT.

"Section 1.—The Chairman, President or any Vice-President may from time to time appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and the Chairman, President, or any Vice-President, the Board of Directors or the Executive Committee may at any time suspend or revoke the powers and authority given to any such Resident Vice-President, Resident Assistant Secretary and Attorney-in-Fact, and also remove them from office. (Adopted April 29, 1933. Applies to all powers of attorney executed prior to May 25, 1933).

"Section 1.—The President, Executive Vice-President or any Vice-President may, from time to time, appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and the President, Executive Vice-President or any Vice-President, the Board of Directors or the Executive and Finance Committee may at any time suspend or revoke the powers and authority given to any such Resident Vice-President, Resident Assistant Secretary or Attorney-in-Fact, and also remove any of them from office. (As amended May 25, 1933. Applies to all powers of attorney executed prior to April 27, 1943).

"Section 1.—Appointment.—The President, Executive Vice President or any Vice President may, from time to time, appoint Resident Vice Presidents, Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation. (As amended April 27, 1943. Applies to all powers of attorney executed on or after that date).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority to execute, acknowledge and deliver for and in the name and on behalf of the Corporation any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the Chairman or the President and sealed and attested by the Secretary. (Adopted April 29, 1933. Applies to all powers of attorney executed prior to May 25, 1933).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority to execute, acknowledge and deliver for and in the name and on behalf of the Corporation any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, and any such instrument so executed by any such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the President and sealed and attested by the Secretary. (As amended May 25, 1933. Applies to all powers of attorney executed prior to July 30, 1935).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority, for and in the name and on behalf of the Corporation, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings, and any and all notices and documents cancelling or terminating the Corporation's liability thereunder, and any such instrument so executed by any such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the President and sealed and attested by the Secretary. (As amended July 30, 1935. Applies to all powers of attorney executed prior to April 27, 1943).

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority, for and in the name and on behalf of the Corporation, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings, and any and all notices and documents cancelling or terminating the Corporation's liability thereunder, and any such instrument so executed by any such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the President and sealed and attested by the Secretary. (As amended April 27, 1943. Applies to all powers of attorney executed prior to April 28, 1953.)

"Section 4.—Attorneys-in-Fact.—Attorneys-in-Fact may be given full power and authority, for and in the name and on behalf of the Corporation, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings, and any and all consents and releases incident thereto, and any and all notices and documents cancelling or terminating the Corporation's liability thereunder, and any such instrument so executed by such Attorney-in-Fact shall be as binding upon the Corporation as if signed by the President and sealed and attested by the Secretary. (As amended April 28, 1953. Applies to all powers of attorney executed on or after that date.)

"Section 7.—Attorneys-in-Fact.—Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, or other conditional or obligatory undertakings, and they are also authorized and empowered to certify to a copy of the By-laws of the Corporation or any Article or Section thereof. (Adopted April 29, 1933. Applies to all powers of attorney executed prior to May 25, 1933).

"Section 7.—Attorneys-in-Fact.—Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, or other conditional or obligatory undertakings, and they are also authorized and empowered to certify to copies of the By-laws of the Corporation or any Article or Section thereof. (As amended May 25, 1933. Applies to all powers of attorney executed prior to April 27, 1943).

"Section 7.—Attorneys-in-Fact—Verifications.—Attorneys-in-Fact are hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts, agreements of indemnity, or other conditional or obligatory undertakings, and they are also authorized and empowered to certify to copies of the By-laws of the Corporation or any Article or Section thereof. (As amended April 27, 1943. Applies to all powers of attorney executed prior to June 27, 1944).

"Section 7.—Attorneys-in-Fact—Verifications—Certifications.—Attorneys-in-Fact are hereby authorized to verify, by affidavit or otherwise, the authority to execute bonds, recognizances, contracts, agreements of indemnity, and other conditional or obligatory undertakings; and to certify, by affidavit or otherwise, as to the inspection or examination of assets of the estates, where the fiduciary responsible for such assets is bonded by the Corporation; and they are also authorized and empowered to certify to copies of the By-laws of the Corporation or any Article or Section thereof. (As amended June 27, 1944. Applies to all powers of attorney executed on or after that date).

"ARTICLE VIII. APPOINTMENT AND AUTHORITY OF RESIDENT ASSISTANT SECRETARIES, AND ATTORNEYS-IN-FACT, AND AGENTS TO ACCEPT LEGAL PROCESS AND MAKE APPEARANCES.

Section 30. Appointment. The President, any Vice President, or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation. (Adopted October 25, 1955. Applies to all Powers of Attorney executed on and after that date.)

Section 31. Authority. The authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment. (Adopted October 25, 1955. Applies to all Powers of Attorney executed on and after that date.)

IN WITNESS WHEREOF, NATIONAL SURETY CORPORATION has caused these presents to be signed by its Vice President, attested by its Assistant Secretary, and its corporate seal to be hereto affixed this 11th day of MAY A.D., 1953.

NATIONAL SURETY CORPORATION

(Seal)

By S. G. DRAKE
Vice President

ATTEST: A. N. MacDOUGALL

F. 2014 REV. 1/56

Assistant Secretary

STATE OF NEW YORK,
COUNTY OF NEW YORK,

ss. :

On this 11th day of MAY A.D. 1953.

before me personally came S. G. DRAKE, to me known, who, being by me duly sworn, did depose and say, that he resides in the City of New York; that he is Vice President of NATIONAL SURETY CORPORATION, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed

his name thereto by like order. And said S. G. DRAKE

further said that he is acquainted with A. N. MacDOUGALL and knows him to be an Assistant Secretary of said Corporation; and that he executed the above instrument.

