

STATE OF ALABAMA X
:
BALDWIN COUNTY X

You are hereby commanded to summon Charles Bonner, Bonner's Aerial Applicators, a Corporation, Charles Bonner, doing business as Bonner's Aerial Applicators, and John Doe, a person whose true name is unknown but will be supplied by amendment, to appear before the Circuit Court of Baldwin County, Alabama, at the place of holding the same and plead, answer or demur, within thirty days from service hereof to the complaint of Ira Morgan.

Witness, this 11 day of October, 1961.

Reice J. Albrecht
CLERK

Encl-10-16-62

IRA MORGAN,

PLAINTIFF

VS.

CHARLES BONNER, BONNER'S
AERIAL APPLICATORS, A
CORPORATION, CHARLES BONNER
D/D/A BONNER'S AERIAL APPLICATORS,
AND JOHN DOE, A PERSON WHOSE TRUE
NAME IS UNKNOWN BUT WILL BE
SUPPLIED BY AMENDMENT.

DEFENDANTS

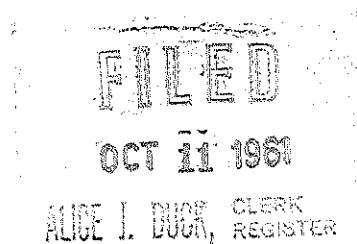
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE. CASE # 4912

The Plaintiff claims of the Defendants the sum of Two Thousand and no/100 (\$2,000.00) Dollars, as damages for that heretofore and on, to-wit: August ²¹~~28~~, 1961, the defendants so negligently operated and piloted an airplane as to spray or dust a chemical defoliating substance on the cotton crop of plaintiff in Escambia County, Florida, without the consent or knowledge of plaintiff. Plaintiff avers that at the time of the negligence complained of that his cotton bolls were not of sufficient maturity for defoliation.

Plaintiff further avers that as a direct and proximate consequence of the negligence of the defendants in and about defoliating his cotton crop, which defendants had no right or authority to do, plaintiff's cotton crop was severely damaged and rendered greatly less valuable, hence this suit.


HUGH M. CAFFEY, JR.
ATTORNEY FOR PLAINTIFF

Plaintiff demands a jury trial.




HUGH M. CAFFEY, JR.
ATTORNEY FOR PLAINTIFF

Received this 11 day of Oct 1961
and on 16 day of Oct 1961
I served a copy of the within file to Interrogation
on Charles Bonner

By service on _____
TAYLOR WILKINS, Sheriff
Robert L. Duck D. S.

Received 11 day of Oct 1961
and on 16 day of Oct 1961
I served a copy of the within file to Interrogation
Bonner's Aerial Applicators
Charles Bonner

By service on _____
TAYLOR WILKINS, Sheriff
Robert L. Duck D. S.

Robert L. Duck
TAYLOR WILKINS, Sheriff
Robert L. Duck D. S.

Received 11 day of Oct 1961
and on 16 day of Oct 1961
I served a copy of the within file to Interrogation
Bonner's Aerial Applicators
Charles Bonner

728.4912

IRA MORGAN,

PLAINTIFF

VS.

CHARLES BONNER, BONNER'S
AERIAL APPLICATORS, A
CORPORATION, CHARLES BONNER
d/b/a BONNER'S AERIAL
APPLICATORS, AND JOHN DOE,
A PERSON WHOSE TRUE NAME IS
UNKNOWN, BUT WILL BE SUPPLIED
BY AMENDMENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

LAW SIDE. CASE # _____

address:
ep Bonner's Aerial Applicators
Robert L. Duck, Ala.

1. SUMMONS & COMPLAINT
2. Interrogatories

FILED
OCT 11 1961
ALICE J. DUCK, CLERK
REGISTER
HUGH M. CAFFEY, JR.
ATTORNEY AT LAW
BREWTON, ALABAMA

Sheriff claims 150 miles at
Ten Cents per mile Total \$ 15.00
TAYLOR WILKINS, Sheriff
BY Carlisle Children
DEPUTY SHERIFF

IRA MORGAN,

PLAINTIFF

VS.

