

HERTZ & SHELLEY  
ATTORNEYS AND COUNSELLORS AT LAW  
42 SOUTH PALAFOX STREET  
THIESEN BUILDING  
PENSACOLA, FLORIDA

JAMES E. HERTZ  
LAFAYETTE L. SHELLEY

November 12, 1958

POST OFFICE BOX 1534  
TELEPHONE HEMLOCK 3-6107

3559

Mrs. Alice J. Duck  
Clerk, Circuit Court  
of Baldwin County  
Bay Minette, Alabama

Re: Ella Frances Gardner, et al  
vs. E. D. Middleton, No. 3556

Dear Mrs. Duck:

I am enclosing herewith an original and one copy of  
an amendment to the petition filed in the above cause and would  
much appreciate your filing the amendment therein also.

Yours very truly,

HERTZ & SHELLEY

By *Lafayette L. Shelley*

LLS/gfm

Enc.

DETINUE SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT

No. \_\_\_\_\_

May, 1958

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 \_\_\_\_\_

American National Bank and Trust Company of Mobile, a National Banking Association

Witness my hand this 27 day of May, 1958.

Reine J. French Clerk.

American National Bank and COMPLAINT

Trust Company of Mobile,

Thomas E. Givens

A National Banking Association

Plaintiff

Versus

Defendant

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

Chevrolet 1 1/2 ton truck-Model 1955  
Manuf. No. 5W255A-024660  
Motor No. 0871306 F255N

with the value of the hire or use thereof during the detention, ~~to-wit:~~

from \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, 19\_\_\_\_

James Butler, Jr. Plaintiff's Attorney.

DETINUE SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT

No. \_\_\_\_\_

May, 1958

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 \_\_\_\_\_

American National Bank and Trust Company of Mobile, a National Banking Association

Witness my hand this 27 day of May, 1958.

[Signature], Clerk.

American National Bank and COMPLAINT

Trust Company of Mobile,

Thomas E. Givens

A National Banking Association

Plaintiff

Versus

Defendant

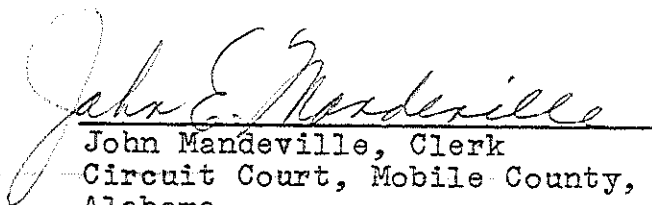
The plaintiff \_\_\_\_\_ claims of the defendant the following personal property, to-wit:

Chevrolet 1 1/2 ton truck-Model 1955  
Manuf. No. 5W255A-024660  
Motor No. 0871306 F255N

with the value of the hire or use thereof during the detention, ~~25-33%~~

from \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, 19\_\_\_\_

I, John Mandeville, Clerk of the Circuit Court of  
Mobile County, Alabama, hereby certify that I would  
accept the foregoing bond had same been filed in my  
Court.

  
John Mandeville, Clerk  
Circuit Court, Mobile County,  
Alabama

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

Mobile COUNTY

BALDWIN COUNTY

Before me, Jean Free, a Notary Public in and for said County,  
personally appeared R. B. Bontwell, Jr. who being by me  
duly sworn deposes and says that the property sued for in the complaint of American National  
Bank and Trust Company of Mobile, vs. Thomas E. Givens filed in said Court, to-wit:  
a National Banking Association

Chevrolet 1½ ton truck - Model 1955  
Man.No. 5W22A-024660 Mo.No. 0871306 F255N

belongs to American National Bank and Trust Company of, the plaintiff.  
Mobile, a National Banking Association

Sworn to and subscribed before me this 21<sup>st</sup> American National Bank and Trust  
day of May, 1958. Company of Mobile,

BY [Signature]  
Asst. Cashier

Jean Free  
Notary Public, Ala. at Large

STATE OF ALABAMA

IN THE CIRCUIT COURT OF

Baldwin COUNTY

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we, American National Bank and  
Trust Company of Mobile, Principal, and  
R.F. SMITH AND MARIE F. ROLSTON, Sureties, are held and  
firmly bound unto Thomas E. Givens, his heirs, executors and admin-  
istrators in the sum of Fifty and no/100 Dollars,  
for the payment of which we jointly and severally bind ourselves, our heirs, executors and adminis-  
trators.

Sealed with our seals and dated the 27<sup>th</sup> day of May, 1958.

The condition of the above obligation is such that whereas, the above bound American National  
Bank and Trust Company of Mobile has on the 27<sup>th</sup> day of  
May, 1958 sued out a writ of detinue in the Circuit Court of Baldwin  
County, returnable to the said Circuit Court against the said Thomas E. Givens  
described property, to-wit:

Chevrolet 1½ ton truck - Model 1955  
Manuf. No. 5W255A-024660  
Motor No. 0871306 F255N

Now, if the said American National Bank and Trust Company shall fail in said suit  
and shall pay to the said Thomas E. Givens, the defendant in  
said suit, all such costs and damages as he may sustain by the wrongful complaint, then this obligation to  
be void, otherwise, to remain in full force and effect. AMERICAN NATIONAL BANK AND TRUST COM-  
PANY OF MOBILE

Taken and approved this 27 day of May, 1958 BY [Signature] (SEAL)

[Signature]  
Clerk, Circuit Court

R. F. Smith (SEAL)  
Marie F. Rolston (SEAL)