

1383

MARGUERITE GARY PHILLIPS | IN THE CIRCUIT COURT OF
 | BALDWIN COUNTY, ALABAMA,
PLAINTIFF |
VS | AT LAW.
 |
LOUIS PHILLIPS, |
BERTHA PHILLIPS, |
 |
DEFENDANTS. |

This day came the Plaintiff by her attorney, and the Defendants failing to appear and plead, but making default, now, after hearing the evidence, and on motion of Plaintiff, who has made proof that the Defendants were in possession of the property sued for at the time of the commencement of this suit, it is

CONSIDERED, ORDERED AND ADJUDGED by the Court:

1. That judgment be and the same is hereby rendered in favor of the Plaintiff and against the Defendants for the property sued for and described in the Complaint, viz:

One Magic Chef Table top Gas Range, value-\$150.00; One Kelvinator, 7 feet, Serial no. S-4522532, value-\$125.00; One Electric Train, American Flyer, together with track, value-\$10.00; One child's Westlock wristwatch, value-\$1.50;

2. That said property being in the possession of the Defendants the alternate value of said property be and the same is hereby assessed at TWO HUNDRED EIGHTY SIX DOLLARS AND FIFTY (\$286.50) CENTS;

3. That the value of hire or use of said property during the detention thereof be and the same is hereby assessed at TWENTY (\$20.00) DOLLARS;

4. That the Plaintiff have and recover of the Defendants the said property sued for, if the same can be had and if not, the Plaintiff have and recover of the Defendants the said sum of TWO HUNDRED EIGHTY SIX DOLLARS AND FIFTY (\$286.50) CENTS, together with the additional sum of TWENTY (\$20.00) DOLLARS; that the Plaintiff have and recover of the Defendants the cost in this behalf expended, and for all of which let writ of seizure and execution issue.

Done this Ninth day of September, 1949.

CIRCUIT JUDGE.

'JUDGMENT BY DEFAULT'

MARGUERITE CARY PHILLIPS		IN THE CIRCUIT COURT OF
PLAINTIFF		BALDWIN COUNTY, ALABAMA,
VS		AT LAW.
LOUIS PHILLIPS,		
BERTHA PHILLIPS,		
DEFENDANTS.		

This day came the Plaintiff by her attorney, and the Defendants failing to appear and plead, but making default, now, after hearing the evidence, and on motion of Plaintiff, who has made proof that the Defendants were in possession of the property sued for at the time of the commencement of this suit, it is

CONSIDERED, ORDERED AND ADJUDGED by the Court:

1. That judgment be and the same is hereby rendered in favor of the Plaintiff and against the Defendants for the property sued for and described in the Complaint, viz:

One Magic Chef Table top Gas Range, value-\$150.00; One Kelvinator, 7 feet, Serial no. S-4522532, value-\$225.00; One Electric Train, American Flyer, together with track, value-\$10.00; One child's Westlock wristwatch, value-\$1.50;

2. That said property being in the possession of the Defendants the alternate value of said property be and the same is hereby assessed at TWO HUNDRED EIGHTY SIX DOLLARS AND FIFTY (\$286.50) CENTS;

3. That the value of hire or use of said property during the detention thereof be and the same is hereby assessed at TWENTY (\$20.00) DOLLARS;

4. That the Plaintiff have and recover of the Defendants the said property sued for, if the same can be had and if not, the Plaintiff have and recover of the Defendants the said sum of TWO HUNDRED EIGHTY SIX DOLLARS AND FIFTY (\$286.50) CENTS, together with the additional sum of TWENTY (\$20.00) DOLLARS; that the Plaintiff have and recover of the Defendants the cost in this behalf expended, and for all of which let writ of seizure and execution issue.

Done this Ninth day of September, 1949.

Julius A. Marshall, Jr.
CIRCUIT JUDGE.

STATE OF ALABAMA, }
Baldwin County. }

KNOW ALL MEN BY THESE PRESENTS, That We, Marguerite Cary Phillips

as principal, and _____

as surety, are held and firmly bound unto Louis Phillips and Bertha Phillips

in the sum of Five Hundred and Seventyfive and no/100 - - - - - DOLLARS,

to be paid to the said Louis Phillips and Bertha Phillips, their, ~~his~~ heirs, executors, administrators or assigns; for which payment, well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally and firmly, by these presents. Sealed with our seals, and dated this 29th day of July

in the year of our Lord, 1949.