CHARLES BONNER, individually
and d/b/a BONNER'S AERIAL
APPLICATORS,

DEFENDANTS

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE. CASE #4912

Comes now the plaintiff in the above styled cause and gives notice of appeal from the judgment of the Circuit Court of Baldwin County, Alabama, rendered on the 13th day of September, 1962, and also from the judgment of said Court overruling his motion for a new trial entered on the 10th day of October, 1962, to the Supreme Court of Alabama.

Hugh M. Caffey, Jr.
HUGH M. CAFFEY, JR.
ATTORNEY FOR PLAINTIFF

STATE OF ALABAMA

BALDWIN COUNTY

✕
:
✕

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to summon Wilters & Brantley, Attorneys of Record for Charles Bonner, individually and d/b/a Bonner's Aerial Applicators, to appear at the next term of the Supreme Court of the State of Alabama, then and there to defend an appeal which Ira Morgan has this day sued out, returnable to said Court to reverse a judgment entered by the Circuit Court of Baldwin County, Alabama, on September 13, 1962, and the judgment entered by the Court on Ira Morgan's motion for a new trial entered on October 10, 1962, and make immediate return of this writ.

This the 31 day of October, 1962.

William M. Caffey, Jr.
CLERK

SHERIFF'S RETURN

Executed by serving a copy of the within on Albert

Brantley, a member of the Law Firm of Wilters & Brantley.

This the 5 day of ^{Nov} October, 1962.

Taylor Wilkins
SHERIFF
W.A. Talbot

4912

Ira Morgan)

vs.

Charles Bonner

~~Citation~~
~~Notice~~ of Appeal

to be served on
Winters & Brantley, attorney

BOND

IRA MORGAN,

PLAINTIFF

VS.

CHARLES BONNER, individually
and d/b/a BONNER'S AERIAL
APPLICATORS,

DEFENDANTS

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE. CASE #4912

I hereby acknowledge myself as security for cost of appeal to the Supreme Court of Alabama, in the above case returnable to the present term thereof. And for the payment of the above security I hereby waive my right of exemption to personal property under the Constitution and Laws of the State of Alabama.

Hugh M. Caffey Jr.
HUGH M. CAFFEY, JR.

approved

10-31-61

Alice J. Duck
Clerk

FILED

OCT 31 1961

ALICE J. DUCK, CLERK
REGISTER

IRA MORGAN,

Plaintiff,

Vs.

CHARLES BONNER, indivi-
dually and d/b/a BONNER'S
AERIAL APPLICATORS,

Defendants.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 4912

Comes now the Defendant in the above styled cause and files
the following pleas to Complainant's Amended Complaint:

1.

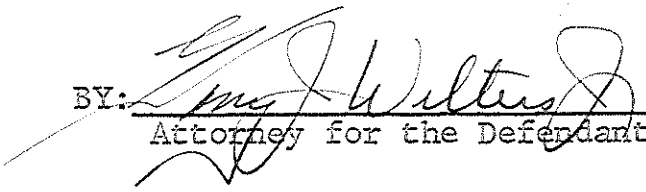
Not Guilty.

2.

The Defendant says further that the Plaintiff should not be
allowed to recover in this cause for that at the time and place
alleged in the Plaintiff's Amended Complaint, said Plaintiff was
negligent himself and that his loss to his cotton crop was caused
by his own contributory negligence. The Defendant says that the
Plaintiff failed or refused to warn the Defendant's Agent that
he was spraying in the wrong field, and that the Plaintiff had
an opportunity to warn him of this.

WILTERS & BRANTLEY

BY:


Attorney for the Defendant

Filed 9-12-64
Deane J. [unclear]

IRA MORGAN,

PLAINTIFF

VS

CHARLES BONNER, individually
and d/b/a BONNER'S AERIAL
APPLICATORS,

DEFENDANT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4912

Comes now the Defendant and files this his demurrs to the ammended
complaint and for grounds thereof says:

1.

The Plaintiff fails to state a cause of action.

2.

