

4387

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

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

19\_\_\_\_

To Any Sheriff of the State of Alabama—Greetings:

You Are Hereby Commanded to Summon FRANK HAYNE 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 MERCHANTS NATIONAL  
BANK OF MOBILE

Witness my hand this 14 day of Aug 1960

W. J. H. H. H. H. H., Clerk

COMPLAINT

THE MERCHANTS NATIONAL BANK OF

FRANK HAYNE GIVENS

MOBILE

Plaintiff

Versus

Defendant

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

1955 GMC 1½ Ton Truck 353Pl6247

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

from April 1960, to date 1960

WILTERS, BRANTLEY & NESBIT

Plaintiff's Attorney.

By:

Thyllis L. Nesbit

## State of Alabama

Baldwin County

## CIRCUIT COURT

THE MERCHANTS NATIONAL BANK

OF MOBILE

Plaintiff...

VS.

FRANK HAYNE GIVENS

Defendant...

## Detinue Summons and Complaint

Filed

FILED

19

AUG 18 1960

Clerk

ALICE J. DUCK, CLERK  
REGISTER

WILTERS, BRANTLEY &amp; NESBIT

Plaintiff's Attorney

Defendant's Attorney

To the Sheriff of said County:

Whereas, the Plaintiff in the within stated cause has made affidavit and given bond as required by law you are hereby required to take the property mentioned in Complaint into your possession unless the Defendant gives bond payable to the Plaintiff 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 accrue from the detention thereof.

*Alice J. Duck* Clerk

Defendant lives at

*Aug 40 Co. Ldale*

Received in office

*8/18, 1960*

, Sheriff

I have executed this summons

this *8-25*, 19*60*  
by leaving a copy with

*Mrs Thomas E. Givens*  
*and attaching the*  
*wick in described*  
*property*

*1955 GMC 1 1/2 Ton*

*Truck 353 P46247*

*Tag no 6542-608*

*and storing at Epps*

*Garage in Robertsdale*

*Taylor Wilkins*, Sheriff

*Edleigh Steadman* Deputy Sheriff

Printed by Moore Printing Co.

*Elsamor, aka*

*Bond made by Pity.*  
*8/31/60 by Merchants*  
*Natl Bank of Mobile*  
*Shenip Insurance Co.*  
*By Jas. M. Allen.*  
*Property released to Pity.*

Sheriff claims *60* miles  
Ten Cents per mile Total \$ *6.00*  
TAYLOR WILKINS, Sheriff  
BY *Steadman*  
DEPUTY SHERIFF



STATE OF ALABAMA

MOBILE COUNTY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

Before me, J. MANSON MURRAY

, a Notary Public in and for said County,  
personally appeared JAMES W. TOWEY, JR. who being by me

duly sworn deposes and says that the property sued for in the complaint of  
THE MERCHANTS NATIONAL BANK OF MOBILE

filed in said Court, to-wit:

XXXXXXEKEXXXXXXTOXXTEXXMEYXX#X386685XX

1955 GMC 1½ Ton Truck 353P46247

belongs to The Merchants National Bank of Mobile, the plaintiff.

James W. Toney, Jr.

Sworn to and subscribed before me this 15th

day of August, 1960

J. Manson Murray  
Notary Public

STATE OF ALABAMA

MOBILE COUNTY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That we,  
THE MERCHANTS NATIONAL BANK OF MOBILE

, Principal, and  
PHOENIX ASSURANCE COMPANY OF NEW YORK, Sureties, are held and  
firmly bound unto FRANK HAYNE GIVENS, his heirs, executors and admin-  
istrators in the sum of One Thousand Four Hundred Twenty-Two & No/100 (\$1,422.00) 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 day of August, 1960

The condition of the above obligation is such that whereas, the above bound  
THE MERCHANTS NATIONAL BANK OF MOBILE

has on the day of

1960 sued out a writ of detinue in the Circuit Court of BALDWIN

County, returnable to the said Circuit Court against the said FRANK HAYNE GIVENS

described property, to-wit: for the recovery of the following

XXXXXXEKEXXXXXXTOXXTEXXMEYXX#X386685XX

1955 GMC 1½ Ton Truck 353P46247

Now, if the said THE MERCHANTS NATIONAL BANK OF MOBILE shall fail in said suit

and shall pay to the said FRANK HAYNE 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. THE MERCHANTS NATIONAL BANK OF MOBILE

Taken and approved this 18 day of August, 1960 By James W. Toney, Jr. (SEAL)

Phoenix Assurance Company of New York (SEAL)

Clerk, Circuit Court

ATTORNEY-IN-FACT

No. 4387

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

THE MERCHANTS NATIONAL BANK  
OF MOBILE

Plaintiff

vs.

FRANK HAYNE GIVENS

Defendant

Detinue — Affidavit and Bond

Filed this 18 day of Aug, 1960

Reinhold  
Clerk

