

3593

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 CHARLES E. OWENS

in the sum of SIX HUNDRED AND 00/100 (\$600.00) 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  
 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, 1958, sue out in the CIRCUIT Court  
 of ~~Mobile~~ County, Alabama, a writ in detinue, direct to any Sheriff of the State of Alabama, com-  
BALDWIN  
 manding him to take into his possession the following described property, to-wit: \_\_\_\_\_

ONE KELVINATOR REFRIGERATOR, MODEL No. K46F11R, SERIAL  
No. 38224307

which said writ was placed in the hands of TAYLOR WILKINS  
 Sheriff of the County of ~~Mobile~~ on the \_\_\_\_\_ day of \_\_\_\_\_, 1958 by taking into his  
 possession the following described property, to-wit: \_\_\_\_\_  
BALDWIN

ONE KELVINATOR REFRIGERATOR, MODEL No. K46F11R, SERIAL  
No. 38224307

and whereas the said CHARLES E. OWENS  
 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: J. Back (Seal)

BROADUS, PIERCE AND DICKERSON BONDING COMPANY (Seal)

By: J. M. Dura (Seal)

Taken and approved this the 5 day

1958

Taylor Wilkins  
 Sheriff, ~~Mobile~~ County, Alabama

J. M. Mandeville  
 Clerk of this Court

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 CHARLES E. OWENS

HIS

heirs, executors and administrators, in the

sum of SIX HUNDRED AND 00/100 (\$600.00)

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 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 COMPANY, INC., A CORP.. D/E/A DELANEY'S has, on  
the \_\_\_\_\_ day of JUNE 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  
term of said Circuit Court of Mobile against the said CHARLES E. OWENS

for the recovery of the following property.

to-wit: ONE KELVINATOR REFRIGERATOR. MODEL No. K46F11R,

SERIAL No. 38224307

NOW, if the said SO. GULF LUMBER Co., Inc., A CORP.. D/E/A DELANEY'S shall fail  
in said suit, and shall pay to the said CHARLES E. OWENS

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

By: [Signature] (Seal)

BROADUS, PIERCE & DICKERSON BONDING COMPANY (Seal)

By: [Signature] (Seal)

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 CHARLES E. OWENS

HIS

heirs, executors and administrators, in the

sum of SIX HUNDRED AND 00/100 (\$600.00)

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 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 COMPANY, INC., A CORP.; D/E/A DELANEY'S has, on  
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SERIAL No. 38224307

NOW, if the said So. GULF LUMBER Co., INC., A CORP., D/E/A DELANEY'S shall fail  
in said suit, and shall pay to the said CHARLES E. OWENS

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

By: [Signature] (Seal)

BROADUS, PIERCE & DICKERSON BONDING COMPANY (Seal)

By: [Signature] (Seal)

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

[Signature]  
JAMES H. HANCOCK, CLERK, CIRCUIT COURT, MOBILE  
COUNTY, ALABAMA.

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

PLAINTIFF, : BALDWIN COUNTY, ALABAMA

VS: : AT LAW

CHARLES E. OWENS, :

DEFENDANT. : NO. 3593

COUNT ONE

THE PLAINTIFF CLAIMS OF THE DEFENDANT THE FOLLOWING  
PERSONAL PROPERTY, VIZ:

ONE KELVINATOR REFRIGERATOR, MODEL NO.  
K4F11R, SERIAL NO. 38224307.

WITH THE VALUE OF HIRE OR USE THEREOF DURING THE  
DETENTION VIZ: FROM THE 20TH DAY OF SEPTEMBER, 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 SIXTY AND 00/100 (\$60.00) 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: John W. Galloway  
ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANT:

Box 243  
LOXLEY, ALABAMA

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 DE-  
FENDANT IS CASE IN THE SUIT, WILL WITHIN THIRTY  
DAYS THEREAFTER, DELIVER THE PROPERTY TO THE PLAIN-  
TIFF, AND PAY ALL COSTS AND DAMAGES WHICH MAY ACCRUE  
FROM THE DETENTION THEREOF.

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*Deane J. Hester*  
CLERK

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 3593

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CHARLES E. OWENS

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

CHARLES E. OWENS

, Defendant

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

, Plaintiff

Witness my hand this 23rd day of June 1958

Boris J. Luck Clerk