That the Plaintiff has failed to describe the lands upon which the
cotton crop was located.

WILTERS, BRANTLEY & NESBIT

BY: 

Attorneys for the Defendant

FILED

JAN 4 1962

ALICE J. DUCK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4912

IRA MORGAN

PLAINTIFF

VS

CHARLES BONNER, individually
and d/b/a BONNER'S AERIAL
APPLICATORS,

DEFENDANT

DEMUR

HUGH M. CAFFEY, JR.
Attorney for the Plaintiff
Brewton, Alabama

WILTERS, BRANTLEY & NESBIT
Attorneys for the Defendant
Robertsdale, Alabama

FILED
JAN 4 1962
ALICE J. DUCK, CLERK
REGISTER

IRA MORGAN,

Plaintiff,

Vs.

CHARLES BONNER, indivi-
dually and d/b/a BONNER'S
AERIAL APPLICATORS,

Defendants.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 4912

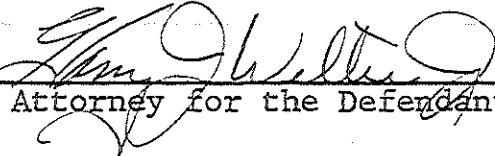
Comes now the Defendant in the above styled cause and files
his answer to the Plaintiff's Amended Complaint and says:

1.

That he is not guilty of the matters alleged therein.

WILTERS & BRANTLEY

BY:


Attorney for the Defendant

FILED

AUG 1 1972

ALICE J. DUCK, CLERK
REGISTER

IRA MORGAN,	Ø	
Plaintiff	Ø	
VS	Ø	IN THE CIRCUIT COURT OF
CHARLES BONNER, BONNER'S	Ø	BALWIN COUNTY, ALABAMA
AERIAL APPLICATORS, A	Ø	
CORPORATION, CHARLES BONNER	Ø	AT LAW
d/b/a BONNER'S AERIAL	Ø	
APPLICATORS, AND JOHN DOE, A	Ø	NO. 4912
PERSON WHOSE TRUE NAME IS UN-	Ø	
KNOWN BUT WILL BE SUPPLIED	Ø	
BY AMENDMENT,	Ø	
Defendants	Ø	

Comes now the Defendant, Charles Bonner, individually and doing business as Bonner's Aerial Applicators, and files the following answers to the Interrogatories heretofore propounded to him in this cause.

1.

Yes

1.a.

10 years

1.b.

Bonner's Aerial Applicators

1 c.

Individually owned

1 d.

Charles Bonner

2.

I do not know of my own personal knowledge whether Ira Morgan's field was sprayed or not on August 28, 1961.

2 a.

I do not know of my own personal knowledge whether Ira Morgan's field was sprayed or not on August 28, 1961.

2 b.

I do not know of my own personal knowledge whether Ira Morgan's field was sprayed or not on August 28, 1961.

2 c.

I do not know of my own personal knowledge whether Ira Morgan's field was sprayed or not on August 28, 1961.

3.

No

4.

I do not know the answer to this question

5.

I do not know the answer to this question

6.

If you are speaking of Ira Morgan's cotton patch I do not know if his cotton was mature or not on August 28, 1961.

6 a.

The application of defoliate on unmmature cotton will have the tendency to prevent the bowl from owening completely, but this will depend on the weather condition.

Charles Bonner
Charles Bonner

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority for said County and State, personally appeared Charles Bonner, who after first being by me duly sworn, deposes and says, that he has read the foregoing answer to the Interrogatories propounded to him, and says further that they are true and correct to the best of his knowledge.

Charles Bonner
Charles Bonner

Sworn to and subscribed before me on this the 3rd day of September 1961.