The condition of the above obligation is such, That whereas the above bound Marguerite

Cary Phillips, on the day of the date hereof hath obtained at the suit of

Marguerite Cary Phillips vs. Louis Phillips and Bertha Phillips,

a summons and complaint for the recovery of personal property in specie against said defendant and asks an endorsement by the Clerk of this Court "That the Sheriff is required to take the property mentioned in said complaint into his possession," as required by law in such cases, which summons and complaint are returnable to the next term of the Circuit Court of said County, and which said endorsement is made upon the plaintiff entering into this bond.

Now, if the said Plaintiff shall fail in this suit, and shall pay the Defendant all such costs and damages as he may sustain by reason of the wrongful complaint in said case, then this obligation to be void, otherwise to remain in full force and effect.

Marguerite Cary Phillips (L. S.)

[Signature] (L. S.)

(L. S.)

Approved this 29th day of July 1949

[Signature]
Clerk.

No. 1383 Page _____

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

Plaintiff _____

vs.

Defendant _____

DETINUE BOND

Filed _____ 19____

_____, Clerk

Plaintiff's Attorney _____

Defendant's Attorney _____

The State of Alabama, }

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, Louis D. Phillips
Bertha Phillips Mark Morrow Mrs Pinky Morrow
 and _____

are held and firmly bound unto Marguerite Cary Phillips
 in the sum of Four Hundred and Twenty Two Dollars, for the payment of
 which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and ad-
 ministrators.

Sealed with our seals and dated this 29 day of July 19 49

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

Marguerite Cary Phillips did, on the 29 day
 of July 19 49 sue out of the Circuit Court of Baldwin
 a writ of detinue directed to any Sheriff of said State and commanding him to take into his possession the
 following property, to-wit: One major chip table top Gas Range
One Refrigerator 7 feet Series # 5-4522532
1 Electric Iron American 1 year with track
1 Childs Wristwatch wrist watch

which said writ was placed in the hands of Taylor Wilkins
 Sheriff of Baldwin County, Alabama, on the 29 day of July, 19 49,
 and executed by him on the 29 day of July, 19 49, by taking into his
 possession the following property, to-wit:

And whereas the above bound Louis Phillips and Bertha Phillips
 Defendant in said suit, has, within five days from the execution of said writ, entered into and executed this
 bond as required by law and thereby obtained possession of said property seized under this writ.

Now if the said Louis Phillips and Bertha Phillips is cast in said
 suit and within thirty days after judgment deliver the property aforesaid to the Plaintiff and pay all costs
 and damages which may accrue from the detention thereof, then this obligation to be void, otherwise to
 remain in full force and effect.

Louis R Phillips (SEAL)

Bertha Phillips (SEAL)

Mark Morrow (SEAL)

Pinky Morrow

Taken and approved this 29 day of July 19 49

Taylor Wilkins
 Sheriff, Baldwin County, Ala.

Zoe B. Griffin D.S.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Circuit Court, Baldwin County

REPLEVY BOND
OF DEFENDANT

VS.

Taken and approved this _____

day of _____, 193 _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

No.

..... July 29th 194.9.

To Any Sheriff of the State of Alabama :

You Are Hereby Commanded to Summon Louis Phillips and Bertha Phillips

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

Marguerite Cary Phillips

Witness my hand this 29 day of July 194.9.

Alfred H. Hurch, Clerk.

COMPLAINT

Marguerite Cary Phillips Plaintiff Louis Phillips
Versus Bertha Phillips Defendant.

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

One Magic Chef Table top Gas Range; One Kelvinator, 7 feet, Serial No.
S-4522532; One Sterling Silver Carving Set(pattern similiar to Kirk); One
Pressure Cooker; Two Sterling Silver Ash trays with fluted edges; One
Mirror, round, approximately 24 inches in diameter, frameless; One Electric
Train, American flyer, together with track; One Boy's baseball Glove; One
automatic iron with the tip broken; One child's Westclock wristwatch; One
Mahogany finished bed; Photo of Child when 2 years old.

Total Value per attached list \$287.50

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

from to-wit April 15 194.9., to July 29 194.9.

Alfred H. Hurch Plaintiff's Attorney.

STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

vs. Plaintiff...

Defendant...

Detinue Summons and Complaint

Filed _____, 194...

_____, 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

Allen J. Wrench, Clerk.

Defendant lives at

Stietwood Ala
Received in office

July 29, 1949

Taylor Wilkins, Sheriff.

