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COLLINS, GALLOWAY & MURPHY
ATTORNEYS AT LAW
FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1925-1956)

May 7, 1957

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

Re: Southern Gulf Lumber Co., Inc.,
a Corporation, d/b/a Delaneys
Vs: Dan Dyess

Dear Mrs. Duck:

I enclose herewith a detinue proceeding, with
bond, and an order attached to same for you to advise
the Sheriff that the same is to be picked up.

Very truly yours,

Collins, Galloway & Murphy

By: Thomas M. Galloway
Thomas M. Galloway

TMG:mlg
Encl: 1 detinue suit.

STATE OF ALABAMA

County of Mobile.

Baldwin

So. Gulf Lumber Co., Inc., a Corp.,

KNOW ALL MEN BY THESE PRESENTS, That we, d/b/a Delaneys

Irene Cochran & Peter V. Crolich d/b/a

as Principal, and Union Bonding and any, as Sureties, are held and firmly bound unto Dan Dyess

in the sum of Three Hundred and 00/100 (\$300.00) Dollars

for the payment of which well and truly to be made we, jointly and severally, bind ourselves and each of us, our heirs, executors and administrators. Sealed with our seals and dated this 7th day of May in the year of our Lord, one thousand, nine hundred and fifty seven.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said Southern Gulf Lumber Co., Inc., a Corp., d/b/a Delaneys

did, on the day of 19, sue out in the Circuit Court of Mobile County, Alabama, a writ in detinue, direct to any Sheriff of the State of Alabama, commanding him to take into his possession the following described property, to-wit:

One Magic Chef Range Model No. 28, Serial No. 4517 33

One Kelvinator Refrigerator Model No. NH-R, Serial No. 9136733

One 150 Gallon Propane Tank Serial No. 15395

which said writ was placed in the hands of Taylor Wilkins Sheriff of the County of Mobile, on the day of 19, by taking into his

possession the following described property, to-wit: One Magic Chef Range Model No. 28, Serial No. 4517 33

one Kelvinator Refrigerator Model No. NH-R, Serial No. 9136733

One 150 Gallon Propane Tank Serial No. 15395

and whereas the said Dan Dyess

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 is the said

Southern Gulf Lumber Co., Inc., a Corp., d/b/a Delaneys

upon his failing in said suit, shall deliver the said property to the defendant within thirty days after judgment, and pay 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.

Southern Gulf Lumber Co., Inc., a Corp., d/b/a Delaneys

By: Irene Cochran & Peter V. Crolich d/b/a Union Bonding Co. (Seal)

Irene Cochran & Peter V. Crolich d/b/a Union Bonding Co. (Seal)

By Peter Crolich (Seal)

Taken and approved this the 24th day of May, 1957

Taylor Wilkins

I hereby certify that if this bond was presented to me, I would approve the same as good and sufficient surety.

JOHN E. MANDEVILLE,

Clerk, Circuit Court,
Mobile County, Alabama.

BY Catherine E. Thelen
Deputy Clerk.

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

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, Southern Gulf Lumber Co., Inc., a
Corp., d/b/a Delaneys; Irene Cochran & Peter V. Crollich d/b/a Union Bonding
Company

are held and firmly bound unto Dan Dyess

his

heirs, executors and administrators, in the

sum of Three Hundred and 00/100 (\$300.00) 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 7th day of May, A. D. 19 57

The Condition of the above Obligation is such, That whereas the above bounden Southern Gulf Lumber Company, Inc., a Corp., d/b/a Delaneys has, on

the day of May 19 57, 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

Baldwin

term of said Circuit Court of Mobile against the said Dan Dyess

for the recovery of the following property.

to-wit:

One Magic Chef Range Model No. 28, Serial No. 4517 33

One Kelvinator Refrigerator Model No. NH-R, Serial No. 9136733

One 150 Gallon Propane Tank Serial No. 15395

NOW, if the said So. Gulf Lumber Co., Inc., a Corp., d/b/a Delaneys shall fail

Dan Dyess

in said suit, and shall pay to the said

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.