FILED

NOV 6 1961

ALICE J. DUCK, CLERK
REGISTER

Harry Wilkins Jr
Notary Public, State of Alabama at Large

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4912

IRA MORGAN,

Plaintiff

VS

CHARLES BONNER, BONNER'S
AERIAL APPLICATORS, A
CORPORATION, CHARLES BONNER
d/b/a BONNER'S AERIAL
APPLICATORS, AND JOHN DOE, A
PERSON WHOSE TRUE NAME IS
UNKNOWN BUT WILL BE SUPPLIED
BY AMENDMENT,

Defendants

ANSWER

HUGH M. CAFFEY, JR.
Brewton, Alabama
Attorney for the Plaintiff

WILTERS, BRANTLEY & NESBIT
Robertsdale, Alabama
Attorneys for the Defendant

ALICE J. DICK, Clerk
JUN 6 1961

FILED

IRA MORGAN,	✕	
PLAINTIFF	✕	
VS.	✕	
		IN THE CIRCUIT COURT OF
CHARLES BONNER, BONNER'S	✕	
AERIAL APPLICATORS, A		BALDWIN COUNTY, ALABAMA.
CORPORATION, CHARLES BONNER	✕	
d/b/a BONNER'S AERIAL		LAW SIDE. CASE #4912
APPLICATORS, and JOHN DOE,	✕	
a person whose true name is		
unknown but will be supplied	✕	
by amendment,		
	✕	
DEFENDANTS	✕	

Comes now Ira Morgan and amends his complaint previously filed in this cause so that the same shall hereafter be styled and read as follows:

IRA MORGAN,	✕	
PLAINTIFF	✕	
		IN THE CIRCUIT COURT OF
VS.	✕	
		BALDWIN COUNTY, ALABAMA,
CHARLES BONNER, individually	✕	
and d/b/a BONNER'S AERIAL		LAW SIDE. CASE #4912
APPLICATORS,	✕	
DEFENDANT	✕	

The Plaintiff, Ira Morgan, claims of the defendant, Charles Bonner individually and d/b/a Bonner's Aerial Applicators, the sum of \$2,000.00 as damages for that heretofore and on, to-wit: August 28, 1961, the defendant, acting by and through his servant, agent or employee so negligently operated and piloted an airplane as to spray or dust a chemical defoliating substance on the cotton crop of Plaintiff located in Escambia County, Florida, and described as follows:

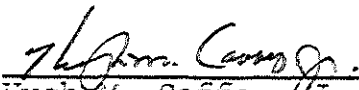
Commence at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of Section 10, Township 5 North, Range 31 West, thence run West 154 yards to the point of beginning; thence run West 286 yards; thence run South 220 yards; thence run East 286 yards; thence run North 220 yards to the point of beginning.

Plaintiff avers that as a direct and proximate result of the negligence of the defendant, acting by and through his servant, agent or employee, who was acting in the line and scope of such employment, in and about spraying or dusting a chemical defoliating substance on plaintiff's unmaturred cotton crop without plaintiff's consent or knowledge, plaintiff's cotton crop was severely damaged and rendered greatly less valuable, hence this suit.


HUGH M. CAFFEY, JR.
ATTORNEY FOR PLAINTIFF

I, Hugh M. Caffey, Jr., Attorney for Ira Morgan, hereby certify that I have on this date mailed a copy, postage prepaid, of the within amended complaint to Wilters, Brantley & Nesbit, Attorneys at Law, Robertsdale, Alabama, Attorneys for the Defendant, Charles Bonner.

~~This 5th day of December, 1961.~~


Hugh M. Caffey, Jr.
Attorney for Plaintiff

FILED
DEC 5 1961
ALICE J. DICK, CLERK
REGISTER

Div. No. _____

CERTIFICATE OF APPEAL. (Civil Cases,)

No. 4912

Baldwin County, Circuit Court.

IRA MORGAN,
Plaintiff.
vs.

CHARLES BONNER, Ind. & d/b/a BONNER'S AERIAL APPLICATORS
Defendant.

I, Alice J. Duck Clerk of Circuit Court,
of Baldwin County, Alabama, hereby certify that in the
cause of IRA MORGAN plaintiff
vs.

CHARLES BONNER, Ind. & d/b/a BONNER'S AERIAL APPLICATORS defendant,
which was tried and determined in this Court on the 13th day of
September 1962, in which there was a judgment for
the Defendant ~~the Plaintiff~~ (and judgment
for the Defendant) the Plaintiff on the 31st day of
October 1962, took an appeal to the Supreme Court
of Alabama to be holden of and for said State.

