

January 22, 1963

GEORGE W. DEVINE, Plaintiff  
 VS  
 MRS. SIMON SMITH, Defendant

IN THE CIRCUIT COURT OF BALDWIN  
 COUNTY, ALABAMA AT LAW

CASE NO. Not Given

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW:

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on January 7, 1963  
 this office sent by registered mail in an envelope addressed as follows:

"Mrs. Simon Smith  
 2508 Tandy Street  
 Ft. Worth, Texas"

"Registered Mail—  
 Return Receipt Requested  
 Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

" Mrs. Simon Smith  
 2508 Tandy Street  
 Ft. Worth, Texas

You will take notice that on January 7, 1963 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: GEORGE W. DEVINE, Plaintiff VS MRS. SIMON SMITH, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW  
 Case No. Not Given a true copy of which summons and complaint is attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 7  
 day of January 1963

Enclosure (1)

(Signed) ~~Mrs. Agnes Baggett~~ Bettye Frink  
 Secretary of State

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on Jan 18 1963 I received the return card, showing receipt by the designated addressee of the aforementioned matter at \_\_\_\_\_ytechnic Sta.  
 on 1-15

WITNESS MY HAND and the Great Seal of the State of Alabama this the 22 day  
 of January 1963

*Mrs. Agnes Baggett*  
 Mrs. Agnes Baggett  
 Secretary of State

Enclosures: Return Receipt Card and copy  
 of Summons and Complaint.

cc: Hon. Phyllis S. Nesbit  
 Wilters, Brantley & Nesbit  
 Attorneys at Law  
 Court House Sq.  
 Bay Minette, Ala.

STATE OF ALABAMA

BAIDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Mrs. Simon Smith, 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 George W. Devine.

Witness my hand this the 4 day of Jan., 1963.

Alice J. Duck  
Clerk

GEORGE W. DEVINE

Plaintiff

Vs.

MRS. SIMON SMITH

Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NO. \_\_\_\_\_

1.

The Plaintiff claims of the Defendants the sum of \$215.00 as damages for that heretofore on, to-wit, the 6th day of January, 1962, the Plaintiff's automobile was being driven along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point in the city limits of Loxley, Alabama. At this time and place, the Defendants' agent, servant or employee, Simon Smith who was then and there acting within the line and scope of his employment, so negligently operated the Defendant's automobile as to cause or allow the same to run into the Plaintiff's automobile, and as a direct, proximate, consequence and result thereof, the Plaintiff's automobile was damaged as follows: The left front fender was bent and twisted; the left front door was bent and twisted; the left rear door was bent and twisted; the left rear bumper was bent and twisted; the frame of the automobile was bent; all to the loss of the Plaintiff in the aforesaid amount. Hence this suit.

WILTERS, BRANTLEY & NESBIT

BY: W. L. Nesbit

Attorneys for the Plaintiff

FILED

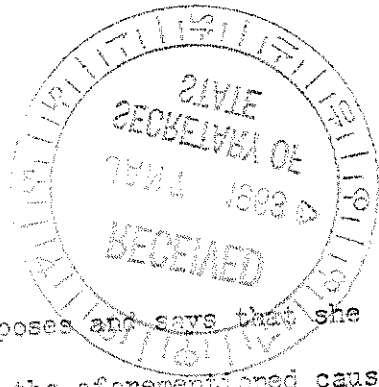
JAN 4 1963

ALICE J. DUCK, CLERK  
REGISTER

STATE OF ALABAMA

BAIRDWIN COUNTY

AFFIDAVIT



27  
47  
4

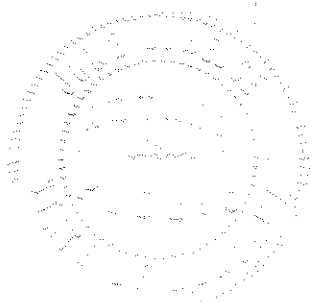
Phyllis S. Nesbit, being first duly sworn, deposes and says that she is the attorney of George W. Devine, Plaintiff, in the aforementioned cause of action and that in the belief of your affiant, the Defendant, Mrs. Simon Smith, is a non-resident of the state of Alabama, and as such non-resident, she, through her agent, servant, or employee did operate a motor vehicle upon the public highway of this County and State and while operating such motor vehicle upon the highway of said county and state, by or through her agent, servant, or employee, did give rise to this action by the Plaintiff against the Defendant. Your affiant further avers that in her belief the last known Post Office Address of the said Defendant is 2503 Tandy Street, Ft. Worth, Texas and that the Defendant is over the age of twenty-one years.

The Plaintiff prays that service of process upon the Defendant may be had in accordance with the provisions of Code of Alabama, 1940, Title 7, Section 199, which provides for service upon the Secretary of State, or his successor or successors, in office, as the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued or accruing from the operation of a motor vehicle upon the highways of the State of Alabama, or as an incident thereto by any such non-resident, or his agent, servant, or employee.

