

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

PLAINTIFF, : BALDWIN COUNTY, ALABAMA

VS: :

DORIS WEAVER AND WILLIE : AT LAW
WEAVER, SEPARATELY AND :
SEVERALLY, :

DEFENDANTS. : NO. 40086

COUNT ONE

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

ONE KELVINATOR REFRIGERATOR, MODEL No.
KP-81, SERIAL No. 9751316.

ONE PROPANE TANK, MODEL No. 150AG.

ONE DEARBORN HEATER, MODEL No. DRC-20,
SERIAL No. 19943.

WITH THE VALUE OF HIRE OR USE THEREOF DURING THE
DETENTION VIZ: FROM THE 30TH DAY OF JANUARY, 1959.

PLAINTIFF AVERS THAT THE ABOVE DESCRIBED PROPERTY
WAS PURCHASED BY THE DEFENDANT 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
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 THEIR EXEMPTION OF PER-
SONAL PROPERTY UNDER THE CONSTITUTION AND LAWS OF THE
STATE OF ALABAMA.

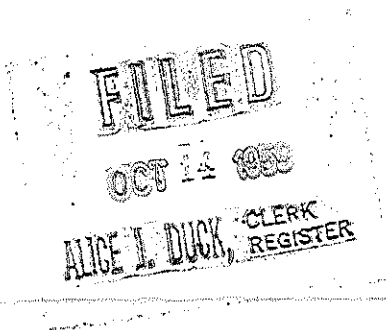
COLLINS, GALLOWAY & MURPHY

By: William M. Galloway
ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANTS:

ROBERTSDALE, 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.



Alice J. Duck
CLERK

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4008

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon DORIS WEAVER, and WILLIE WEAVER, 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 DORIS WEAVER, and
WILLIE WEAVER, 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 19 59

W. J. Delaney, Clerk

No. 4008

Page

The State of Alabama
Baldwin County

CIRCUIT COURT

SOUTHERN GULF LUMBER CO., INC.

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

Plaintiffs

vs.

DORIS WEAVER, and WILLIE WEAVER,

Separately and Severally

Defendants

Summons and Complaint

Filed October 14, 1959

Alice J. Duck

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

10/14/59

Sheriff

I have executed this summons

this 1-7 1960

by leaving a copy with

Doris Weaver
and No property
found

Sheriff claims 50 miles at
Ten Cents per mile Total \$5.00

TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF
Returned 11 day of Jan 1960

Not found in my county after diligent search and in
quiry.

Taylor Wilkins, Sheriff

By

Edleigh Steadham, Deputy Sheriff

Edleigh Steadham, Deputy Sheriff

Robertsdale, Ala

COLLINS, GALLOWAY & MURPHY
ATTORNEYS AT LAW
817 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA
HEMLOCK 2-0568

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1925-1956)

April 11, 1961

Honorable Hubert Hall, Judge
Circuit Court of Baldwin County
Baldwin County Courthouse
Bay Minette, Alabama

Re: Southern Gulf Lumber Company, Inc., d/b/a
Delaneys
vs: Weaver

Dear Judge Hall:

Would you please enter a non-suit at the request of
the Plaintiff when the above styled matter is set on
Wednesday, April 12, 1961, and ask Mrs. Duck to send
me the Court cost bill.

Best of personal regards,

COLLINS, GALLOWAY & MURPHY

BY: Thomas M. Galloway
Thomas M. Galloway

TMG:jl

gl

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

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WILLIE WEAVER, separately, and severally-----, Defendant-----

by SOUTHERN GULF LUMBER CO., Inc. A Corp., d/o DELAWARE-----
-----, Plaintiff-----

Witness my hand this 11 day of October 19 59

Ellice J. Duck, Clerk

No. 4008

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The State of Alabama

Baldwin County

CIRCUIT COURT

SOUTHERN GULF LUMBER CO., INC.

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

Plaintiffs

vs.

DORIS WEAVER, and WILLIE WEAVER,

Separately and Severally

Defendants

Summons and Complaint

Filed October 14, 1959

Alice J. Duck

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19

, Sheriff

I have executed this summons

this 19

by leaving a copy with

Sheriff

Deputy Sheriff

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

PLAINTIFF, : BALDWIN COUNTY, ALABAMA

VS: :

DORIS WEAVER AND WILLIE : AT LAW
WEAVER, SEPARATELY AND
SEVERALLY, :

DEFENDANTS. : NO. _____

COUNT ONE

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ING PERSONAL PROPERTY, TO-WIT:

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KP-81, SERIAL No. 9751316.