I further certify that Hugh M. Caffey, Jr. Attorney for Plaintiff
filed security for cost of appeal, to the Supreme Court, on
the 31st day of October 1962, and that Hugh M. Caffey, Jr.,
is sureties on the appeal bond.

I further certify that notice of the said appeal was on the 5
day of Nov 1962, served on Wilters & Brantley
as attorney of record for said appellee, and that the amount sued for
was Two Thousand and no/100 - - - - Dollars. (Or certain lands)
(Or personal property.)

Witness my hand and the seal of this Court, this the 31st
day of October 1962.

Alice J. Duck
Clerk of the Circuit Court of
Baldwin County, Alabama.

HUGH M. CAFFEY, JR.

ATTORNEY AT LAW

BREWTON, ALABAMA

PHONE
UNDERHILL 7-6041

September 18, 1962

P. O. BOX 832

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

Re: Morgan vs. Bonner
Case #4912

Dear Mrs. Duck:

I am enclosing the original and one copy of a motion for a new trial in the referenced matter. Please be so kind as to have Harry Wilters accept service the next time he is in your office. I am sending him a copy of this letter with a request that he stop by your office in the next few days to accept service and pick up the extra copy.

This motion should be placed on your Motion Docket and thereafter submitted to Judge Hall for a hearing date. It would be convenient for me to be in Bay Minette during the week beginning October 22nd, and any date during that week would be satisfactory for a hearing on the motion.

With kindest personal regards, I am,

Yours very truly,


Hugh M. Caffey, Jr.

HMC, Jr./pt

Cc: Mr. Harry Wilters
Attorney at Law
Bay Minette, Alabama

HUGH M. CAFFEY, JR.

ATTORNEY AT LAW
BREWTON, ALABAMA

PHONE
UNDERHILL 7-6041

October 29, 1962

P. O. BOX 832

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

Re: Morgan vs. Bonner

Dear Mrs. Duck:

I am enclosing Plaintiff's Notice of Appeal and my bond as security for costs in the appeal of the referenced matter. Please approve the cost bond.

Mrs. Dusenbury has prepared a transcript of the testimony and I am informing her by this same post to place the original with you. Appellant's assignment of error will be forwarded within the next week or ten days.

Yours very truly,


Hugh M. Caffey, Jr.

HMC, Jr./pt
enclosure

IRA MORGAN,

Plaintiff

VS

CHARLES BONNER, BONNER'S
AERIAL APPLICATORS, A
CORPORATION, CHARLES BONNER
d/b/a BONNER'S AERIAL
APPLICATORS, AND JOHN DOE, A
PERSON WHOSE TRUE NAME IS UN-
KNOWN BUT WILL BE SUPPLIED
BY AMENDMENT,

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4912

Comes now the Defendant in the above styled cause, Charles Bonner
and d/b/a Bonner's Aerial Applicators, and files his demur to the
Complainant's Complaint, and for grounds thereof says:

1.

That it does not state a cause for action.

2.

That it does not adequately describe a location of the lands of
the Plaintiff's on which his cotton was allegedly growing.

WILTERS, BRANTLEY & NESBIT

BY:

Attorneys for the Defendants

FILED

NOV 6 1961

ALICE J. DUCK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4912

IRA MORGAN

Plaintiff

VS

CHARLES BONNER, BONNER'S
AERIAL APPLICATORS, A
CORPORATION, CHARLES BONNER
d/b/a BONNER'S AERIAL
APPLICATORS, AND JOHN DOE, A
PERSON WHOSE TRUE NAME IS UN-
KNOWN BUT WILL BE SUPPLIED
BY AMENDMENT,

Defendants

HUGH M. CAFFEY, JR
Brewton, Alabama
Attorney for the Plaintiff

WILTERS, BRANTLEY & NESBIT
Robertsdale, Alabama
Attorneys for the Defendant

FILED
NOV 6 1931
ALICE J. DUCK, CLERK
REGISTER

IRA MORGAN,

PLAINTIFF

VS.