So. Gulf Lumber Co., Inc., a Corp., d/b/a Delaneys

By: Irene Cochran & Peter V. Crollich (Seal)

IRENE COCHRAN & PETER V. CROLICH (Seal)

John E. Mandeville (Seal)

I hereby certify that if this bond was presented to me I would approve the same as good and sufficient surety.

JOHN E. MANDEVILLE,

Clerk, Circuit Court,
Mobile County, Alabama.

BY Katherine L. Oberlin
Deputy Clerk.

THE STATE OF ALABAMA
Mobile County

DETINUE AFFIDAVIT

Thomas M. Galloway, Notary Public, State of Alabama, at Large
PERSONALLY appeared before me ~~John E. Mandeville, Clerk of the Circuit Court of Mobile County,~~
Tom Tuggle

who, being duly sworn, deposes and says, that the property sued for in the complaint of Southern Gulf
Lumber Co., Inc., a Corp., d/b/a Delaneys vs. Dan Dyess
to-wit

One Magic Chef Range Model No. 28 Serial No. 4517 33

One Kelvinator Refrigerator Model No. NH-R, Serial No. 9136733

One 150 gallon Propane Tank Serial No. 15395

belongs to So. Gulf Lumber Co., Inc., a Corp., d/b/a Delaneys the said Plaintiff.

Sworn to and subscribed the 7th day
of May 1957, before me.
Thomas M. Galloway Notary Public State of Alabama, at Large
Clerk.

Tom Tuggle

No. 32-37

Circuit Court

~~MOBILE COUNTY~~

BAIRDWIN COUNTY

So. Gulf Lumber Co., Inc., a
Corporation d/b/a Delaneys

VS. { Detinue Affidavit
and Bond

Dan Dyess

Filed 9th day of May 1957

David A. [Signature]
Clerk Circuit Court, Mobile County
Baldwin

Attorney

SOUTHERN GULF LUMBER : IN THE CIRCUIT COURT
CO., INC., A CORPORATION :
d/b/a DELANEYS : OF
Plaintiff :
VS: : BALDWIN COUNTY
DAN DYESS : ALABAMA
Defendant : AT LAW
: NO. _____

COUNT ONE

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

One Magic Chef Range Model
No. 28, Serial No. 4517 33

One Kelvinator Refrigerator
Model No. NH-R, Serial No. 9136733

One 150 Gallon Propane Tank
Serial No. 15395

With the value of hire or use thereof during the detention viz: From the 15th day of April, 1956.

Plaintiff avers that the above described property was purchased by the Defendant by virtue of a conditional sales contract, wherein he agreed to pay a reasonable attorney's fee and the Plaintiff avers that it should be awarded a reasonable fee in the sum of THIRTY AND 00/100 (\$30.00) DOLLARS.

Plaintiff further avers that in said conditional sales contract wherein the title to the above described goods was retained by the Plaintiff that the Defendant did waive all rights in and to his exemption of personal property under the Constitution and laws of the State of Alabama.

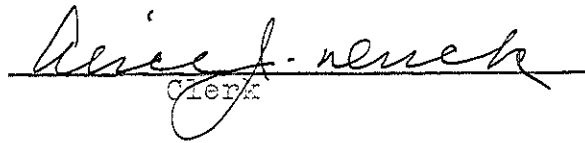
COLLINS, GALLOWAY & MURPHY

BY: 
ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANT:

General Delivery
Loxley, Alabama

The Plaintiff, Southern Gulf Lumber Company, Inc., a Corporation, d/b/a Delaneys, having made affidavit and given bond, as required by Title 7, Section 918, of the Code of Alabama, the Sheriff is required to take the property mentioned in the within complaint into his possession, unless the Defendant give bond, payable to the Plaintiff, with sufficient surety to double the amount of the value of the property, with conditions that if the Defendant is cast in the suit, will, within thirty days thereafter, deliver the property to the Plaintiff, and pay all costs and damages which may accrue from the detention thereof.


Clerk

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Dan Dyess

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

Dan Dyess, Defendant

by Southern Gulf Lumber Company d/b/a Delaneys

_____, Plaintiff.....

Witness my hand this 9th day of May 19.....57

David J. Black, Clerk