

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

3690

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

November 5, 1956

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

Re: Southern Gulf Lumber Co.
A Corporation a/b/a
Delaney's
Vs: Robert R. Simon
James H. Black
Leslie Bryars

Dear Mrs. Duck:

I enclose herewith three separate detinue proceedings
by Southern Gulf Lumber Co. against each of the above
named persons all sent herewith with bond to be filed
in your court.

Would you please advise me of the filing of these.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY: Thomas M. Galloway
Thomas M. Galloway

TMG:tmb
Enc.

THE STATE OF ALABAMA,
~~MOBILE~~ County
 BALDWIN

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, SOUTHERN GULF LUMBER Co.,
A CORPORATION, D/E/A DELANEYS, AND IRENE COCHRAN & PETER V. CROLICH D/E/A
UNION BONDING Co.

are held and firmly bound unto ROBERT R. SIRMON AND MRS. ROBERT R. SIRMON

THEIR heirs, executors and administrators, in the
 sum of FIVE HUNDRED AND 00/100 (\$500.00) 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 NOVEMBER, A. D. 1956

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

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

the NOVEMBER day of 56, 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

term of said Circuit Court of Mobile against the said ROBERT R. SIRMON AND MRS.

ROBERT R. SIRMON for the recovery of the following property.

to-wit: 1 KELVINATOR RANGE, MODEL No. ER9, SERIAL No.
530717

NOW, if the said So. GULF LUMBER Co., A CORP., D/E/A DELANEYS shall fail

in said suit, and shall pay to the said ROBERT R. SIRMON & MRS. ROBERT R. SIRMON

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/E/A DELANEYS

By J. H. Bick (Seal)
 ITS AGENT

IRENE COCHRAN & PETER V. CROLICH (Seal)

By Peter V. Crollich (Seal)

v. 8th, 1956 - Were this bond
 presented to me as Clerk of this
 Court, I would approve the same.
J. M. Maudselle
 CLERK, CIRCUIT COURT, MOBILE COUNTY, ALA.

approved 11-10-56
Wesley French - Clerk

THE STATE OF ALABAMA
Mobile County

DETINUE AFFIDAVIT

THOMAS M. GALLOWAY, NOTARY PUBLIC, STATE OF ALA., AT LARGE

PERSONALLY appeared before me, ~~John H. Mandeville, Clerk of the Circuit Court of Mobile County,~~
J. H. BECK

who, being duly sworn, deposes and says, that the property sued for in the complaint of SO. GULF
LUMBER CO., A CORP., D/E/A DELANEYS VS. ROBERT R. SIRMON & MRS. ROBERT R.
SIRMON
to-wit: 1 KELVINATOR RANGE, MODEL No. ER9, SERIAL No. 530717

belongs to SO. GULF LUMBER CO., A CORP., D/E/A DELANEYS the said Plaintiff.

Sworn to and subscribed the 7th day
of November, 1956, before me.

Thomas M. Galloway Notary Public, State of Ala., at Large

J. H. Beck

RECORDED
No. 3090

Circuit Court

MOBILE COUNTY
BALDWIN

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

VS. { Detinue Affidavit
(and Bond

ROBERT R. SIRMON AND MRS.
ROBERT R. SIRMON

Filed 10 day of Nov 1956

Deice J. Beck
Clerk Circuit Court, Mobile County

FILED

NOV 10 1956

Attorney
RICHARD L. BUCK, Clerk

SOUTHERN GULF LUMBER : IN THE CIRCUIT COURT
CO., A CORP., d/b/a :
DELANEYS : OF
Plaintiff : BALDWIN COUNTY
VS: : ALABAMA
ROBERT R. SIRMON & : AT LAW
MRS. ROBERT R. SIRMON :
separately and severally :
Defendants : NO. _____

COUNT ONE

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

One Kelvinator Range, Model
No. ER9, Serial No. 530717

With the value of hire or use thereof during the detention viz: The 12th day of June, 1956.

Plaintiff avers that the above described property was purchased by the Defendants by virtue of a conditional sales contract, wherein they agreed to pay a reasonable attorney's fee, and the plaintiff avers that it should be awarded a reasonable fee in the sum of FIFTY AND 00/100 (\$50.00) 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 Defendants did waive all rights in and to their exemption of personal property under the Constitution and laws of the State of Alabama.

COLLINS, GALLOWAY & MURPHY

BY: 

ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANTS:

Robertsdale, Alabama

STATE OF ALABAMA

County of Mobile

Baldwin

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

KNOW ALL MEN BY THESE PRESENTS, That we,

as Principal, and Irene Cochran and Peter V. Crolich Sureties, are held and firmly bound unto

Robert R. Sirmon and Mrs. Robert Sirmon

in the sum of Five Hundred and 00/100 (\$500.00) 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 2nd day of Oct in the year of our Lord, one thousand, nine hundred and 58

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 Kelvinator Range Model No. ER9, Serial No. 530717

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 Kelvinator Range, Model No. ER9, Serial No. 530717

and whereas the said Robert R. Sirmon and Mrs. Robert R. Sirmon 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 Corporation, 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 Corporation d/b/a Delaneys

by: Irene Cochran (Seal)

Irene Cochran & Peter V. Crolich (Seal)

by R. L. Sturtevant (Seal)

Taken and approved this the 27 day of Sept, 1958

October 20th, 1958 - Were the above bond presented to me as Circuit Clerk, I certify that I would approve the same.

John E. Mandeville
JOHN E. MANDEVILLE, Clerk, Circuit Court,
Mobile County, Alabama.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

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 Robert R. Sermon and Mrs. Robert R. Sermon

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 _____

Robert R. Sermon and Mrs. Robert R. Sermon _____, Defendant _____

by Southern Gulf Lumber Company, d/b/a DeLaneys _____

_____, Plaintiff _____

Witness my hand this 10 day of Nov 19 56

Reice - Duck _____, Clerk