

SOUTHERN GULF LUMBER CO., : IN THE CIRCUIT COURT OF
INC., A CORP., d/b/a DELANEY'S, :
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS: :
HAYWOOD D. BOYINGTON, : AT LAW
Defendant. : NO. 3519

COUNT ONE

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

1. One General Electric Refrigerator, Model
No. LM11N, Serial No. SN664072.
2. One Propane Tank, Model No. 150AG, Serial
No. 23589.
3. One Magic Chef Range, Model No. 1A615,
Serial No. 1X553941.

With the value of hire or use thereof during the
detention viz: From the 3rd day of August, 1957.

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 ONE HUNDRED AND 00/100 (\$100.00)
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 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: Wm. W. Galloway
ATTORNEYS FOR PLAINTIFF

Address of Defendant:

Rabon, Alabama
Go Highway 90 to 2 E'S
Tourist Cabins turn left
2nd house on left.

The Plaintiff, Souther Gulf Lumber Company, Inc., a Corporation, d/b/a Delaney's, 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 may accrue from the detention thereof.


CLERK

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 3519

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon HAYWOOD D. BOYINGTON

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-----

HAYWOOD D. BOYINGTON-----, Defendant-----

by SOUTHERN GULD LUMBER CO., INC. A Corp. d/b/a DELANEY'S

-----, Plaintiff-----

Witness my hand this 24th day of April 1958

Clifford D. Duke-----, Clerk

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

817 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

FRED G. COLLINS

THOMAS M. GALLOWAY

M. THOMAS MURPHY (1925-1956)

HEMLOCK 2-0568

April 23, 1958

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

Re: Southern Gulf Lumber Co.,
Inc., a Corporation d/b/a
Delaneys vs.
Haywood D. Boyington
Southern Gulf Lumber Co.
vs. James Downing
Southern Gulf Lumber Co.
vs. Roland L. Gunnison, et ux

Dear Mrs. Duck:


I enclose herewith three detinue proceedings which
if you will file with your court and notify me of the
filing of same it will be greatly appreciated.

With each complaint I have attached a form for
your signature so that the Sheriff may take this property
into possession as the same is filed with the bond attached.

Very truly yours,

Collins, Galloway & Murphy

By:


Thomas M. Galloway

TMG:mlg

Encl: 3 detinue suits.

The State of Alabama, {

Baldwin County

KNOW ALL MEN BY THESE PRESENTS, That we, _____

Haywood D. Boyington

and _____

are held and firmly bound unto Southern Gulf Lumber Co., Inc, d/b/a Delaney'sin the sum of One Thousand- - - - - - 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 _____ 19____

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

Southern Gulf Lumber Co., Inc. did, on the 24th dayof April 1958 sue out of the Circuit Court of Baldwin County a writ of detinue directed to any Sheriff of said State and commanding him to take into his possession the

following property, to-wit: _____

One General Electric Refrigerator, Model #LM11N, Serial #SN664072One Propane Tank, Model #150AG, Serial #23589.One Magic Chef Range, Model #1A615, Serial #1X553941which said writ was placed in the hands of Taylor Wilkins,Sheriff of Baldwin County, Alabama, on the 24 day of April, 19 58,and executed by him on the 27 day of May, 19 58 by taking into his possession the following property, to-wit:same as aboveAnd whereas the above bound Haywood D. Boyington,

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 Haywood D. Boyington 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.Haywood D. Boyington (SEAL)W. H. Hickey (SEAL)Clay Zachary (SEAL)Taken and approved this 2nd day of June 1958Taylor Wilkins
Sheriff, Baldwin County, Ala.

THE STATE OF ALABAMA,
BALDWIN Mobile County

DETINUE BOND AND AFFIDAVIT.

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

are held and firmly bound unto Haywood D. Boyington
his heirs, executors and administrators, in the
sum of One Thousand and 00/100 (\$1,000.00) 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 18th day of April, A. D. 1958

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

Southern Gulf Lumber Co., Inc., a Corp., d/b/a Delaney's has, on
the day of April 1958, 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

Haywood D. Boyington for the recovery of the following property,

to-wit: One General Electric Refrigerator, Model No. LM11N, Serial No.
SN664072, One Propane Tank , Model No. 150AG, Serial No. 23589,
One Magic Chef Range, Model No. 1A615, Serial No. 1X553941

NOW, if the said Southern Gulf Lumber Co., Inc., a Corp. d/b/a Delaney's shall fail
in said suit, and shall pay to the said Haywood D. Boyington

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.

So. Gulf Lumber Co., Inc., a Corp., d/b/a Delaney's
By: [Signature] (Seal)

Irene Cochran & Peter V. Crolich (Seal)

By: [Signature] (Seal)

Mobile, Alabama, County Courthouse, April 21st, 1958. I, the undersigned, .
John E. Mandeville, Clerk of the Circuit Court of Mobile County, Alabama,
do hereby certify that if the above bond were presented to me as Clerk of
this court, I would approve the same.
CLERK, CIRCUIT COURT, MOBILE COUNTY, ALA.