

B. F. GOODRICH COMPANY  
A Corporation,

PLAINTIFF

VS

O. GIVENS,

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1283

Noe comes the Defendant and for answer to the Plaintiff's  
complaint, and to each count thereof, separately and severally says:

1.

That the facts therein alleged are untrue.

2.

That the account sued on was paid in full before the commence-  
ment of this suit.

3.

That the account sued on was that of T. E. GIVENS and not of  
this Defendant; that the Defendant is in no way bound to pay the said  
account.

4.

That said suit against the Defendant is barred by the Statute  
of Frauds.

  
Attorney for the Defendant

The Defendant demands a trial by jury.

  
Attorney for the Defendant

201283

B. F. GOODRICH COMPANY  
A Corporation

PLAINTIFF

VS

O. GIVENS

DEFENDANT

Filed 1-13-49  
Alice J. Smith  
Clerk

RECORDED

SUMMONS

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon O. 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 same, then and there to answer the complaint of the B. F. GOODRICH COMPANY, a corporation.

Witness my hand this the 8<sup>th</sup> day of January, 1949.

Alice J. French  
Clerk

.....

COMPLAINT

B. F. GOODRICH COMPANY, a Corporation,	)	
Plaintiff	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
O. GIVENS,	)	AT LAW.
Defendant	)	

COUNT I

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED SEVENTY TWO & 25/100 DOLLARS (\$472.25), due from him by account, on to wit: the 30th day of November, 1948, which sum of money is still unpaid.

COUNT II

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED SEVENTY TWO & 25/100 DOLLARS (\$472.25), due from him on account state between the Plaintiff and the Defendant, on, to wit: the 30th day of November, 1948, which sum of money is still unpaid.

COUNT III

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED SEVENTY TWO & 25/100 DOLLARS (\$472.25), due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant on, to wit: the 30th day of November, 1948, which sum of money is still unpaid.

Forest A. Christian  
Forest A. Christian      Foley, Alabama  
Attorney for Plaintiff

There is attached hereto and made a part hereof an itemized statement of the amount of this claim, verified by the affidavit of a competent witness, made before and certified to by a Notary Public, which shows the amount owed on this claim as of November, 1948.

The Defendant lives at Seminole, Alabama.

Forest A. Christian

AFFIDAVIT OF Y. R. MOORE

THE STATE OF FLORIDA, \*  
                                  )  
ESCAMBIA COUNTY.          )

Y. R. Moore, first being duly sworn, deposes and says as follows:

My name is Y. R. Moore. I am manager of the B. F. Goodrich Stores at Pensacola, Florida, and as such manager, I am in charge of the records of our store. Our records show that O. Givens made the following purchases, which were charged to him:

Date	Reference	Charges	Credits	Balance
6-27-47	15718	\$ 179.48		
6-30-47	15821	177.12		
7-9-47	16113	62.15		
7-14-47	16288	84.67		
8-26-47	17890	137.24		
8-26-47	16666-C/M		\$ 11.14	
8-26-47			230.49	\$399.03
10-9-47			137.24	261.79
10-10-47	19302	72.26		
10-11-47	19317	72.26		
10-30-47	19723	65.94		\$472.25

And that at the present time O. Givens owes the B. F. Goodrich Company a total of \$472.25.

On December 2, 1947, account nos. 15821 and 16288, in the amounts of \$177.12 and \$84.67, respectively, totaling \$261.79, were transferred to T. E. Givens at the request of O. Givens. However, T. E. Givens has not paid this debt and has not had a credit account with us and since the original debt was made by O. Givens, we are charging him with the amount of \$472.25.

Accordingly, after allowing all due credits, O. Givens owes a total amount of \$472.25.

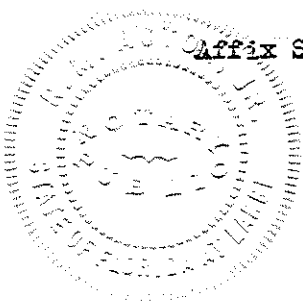
Y. R. Moore  
Affiant

Sworn to and subscribed before me, a Notary Public in and for Escambia County, Florida, this the 30 day of November, 1948.

T. M. DeLong, Jr.  
Notary Public

My commission expires:  
My Commission Expires June 10, 1952.

Affix Seal:



Received in Sheriff's Office  
this 8 day of Jan., 1949  
TAYLOR WILKINS, Sheriff

Served \_\_\_\_\_ 1-11-1949  
Returning copy of within Summons and  
Complaint on \_\_\_\_\_

*O. Givens*

*Taylor Wilkins* Sheriff  
*Colleigh Headman* Deputy Sheriff

no 1283

SUMMONS AND COMPLAINT

B. F. GOODRICH COMPANY,  
A Corporation,

Plaintiff

vs.

O. GIVENS,

Defendant

FILED

JAN 6 1949

ALICE J. DUCK, Clerk

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

RECORDED