

MOBILE FIXTURE & EQUIPMENT  
COMPANY, INC.

Plaintiff

VS

THOMAS E. GIVENS

Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4688

AMENDED COMPLAINT

Comes now the Plaintiff in the above styled cause and amends its  
Complaint to read as follows:

MOBILE FIXTURE & EQUIPMENT  
COMPANY, INC., a Corporation

Plaintiff

VS

THOMAS E. GIVENS and INEZ V.  
GIVENS, Individually and  
THOMAS E. GIVENS and INEZ V.  
GIVENS, a partnership d/b/a  
GIVEN'S CAFE

Defendants

1.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED FIFTEEN  
and 84/100 DOLLARS (\$115.84), due from them by account on the 10th day of  
April, 1961, which sum of money with the interest thereon, is still unpaid.

2.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED FIFTEEN  
and 84/100 DOLLARS (\$115.84), due on account stated between the Plaintiff  
and Defendants on the 10th day of April, 1961, which sum of money with the  
interest thereon, is still unpaid.

3.

The Plaintiff claims of the Defendants the following personal property,  
to-wit:

- 1 Doz. #1917 Glasses ✓
- 1 Only #FE2 Silex Stove ✓
- 2 Only IC12 Silex Bowls ✓

FILED

MAY 18 1961

ALICE I. DUCK, CLERK  
REGISTER

- 2 Only HJX B Handles ✓
- 1 Only PSP Plug ✓
- 1 Only NF4 Filter ✓
- 1 Only SS 12 Silex S. S. Upper Bowl ✓
- 1 Doz. #101 6 $\frac{1}{2}$  Plates 9
- 1/2 Doz. #101 Davis Saucers ✓
- 1/2 Doz. #101 Mason Cups ✓
- 1 Only Double Booth ✓
- 2 Only Single Booths ✓
- 2 Only 24" x 22" - 1 $\frac{1}{2}$ " Tan Linen Table Tops w/1918 Bases ✓

with the value of the hire or use thereof during the detention, to-wit:  
from October 6, 1958 to date.

WILTERS, BRANTLEY & NESBIT

BY: *Phillip J. Nesbit*  
Attorneys for the Plaintiff

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.

*Alvin J. ...*  
Clerk,

*Wetmore*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4688

MOBILE FURNITURE & EQUIPMENT  
COMPANY, INC., a Corporation

Plaintiff

VS

THOMAS E. GIVENS and INEZ V.  
GIVENS, Individually and  
THOMAS E. GIVENS and INEZ V.  
GIVENS, a partnership d/b/a  
GIVENS' CAFE

Defendants

AMENDED COMPLAINT

FILED

MAY 18 1961

ALICE J. DUCK, CLERK  
WILKINS, BRANTLEY & NEBBITT, REGISTERED  
Attorneys at Law  
Robertsdale, Alabama

Sheriff claims 12 miles at

Ten Cents per mile Total \$ 1.20

TAYLOR WILKINS, Sheriff

BY Edleigh Stoddard  
DEPUTY SHERIFF

Received 18 day of May 1961

and on 23 day of May 1961

I served a copy of the within Const. Wetmore

on Emory L. Boring

Thomas E. Givens

By service on \_\_\_\_\_

Sheriff claims 12 miles at TAYLOR WILKINS, Sheriff

Ten Cents per mile Total \$ 1.20

TAYLOR WILKINS, Sheriff

BY Edleigh Stoddard  
Elson, Ala  
DEPUTY SHERIFF

By attaching the  
within described  
property

- 9 #1917 Glass
- 1 only # Silex Stone
- 2 only LC 12 Silex Bowls
- 2 only HJK B. Handles
- 1 only PSP Plug
- 1 only N74 Filter
- 1 only S.S. 12 Silex S.S. upper  
Bowl
- 9 #101 6 1/4 plates
- 1 doz #101 Davis Saucers
- 1 only double Booth
- 2 only single Booth
- 2 only 24" x 22" 1 1/4" Jan  
Linen Table Taps w/1918  
Bases fitted between parties

MOBILE FIXTURE AND EQUIPMENT COMPANY  
VS.

THOMAS E. GIVENS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY ALABAMA  
No. 4688

Answer and Demand for Trial by Jury

Comes the Defendant and demand a trial by jury in the  
above styled case.

