

DETINUE SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

No. _____

To Any Sheriff of the State of Alabama:

19

You Are Hereby Commanded to Summon LAMAR NICHOLS

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 _____

C. H. MATTHEWS d/b/a MATTHEWS FURNITURE COMPANY.

Witness my hand this 1st day of May, 1957.

Reuben J. Nichols Clerk.

COMPLAINT

Plaintiff Versus Defendant

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

One Kelvinator Refrigerator, Model IF - 12 Serial Number 8106850

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

from February 28, 1957, to April 30, 1957

And Plaintiff claims possession under a conditional sales contract

between Plaintiff and Defendant providing for a reasonable attorneys

fee, whereof Plaintiff claims benefit.

W. L. Hays Plaintiff's Attorney.

The State of Alabama, {

Baldwin County.

KNOW ALL MEN BY THESE PRESENTS, That we, C. H. MATTHEWS

and _____

are held and firmly bound unto LAMAR NICHOLS

in the sum of (\$500.00) FIVE HUNDRED AND no/100 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 6th day of May 19 57

The condition of the above obligation is such that whereas the said C. H. MATTHEWS

_____ did, on the 1st day of MAY 19 57 sue out of the Circuit Court of Baldwin County, Alabama a writ of detinue directed to any Sheriff of the State of Alabama commanding him to take into his possession the following property, to-wit: _____

ONE KELVINATOR REFRIGERATOR, Model IF-12,

Serial Number 8106850

which said writ was placed in the hands of TAYLOR WILKINS

Sheriff of Baldwin County, Alabama, on the 1st day of May, 19 57, and executed by him on the 1st day of May, 19 57, by taking into his possession the following property, to-wit: _____

ONE KELVINATOR REFRIGERATOR, Model IF-12,

Serial Number 8106850

And whereas the said LAMAR NICHOLS 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 if the said C. H. MATTHEWS upon his failing in said suit shall deliver the said property to the Defendant within thirty days after judgment and pay all 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.

C. H. Matthews

(SEAL)

(SEAL)

(SEAL)

Taken and approved this _____

day of _____

19 57

Taylor Wilkins
Sheriff, Baldwin County, Ala.

STATE OF ALABAMA,
Baldwin County. }

KNOW ALL MEN BY THESE PRESENTS, That We, C. H. MATTHEWS

as principal, and _____

as surety, are held and firmly bound unto Lamar Nichols

in the sum of \$500.00 DOLLARS,

to be paid to the said Lamar Nichols, 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 1st day of May in the year of our Lord, 1957.

The condition of the above obligation is such, That whereas the above bound C. H.

MATTHEWS, on the day of the date hereof hath obtained at the suit of

C.H. MATTHEWS d/b/a/ MATTHEWS vs. LAMAR NICHOLS
FURNITURE COMPANY

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.

C. H. Matthews (L. S.)

____ (L. S.)

____ (L. S.)

Approved this 1st day of May 1957

Reece J. Duck
Clerk.

STATE OF ALABAMA

BALDWIN COUNTY,

Before me, Wilson Hayes, a Notary Public in and for said County and State, personally appeared C. H. Matthews, who being duly sworn, deposes and says, that the following property, to-wit:

One Kelvinator Refrigerator, Model IF -
12, Serial Number 8106850

for the recovery of which he has instituted suit this day in the Circuit Court of Baldwin County, Alabama against Lamar Nichols is the property of the Plaintiff, the affiant herein. C. H. Matthews

Sworn to and subscribed before me this the 1st day of

May, 1957.

Wilson Hayes
Wilson Hayes
Notary Public, Baldwin County, Ala.