ELIZABETH C. KING

(Notarial seal affixed)

Notary Public

STATE OF GEORGIA
COUNTY OF FULTON

ss. :

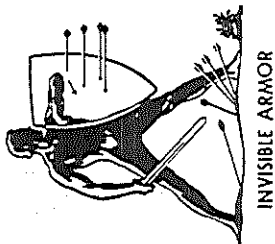
I, NELLIE COOK, Resident Assistant Secretary and Attorney-in-Fact of NATIONAL SURETY CORPORATION, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney (including applicable By-law sections), executed by said NATIONAL SURETY CORPORATION, which is still in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the

City of ATLANTA this 4th day of January A.D. 1960

Nellie Cook

Resident Assistant Secretary and Attorney-in-Fact



NATIONAL SURETY
CORPORATION
New York

A Member of The FUND Insurance Companies

GENERAL
POWER OF ATTORNEY

—TO—

ON FILED

DATE JAN 4 1960 19

CLERK
ALICE L. DUCK, REGISTER
F. 2011/2

THE STATE OF ALABAMA,
Baldwin ~~Mobile~~ County

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, Universal C.I.T.Credit Corporation,
as Principal, and National Surety Corporation, as Surety

are held and firmly bound unto Charles C. Lindsey

his heirs, executors and administrators, in the
sum of Fifty-Six Hundred Nine and 00/100-----(\$5609.00) ----- 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 4th day of January, A. D. 1960

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

Universal C.I.T.Credit Corporation has, on

the _____ day of _____ 19____, sued out from the office of the

Circuit Court of Baldwin County
Clerk of the ~~Circuit Court of Mobile~~ in the State of Alabama, a Writ of Detinue, returnable to the present

Baldwin County
term of said Circuit Court of ~~Mobile~~ against the said Charles C. Lindsey

_____ for the recovery of the following property.

to-wit: 1959 Ford Custom 300 8 cylinder, 4 Dr., Motor #C9AG 159749

NOW, if the said Universal C.I.T.Credit Corporation shall fail

in said suit, and shall pay to the said Charles C. Lindsey

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.

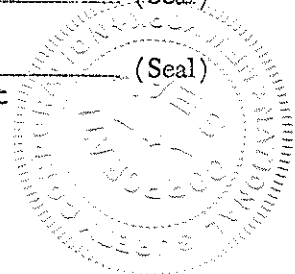
UNIVERSAL C. I. T. CREDIT CORPORATION

By Julius L. Pope (Seal)
Collection Manager

NATIONAL SURETY CORPORATION (Seal)

By Ed Jenkins (Seal)
Attorney in Fact

*approved
this 4th day of Jan. 1960
Kingsley J. Clark*



4622

THE STATE OF ALABAMA
Baldwin ~~Mobile~~ County

DETINUE AFFIDAVIT

PERSONALLY appeared before me, ~~John E. Alexander~~ Clerk of the Circuit Court of ~~Mobile~~ Baldwin County,

Julius L. Pope

who, being duly sworn, deposes and says, that the property sued for in the complaint of _____

Universal C.I.T. Credit Corporation

to-wit 1959 Ford Custom 300, 8 cylinder 4 Dr., Motor #C9AG 159749

belongs to Universal C.I.T. Credit Corporation the said Plaintiff.

Sworn to and subscribed the _____ day
of January, 19 60, before me.

Clerk.

Julius L. Pope

No. _____

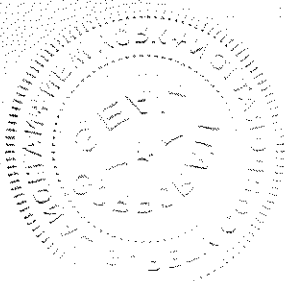
**Circuit Court
MOBILE COUNTY**

{ Detinue Affidavit
VS. { and Bond

Filed _____ day of _____ 19 _____

Clerk Circuit Court, Mobile County

Attorney



STATE OF ALABAMA

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

BALDWIN COUNTY

Before me, _____, a Notary Public in and for said County, personally appeared C. LeNoir Thompson who being by me duly sworn deposes and says that the property sued for in the complaint of Universal C. I. T. Credit Corporation, a corporation vs. Charles C. Lindsey filed in said Court, to-wit: 1959 Ford Custom 300 8 cylinder, 4 Dr., Motor #C9AG 159749 of a value of Twenty-eight hundred eighty and 26/100 (\$2880.26) Dollars.

belongs to Universal C. I. T. Credit Corporation, the plaintiff.

Sworn to and subscribed before me this _____

day of _____, 19____

John H. Becker
Notary Public

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

COUNTY

COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, _____

_____, Principal, and _____, Sureties, are held and firmly bound unto _____, his heirs, executors and administrators in the sum of _____ 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 _____, 19____.

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

_____ has on the _____ day of _____, 19____ sued out a writ of detinue in the Circuit Court of _____ County, returnable to the said Circuit Court against the said _____ for the recovery of the following described property, to-wit:

Now, if the said _____ shall fail in said suit and shall pay to the said _____, 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 _____ day of _____ (SEAL)

_____, 19____ (SEAL)

_____, 19____ (SEAL)

Clerk, Circuit Court

No. 1412

THE STATE OF ALABAMA

COUNTY

CIRCUIT COURT

Plaintiff

vs.

Defendant

Detinue — Affidavit and Bond

Filed this 14 day of JAN, 191900

ALICE J. DUCK, CLERK
REGISTER

Clerk