

3520

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 and Peter V. Crolich

are held and firmly bound unto James Downing

his heirs, executors and administrators, in the
sum of Three Hundred and 00/100 (\$300.00) 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 13th day of April, A. D. 1957

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

So. Gulf Lumber Co., Inc., a Corp., d/b/a Delaney's 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

James Downing for the recovery of the following property,

to-wit: One Propane Tank, Model No. 150AG, Serial No. 11057

One Royal Heater

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

in said suit, and shall pay to the said James Downing

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: Irene Cochran (Seal)

Irene Cochran & Peter V. Crolich (Seal)

By: Peter V. Crolich (Seal)

Mobile, Alabama, County Courthouse, April 21st, 1957. 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.

STATE OF ALABAMA

County of ~~Mobile~~ Baldwin:

Southern Gulf Lumber Co., Inc.,

KNOW ALL MEN BY THESE PRESENTS, That we, a Corp., d/b/a Delaney's

Irene Cochran & Peter V. Crolich

as Principal, and _____, as Sureties, are held and firmly bound

unto James Downingin the sum of Three Hundred and 00/100 (\$300.00) Dollarsfor 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 18th day of April in the year of our Lord, one thousand, nine hundred and fifty-eight.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said

Southern Gulf Lumber Co., Inc., a Corp., d/b/a Delaney'sdid, on the _____ day of _____, 19____, sue out in the Circuit Court of Baldwin 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 Propane Tank, Model No. 150AG, Serial No. 11057One Royal Heaterwhich said writ was placed in the hands of Taylor WilkinsSheriff of the County of Baldwin, on the 22nd day of May, 1958 by taking into his possession the following described property, to-wit: _____One Propane Tank, Model No. 150AG, Serial No. 11057One Royal Heaterand whereas the said James Downing

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 Corp., d/b/a Delaney's

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.

So. Gulf Lumber Co., Inc., a Corp., d/b/a Delaney'sBy: Tom Tuggle (Seal)

Irene Cochran & Peter V. Crolich (Seal)

By: Peter V. Crolich (Seal)Taken and approved this the 28 day1958Taylor Wilkins
Sheriff, Mobile County, Alabama

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.

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

COUNT ONE

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

1. One Propane Tank, Model No. 150AG, Serial No. 11057.
2. One Royal Heater.

With the value of hire or use thereof during the detention viz: From the 15th 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 THIRTY AND 00/100 (\$30.00) 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: Glenn W. Galloway
 ATTORNEYS FOR PLAINTIFF

Address of Defendant:

Daphne, Alabama.
 Go from Loxley to Daphne
 turn right at Daphne to
 first road to right turn
 right and its the 5th house
 on the left.

The Plaintiff, Southern 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
case in the suit, will within thirty days thereafter, de-
liver the property to the Plaintiff, and pay all costs
and damages which may accrue from the detention thereof.

Alice J. Smith
CLERK

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 3520

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES DOWNING

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-----

James Downing

-----, Defendant-----

by SOUTHERN GULF LUMBER CO. INC. A CORP. d/b/a DELANEY'S

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

Witness my hand this 24 day of April 19 58

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Heriberto J. Smith, Clerk