



STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY 4, ALABAMA

MRS. AGNES BAGGETT
SECRETARY OF STATE

To the Honorable Sheriff
Gray County
Pampa, Texas

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dear Sir:

Re: M. L. Brookins VS Calvin E. Bagwell, et al

Enclosed is my notice, together with copies of summons and complaint in duplicate, in suit against Calvin E. Bagwell, now pending in the Circuit Court of Baldwin County, Alabama.

Title 7, Section 199, of the 1940 Code of Alabama provides, among other things, that service of process may be had by a Sheriff, Deputy Sheriff, or other duly constituted public official within the jurisdiction of defendant's residence. This statute further provides a fee of \$2 for each service by said official. I am enclosing a check number 232 forwarded to me by the Honorable Telfair J. Mashburn, Attorney for the Plaintiff. If there are any additional charges by you, you will please contact Mr. Mashburn, who will give same his prompt attention.

I attempted service upon the said defendant at the address given, by registered mail, return receipt requested, deliver to addressee only; but said letter was returned, marked "UNCLAIMED".

Mr. Mashburn and I shall greatly appreciate your efforts to complete this service upon Mr. Bagwell by serving upon him the originals and making your return on the copy of same to the Honorable Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Bay Minette, Ala.

Yours very truly,

Mrs. Agnes Baggett
Secretary of State

cc: Hon. Telfair J. Mashburn
Mashburn & Owens
Dahlberg Bldg.
Bay Minette, Ala.

cc: Hon. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Bay Minette, Ala.



STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY 4, ALABAMA

December 6, 1963

MRS. AGNES BAGGETT
SECRETARY OF STATE

Hon. Telfair J. Mashburn
Mashburn and Owens
Dahlberg Bldg.
Bay Minette, Ala.

Re: M. L. Brookins VS Calvin E. Bagwell, et al

Dear Mr. Mashburn:

Please refer to your file in the above-styled cause and be advised that on November 13, I sent by certified mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

Calvin E. Bagwell
204 Dwight St.
Pompa, Texas

On December 6, this letter (Certified No. 29574) was returned to me with reason for non-delivery given as "UNCLAIMED".

If you would like to further pursue service on this defendant, according to the provisions of Title 7, Section 199, an additional \$2 deposit will enable me to attempt personal service by local law enforcement officers.

Will you please advise me as to any further efforts you wish me to make in perfecting this service.

Yours very truly,

Mrs. Agnes Baggett
Secretary of State

as

cc: Hon. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Bay Minette, Ala.



STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY, ALABAMA

MRS. AGNES BAGGETT
SECRETARY OF STATE

December 16, 1963

To the Honorable Sheriff
Gray County
Pampa, Texas

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dear Sir:

Re: M. L. Brookins VS Calvin E. Bagwell, et al

Enclosed is my notice, together with copies of summons and complaint in duplicate, in suit against Calvin E. Bagwell, now pending in the Circuit Court of Baldwin County, Alabama.

Title 7, Section 199, of the 1940 Code of Alabama provides, among other things, that service of process may be had by a Sheriff, Deputy Sheriff, or other duly constituted public official within the jurisdiction of defendant's residence. This statute further provides a fee of \$2 for each service by said official. I am enclosing a check number 232 forwarded to me by the Honorable Telfair J. Mashburn, Attorney for the Plaintiff. If there are any additional charges by you, you will please contact Mr. Mashburn, who will give same his prompt attention.

I attempted service upon the said defendant at the address given, by registered mail, return receipt requested, deliver to addressee only; but said letter was returned, marked "UNCLAIMED".

Mr. Mashburn and I shall greatly appreciate your efforts to complete this service upon Mr. Bagwell by serving upon him the originals and making your return on the copy of same to the Honorable Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Bay Minette, Ala.

Yours very truly,

Mrs. Agnes Baggett
Mrs. Agnes Baggett
Secretary of State

cc: Hon. Telfair J. Mashburn
Mashburn & Owens
Dahlberg Bldg.
Bay Minette, Ala.

cc: Hon. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Bay Minette, Ala.



STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY 4, ALABAMA

December 16, 1963

MRS. AGNES BAGGETT
SECRETARY OF STATE

Calvin E. Bagwell
204 Dwight St.
Pampa, Texas

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

You will take notice that on November 13, 1963 the Sheriff of
Montgomery County, Alabama, served upon me, in my official capacity, Summons and Com-
plaint in a case entitled: M. L. BROOKINS,

Plaintiff VS CALVIN E. BAGWELL, et al,

Defendants in the CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

Case No. 5806 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 16
day of December 1963

Mrs. Agnes Baggett
Mrs. Agnes Baggett
Secretary of State

Enclosure : Copy of Summons and Complaint
cc: Hon. Telfair J. Mashburn
Mashburn & Owens
Dahlberg Bldg.
Bay Minette, Ala.



STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY 4, ALABAMA

November 13, 1963

MRS. AGNES BAGGETT
SECRETARY OF STATE

Calvin E. Bagwell
204 Dwight St.
Pompa, Texas

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

You will take notice that on November 13, 1963 the Sheriff of
Montgomery County, Alabama, served upon me, in my official capacity, Summons and Com-
plaint in a case entitled: M. L. BROOKINS,

Plaintiff VS. CALVIN E. BAGWELL, et al,

DefendantS in the CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

Case No. 5806 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 13
day of November 1963

Mrs. Agnes Baggett
Mrs. Agnes Baggett
Secretary of State

Enclosure : Copy of Summons and Complaint
cc: Hon. Telfair J. Mashburn
Mashburn and Owens
Dahlberg Bldg.
Bay Minette, Ala.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 5806

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Calvin E. Bagwell and Donald R. Kee

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

Calvin E. Bagwell & Donald R. Kee, Defendant

by M.L. Brookins, Plaintiff

Witness my hand this 8th day of November 1963

Alice J. Duck, Clerk

M. L. BROOKINS,

I further certify that the notice above set out which were
so mailed in the envelopes addressed as above set forth had

Plaintiff,

IN THE CIRCUIT COURT OF

vs.

BALDWIN COUNTY, ALABAMA

CALVIN E. BAGWELL and
DONALD R. KEE,

AT LAW

Defendants.

thereto attached,

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State of the State of Alabama,
hereby certify that on the _____ day of November, 1963, I mailed
by registered mail, in an envelope addressed as follows:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas"

and

"Donald R. Kee
2700 Fairfield
Amarillo, 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:

"Calvin E. Bagwell:
204 Dwight Street
Pompa, Texas

Donald R. Kee
2700 Fairfield
Amarillo, Texas"

You will take notice that the Sheriff of Baldwin County, did
on the _____ day of November, 1963, serve upon me, in my official
capacity, summons with complaint attached, in a case entitled
M. L. Brookins, Plaintiff, vs. Calvin E. Bagwell and Donald R. Kee,
Defendants,, in the Circuit Court of Baldwin County, Alabama, a
true copy of which summons and complaint is hereto attached, and
the said service upon me, as Secretary of 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 _____ day of November, 1963.

Secretary of State.

M. L. BROOKINS, I
Plaintiff, I IN THE CIRCUIT COURT OF
vs. I BALDWIN COUNTY, ALABAMA
CALVIN E. BAGWELL and I AT LAW
DONALD R. KEE, I 5806
Defendants. I