ONE PROPANE TANK, MODEL NO. 150AG.

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SERIAL No. 19943.

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SONAL PROPERTY UNDER THE CONSTITUTION AND LAWS OF THE
STATE OF ALABAMA.

COLLINS, GALLOWAY & MURPHY

By: John W. Galloway
ATTORNEYS FOR PLAINTIFF

ADDRESS OF DEFENDANTS:

ROBERTSDALE, 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
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INTO HIS POSSESSION, UNLESS THE DEFENDANTS GIVE BOND,
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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 1958

ALICE J. DUCK, CLERK
REGISTER

Alice J. Duck
CLERK

THE STATE OF ALABAMA,
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 AND E. E. DELANEY AND A. B. SNODGRASS

are held and firmly bound unto DORIS WEAVER AND WILLIE WEAVER

THEIR 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 2nd day of September, A. D. 1959

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 _____ day of _____, 19____, sued out from the office of the
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 DORIS WEAVER AND WILLIE WEAVER
_____ for the recovery of the following property.

to-wit: ONE KELVINATOR REFRIGERATOR, MODEL No. KP-81, SERIAL No.
9751316, ONE PROPANE TANK, MODEL No. 150AG, ONE DEAREORN
HEATER, MODEL No. DRC-20, SERIAL No. 19943.

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 DORIS WEAVER AND WILLIE WEAVER
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/E/A DELANEY'S
By: [Signature] (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.

[Signature]
Clerk, Circuit Court, Mobile County, Alabama.

Approved 10-14-59
[Signature]
Clerk

THE STATE OF ALABAMA
Mobile County

DETINUE AFFIDAVIT

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

ALABAMA TOM TUGGLE

who, being duly sworn, deposes and says, that the property sued for in the complaint of SOUTHERN GULF
LUMBER CO., INC., A CORP., D/E/A DELANEY'S VS. DORIS WEAVER AND
WILLIE WEAVER ONE KELVINATOR, REFRIGERATOR, MODEL No. KP-81,
to-wit SERIAL No. 9751316, ONE PROPANE TANK, MODEL No. 150AG,
ONE DEARBORN HEATER, MODEL No. DRC-20. SERIAL No. 19943

belongs to SO. GULF LUM. CO., INC., A CORP., D/E/A/DELANEY'S the said Plaintiff.

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

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

Tom Tuggle

No. 14008

Circuit Court
MOBILE COUNTY

{ Detinue Affidavit
VS. { and Bond

Filed 19
FILED
OCT 14 1959
CLERK
ALICE J. BUCKIN, CLERK
MOBILE COUNTY

Attorney

STATE OF ALABAMA
County of Mobile.

Southern Gulf Lumber Co., Inc.,

KNOW ALL MEN BY THESE PRESENTS, That we, a Corp., d/b/a Delaney's
as Principal, and E. E. Delaney and E. A. Trigg, as Sureties, are held and firmly bound
unto Henry Lee Prim and Sarah Lue Prim

~~in the~~ sum of One Hundred Eighty and 00/100 (\$180.00) 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 _____
day of _____ in the year of our Lord, one thousand, nine hundred and fifty-nine.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the said _____
Southern Gulf Lumber Co., Inc., a Corp., d/b/a Delaney's
did, on the _____ day of _____, 19____, 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 General Electric Refrigerator, Model No. LB81N, Serial No.
UN682329.

which said writ was placed in the hands of Taylor Wilkins
Sheriff of the County of Mobile, on the _____ day of _____, 19____ by taking into his
possession the following described property, to-wit: _____

One General Electric Refrigerator, Model No. LB81N,
Serial No. UN682329.

and whereas the said Henry Lee Prim and Sarah Lue Prim
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.

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

By: T. O. Taylor (Seal)

E. E. Delaney (Seal)

E. A. Trigg (Seal)

Taken and approved this the 12 day _____

State of Alabama,
Mobile County.

Taylor Wilkins
Sheriff, Mobile County, Alabama

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

4

E. M. Manderell
Clerk, Circuit Court, Mobile County, Alabama.

No. _____

COURT
MOBILE COUNTY

VS. { Detinue Forthcoming
Bond by Plaintiff