Thomas E. Givens

FILED  
MAY 15 1961  
ALICE L. DUCK CLERK  
REGISTER

STATE OF ALABAMA, }  
Baldwin County. }

KNOW ALL MEN BY THESE PRESENTS, That We, MOBILE FIXTURE & EQUIPMENT

COMPANY, INC., of Mobile, A Corporation

as principal, and X QUEEN INSURANCE COMPANY OF AMERICA, NEW YORK, NEW YORK

as surety, are held and firmly bound unto Thomas E. Givens and Inez V. Givens

in the sum of THREE HUNDRED AND 00/100 (\$300.00) DOLLARS,

to be paid to the said Thomas E. Givens and Inez V. Givens, his heirs,

executors, administrators or assigns; for which payment, well and truly to be made, we bind ourselves,

and each of us, our and each of our heirs, executors and administrators, jointly and severally and firmly,

by these presents. Sealed with our seals, and dated this 16th day of May

in the year of our Lord, 1961

The condition of the above obligation is such, That whereas the above bound Mobile Fixture & Equipment Company, Inc. and Queen Insurance Company of New York, New York, on the day of the date hereof hath obtained at the suit of Mobile Fixture & Equipment Company, Inc. of Mobile, A corporation vs. Thomas E. Givens and Inez V. Givens, Individually and Thomas E. Givens and Inez V. Givens, a partnership d/b/a Givens's Cafe

a summons and complaint for the recovery of personal property in specie against said defendant and asks an endorsement by the Clerk of this Court "That the Sheriff is required to take the property mentioned in said complaint into his possession," as required by law in such cases, which summons and complaint are returnable to the next term of the Circuit Court of said County, and which said endorsement is made upon the plaintiff entering into this bond.

Now, if the said Plaintiff shall fail in this suit, and shall pay the Defendant all such costs and damages as he may sustain by reason of the wrongful complaint in said case, then this obligation to be void, otherwise to remain in full force and effect.

MOBILE FIXTURE & EQUIPMENT CO., INC.

X T. Burt Wolff (L. S.)  
Vice-President

X \_\_\_\_\_ (L. S.)

X Ranker Griffith, Jr. (L. S.)  
Attorney-in-Fact

Approved this 18 day of May 1961

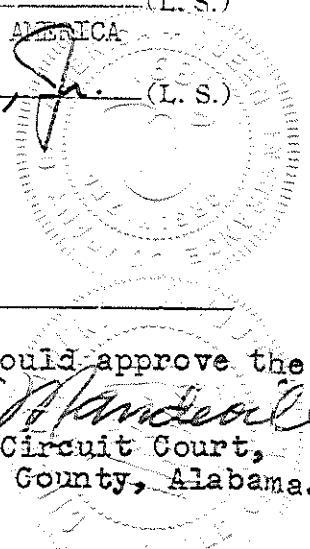
Alice J. Duck  
Clerk.

May 16th, 1961.

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

John E. Handcock  
Clerk, Circuit Court,  
Mobile County, Alabama.

FILED  
MAY 18 1961  
ALICE J. DUCK, CLERK  
REGISTER



STATE OF ALABAMA,  
Baldwin County.

**CIRCUIT COURT**

Mobile Fixture and Equipment Company,

Inc., a corporation

Plaintiff

vs.

Thomas E. Givens and Inez V. Givens,  
~~Individually and Thomas E. Givens~~  
and Inez V. Givens, d/b/a Givens  
Cafe

Defendant

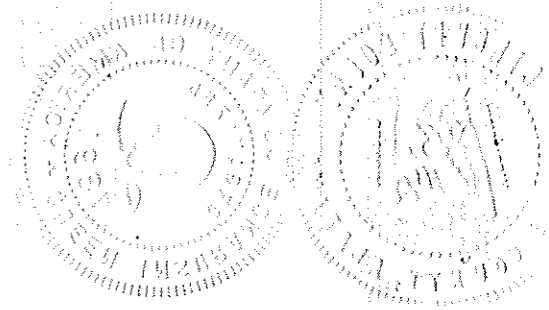
**DETINUE BOND**

Filed \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_, Clerk

\_\_\_\_\_  
Plaintiff's Attorney

\_\_\_\_\_  
Defendant's Attorney



STATE OF ALABAMA  
BALDWIN COUNTY

§  
§

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY

Before me, Alice J. Duck, <sup>clerk - circuit court</sup> a Notary Public, in and for  
said County, personally appeared Phyllis S. Weathers who  
being by me duly sworn deposes and says that the property sued for in the  
complaint of Mobile Fixture & Equipment Company, Inc., a corporation  
vs Thomas E. Givens and Inez V. Givens, Individually and filed in said  
Thomas E. Givens and Inez V. Givens, d/b/a Givens Cafe  
Court, to-wit:

1 Doz. #1917 Glasses, 1 only #FE2 Silex Stove;  
2 only LC12 Silex Bowls, 2 only HJX B Handles,  
1 only PSP Plug, 1 only NF4 Filer, 1 only SS 12  
Silex S.S. Upper Bowl, 1 Doz. #101 6½ Plates,  
1/2 Doz. #101 Davis Saucers, 1/2 Doz. #101 Mason  
Cups, 1 only Double Booth, 2 only Single Booths,  
2 only 24" x 22" - 1½" Tan Linen Table Tops  
w/1918 Bases

belongs to Mobile Fixture & Equipment Company, Inc., the plaintiff.

Phyllis S. Weathers

Sworn to and subscribed before me this 18  
day of May, 1961

Alice J. Duck  
Notary Public <sup>clerk - circuit court</sup>

FILED  
MAY 18 1961  
ALICE J. DUCK, CLERK  
REGISTER

No. 46288

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Mobile Fixture & Equipment Company,  
Inc., a corporation

VS

Thomas E. Givens and Inez V. Givens,  
Individually and Thomas E. Givens  
and Inez V. Givens, d/b/a Givens  
Cafe

DETINUE AFFIDAVIT



STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Thomas E. Givens, to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, by Mobile Fixture & Equipment Company, Inc.

Witness my hand this the 20 day of Apr, 1961.

*Alice J. Duck*  
-----  
Alice J. Duck, Clerk

MOBILE FIXTURE & EQUIPMENT  
COMPANY, INC.

Plaintiff

VS

THOMAS E. GIVENS

Defendant.

Ø IN THE CIRCUIT COURT OF

Ø BALDWIN COUNTY, ALABAMA

Ø AT LAW

Ø NO. \_\_\_\_\_

1.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED TWENTY-FIVE and 70/100 DOLLARS (\$125.70), due from him by account on the 10th day of April, 1961, which sum of money with the interest thereon, is still unpaid.

2.

The Plaintiff claims of the Defendant the sum of ONE HUNDRED TWENTY-FIVE and 70/100 DOLLARS (\$125.70), due on account stated between the Plaintiff and Defendant on the 10th day of April, 1961, which sum of money with the interest thereon, is still unpaid.

WILTERS, BRANTLEY & NESBIT

BY: *Charles S. Nesbit*

Attorneys for the Plaintiff

FILED  
APR 20 1961  
ALICE J. DUCK, CLERK  
REGISTER

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 11-688

MOBILE FIXTURE & EQUIPMENT  
COMPANY, INC.

Plaintiff

VS

THOMAS E. GIVENS

Defendant

FILED

APR 20 1961

ALICE J. DUCK, CLERK  
REGISTER

Wilters, Brantley & Nesbit  
Attorneys at Law  
Robertsdale, Alabama

received 20 day of April 1961  
and on 2 day of May 1961  
received a copy of the within of BC  
Thomas E. Givens  
service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By Edwign Steadman, S.

Elsasser, acw

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY Edwign Steadman, S.  
DEPUTY SHERIFF

June 1, 1961

Judge Hall:

The Defendant in this case agreed to let the Plaintiff's agent pick up the merchandise requested in the detinue COUNT. The Plaintiff did pick up as per agreement, the double and single booths, and the table tops. Therefore, please dismiss this suit. The Plaintiff has paid the court costs.

Respectfully,

A handwritten signature in cursive script, reading "Rhyllis S. Nesbit". The signature is written in dark ink and is positioned to the right of the typed word "Respectfully,".

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,  
Baldwin County.



No. 4688

Circuit Court, Baldwin County

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Thomas E. Givens and Inez V. Givens

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

Thomas E. Givens and Inez V. Givens, Defendant

by Mobile Fixture and Equipment Company

Plaintiff

Witness my hand this 18th day of May 19 61

*Archie J. Duck* Clerk