The Plaintiff claims of the Defendants the sum of SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00), as damages for that heretofore on, to-wit, the 18th day of October, 1963, at 7:45 o'clock A. M., the Plaintiff's automobile, pulling a trailer on which there was a Davis built 16 foot boat, with an outboard motor, was operated along and upon U. S. Highway No. 90, a public highway, in the County of Baldwin and State of Alabama, at a point near Blakely River Bridge, where he had a right to be, and while said automobile was being operated and driven along said public highway, the Defendant, Calvin E. Bagwell, who was then and there an agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a tractor and trailer, belonging to the Defendant, Donald R. Kee, as to cause the same to run into, over or against the trailer and boat which was attached to Plaintiff's automobile, causing great damages and injuries to the Plaintiff's boat, trailer and automobile in this: the boat was damaged and rendered completely useless; the outboard motor, an 18 HP Evinrude, was damaged and rendered completely useless; a rod, 2505 Garcoi, was bent, broken and completely destroyed; the plastic ice box, Coca-Cola size, was bent, broken and completely destroyed; a plastic two-drawer tackle box was bent, broken and completely destroyed; a trailer hitch was bent, broken and rendered completely useless, all to the damage of the Plaintiff, as aforesaid. The Plaintiff alleges that his said damages to said boat, trailer, motor and automobile were proximately caused by the negligence of the Defendant, Calvin E. Bagwell, who was then

and there the agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, in that he negligently caused or permitted said tractor and trailer to run upon, over or against the trailer attached to the automobile of the Plaintiff, as aforesaid.

Plaintiff further avers that the Defendants are non-resident citizens of the State of Alabama, and that the address of the Defendant, Calvin E. Bagwell, is 204 Dwight Street, Pompa, Texas, and the address of the Defendant, Donald R. Kee, is 2700 Fairfield, Amarillo, Texas; and the Plaintiff prays that service or process upon said Defendants may be had in accordance with the provisions of Title 7, Paragraph 199 of the Code of Alabama of 1940.

MASHBURN AND OWENS

By: Julius H. Mashburn
Attorneys for Plaintiff.

Plaintiff demands a trial of
this cause by Jury.

MASHBURN AND OWENS

By: Julius H. Mashburn
Attorneys for Plaintiff.

FILED
NOV 8 1943
ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 5806

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

Calvin E. Bagwell and Donald R. Kee

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

Calvin E. Bagwell & Donald R. Kee

Defendant

by

M.L. Brookins

Plaintiff

Witness my hand this

8th

day of

November

1963

Alice J. Duck

Clerk

M. L. BROOKINS,

Plaintiff,

vs.

CALVIN E. BAGWELL and
DONALD R. KEE,

Defendants.

I

I

I

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I

I

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State of the State of Alabama, hereby certify that on the _____ day of November, 1963, I mailed by registered mail, in an envelope addressed as follows:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas"

and

"Donald R. Kee
2700 Fairfield
Amarillo, 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:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas"

Donald R. Kee
2700 Fairfield
Amarillo, Texas"

You will take notice that the Sheriff of Baldwin County, did on the _____ day of November, 1963, serve upon me, in my official capacity, summons with complaint attached, in a case entitled M. L. Brockins, Plaintiff, vs. Calvin E. Bagwell and Donald R. Kee, Defendants, in the Circuit Court of Baldwin County, Alabama, a true copy of which summons and complaint is hereto attached and the said service upon me, as Secretary of 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 _____ day of November, 1963.

Secretary of State.

I further certify that the notice above set out which were so mailed in the envelopes addressed as above set forth had attached to it a true copy of the summons and complaint in the above entitled cause, there being mailed in the envelopes at the time shown, the notice with the copy of the summons and complaint thereto attached.

I further certify that on the _____ day of November, 1963, I received a return card showing the receipt by the designated addressees of the said notices with attached summons and complaint as aforesaid, which receipts I attach hereto. You will note Defendants were served by registered mail at _____ and _____, as shown by the return receipt enclosed.

Witness my hand and the Great Seal of the State of Alabama, this _____ day of November, 1963.

Secretary of State.

