

1158

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon THOMAS E. GIVENS, to appear within thirty days from the service of this writ, in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of THE GOODYEAR TIRE AND RUBBER COMPANY, INC., A Corporation.

Witness my hand this 15th., day of March, 1948.

Alice J. Smith
Clerk.

GOODYEAR TIRE & RUBBER COMPANY,)
INC., A Corporation,)
Plaintiff,)
VS)
THOMAS E. GIVENS,)
Defendant,)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE.

The plaintiff claims of the defendant the following personal property to-wit:-

Two (2) 900X20 Goodyear Hi Miles 10 ply tires, Serial No. 283E6944 and 283E9844; also two (2) 900X20 Goodyear heavy duty black tubes.

with the value of the hire or use thereof during the detention, to-wit:- since January 16, 1948.

Hybert A. Gerson
Attorneys for Plaintiff.

TO ANY SHERIFF OF THE STATE OF
ALABAMA:

Whereas, the plaintiff in
within stated cause has made
affidavit and given bond as re-
quired by law you are hereby re-
quired to take the property men-
tioned in Complaint into your
possession unless the Defendant
gives bond payable to the Plain-
tiff with sufficient surety in
double the amount of the value of
the property, with condition that
if the Defendant is cast in the
suit he will within thirty days
thereafter, deliver the property
to the Plaintiff, and pay all
damages and costs which may ac-
crue from the detention thereof.

Alice J. Luck
Clerk

Received in Sheriff's Office
this 15 day of Mar, 1948
TAYLOR WILKINS, Sheriff

*Excluded by service a
copy of within Service
Complaint of Thomas E.
Givens this March 24
1948*

*Taylor Wilkins
147 Hall P.S.*

115-8
RECORDED

SUMMONS AND COMPLAINT

GOODYEAR TIRE & RUBBER
COMPANY, INC., A Corporation,

Plaintiff,

VS

THOMAS E. GIVENS,

Defendant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Filed March 15, 1948

Alice J. Luck
Clerk

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA

GOODYEAR TIRE & RUBBER COMPANY,)	IN THE CIRCUIT COURT OF
INC., A Corporation,)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	LAW SIDE.
)	
VS)	
)	
THOMAS E. GIVENS,)	
Defendant,)	

Comes the plaintiff in the above styled cause and amends its complaint filed against said defendant in the Circuit Court of Baldwin County, Alabama, on March 15, 1948, by adding count two as follows:

COUNT TWO

The plaintiff claims of the defendant \$151.43 due by Promissory Note made by him on to-wit: December 16, 1947, and payable on to-wit: January 16, 1948, together with interest thereon from January 16, 1948, at the rate of 5% per annum.

The plaintiff avers that in, by and as a part of said note the defendant agreed to pay all cost of collecting or attempting to collect said note including a reasonable attorney's fee and the plaintiff further claims of the defendant the further and additional sum of \$30.00 as such reasonable attorney's fee.

Attorneys for Plaintiff.

Presented by, serving
a copy of within
Complaint on Thomas
E. Givens this March
24, 1948

Taylor Wilkins
Sheriff
147 Hall D. S.

Received in Sheriff's Office
this 24 day of Mar, 1948
TAYLOR WILKINS, Sheriff

RECORDED

AMENDED AND COMPLAINT

GOODYEAR TIRE & RUBBER
COMPANY, INC., A Corporation,
Plaintiff,

VS

THOMAS E. GIVENS,
Defendant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Filed March 24, 1948

Alice J. Leuch
Clerk.

GOODYEAR TIRE & RUBBER COMPANY,
INC., A Corporation,

Plaintiff,

VS

THOMAS E. GIVENS,

Defendant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE.

Before me, John Chason, a Notary Public, in and for Baldwin County, personally appeared George W. Phillips, who is known to me and who, after being by me first duly and legally sworn doth depose and say, under oath as follows:-

That his name is George W. Phillips; that he is the agent of the Goodyear Tire & Rubber Company, Inc., A Corporation, and as such is duly authorized to make this affidavit; ~~to~~ ^{that} the following described property to-wit:-

Two (2) 900X20 Goodyear Hi Miles 10 ply tires, Serial No. 283E6944 and 283E9844; also two (2) 900X20 Goodyear heavy duty black tubes.

for the recovery of which it has this day instituted suit in the Circuit Court of Baldwin County, Alabama, is the property of the Goodyear Tire & Rubber Company, Inc., A Corporation.

George W. Plimpton

Sworn to and subscribed before
me this 15th. day of March, 1948.

John H. Hester
Notary Public, Baldwin County,
Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that we, Goodyear Tire and Rubber Company, a Corporation, as principal and the undersigned as surety, are held and firmly bound unto Thomas E. Givens, his heirs, executors and administrators in the sum of \$25.00, 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 15th., day of March, 1948.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas the above bounden Goodyear Tire & Rubber Company, Inc., a Corporation, has on the 15th. day of March, 1948, sued out from the office of the Circuit Clerk of Baldwin County, Alabama, a Writ of Detinue, returnable at the next term of the Circuit Court of Baldwin County, Alabama, in said cause against Thomas E. Givens, for the recovery of the following described personal property, viz:-

Two (2) 900X20 Goodyear Hi Miles 10 ply tires, Serial No. 283E6944 and 283E9844; also two (2) 900X20 Goodyear heavy duty black tubes.

NOW, if the said Goodyear Tire & Rubber Company, Inc., a Corporation, shall fail in said suit and shall pay to the said Thomas E. Givens, 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 effect.

Goodyear Tire & Rubber Co. Inc.
George W. P. Smith (SEAL)
As its Agent.

George W. P. Smith (SEAL)

Taken and approved this 15th.
day of March, 1948.

Alice J. Smith
Clerk of Circuit Court.

116-8

RECORDED

AFFIDAVIT AND BOND

GOODYEAR TIRE & RUBBER COMPANY,
INC., A Corporation,

Plaintiff,

VS

THOMAS E. GIVENS,

Defendant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Filed March 15, 1948

Alice J. Leach
Clerk.

LAW OFFICES
HYBART & CHASON
BAY MINETTE, ALABAMA