CHARLES BONNER, BONNER'S
AERIAL APPLICATORS, A
CORPORATION, CHARLES BONNER
d/b/a BONNER'S AERIAL APPLICATORS,
AND JOHN DOE, A PERSON WHOSE TRUE
NAME IS UNKNOWN BUT WILL BE
SUPPLIED BY AMENDMENT,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE. CASE # _____

Comes now the Plaintiff in the above styled cause and desiring the testimony of Charles Bonner, one of the defendants in the above styled cause, hereby propounds the following interrogatories to Charles Bonner under Section 477, et seq. Title 7 of the Code of Alabama of 1940.

1. On August 28, 1961, were you engaged in an aerial crop dusting and in an aerial cotton defoliating business in Baldwin County Alabama? If your answer to the foregoing is in the affirmative, please state:

(a) How long you had been so engaged.

(b) The correct name and style of the business with which you were associated on August 28, 1961.

(c) Was the business with which you were connected a Corporation, a Partnership or an individually owned business?

(d) If your Answer to the foregoing is that the business with which you were connected was a partnership or if you state that the said business was individually owned, please state the names and addresses of the partners or the name and address of the individual owner of such business.

2. Please state the name or names of the pilot or pilots who sprayed or otherwise applied a chemical substance to the cotton field of Ira Morgan on August 28, 1961, and answer the following:

(a) The name of the chemical substance or substances applied.

(b) The use to which such chemical substance is normally put.

(c) If the chemical substance is mixed with liquid prior to application please state what liquid is used and the proportions of liquids and chemicals.

3. Were you or was any other servant, agent or employee of the business in which you were engaged on August 28, 1961, requested by Mr. Ira Morgan, or by any other person on behalf of Mr. Ira Morgan, to defoliate the cotton of Ira Morgan located in Escambia County, Florida?

4. Were markers placed in the cotton field of Ira Morgan by you or by any other person prior to the aerial application of a chemical defoliating substance upon such cotton field?

5. Was a flagman employed and engaged for the purpose of indicating to the pilot the cotton field of Ira Morgan which was defoliated? If your answer is in the affirmative, please state the name and address of such person.

6. On August 28, 1961, were you aware of the damaging effect of defoliating cotton at a time when the cotton bolls have not reached maturity? If your answer is in the affirmative please state:

(a) The normal effects of an application of a cotton defoliate on unmaturred cotton.

STATE OF ALABAMA X
 :
ESCAMBIA COUNTY X

Before me, the undersigned authority, personally appeared Hugh M. Caffey, Jr., who being by me first duly sworn, deposes and says:

That he is attorney for the plaintiff in the above styled cause, and as such he is authorized to make this affidavit for the plaintiff, and that the answers of Charles Bonner to the foregoing interrogatories will be material testimony for the

plaintiff in said cause.

Hugh M. Caffey, Jr.
HUGH M. CAFFEY, JR.

Sworn to and subscribed
before me on this 10th
day of October, 1961.

Carlisle R. Shaw
NOTARY PUBLIC

FILED

OCT 11 1961

ALICE J. DUCK, CLERK
REGISTER

HUGH M. CAFFEY, JR.

ATTORNEY AT LAW

BREWTON, ALABAMA

PHONE
UNDERHILL 7-6041

October 10, 1961

P. O. BOX 832

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

Dear Mrs. Duck:

I am enclosing the original and four (4) copies of summons and complaint in the case of Ira Morgan vs. Bonner, et al. Mr. Charles Bonner's address is c/o Bonner's Aerial Applicators, Robertsedale, Alabama, and I ask that you advise the sheriff of this fact.

I am also enclosing interrogatories to be answered by Charles Bonner. When these interrogatories have been answered I will be in a position to amend the complaint to properly name the parties involved.

It will be appreciated if you will advise me when service is perfected.

With best regards, I am,

Yours very truly,


Hugh M. Caffey, Jr.