M. L. BROOKINS,	I	
Plaintiff,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
CALVIN E. BAGWELL and	I	AT LAW.
DONALD R. KEE,	I	5806
Defendants.	I	

The Plaintiff claims of the Defendants the sum of SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00), as damages for that heretofore on, to-wit, the 18th day of October, 1963, at 7:45 o'clock A. M., the Plaintiff's automobile, pulling a trailer on which there was a Davis built 16 foot boat, with an outboard motor, was operated along and upon U. S. Highway No. 90, a public highway, in the County of Baldwin and State of Alabama, at a point near Blakely River Bridge, where he had a right to be, and while said automobile was being operated and driven along said public highway, the Defendant, Calvin E. Bagwell, who was then and there an agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a tractor and trailer, belonging to the Defendant, Donald R. Kee, as to cause the same to run into, over or against the trailer and boat which was attached to Plaintiff's automobile, causing great damages and injuries to the Plaintiff's boat, trailer and automobile in this: the boat was damaged and rendered completely useless; the outboard motor, a 18 HP Evinrude, was damaged and rendered completely useless; a rod, 2505 Garcei, was bent, broken and completely destroyed; the plastic ice box, Coca-Cola size, was bent, broken and completely destroyed; a plastic two-drawer tackle box was bent, broken and completely destroyed; a trailer hitch was bent, broken and rendered completely useless, all to the damage of the Plaintiff, as aforesaid. The Plaintiff alleges that his said damages to said boat, trailer, motor and automobile were proximately caused by the negligence of the Defendant, Calvin E. Bagwell, who was then

and there the agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, in that he negligently caused or permitted said tractor and trailer to run upon, over or against the trailer attached to the automobile of the Plaintiff, as aforesaid.

Plaintiff further avers that the Defendants are non-resident citizens of the State of Alabama, and that the address of the Defendant, Calvin E. Bagwell, is 204 Dwight Street, Pompa, Texas, and the address of the Defendant, Donald R. Kee, is 2700 Fairfield, Amarillo, Texas; and the Plaintiff prays that service or process upon said Defendants may be had in accordance with the provisions of Title 7, Paragraph 199 of the Code of Alabama of 1940.

MASHBURN AND OWENS

By: Justin A. Mashburn
Attorneys for Plaintiff.

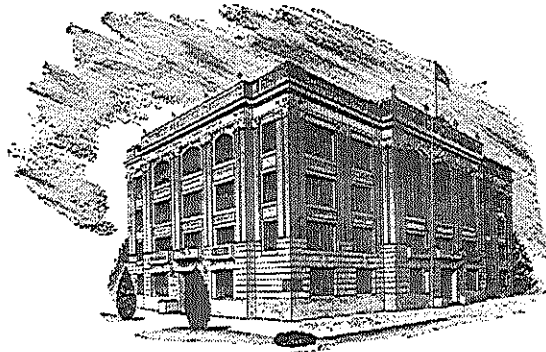
Plaintiff demands a trial of
this cause by Jury.

MASHBURN AND OWENS

By: Justin A. Mashburn
Attorneys for Plaintiff.

FILED
NOV 8 1963
ALICE L. DUCK, CLERK
REGISTER

County
of Gray
State of Texas



Pampa, Texas

December 23, 1963

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

Greetings:

We return herewith papers to be served on one Calvin
E. Bagwell.

He is employed by a trucking concern as a driver, in
Amarillo, Texas. We were unable to learn the name.

His mother resides at 604 N. Dwight St., Pampa. Her
name is Mrs. Lill Bexter, phone MOhawk 4-3686 and she
is employed at the Courthouse Cafe in Pampa.

He has a brother, Alvin Bagwell who works for the
police department in Hereford, Texas.

His wife Ludel Bagwell works at Poole's Steak House
in Pampa, Texas.

None of these would give us any information.

Yours very truly,

R. H. JORDAN, Sheriff

By

Deputy

R. H. Jordan
A. L. Ray

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 5834

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

Calvin E. Bagwell and Donald R. Kee

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 -----

Calvin E. Bagwell & Donald R. Kee

----- Defendant -----

by -----

M. L. Brookins

-----, Plaintiff -----

Witness my hand this

8th

day of

November

1963

Alice J. Duck

-----, Clerk

M. L. BROOKINS, I
Plaintiff, I IN THE CIRCUIT COURT OF
vs. I BALDWIN COUNTY, ALABAMA
CALVIN E. BAGWELL and I AT LAW
DONALD R. KEE, I
Defendants. I