I have executed this summons

this 29 day July, 1949...
by leaving a copy with

Louis W. Phillips and

Bertha Phillips and taking in to my val \$100.00

Possession one Magic Chef Top Gas Range

one Refrigerator Serial #. S. 4522532 val \$100.00

one Electric Train American Flyer With Track \$10.00

one Childs West Clock Wrist Watch val \$1.50

This 29 day July 1949

Taylor Wilkins, Sheriff

Joseph B. Goffin, Deputy Sheriff

'JUDGMENT BY DEFAULT'

MARGUERITE CARY PHILLIPS	§	IN THE CIRCUIT COURT OF
PLAINTIFF	§	BALDWIN COUNTY, ALABAMA,
VS	§	AT LAW.
LOUIS PHILLIPS,	§	
BERTHA PHILLIPS,	§	
DEFENDANTS.	§	

This day came the Plaintiff by her attorney, and the Defendants failing to appear and plead, but making default, now, after hearing the evidence, and on motion of Plaintiff, who has made proof that the Defendants were in possession of the property sued for at the time of the commencement of this suit, it is

CONSIDERED, ORDERED AND ADJUDGED by the Court:

1. That judgment be and the same is hereby rendered in favor of the Plaintiff and against the Defendants for the property sued for and described in the Complaint, viz:

One Magic Chef Table top Gas Range, value-\$150.00; One Kelvinator, 7 feet, Serial no. S-4522532, value-\$125.00; One Electric Train, American Flyer, together with track, value-\$10.00; One child's Westclock wristwatch, value-\$1.50;

2. That said property being in the possession of the Defendants the alternate value of said property be and the same is hereby assessed at TWO HUNDRED EIGHTY SIX DOLLARS AND FIFTY (\$286.50) CENTS;

3. That the value of hire or use of said property during the detention thereof be and the same is hereby assessed at TWENTY (\$20.00) DOLLARS;

4. That the Plaintiff have and recover of the Defendants the said property sued for, if the same can be had and if not, the Plaintiff have and recover of the Defendants the said sum of TWO HUNDRED EIGHTY SIX DOLLARS AND FIFTY (\$286.50) CENTS, together with the additional sum of TWENTY (\$20.00) DOLLARS; that the Plaintiff have and recover of the Defendants the cost in this behalf expended, and for all of which let writ of seizure and execution issue.

Done this Ninth day of September, 1949.

Jefferson A. Mathews Jr.
CIRCUIT JUDGE.

Exhibit One.
Exhibit 1, Defendant's Exhibit

From this time day of September, 1933.

and for all on which has been or herein and execution issue.

have and receipt of the Defendant's the cost in this behalf expended,

the defendant's cost of travel (\$30.00) return; also the defendant's

traveling expenses and return and bill (\$30.00) return; together with

plaintiff have and receipt of the Defendant's the said sum of TWO

said hundred and ten, in the case and he pay and to her, the

4. That the defendant have and receipt of the Defendant's the

(\$30.00) return;

the execution thereof, he and the same is hereby returned to plaintiff

2. That the value of the or use of said property during

accessed at TWO HUNDRED FIFTY AND SEVENTY AND SEVEN (\$227.00) return;

the defendant's value of said property he and the same is hereby

5. That said property, being in the possession of the Defendant

return-10.00; One certain personal telephone, return-11.00;

One Electric Radio, American Radio, returned with return;

return-1.00; A Ford, Serial No. 1-1000000, return-150.00;

One Radio One Radio for the radio, return-150.00; One

and for the Defendant in the Defendant, and;

of the Plaintiff and against the Defendant for the Defendant

1. That Defendant he and the same is hereby returned in each

2. That Defendant, returned and returned in the case;

and of the defendant of the said sum, in the

the Defendant's value in possession of the Defendant, and for the

the evidence, and on motion of Plaintiff, who has made proof, and

return to Plaintiff and Defendant, the return of the said sum, and

and for the Defendant in the Defendant, and the Defendant

RETURNED TO THE
 COURT OF THE
 COUNTY OF
 THE STATE OF
 NEW YORK

AT THE
 CITY OF
 NEW YORK

IN THE
 COURT OF THE
 COUNTY OF
 THE STATE OF
 NEW YORK

IN THE
 COURT OF THE
 COUNTY OF
 THE STATE OF
 NEW YORK

Filed 9-9-49
Reid J. Welch
Clerk