HMC, Jr./pt
enclosures

HUGH M. CAFFEY, JR.

ATTORNEY AT LAW
BREWTON, ALABAMA

PHONE
UNDERHILL 7-6041

P. O. BOX 832

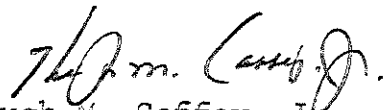
December 5, 1961

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

Please file the amended ~~bill~~ of complaint in case
#4912 - Ira Morgan vs. Charles Bonner, et al.

Yours very truly,


Hugh M. Caffey, Jr.

HMC, Jr./pt
enclosure

THE STATE OF ALABAMA--JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

October Term, 19_____

To the Clerk of the Circuit Court of _____
Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court
of said county, in a certain cause lately pending in said Court between

Ira Morgan, Appellant,
and

Charles Bonner, Individually and d/b/a Bonner's Aerial
Applicators, Appellee,

wherein by said Court, it was considered adversely to said appellant, were brought before our
Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant.

Now, it is hereby certified, That it was thereupon considered, ordered and adjudged
by our Supreme Court on the 17 day of June, 19 63,

that the said appeal be and stand
dismissed for want of prosecution and that it was further considered, ordered and adjudged

that the appellant, Ira Morgan, and Hugh M. Caffey, Jr., surety on the
appeal bond, pay

the costs accruing on said appeal in this Court and in the Court below. And it appearing
that said parties have waived their rights of exemption under the
laws of Alabama, let execution issue accordingly.

Witness, J. Render Thomas, Clerk of the Supreme
Court of Alabama, at the Judicial Building,

this the 17 day of June, 19 63

J. Render Thomas
Clerk of the Supreme Court of Alabama.

724912

THE SUPREME COURT OF ALABAMA

October Term, 19 62-63

1st Div., No. 113

Ira Morgan

Appellant,

v.

Charles Bonner, Individually

and d/b/a Bonner's Aerial
Applicators Appellee.

From Baldwin Circuit Court.

CERTIFICATE OF DISMISSAL

The State of Alabama,

Baldwin County.

} Filed

this 14 day of June 19 63

W. J. Dyer

STATE OF ALABAMA I
 :
BALDWIN COUNTY I

You are hereby commanded to summon Charles Bonner, Bonner's Aerial Applicators, a Corporation, Charles Bonner, doing business as Bonner's Aerial Applicators, and John Doe, a person whose true name is unknown but will be supplied by amendment, to appear before the Circuit Court of Baldwin County, Alabama, at the place of holding the same and plead, answer or demur, within thirty days from service hereof to the complaint of Ira Morgan.

Witness, this 11 day of October, 1961.

Alfred J. Welch
CLERK

IRA MORGAN,

PLAINTIFF

VS.

CHARLES BONNER, BONNER'S
AERIAL APPLICATORS, A
CORPORATION, CHARLES BONNER
D/D/A BONNER'S AERIAL APPLICATORS,
AND JOHN DOE, A PERSON WHOSE TRUE
NAME IS UNKNOWN BUT WILL BE
SUPPLIED BY AMENDMENT,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE. CASE #

The Plaintiff claims of the Defendants the sum of Two Thousand and no/100 (\$2,000.00) Dollars, as damages for that heretofore and on, to-wit: August 28, 1961, the defendants so negligently operated and piloted an airplane as to spray or dust a chemical defoliating substance on the cotton crop of plaintiff in Escambia County, Florida, without the consent or knowledge of plaintiff. Plaintiff avers that at the time of the negligence complained of that his cotton bolls were not of sufficient maturity for defoliation.

HUGH M. CAFFERY, JR.
ATTORNEY FOR PLAINTIFF

HUGH M. CAFFEY, JR.
ATTORNEY FOR PLAINTIFF

700.4912
Dra Morgan
VS.
Charles Bonner

JURY LIST

1. Barton
2. Beasle

- 106
 53-
 52
 24
 29
 12
 17

Handwritten examples of the letter 'X' in various styles and orientations, including uppercase 'X' and lowercase 'x'.