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State of the State of Alabama, hereby certify that on the _____ day of November, 1963, I mailed by registered mail, in an envelope addressed as follows:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas"

and

"Donald R. Kee
2700 Fairfield
Amarillo, 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:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas

Donald R. Kee
2700 Fairfield
Amarillo, Texas"

You will take notice that the Sheriff of Baldwin County, did on the _____ day of November, 1963, serve upon me, in my official capacity, summons with complaint attached, in a case entitled M. L. Brookins, Plaintiff, vs. Calvin E. Bagwell and Donald R. Kee, Defendants,, in the Circuit Court of Baldwin County, Alabama, a true copy of which summons and complaint is hereto attached, and the said service upon me, as Secretary of 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 _____ day of November, 1963.

Secretary of State.

I further certify that the notice above set out which were so mailed in the envelopes addressed as above set forth had attached to it a true copy of the summons and complaint in the above entitled cause, there being mailed in the envelopes at the time shown, the notice with the copy of the summons and complaint thereto attached.

I further certify that on the _____ day of November, 1963, I received a return card showing the receipt by the designated addressees of the said notices with attached summons and complaint as aforesaid, which receipts I attach hereto. You will note Defendants were served by registered mail at _____ and _____, as shown by the return receipt enclosed.

Witness my hand and the Great Seal of the State of Alabama, this _____ day of November, 1963.

Secretary of State.

M. L. BROOKINS,	I	
	I	IN THE CIRCUIT COURT OF
Plaintiff,	I	BALDWIN COUNTY, ALABAMA
vs.	I	
	I	AT LAW
CALVIN E. BAGWELL and	I	
DONALD R. KEE,	I	
	I	
Defendants.	I	

The Plaintiff claims of the Defendants the sum of SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00), as damages for that heretofore on, to-wit, the 18th day of October, 1963, at 7:45 o'clock A. M., the Plaintiff's automobile, pulling a trailer on which there was a Davis built 16 foot boat, with an outboard motor, was operated along and upon U. S. Highway No. 90, a public highway, in the County of Baldwin and State of Alabama, at a point near Blakely River Bridge, where he had a right to be, and while said automobile was being operated and driven along said public highway, the Defendant, Calvin E. Bagwell, who was then and there an agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a tractor and trailer, belonging to the Defendant, Donald R. Kee, as to cause the same to run into, over or against the trailer and boat which was attached to Plaintiff's automobile, causing great damages and injuries to the Plaintiff's boat, trailer and automobile in this: the boat was damaged and rendered completely useless; the outboard motor, an 18 HP Evinrude, was damaged and rendered completely useless; a rod, 2505 Garcei, was bent, broken and completely destroyed; the plastic ice box, Coca-Cola size, was bent, broken and completely destroyed; a plastic two-drawer tackle box was bent, broken and completely destroyed; a trailer hitch was bent, broken and rendered completely useless, all to the damage of the Plaintiff, as aforesaid. The Plaintiff alleges that his said damages to said boat, trailer, motor and automobile were proximately caused by the negligence of the Defendant, Calvin E. Bagwell, who was then

and there the agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, in that he negligently caused or permitted said tractor and trailer to run upon, over or against the trailer attached to the automobile of the Plaintiff, as aforesaid.

Plaintiff further avers that the Defendants are non-resident citizens of the State of Alabama, and that the address of the Defendant, Calvin E. Bagwell, is 204 Dwight Street, Pompa, Texas, and the address of the Defendant, Donald R. Kee, is 2700 Fairfield, Amarillo, Texas; and the Plaintiff prays that service or process upon said Defendants may be had in accordance with the provisions of Title 7, Paragraph 199 of the Code of Alabama of 1940.

MASHBURN AND OWENS

By: Jeffrey P. Mashburn
Attorneys for Plaintiff.

Plaintiff demands a trial of
this cause by Jury.

MASHBURN AND OWENS

By: Jeffrey P. Mashburn
Attorneys for Plaintiff.

M. L. BROOKINS,

Plaintiff,

vs.

CALVIN E. BAGWELL and
DONALD R. KEE,

Defendants.

