

SOUTHERN GULF LUMBER COM- : IN THE CIRCUIT COURT OF  
PANY, INC., A CORP., DOING :  
BUSINESS AS DELANEY'S, :

PLAINTIFF, : BALDWIN COUNTY, ALABAMA

VS: :

ROBERT WEEKS AND MRS. ROBERT: AT LAW  
WEEKS, SEPARATELY AND :  
SEVERALLY, :

DEFENDANTS. : NO. 3592

COUNT ONE

THE PLAINTIFF CLAIMS OF THE DEFENDANTS, SEPARATELY  
AND SEVERALLY, THE FOLLOWING PERSONAL PROPERTY, VIZ:

, ONE KELVINATOR REFRIGERATOR, MODEL  
No. KVE110R, SERIAL No. 38187091.

WITH THE VALUE OF HIRE OR USE THEREOF DURING THE  
DETENTION VIZ: FROM THE 20TH DAY OF AUGUST, 1957.

PLAINTIFF AVERS THAT THE ABOVE DESCRIBED PROPERTY  
WAS PURCHASED BY THE DEFENDANTS BY VIRTUE OF A CON-  
DITIONAL SALES CONTRACT 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 TWENTY FIVE AND 00/100 (\$25.00)  
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 THEIR EXEMPTION OF  
PERSONAL PROPERTY UNDER THE CONSTITUTION AND LAWS OF  
THE STATE OF ALABAMA.

COLLINS, GALLOWAY & MURPHY

By: John M. Galloway  
ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANTS:

Box 35  
MAGNOLIA SPRINGS, ALABAMA

231

THE PLAINTIFF, SOUTHERN GULF LUMBER COMPANY,  
INC., A CORPORATION, D/E/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, DELIVER THE PROPERTY TO THE PLAIN-  
TIF, AND PAY ALL COSTS AND DAMAGES WHICH MAY  
ACCRUE FROM THE DETENTION THEREOF.

Reinhold W. W. W.  
CLERK

STATE OF ALABAMA  
County of ~~Mobile~~ BALDWIN

SOUTHERN GULF LUMBER Co., INC.

KNOW ALL MEN BY THESE PRESENTS, That we, A CORP., D/E/A DELANEY'S  
BROADUS, PIERCE & DICKERSON BONDING Co.  
as Principal, and \_\_\_\_\_ and \_\_\_\_\_, as Sureties, are held and firmly bound  
unto ROBERT WEEKS AND MRS. ROBERT WEEKS, SEPARATELY AND SEVERALLY

in the sum of TWO HUNDRED AND 00/100 (\$200.00) DOLLARS  
for 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 21<sup>st</sup>  
day of JUNE 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/E/A DELANEY'S  
did, on the \_\_\_\_\_ day of JUNE, 19 58, sue out in the CIRCUIT Court  
of ~~Mobile~~ BALDWIN County, Alabama, a writ in detinue, direct to any Sheriff of the State of Alabama, com-  
manding him to take into his possession the following described property, to-wit: \_\_\_\_\_

ONE KELVINATOR REFRIGERATOR, MODEL No. KVE110R, SERIAL No.  
38187091

which said writ was placed in the hands of TAYLOR WILKINS

Sheriff of the County of ~~Mobile~~ BALDWIN, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 58 by taking into his  
possession the following described property, to-wit: \_\_\_\_\_

ONE KELVINATOR REFRIGERATOR, MODEL No. KVE110R, SERIAL No.  
38187091.

and whereas the said ROBERT WEEKS AND MRS. ROBERT WEEKS  
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/E/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.

SOUTHERN GULF LUMBER Co., INC., A CORP., D/E/A DELANEY'S

By: [Signature] (Seal)

BROADUS, PIERCE & DICKERSON BONDING COMPANY (Seal)

By: [Signature] (Seal)

Taken and approved this the 26 day \_\_\_\_\_

[Signature]  
Sheriff, ~~Mobile~~ BALDWIN County, Alabama

June 23<sup>rd</sup>, 1958 - Were the above bond presented to me, as Clerk of this  
Court, I hereby certify that I would approve the same.

235

[Signature]  
JOHN E. MANDEVILLE, CLERK, CIRCUIT COURT, MOBILE  
COUNTY, ALABAMA.

SUMMONS AND COMPLAINT

Moore Print Co.

The State of Alabama,  
Baldwin County.

Circuit Court, Baldwin County

No. 3592

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ROBERT WEEKS, and MRS ROBERT WEEKS, separately  
and severally

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

ROBERT WEEKS, AND MRS. ROBERT WEEKS, separately & severally, Defendant

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

Plaintiff

Witness my hand this 23rd day of June 1958

Alvin J. Muck Clerk

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/E/A DELANEY'S & BROADUS, PIERCE & DICKERSON BONDING Co.

are held and firmly bound unto ROBERT WEEKS & MRS. ROBERT WEEKS, SEPARATELY  
AND SEVERALLY. THEIR heirs, executors and administrators, in the

sum of TWO HUNDRED AND 00/100 (\$200.00) DOLLARS 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 21<sup>st</sup> day of JUNE, A. D. 1958

The Condition of the above Obligation is such, That whereas the above bounden SOUTHERN GULF  
LUMBER Co., INC., A CORP., D/E/A DELANEY'S has, on  
the JUNE day of 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 present  
BALDWIN  
term of said Circuit Court of Mobile against the said ROBERT WEEKS & MRS. ROBERT WEEKS

for the recovery of the following property.

to-wit: ONE KELVINATOR REFRIGERATOR, MODEL No. KVE110R,  
SERIAL No. 38187091

NOW, if the said SO. GULF LER., Co., INC., A CORP., D/E/A DELANEY'S shall fail

in said suit, and shall pay to the said

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/E/A DELANEY'S

EX: I am [Signature] (Seal)

BROADUS, PIERCE & DICKERSON BONDING COMPANY (Seal)

By: [Signature] (Seal)

June 23<sup>rd</sup>, 1958 - Were the above bond presented to me, as Clerk of this  
Court, I hereby certify that I would approve the same.

233

JOHN E. MANDEVILLE, CLERK, CIRCUIT COURT  
COUNTY, ALABAMA.