

SOUTHERN GULF LUMBER CO., : IN THE CIRCUIT COURT OF
INC., A CORPORATION, D/E/A
DELANEYS, :

PLAINTIFF, : BALDWIN COUNTY, ALABAMA

VS: :

HENRY LEE PRIM AND SARAH : AT LAW
LUE PRIM, SEPARATELY AND
SEVERALLY, :

DEFENDANTS. : NO. 4007

COUNT ONE

THE PLAINTIFF CLAIMS OF THE DEFENDANTS THE FOLLOW-
ING PERSONAL PROPERTY, TO-WIT:

ONE GENERAL ELECTRIC REFRIGERATOR, MODEL
No. LB81N, SERIAL No. UN682329.

WITH THE VALUE OF HIRE OR USE THEREOF DURING THE
DETENTION VIZ: FROM THE 15TH DAY OF APRIL, 1959.

PLAINTIFF AVERS THAT THE ABOVE DESCRIBED PROPERTY
WAS PURCHASED BY THE DEFENDANTS BY VIRTUE OF A CON-
DITIONAL 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 TWENTY AND 00/100 (\$20.00) 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:

Box 81
FOLEY, ALABAMA

THE PLAINTIFF, SOUTHERN GULF LUMBER COMPANY,
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 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 DEFENDANT IS CASE 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.

FILED

OCT 14 1959

ALICE J. DUCK, CLERK
REGISTER

Alice J. Duck
CLERK

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 4007

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon HENRY LEE PRIM, and SARAH LUE PRIM,

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 HENRY LEE PRIM, and

SARAH LUE PRIM, separately and severally, Defendant

by SOUTHERN GULF LUMBER CO., Inc. a Corp., d/b/a DELANEY'S, Plaintiff

Witness my hand this 14 day of October 1959

Price, Clerk

No. 4007

Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

SOUTHERN GULF LUMBER CO., INC.

A CORP., d/b/a DELANEY'S

Plaintiffs

vs.

HENRY LEE PRIM, and SARAH

LUE PRIM, separately & Severally

Defendants

Summons and Complaint

Filed October 14, 1959

Alice J. Duck

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Galley
Received In Office

10/14 1959

_____, Sheriff

I have executed this summons

this 10-26-59 19____

by leaving a copy with

Henry Lee Prim
+ Sarah Prim
attached 1 St. Leofigara
made #2 B 81N, Genai
#446 82329.

Sheriff claims 144 miles at

Ten Cents per mile Total \$ 14.40
TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

Det. Malt. Bond 11-43
Det. Malt. Delaney's
Det. Malt. & Property
related to same.

Taylor Wilkins Sheriff

Carlisle Deputy Sheriff

Galley

THE STATE OF ALABAMA,
BALDWIN ~~Mobile~~ County

DETINUE BOND AND AFFIDAVIT.

KNOW ALL MEN BY THESE PRESENTS, That We, SOUTHERN GULF LUMEER Co., INC.,
A CORP., D/E/A DELANEY'S AND E. E. DELANEY AND A. B. SNODGRASS

are held and firmly bound unto HENRY LEE PRIM AND SARAH LUE PRIM

THEIR heirs, executors and administrators, in the
sum of ONE HUNDRED EIGHTY AND 00/100 (\$180.00) 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 2nd day of September, A. D. 1957

The Condition of the above Obligation is such, That whereas the above bounden
SOUTHERN GULF LUMEER Co., INC., A CORP., D/E/A DELANEY'S has, on
the _____ day of _____ 19____, sued out from the office of the
Clerk of the Circuit Court of ~~Mobile~~ ^{BALDWIN} in the State of Alabama, a Writ of Detinue, returnable to the present
term of said Circuit Court of ~~Mobile~~ ^{BALDWIN} against the said HENRY LEE PRIM AND SARAH LUE PRIM

for the recovery of the following property.

to-wit: ONE GENERAL ELECTRIC REFRIGERATOR, MODEL No. LB81N,
SERIAL No. UN682329.

NOW, if the said So. GULF LUMEER Co., INC., A CORP., D/E/A DELANEY'S shall fail
in said suit, and shall pay to the said HENRY LEE PRIM AND SARAH LUE PRIM
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 LUMEER Co., INC., A CORP., D/E/A DELANEY'S

BY: J. M. Huggins (Seal)

[Signature] (Seal)

A. B. Snodgrass (Seal)

State of Alabama,
Mobile County.

I hereby certify that if this bond was presented to me I would
approve the same as good and sufficient surety.

approved
10-14-57
A. B. Luck
clerk

5 Clerk, Circuit Court, Mobile County, Alabama.

THE STATE OF ALABAMA

Mobile County
Baldwin

DETINUE AFFIDAVIT

MARY L. GRIMSLEY, NOTARY PUBLIC, MOBILE
PERSONALLY appeared before me, ~~John E. Mandeville, Clerk of the Circuit Court of Mobile County,~~

COUNTY, ALABAMA

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/E/A DELANEY'S VS. HENRY LEE PRIM & SARAH LUE
PRIM
to-wit ONE GENERAL ELECTRIC REFRIGERATOR, MODEL NO. LB81N.
SERIAL No. UN682329

belongs to SO. GULF LUMBER Co., INC., A CORP., D/E/A ^{DELANEY'S} the said Plaintiff.

Sworn to and subscribed the 2nd day
of September, 1959, before me.

Tom Tuggle

Mary L. Grimsley ~~Clerk~~
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

No. 14007

Circuit Court

MOBILE COUNTY

Baldwin

{ Detinue Affidavit
VS. { and Bond

Filed day of 19

FILED

Clerk Circuit Court, Mobile County

ALICE J. DUCK, REGISTER

Attorney