I

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State of the State of Alabama, hereby certify that on the _____ day of November, 1963, I mailed by registered mail, in an envelope addressed as follows:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas"

and

"Donald R. Kee
2700 Fairfield
Amarillo, 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:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas

Donald R. Kee
2700 Fairfield
Amarillo, Texas"

You will take notice that the Sheriff of Baldwin County, did on the _____ day of November, 1963, serve upon me, in my official capacity, summons with complaint attached, in a case entitled M. L. Brookins, Plaintiff, vs. Calvin E. Bagwell and Donald R. Kee, Defendants,, in the Circuit Court of Baldwin County, Alabama, a true copy of which summons and complaint is hereto attached, and the said service upon me, as Secretary of 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 _____ day of November, 1963.

Secretary of State.

I further certify that the notice above set out which were so mailed in the envelopes addressed as above set forth had attached to it a true copy of the summons and complaint in the above entitled cause, there being mailed in the envelopes at the time shown, the notice with the copy of the summons and complaint thereto attached.

I further certify that on the _____ day of November, 1963, I received a return card showing the receipt by the designated addressees of the said notices with attached summons and complaint as aforesaid, which receipts I attach hereto. You will note Defendants were served by registered mail at _____ and _____, as shown by the return receipt enclosed.

Witness my hand and the Great Seal of the State of Alabama, this _____ day of November, 1963.

Secretary of State.

November 20, 1963

M. L. BROOKINS, Plaintiff
VS
DONALD R. KEE, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

CASE NO. 5806

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

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on November 13, 1963
I sent by certified mail in an envelope addressed as follows:

"Donald R. Kee
2700 Fairfield
Amarillo, Texas"

"Certified 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:

" Donald R. Kee
2700 Fairfield
Amarillo, Texas

You will take notice that on November 13, 1963 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: M. L. BROOKINS, Plaintiff VS DONALD R. KEE, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 5806 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 13
day of November 1963

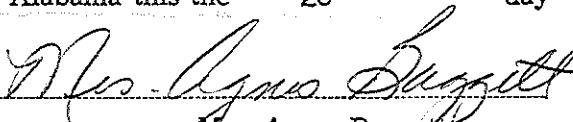
Enclosure (1)

(Signed) Mrs. Agnes Baggett
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 November 20, 1963 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Amarillo, Tex.
on 11-18-63

WITNESS MY HAND and the Great Seal of the State of Alabama this the 20 day
of November 1963


Mrs. Agnes Baggett
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
cc: Hon. Telfair J. Mashburn
Mashburn and Owens
Dahlberg Bldg.
Bay Minette, Ala.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 5806

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon CALVIN E. BAGWELL AND DONALD R. KEE

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 -----

Calvin E. Bagwell and Donald R. Kee -----, Defendant-----

by M. L. Brookins -----

-----, Plaintiff-----

Witness my hand this 8 day of November 1963

Alice J. Luck -----, Clerk

M. L. BROOKINS,	I	
	I	IN THE CIRCUIT COURT OF
Plaintiff,	I	BALDWIN COUNTY, ALABAMA
vs.	I	AT LAW.
CALVIN E. BAGWELL and	I	
DONALD R. KEE,	I	
	I	
Defendants.	I	

The Plaintiff claims of the Defendants the sum of SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00), as damages for that heretofore on, to-wit, the 18th day of October, 1963, at 7:45 o'clock A. M., the Plaintiff's automobile, pulling a trailer on which there was a Davis built 16 foot boat, with an outboard motor, was operated along and upon U. S. Highway No. 90, a public highway, in the County of Baldwin and State of Alabama, at a point near Blakely River Bridge, where he had a right to be, and while said automobile was being operated and driven along said public highway, the Defendant, Calvin E. Bagwell, who was then and there an agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a tractor and trailer, belonging to the Defendant, Donald R. Kee, as to cause the same to run into, over or against the trailer and boat which was attached to Plaintiff's automobile, causing great damages and injuries to the Plaintiff's boat, trailer and automobile in this: the boat was damaged and rendered completely useless; the outboard motor, a 18 HP Evinrude, was damaged and rendered completely useless; a rod, 2505 Garcei, was bent, broken and completely destroyed; the plastic ice box, Coca-Cola size, was bent, broken and completely destroyed; a plastic two-drawer tackle box was bent, broken and completely destroyed; a trailer hitch was bent, broken and rendered completely useless, all to the damage of the Plaintiff, as aforesaid. The Plaintiff alleges that his said damages to said boat, trailer, motor and automobile were proximately caused by the negligence of the Defendant, Calvin E. Bagwell, who was then

