

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

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

October 23, 1957

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

Re: Southern Gulf Lumber Co.,
Inc., a Corporation d/a/b
delaneys
Vs: Anderson Quaiter, Jr. et ux.

Dear Mrs. Duck:

Enclosed please find a suit with bond to be filed
in the Circuit Court. I would appreciate being informed
when service is obtained in this matter.

Very truly yours,

Collins, Galloway & Murphy

By: Thomas M. Galloway
Thomas M. Galloway *mf*

TMG:mlg

Encl: 1 suit with bond.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3368

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Anderson Quaiter, Jr & Grace Quaiter

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 _____
Anderson Quaiter, Jr & Grace Quaiter, Defendant

by Southern Gulf Lumber Company. Inc. A Corp. d/b/a Delaneys

Plaintiff.....

Witness my hand this 24th day of October 19 57

Reid J. French, Clerk

SOUTHERN GULF LUMBER CO., :: IN THE CIRCUIT COURT OF
INC., A CORPORATION,
d/b/a DELANEYS :: BALDWIN COUNTY
Plaintiff :: ALABAMA
VS: ::
ANDERSON QUAITER, JR., & :: AT LAW
GRACE QUAITER, :: NO. _____
separately & severally
Defendants ::

COUNT ONE

The Plaintiff claims of the Defendants the following
personal property, to-wit:

1. Kelvinator Refrigerator,
Model No. KPC., Serial No. 9292980
2. 1 Magic Chef Range,
Model No. 14LP, Serial No. 48473
3. 150 Gallon Propane Tank--AG
4. One Dearborne Heater
Model No. DR 35
5. Two Dearborne Heaters
Model No. DR 20

With the value of hire or use thereof during the detention
viz: From the 22nd day of June, 1957.

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 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 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:

Henry M. Galloway
ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANTS:

Point Clear, Alabama

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 Defendants give bond, payable to the Plaintiff, with sufficient surety in double the amount of the value of the property, with conditions that if the Defendants are 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.

Reese J. Smith
Clerk

FILED
OCT 24 1937
CLERK

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BALDWIN COUNTY

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the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____
Anderson Quaiter, Jr & Grace Quaiter _____, Defendant

by Southern Gulf Lumber Company. Inc. & Corp. d/b/a Delaneys

_____, Plaintiff.....
Witness my hand this 24th day of October 1957

Alvin J. Duck, Clerk

SOUTHERN GULF LUMBER CO., :: IN THE CIRCUIT COURT OF
INC., A CORPORATION
d/b/a DELANEYS :: BALDWIN COUNTY
Plaintiff :: ALABAMA
VS: ::
ANDERSON QUAITER, JR., & :: AT LAW
GRACE QUAITER, :: NO. _____
separately & severally
Defendants ::

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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: William W. Galloway
ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANTS:

Point Clear, Alabama

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Reine J. Smith
Clerk

FILED

OCT 21 1927

THE SHERIFF

THE STATE OF ALABAMA,
 Mobile County
 Baldwin

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, Southern Gulf Lumber Company
Inc., a Corporation, d/b/a Delaneys; and, Irene Cochran & Peter V.
Crolich

are held and firmly bound unto Anderson Quaiter, Jr., and Grace Quaiter
 their 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 21st day of October, A. D. 1957

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

the day of 19 , 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

Baldwin
 present term of said Circuit Court of Mobile against the said Anderson Quaiter, Jr., and

Grace Quaiter for the recovery of the following property,

to-wit: 1 Kelvinator Refrigerator, Model No.KPC, Serial No. 9292980;
1 Magic Chef Range, Model No. 14LP, Serial No. 48473
1 150 gallon Propane Tank Serial No. AG
1 Dearborn Heater, Model No. DR 35
2 Dearborn Heaters, Model No. DR20

NOW, if the said So. Gulf Lumber Co., Inc., a Corp.d/b/a Delaneys shall fail

in said suit, and shall pay to the said Anderson Quaiter, Jr., & Grace Quaiter

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 (Seal)

By: [Signature] (Seal)

October 23rd, 1957--Were this bond presented to me as Clerk of this
 Court I would approve the same.

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

THE STATE OF ALABAMA }
Mobile County

DETINUE AFFIDAVIT

Thomas M. Galloway, Notary Public, State of Alabama, at Large
PERSONALLY appeared before me, ~~John E. Maxwell, Clerk of the Circuit Court of Mobile~~

~~xxxxxx~~ Tom Tuggle

who, being duly sworn, deposes and says, that the property sued for in the complaint of So. Gulf Lumber Co., Inc., a Corp. d/b/a Delaneys vs. Anderson Quaiter, Jr. et al

to-wit 1 Kelvinator Refrigerator, Model No. KPG, Serial No. 9292980

1 Magic Chef Range, Serial No. 48473, Model No. 14LP

1 150 gallon Propane Tank AG

1 Dearborne Heater Model No. 35, 2 Dearborne Heaters Model No. 20

belongs to So. Gulf Lumber Co. Inc., a Corp., d/b/a Delaneys the said Plaintiff.

Sworn to and subscribed the 21st day
of October, 1957, before me.

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

Tom Tuggle

No. 3368

Circuit Court
MOBILE COUNTY

Detinue Affidavit
and Bond
vs.

FILED

Filed OCT 24 1957 19

ALICE J. BUCK, Clerk

Clerk Circuit Court, Mobile County

Buckhorn

Attorney

SOUTHERN GULF LUMBER CO., :: IN THE CIRCUIT COURT OF
 INC., A CORPORATION, ::
 d/b/a DELANEYS Plaintiff :: BALDWIN COUNTY
 :: ALABAMA
 VS: ::
 :: AT LAW
 ANDERSON QUAITER, JR., & ::
 GRACE QUAITER, :: NO. _____
 separately & severally ::
 Defendants ::

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5. Two Dearborne Heaters
Model No. DR 20

With the value of hire or use thereof during the detention viz: From the 22nd day of June, 1957.

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 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 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: Glenn M. Galloway
 ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANTS:

Point Clear, Alabama

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Anderson Quaiter, Jr & Grace Quaiter, Defendant

by Southern Gulf Lumber Company. Inc. A Corp. d/b/a Delaneys, Plaintiff

Witness my hand this 24th day of October 1957

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Grace J. Duck Clerk

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 Defendants give bond, payable to the Plaintiff, with sufficient surety in double the amount of the value of the property, with conditions that if the Defendants are 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.

Archie J. Duck
Clerk