

SOUTHERN GULF LUMBER COMPANY,
a corporation, c/b/a DALANEYS

PLAINTIFF

VS

J. C. EASTON

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

CASE NO. 3113

Comes now the Defendant in the above styled cause and files the following pleas:

1.

Not guilty.

2.

The allegations in the Plaintiff complaint are untrue.

3.

That he does not owe the amount sued for nor any amount.

4.

Not guilty.

Wilters & Brantley

BY:

Robert M Brantley
Attorneys for the Defendant

The Defendant demands a trial by jury.

Wilters & Brantley

BY:

Robert M Brantley
Attorneys for the Defendant

THE STATE OF ALABAMA,
Mobile County
Baldwin

DETINUE BOND AND AFFIDAVIT.

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

are held and firmly bound unto J. C. Baston

his heirs, executors and administrators, in the
sum of Four Hundred and 00/100 (\$400.00) 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 30th day of January, A. D. 1957

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

the _____ day of _____, 1957, 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 J. C. Baston

_____ for the recovery of the following property.

- to-wit: 1 Welbuilt Range Serial No. 5422731
1 Kelvinator Refrigerator, Model No RK-R, Serial No. 8256509
1 motorola T. V. Set, serial no. 328748

NOW, if the said Southern Gulf Lumber Co. Inc. a Corp. d/b/a Delaneys shall fail
in said suit, and shall pay to the said J. C. Baston
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., Inc., a Corp. d/b/a Delaneys
By: [Signature] (Seal)
its agent

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

BY: [Signature] (Seal)

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

[Signature]
Clerk, Circuit Court,
Mobile County, Ala.

SOUTHERN GULF LUMBER CO.,: IN THE CIRCUIT COURT
INC., A CORP., d/b/a
DELANEYS : OF BALDWIN COUNTY

Plaintiff : ALABAMA

VS: : AT LAW

J. C. BASTON :
Defendant : NO. _____

COUNT ONE

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

One Kelvinator Refrigerator, Model
No. RK-R, Serial No. 8256509.

One Welbuilt Range, Serial No. 5422731.

One Motorola T. V. Set, Serial No. 328748.

With the value of hire or use thereof during the detention
viz: The 8th day of November, 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 FORTY AND
00/100 (\$40.00) DOLLARS.

Plaintiff further avers that in said conditional
sales contract wherein the title to the above described
goods was retained by the Plaintiff and 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: Henry W. Galloway
ATTORNEYS FOR PLAINTIFF

Address of Defendant:

Highway 31
(White house across highway
from road to Malbis)

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 gives 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 accrue from the detention thereof.

Arise J. Newcomb
Clerk

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3143.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon J. C. Baston

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 _____

J. C. Baston

Defendant

by Southern Gulf Lumber Co., Inc. A Corp.

d/b/a Dealneys

Plaintiff.....

Witness my hand this 5th day of February 19...57...

Airice J. Black, Clerk

The State of Alabama,
Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we,

J C Baston

and

are held and firmly bound unto

Southern Lumber Co Inc & corp

in the sum of

\$600⁰⁰

Dollars, for the payment of

which, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this

day of

Feb

1957

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

Southern Lumber

Co Inc, a corp d/b/a Delaney

did, on the

30th

day

of

January

1957

sue out of the

Circuit

Court of

Baldwin Co

a writ of detinue directed to any Sheriff of said State and commanding him to take into his possession the

following property, to-wit:

1 Melhill Range Serial No 6422731

1 Helminator Refrigerator, Model No RK-R

ser # 8266609; 1 motor T.V. set, ser. #

328748

which said writ was placed in the hands of

Taylor Melhill

Sheriff of Baldwin County, Alabama, on the

6

day of

Feb

1957

and executed by him on the

9

day of

Feb

1956

by taking into his possession the following property, to-wit:

1 Melhill Range Ser. # 6422731, 1

Helminator Refrigerator, Model # RK-R

ser # 8266609; 1 motor T.V. set,

ser # 328748

And whereas the above bound

J C Baston

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

J C Baston

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.

John C Baston (SEAL)

James Brown (SEAL)

J B Cooper (SEAL)

Taken and approved this

13

day of

Feb

1957

Taylor Melhill's

Sheriff, Baldwin County, Ala.

Jefferson Davis

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

817 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

HEMLOCK 2-0568

FRED G. COLLINS

THOMAS M. GALLOWAY

M. THOMAS MURPHY (1925-1956)

WILLIAM L. GREEN

April 10, 1958

Hon. Hubert Hall, Judge
Circuit Court of Baldwin County
Baldwin County Court House
Bay Minette, Alabama

Re: Southern Gulf Lumber Co., a
Corp., d/b/a Delaneys
Vs: J. C. Baston
Case No. 3 1 4 3


Dear Sir:

Would you please enter a non-suit at the request
of the Plaintiff in the above matter when the same is
next set for a hearing.

Best of personal regards,

Very truly yours,

Collins, Galloway & Murphy

By: 
Thomas M. Galloway

TMG:mlg