and there the agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, in that he negligently caused or permitted said tractor and trailer to run upon, over or against the trailer attached to the automobile of the Plaintiff, as aforesaid.

Plaintiff further avers that the Defendants are non-resident citizens of the State of Alabama, and that the address of the Defendant, Calvin E. Bagwell, is 204 Dwight Street, Pompa, Texas, and the address of the Defendant, Donald R. Kee, is 2700 Fairfield, Amarillo, Texas; and the Plaintiff prays that service or process upon said Defendants may be had in accordance with the provisions of Title 7, Paragraph 199 of the Code of Alabama of 1940.

MASHBURN AND OWENS

By: J. J. Mashburn
Attorneys for Plaintiff.

Plaintiff demands a trial of
this cause by Jury.

MASHBURN AND OWENS

By: J. J. Mashburn
Attorneys for Plaintiff.

FILED

NOV 8 1963

ALICE J. DICK, CLERK
REGISTER

M. L. BROOKINS, I
Plaintiff, I IN THE CIRCUIT COURT OF
vs. I BALDWIN COUNTY, ALABAMA
CALVIN E. BAGWELL and I AT LAW.
DONALD R. KEE, I
Defendants. I

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State of the State of Alabama, hereby certify that on the _____ day of November, 1963, I mailed by registered mail, in an envelope addressed as follows:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas"

and

"Donald R. Kee
2700 Fairfield
Amarillo, 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:

"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas

Donald R. Kee
2700 Fairfield
Amarillo, Texas"

You will take notice that the Sheriff of Baldwin County, did on the _____ day of November, 1963, serve upon me, in my official capacity, summons with complaint attached, in a case entitled M. L. Brookins, Plaintiff, vs. Calvin E. Bagwell and Donald R. Kee, Defendants, in the Circuit Court of Baldwin County, Alabama, a true copy of which summons and complaint is hereto attached and the said service upon me, as Secretary of 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 _____ day of November, 1963.

Secretary of State.

I further certify that the notice above set out which were so mailed in the envelopes addressed as above set forth had attached to it a true copy of the summons and complaint in the above entitled cause, there being mailed in the envelopes at the time shown, the notice with the copy of the summons and complaint thereto attached.

I further certify that on the _____ day of November, 1963, I received a return card showing the receipt by the designated addressees of the said notices with attached summons and complaint as aforesaid, which receipts I attach hereto. You will note Defendants were served by registered mail at _____ and _____, as shown by the return receipt enclosed.

Witness my hand and the Great Seal of the State of Alabama, this _____ day of November, 1963.

Secretary of State.

M. L. BROOKINS, I
Plaintiff, I IN THE CIRCUIT COURT OF
vs. I BALDWIN COUNTY, ALABAMA
CALVIN E. BAGWELL and I AT LAW
DONALD R. KEE, I 5806
Defendants. I

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

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"Calvin E. Bagwell
204 Dwight Street
Pompa, Texas"

and

"Donald R. Kee
2700 Fairfield
Amarillo, Texas"

"Registered Mail
Return Receipt Requested
Deliver to addressee only"

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Pompa, Texas

Donald R. Kee
2700 Fairfield
Amarillo, Texas"

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Witness my hand and the Great Seal of the State of Alabama, this the _____ day of November, 1963.

Secretary of State.

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Witness my hand and the Great Seal of the State of Alabama, this _____ day of November, 1963.

Secretary of State.

