

2619

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

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, Southern Gulf Lumber Co.,

A Corp., d/b/a Delaney's, and Broadus, Pierce and Dickerson as sureties

are held and firmly bound unto A. D. Langham

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 27th day of April, A. D. 1954

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

Southern Gulf Lumber Co., A Corp., d/b/a Delaney's has, on the _____ day of _____ 19____, sued out from the office of the Clerk of the Circuit Court of ~~Mobile~~ Baldwin County in the State of Alabama, a Writ of Detinue, returnable to the present term of said Circuit Court of ~~Mobile~~ Baldwin County against the said A. D. Langham

for the recovery of the following property,

to-wit: One Maytag Washing Machine Model No. N2LP, Serial No. 308199B

NOW, if the said Southern Gulf Lumber Co., a Corp., d/b/a Delaney's fail in said suit, and shall pay to the said A. D. Langham

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.

Southern Gulf Lumber Co., A Corp., d/b/a Delaney's

(Seal)

By: Wm. A. Steck (Seal)

Atty. Agent (Seal)

J. W. Broadus
Atty. in fact

I, John E. Mandeville, Clerk, Circuit Court, Mobile County, Alabama, do hereby certify that were the above bond presented to me as Clerk of this Court, I would approve same. Done this 29th day of April, 1955.

John E. Mandeville
 Clerk, Circuit Court, Mobile County, Ala.

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

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY

MAY 24, 1955

HON. ALICE J. DUCK, CLERK
CIRCUIT COURT OF BALDWIN COUNTY
BALDWIN COUNTY COURT HOUSE
BAY MINETTE, ALABAMA

RE: DELANEY'S v. A. D. LANGHAM

DEAR MRS. DUCK:

ENCLOSED HERewith PLEASE FIND A DETINUE SUIT
TO BE FILED IN YOUR COURT. IT IS OUR DESIRE TO
HAVE THE SHERIFF PICK UP THE PROPERTY AND THEREFORE
I HAVE ATTACHED TO THE COMPLAINT A WRIT AND I AM
ALSO ENCLOSING A DETINUE BOND.

WOULD YOU PLEASE NOTIFY ME WHEN THIS SUIT
IS FILED.

VERY TRULY YOURS,

Thomas M. Galloway
THOMAS M. GALLOWAY *by mlg*

TMG:MLG
ENCL: 2

SOUTHERN GULF LUMBER CO.,
A Corp., d/b/a DELANEY'S

Plaintiff

vs:

A. D. LANGHAM

Defendant

: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY, ALABAMA
:
:
:
:
:
:
:
:

AT LAW

No. _____

COUNT ONE

The Plaintiff claims of the Defendant the following
personal property, viz:

One Maytag Washing Machine, Model No. N2LP, Serial
No. 308199B.

With the value of hire or use thereof during the
detention viz: From the 9th day of March, 1955.

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: Thomas W. Galloway

ATTORNEYS FOR PLAINTIFF

Address of Defendant:

P. O. Box 1374
Bay Minette, Alabama

The Plaintiff Southern Gulf Lumber Company, 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 possessions, unless the Defendant give bond, payable to
the Plaintiff, with sufficient surety in 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.

Reise J. Luck
CLERK

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 2619

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon A. D. LANGHAM

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

A. D. LANGHAM

, Defendant

by SOUTHERN GULF LUMBER CO. A Corp., d/b/a DELANEY'S

, Plaintiff

Witness my hand this 25 day of May 1955

Clerk

No. 2619

Page

The State of Alabama

Baldwin County

CIRCUIT COURT

SOUTHERN GULF LUMBER CO.

A Corp., d/b/a DELANEY'S

Plaintiffs

vs.

A. D. LANGHAM

Defendants

Summons and Complaint

Filed 5-25-1955

Deirdre Smith Clerk

COLLINS, GALLOWAY & MURPHY

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

May 25 1955

Myler Wilkins Sheriff

I have executed this summons

this 5/25 1955

by leaving a copy with

A. D. Langham and
taken in my
possession one
maytag washing
machine model #
N2LP Serial #
308197B

The Plaintiff
has made objection
this property 6-3-55

Taylor Wilkins Sheriff

Geo. H. Greenup Deputy Sheriff

STATE OF ALABAMA

County of ~~Mobile~~

Baldwin

Southern Gulf Lumber Co., A Corp.,

KNOW ALL MEN BY THESE PRESENTS, That we, d/b/a Delaney's

as Principal, and Broadus, Pierce and Dickerson, as Sureties, are held and firmly bound unto A. D. Langham

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 1st day of June in the year of our Lord, one thousand, nine hundred and fifty-five

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said Southern Gulf Lumber Co., A Corp., d/b/a Delaney's did, on the 1st day of June, 1955, sue out in the Baldwin Circuit Court of Baldwin 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 Maytag Washing Machine Model No N2LP Serial No. 308199B

which said writ was placed in the hands of Taylor Wilkins Sheriff of the County of ~~Mobile~~ Baldwin on the 1st day of June, 1955 by taking into his possession the following described property, to-wit: One Maytag Washing Machine Model No. N2LP Serial No. 308199B

and whereas the said A. D. Langham 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., A Corp., d/b/a Delaney's

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., a Corp., d/b/a Delaney's

By: Tom. D. Steele (Seal)

Its Agent

A. Broadus (Seal)

J. W. Prince (Seal)

A. Broadus

Taken and approved this the 7 day of June, 1955.

Taylor Wilkins

Sheriff, ~~Mobile~~ Baldwin County, Alabama

I, John E. Mandeville, Clerk, Circuit Court, Mobile Baldwin County, Alabama, do hereby certify that were the above bond presented to me as Clerk of this Court, I would approve same. Done this 29th day of April, 1955.

J. E. Mandeville
Clerk, Circuit Court, Mobile County, Ala.