*Phyllis S. Nesbit*  
Attorney for Plaintiff

Sworn before me this 4<sup>th</sup> day of January, 1963.

*June B. Hedge*  
Notary Public,



FILED

MAR 4 1963

ALICE I. DUCK, CLERK  
REGISTER

STATE OF ALABAMA

BAIDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Mrs. Simon Smith, 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 George W. Devine.

Witness my hand this the 4 day of January, 1963.

Alice J. Duck  
Clerk

GEORGE W. DEVINE

Plaintiff

Vs.

MRS. SIMON SMITH

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5422

1.

The Plaintiff claims of the Defendants the sum of \$215.00 as damages for that heretofore on, to-wit, the 6th day of January, 1962, the Plaintiff's automobile was being driven along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point in the city limits of Loxley, Alabama. At this time and place, the Defendants' agent, servant or employee, Simon Smith who was then and there acting within the line and scope of his employment, so negligently operated the Defendant's automobile as to cause or allow the same to run into the Plaintiff's automobile, and as a direct, proximate, consequence and result thereof, the Plaintiff's automobile was damaged as follows: The left front fender was bent and twisted; the left front door was bent and twisted; the left rear door was bent and twisted; the left rear bumper was bent and twisted; the frame of the automobile was bent; all to the loss of the Plaintiff in the aforesaid amount. Hence this suit.

WILTERS, BRANTLEY & NESBIT

BY: Phillip S. Nesbit  
Attorneys for the Plaintiff

FILED

JAN 4 1963

ALICE J. DUCK, CLERK  
REGISTER

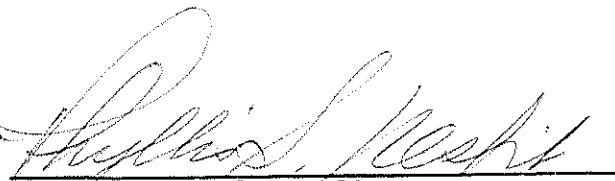
STATE OF ALABAMA

BAIDWIN COUNTY

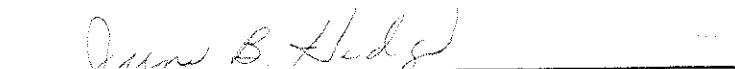
AFFIDAVIT

Phyllis S. Nesbit, being first duly sworn, deposes and says that she is the attorney of George W. Devine, Plaintiff, in the aforementioned cause of action and that in the belief of your affiant, the Defendant, Mrs. Simon Smith, is a non-resident of the state of Alabama, and as such non-resident, she, through her agent, servant, or employee did operate a motor vehicle upon the public highway of this County and State and while operating such motor vehicle upon the highway of said county and state, by or through her agent, servant, or employee, did give rise to this action by the Plaintiff against the Defendant. Your affiant further avers that in her belief the last known Post Office Address of the said Defendant is 2508 Tandy Street, Ft. Worth, Texas and that the Defendant is over the age of twenty-one years.

The Plaintiff prays that service of process upon the Defendant may be had in accordance with the provisions of Code of Alabama, 1940, Title 7, Section 199, which provides for service upon the Secretary of State, or his successor or successors, in office, as the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued or accruing from the operation of a motor vehicle upon the highways of the State of Alabama, or as an incident thereto by any such non-resident, or his agent, servant, or employee.

  
Attorney for Plaintiff

Sworn before me this 4<sup>th</sup> day of January, 1963.

  
Notary Public,

FILED

JAN 4 1963

ALICE L. DUCK, CLERK  
REGISTER

RECEIVED IN OFFICE  
JAN 7 1963  
M. S. BUTLER, Sheriff

Executed by serving.....copies of  
the within on *Betty Francis*  
Secretary of State of The State of  
Alabama.

This the 7 day of June 1966

Sheriff of Montgomery County  
M. S. Butler,  
By W. H. Butler D. S.

The Sheriff claims 2  
miles at 10c per mile for Montgomery  
at \$ 22  
M. S. Butler, Sheriff  
Montgomery County, Ala.

