

THE STATE OF ALABAMA,  
Mobile County

3028

Know All Men by These Presents, That we SOUTHERN GULF LUMBER Co., A CORP.,  
D/E/A DELANEYS, AND IRENE COCHRAN & PETER V. CROLICH D/E/A  
UNION BONDING COMPANY  
are held and firmly bound unto D. W. McDONIELL of BALDWIN  
County, in the sum of TWO HUNDRED TWENTY FIVE & 00/100  
Dollars, and costs to be paid to the said  
D. W. McDONIELL

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, severally,  
and firmly, by these presents. Sealed with our seals and dated this 31<sup>st</sup> day of

August 1956

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

SOUTHERN GULF LUMBER Co., A CORP., D/E/A DELANEYS

on the day of the date hereof hath obtained at the suit of W ITSELF

A Summons and complaint for the recovery of personal chattels in specie against

D. W. McDONIELL

and asks an endorsement on the summons, "That the Sheriff is required to take the property men-  
tioned in said Complaint into his possession," as required by law in such cases, which Summons and  
Complaint are returnable to the Inferior Criminal Court of Mobile County, Civil Division on the  
day of \_\_\_\_\_, 195\_\_\_\_, and which endorsement is  
made upon the plaintiff entering into this Bond.

Now, if the said Plaintiff shall fail in this suit, and pay the Defendant all such costs and damages  
as HE

may sustain by reason of the wrongful complaint  
in said cause, then this obligation to be void; otherwise to remain in full force and effect.

Approved: SOUTHERN GULF LUMBER Co., A CORP., D/E/A DELANEYS (L. S.)

By: J. P. Buck (L. S.)  
ITS AGENT

IRENE COCHRAN & PETER V. CROLICH (L. S.)

Clerk of Inferior Criminal Court of Mobile County, Civil Division.

Current Court  
Baldwin Co.

By: Peter V. Crollich

THE STATE OF ALABAMA,  
Mobile County

THOMAS M. GALLOWAY NOTARY PUBLIC, STATE OF ALABAMA, AT LARGE  
Before me, ~~Wm. H. Beck, Clerk of the Circuit Court of Mobile County, Civil Division,~~ personally appeared

J. H. BECK

who, being duly sworn, deposeth and saith: That the property sued for in the complaint of  
So. GULF LUMBER CO., A CORP., D/E/A vs. D. W. McDONIELL  
DELANEYS

to-wit:

ONE PROPANE TANK, 150 GALLON

ONE MAGIC CHEF RANGE, MODEL No. 26A

belongs to

the said Plaintiff.

Sworn to and subscribed before me this 31<sup>st</sup>

day of August, A. D., 1956

Thomas M. Galloway

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

NOTARY PUBLIC, STATE OF ALABAMA, AT LARGE

CLERK, CIRCUIT COURT, MOBILE COUNTY, ALABAMA.

Done this the 5th day of September, 1956. I, the undersigned, John B. Mandeville, Clerk of the Circuit Court of Mobile County, Alabama, do hereby certify that were the bond herein presented to me as Clerk of this Court, I would approve the same.

STATE OF ALABAMA ) IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA.  
( COUNTY OF MOBILE )

DETINUE  
BOND AND AFFIDAVIT

No. 3072

VS.

SOUTHERN GULF LUMBER : IN THE CIRCUIT COURT  
 CO., A CORP., D/B/A :  
 DELANEYS : OF BALDWIN COUNTY,  
                   PLAINTIFF : ALABAMA,  
 VS: :  
                   : AT LAW  
 D. W. McDONIELL :  
                   DEFENDANT : NO. 3028

COUNT ONE

THE PLAINTIFF CLAIMS OF THE DEFENDANT THE  
 FOLLOWING PERSONAL PROPERTY, VIZ:

ONE PROPANE TANK, 150 GALLON.

ONE MAGIC CHEF RANGE, MODEL No. 26A

WITH THE VALUE OF HIRE OR USE THEREOF DURING  
 THE DETENTION VIZ: FROM THE 28TH DAY OF DECEMBER,  
 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 REASON-  
 ABLE FEE IN THE SUM OF TWENTY FIVE AND 00/100  
 (\$25.00) DOLLARS.

PLAINTIFF FURTHER AVERS THAT IN SAID CON-  
 DITIONAL 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.

FILED

SEP 7 1956

ALICE L. DUCK, Clerk

ADDRESS OF  
 DEFENDANT:

ROBERTSDALE, ALABAMA

COLLINS, GALLOWAY & MURPHY

By: Henry W. Galloway  
 ATTORNEYS FOR PLAINTIFF

THE PLAINTIFF, SOUTHERN GULF LUMBER COMPANY,  
A CORPORATION, D/E/A DELANEYS HAVING MADE AFFIDAVIT  
AND GIVEN BOND, AS REQUIRED BY TITLE 7, SECTION  
918, OF THE CODE OF ALABAMA, THE SHERIFF IS RE-  
QUIRED TO TAKE THE PROPERTY MENTIONED IN THE  
WITHIN COMPLAINT INTO HIS POSSESSION, 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.

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*David J. Hensley*  
CLERK

## SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3028

Sept. TERM, 1956

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon D.W. McDONIELL

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

D.W. McDONIELL, Defendant

by SOUTHERN GULF LUMBER CO., A CORP. d/b/a DELANEYS

Plaintiff

Witness my hand this 7th. day of Sept. 1956

Alice J. Duck, Clerk

*Return*

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**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

SOUTHERN GULF LUMBER CO.

A CORP. d/b/a DELANEYS

Plaintiffs

vs.

D.W. McDONIELL

Defendants

**SUMMONS and COMPLAINT**

Filed SEPT. 7, 19 56

Alice J. Duck

Clerk

COLLINS, GALLOWAY & MURPHY

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

Sept. 7, 19 56

, Sheriff

I have executed this summons

this 12. Sept, 19 56  
by leaving a copy with

W. W. McDaniel

*No further action  
was taken on  
order of Plaintiff's  
attly*

Sheriff claims 50 miles &

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY        DEPUTY SHERIFF

Taylor Wilkins Sheriff

Colley Stedley Deputy Sheriff

*Robert Dale Ala*