M. L. BROOKINS,	I	
Plaintiff,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
CALVIN E. BAGWELL and	I	AT LAW.
DONALD R. KEE,	I	5806
Defendants.	I	

The Plaintiff claims of the Defendants the sum of SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00), as damages for that heretofore on, to-wit, the 18th day of October, 1963, at 7:45 o'clock A. M., the Plaintiff's automobile, pulling a trailer on which there was a Davis built 16 foot boat, with an outboard motor, was operated along and upon U. S. Highway No. 90, a public highway, in the County of Baldwin and State of Alabama, at a point near Blakely River Bridge, where he had a right to be, and while said automobile was being operated and driven along said public highway, the Defendant, Calvin E. Bagwell, who was then and there an agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a tractor and trailer, belonging to the Defendant, Donald R. Kee, as to cause the same to run into, over or against the trailer and boat which was attached to Plaintiff's automobile, causing great damages and injuries to the Plaintiff's boat, trailer and automobile in this: the boat was damaged and rendered completely useless; the outboard motor, a 18 HP Evinrude, was damaged and rendered completely useless; a rod, 2505 Garcei, was bent, broken and completely destroyed; the plastic ice box, Coca-Cola size, was bent, broken and completely destroyed; a plastic two-drawer tackle box was bent, broken and completely destroyed; a trailer hitch was bent, broken and rendered completely useless, all to the damage of the Plaintiff, as aforesaid. The Plaintiff alleges that his said damages to said boat, trailer, motor and automobile were proximately caused by the negligence of the Defendant, Calvin E. Bagwell, who was then

and there the agent, servant or employee of the Defendant, Donald R. Kee, acting within the line and scope of his authority as such agent, servant or employee, in that he negligently caused or permitted said tractor and trailer to run upon, over or against the trailer attached to the automobile of the Plaintiff, as aforesaid.

Plaintiff further avers that the Defendants are non-resident citizens of the State of Alabama, and that the address of the Defendant, Calvin E. Bagwell, is 204 Dwight Street, Pompa, Texas, and the address of the Defendant, Donald R. Kee, is 2700 Fairfield, Amarillo, Texas; and the Plaintiff prays that service or process upon said Defendants may be had in accordance with the provisions of Title 7, Paragraph 199 of the Code of Alabama of 1940.

MASHBURN AND OWENS

By: J. Fair J. Mashburn
Attorneys for Plaintiff.

Plaintiff demands a trial of
this cause by Jury.

MASHBURN AND OWENS

By: J. Fair J. Mashburn
Attorneys for Plaintiff.

FILED

NOV 8 1963

ALICE L. DICK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 5806

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon CALVIN E. BAGWELL AND DONALD R. KEE

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 -----

Calvin E. Bagwell and Donald R. Kee -----, Defendant.

by M. L. Brookins -----

-----, Plaintiff.

Witness my hand this 8 ----- day of November ----- 1963

Alise J. Luck -----, Clerk

L' 11-13-63

760 A

No. 5806

Page _____

STATE of ALABAMA
Baldwin County

CIRCUIT COURT

M. L. BROOKINS

Plaintiffs

vs.

CALVIN E. BAGWELL AND

DONALD R. KEE,

Defendants

Summons and Complaint

Filed _____ 19____

NOV 8 1963

Clerk

**ALICE J. DUCK, CLERK
REGISTER**

Mashburn + Owen
Plaintiff's Attorney

Defendant's Attorney

2356

Defendant lives at

AD IN OFFICE

Received In Office
NOV 12 1963

Nov. 8, 1963

M. S. BUTLER, Sheriff

⑥

Sheriff.

I have executed this summons

this _____ 19____

by leaving a copy with

Executed by serving 6 copies of

the within on Agnes Baggett

Secretary of State of The State of
Alabama.

(this the 13 day of Nov 1963)

Sheriff of Montgomery County

M. S. Butler,

By J. H. Rimmer D. S.

The Sheriff claims 2

miles at 10c per mile for a total

of \$ 20

M. S. Butler, Sheriff

Montgomery County, Ala.

Sheriff.

Deputy Sheriff.