3422

George W. Levine

Plz

Mrs Simon Smith

# FILED

JAN 4 1963  
ALICE J. DUCK CLERK  
REGISTERED

[illegible]

謝安

[illegible]

35

22  
 23  
 24  
 25  
 26  
 27  
 28  
 29  
 30  
 31  
 32  
 33  
 34  
 35  
 36  
 37  
 38  
 39  
 40  
 41  
 42  
 43  
 44  
 45  
 46  
 47  
 48  
 49  
 50  
 51  
 52  
 53  
 54  
 55  
 56  
 57  
 58  
 59  
 60  
 61  
 62  
 63  
 64  
 65  
 66  
 67  
 68  
 69  
 70  
 71  
 72  
 73  
 74  
 75  
 76  
 77  
 78  
 79  
 80  
 81  
 82  
 83  
 84  
 85  
 86  
 87  
 88  
 89  
 90  
 91  
 92  
 93  
 94  
 95  
 96  
 97  
 98  
 99  
 100  
 101  
 102  
 103  
 104  
 105  
 106  
 107  
 108  
 109  
 110  
 111  
 112  
 113  
 114  
 115  
 116  
 117  
 118  
 119  
 120  
 121  
 122  
 123  
 124  
 125  
 126  
 127  
 128  
 129  
 130  
 131  
 132  
 133  
 134  
 135  
 136  
 137  
 138  
 139  
 140  
 141  
 142  
 143  
 144  
 145  
 146  
 147  
 148  
 149  
 150  
 151  
 152  
 153  
 154  
 155  
 156  
 157  
 158  
 159  
 160  
 161  
 162  
 163  
 164  
 165  
 166  
 167  
 168  
 169  
 170  
 171  
 172  
 173  
 174  
 175  
 176  
 177  
 178  
 179  
 180  
 181  
 182  
 183  
 184  
 185  
 186  
 187  
 188  
 189  
 190  
 191  
 192  
 193  
 194  
 195  
 196  
 197  
 198  
 199  
 200  
 201  
 202  
 203  
 204  
 205  
 206  
 207  
 208  
 209  
 210  
 211  
 212  
 213  
 214  
 215  
 216  
 217  
 218  
 219  
 220  
 221  
 222  
 223  
 224  
 225  
 226  
 227  
 228  
 229  
 230  
 231  
 232  
 233  
 234  
 235  
 236  
 237  
 238  
 239  
 240  
 241  
 242  
 243  
 244  
 245  
 246  
 247  
 248  
 249  
 250  
 251  
 252  
 253  
 254  
 255  
 256  
 257  
 258  
 259  
 260  
 261  
 262  
 263  
 264  
 265  
 266  
 267  
 268  
 269  
 270  
 271  
 272  
 273  
 274  
 275  
 276  
 277  
 278  
 279  
 280  
 281  
 282  
 283  
 284  
 285  
 286  
 287  
 288  
 289  
 290  
 291  
 292  
 293  
 294  
 295  
 296  
 297  
 298  
 299  
 300  
 301  
 302  
 303  
 304  
 305  
 306  
 307  
 308  
 309  
 310  
 311  
 312  
 313  
 314  
 315  
 316  
 317  
 318  
 319  
 320  
 321  
 322  
 323  
 324  
 325  
 326  
 327  
 328  
 329  
 330  
 331  
 332  
 333  
 334  
 335  
 336  
 337  
 338  
 339  
 340  
 341  
 342  
 343  
 344  
 345  
 346  
 347  
 348  
 349  
 350  
 351  
 352  
 353  
 354  
 355  
 356  
 357  
 358  
 359  
 360  
 361  
 362  
 363  
 364  
 365  
 366  
 367  
 368  
 369  
 370  
 371  
 372  
 373  
 374  
 375  
 376  
 377  
 378  
 379  
 380  
 381  
 382  
 383  
 384  
 385  
 386  
 387  
 388  
 389  
 390  
 391  
 392  
 393  
 394  
 395  
 396  
 397  
 398  
 399  
 400  
 401  
 402  
 403  
 404  
 405  
 406  
 407  
 408  
 409  
 410  
 411  
 412  
 413  
 414  
 415  
 416  
 417  
 418  
 419  
 420  
 421  
 422  
 423  
 424  
 425  
 426  
 427  
 428  
 429  
 430  
 431  
 432  
 433  
 434  
 435  
 436  
 437  
 438  
 439  
 440  
 441  
 442  
 443  
 444  
 445  
 446  
 447  
 448  
 449  
 450  
 451  
 452  
 453  
 454  
 455  
 456  
 457  
 458  
 459  
 460  
 461  
 462  
 463  
 464  
 465  
 466  
 467  
 468  
 469  
 470  
 471  
 472  
 473  
 474  
 475  
 476  
 477  
 478  
 479  
 480  
 481  
 482  
 483  
 484  
 485  
 486  
 487  
 488  
 489  
 490  
 491  
 492  
 493  
 494  
 495  
 496  
 497  
 498  
 499  
 500  
 501  
 502  
 503  
 504  
 505  
 506  
 507  
 508  
 509  
 510  
 511  
 512  
 513  
 514  
 515  
 516  
 517  
 518  
 519  
 520  
 521  
 522  
 523  
 524  
 525  
 526  
 527  
 528  
 529  
 530  
 531  
 532  
 533  
 534  
 535  
 536  
 537  
 538  
 539  
 540  
 541  
 542  
 5