#### LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)
SAM W. PIPES, III
WALTER M. COOX
FRANK T. POPE, JR.
GORDON B. KAHN
IRWIN W. COLEMAN, JR.
G. SAGE LYONS

March 19, 1963

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

Re: Clyde V. Hubbart

v.

Charles Ed Yearling, et al

Dear Mrs. Duck:

We enclose the original and two copies of complaint styled: "Clyde V. Hubbart, Plaintiff, vs. Charles Ed Yearling and Percy Yearling, Defendants" which we request that you file. It is our understanding that both defendants may be served at Route 3, Box 5, Foley, Alabama. It would be greatly appreciated if you would advise when service is had upon the defendants.

Very truly yours,

LYONS, PIPES & COOK

Frank T. Pope, Jr.

FTP/bb

Encl.

#### LYONS, PIPES AND COOK ATTORNEYS-AT-LAW

516-519 FIRST NATIONAL BANK BUILDING 432-4484 P. O. DRAWER 79 MOBILE, ALABAMA 36601

JOSEPH H. LYONS (1900-1957)
SAM W. PIPES, III
WALTER M. COOK
GORDON B. KAHN
IRWIN W. COLEMAN, JR.
G. SAGE LYONS
WM. F. HORSLEY

July 9, 1964

Government Employees Insurance Company Government Employees Insurance Building Washington 5, D. C.

Re: Claim S-20-44633 Clyde V. Hubbart vs Charles Ed Yearling, et al Case No. 5514 in the Circuit Court of Baldwin County Alabama

#### Gentlemen:

In the case of Huubbart vs Yearling, Case No. 5514, we are advised by the clerk that the Sheriff has made his return marked "no property found". We shall keep you advised in the event there are any further developments.

Yours truly,

LYONS, PIPES AND COOK

Walter W. Cook

WMC/a

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

#### LYONS, PIPES AND COOK ATTORNEYS-AT-LAW

516-519 FIRST NATIONAL BANK BUILDING 432-4484 P. O. DRAWER 79 MOBILE, ALABAMA 36601

JOSEPH H. LYONS (1900-1957) SAM W. PIPES, III WALTER M. COOK GORDON B. KAHN IRWIN W. COLEMAN, JR. G. SAGE LYONS

April 15, 1964

Honorable Taylor Wilkins Sheriff of Baldwin County Bay Minette, Alabama

Re: Clyde V. Hubbart vs Charles Ed Yearling and Percey Yearling - Case 5514 in the Circuit Court of Maldwin County, Alabama

Dear Taylor:

Reference is made to this case, and I will appreciate it if you will make your return in due course to the Clerk of the Court.

With best wishes, I am

Sincerely yours,

LYONS, PIPES AND COOK

Walter M. Cook

MMC/a

cc: Mrs. Alice J. Duck Clerk of the Circuit Court of Baldwin County Bay Minette, Alabama

Returnel aprin 1964 mo property forme

CLYDE V. HUBBART,

IN THE CIRCUIT COURT OF

Plaintiff,

BALDWIN COUNTY, ALABAMA

=vs=

CHARLES ED YEARLING and PERCY YEARLING, Separately and Severally,

CASE NO. 5514

Defendats.

## COUNT ONE

Plaintiff claims of the defendants the sum of, to-wit, Nine Hundred Fifty (\$950.00) Dollars for that heretofore and on, to-wit, the 25th day of June, 1962, the defendant, Charles Ed Yearling, the agent, servant, or employee of the defendant Percy Yearling and while acting in the line and scope of his authority as such so negligently operated an automobile on and along Alabama Highway No. 135 approximately 1.7 miles south of Gulf Shores, Baldwin County, Alabama, said highway then and there being a public highway within the County of Baldwin, State of Alabama, so as to cause the same to run into, upon or against the plaintiff's automobile which he was then and there operating and as a direct and proximate result and consequence of the negligence of the defendants as aforesaid, the plaintiff was injured and damaged in this; his automobile was badly bent, broken, smashed, torn and otherwise rendered less valuable and he lost the use thereof for a long period of time, for all of which the plaintiff claims damages as aforesaid.

> LYONS, PIPES AND COOK Attorneys for the Plaintiff

By: Frank T. Pope, Jr.

Defendants may be served at:

Route 3, Box 5 Foley, Alabama

FILED

33

AUNE I. DUN ELERK

ngong some in die ee gebaar jir die CARLO MATERIA DE COMO DE LA COMPANSA DE CARLO DECARLO DE CARLO DE FINANCE CONTRACTOR OF THE STATE OF SERVICES OF AUGUST OF STATE na i milan anche i la compete e de la filla ace de la compete de la compete de la filla de la filla de la filla graffer gwalen i ark i ato idio degla ni og ni i njembriganjih uma i grafijami en i areji erang Gare. and the part of the second of the control of the property of the control of the c services and the services of t names also come to ment to the common of allebane about the contract to THE STATE OF THE SERVICE OF SERVICES AND ASSESSED OF SERVICES 071  $\frac{1}{2} \frac{1}{2} \frac{1}$ anten og havere aprelige 18 man av sam av tennese holde skalaret gjer 18 man av sam og sår anderse skalaret emining signali i kommuni salah kalandaran berasa da da salah bilan salah bilan salah bilan salah bilan salah Bilan salah sa arting the first of the control of t

# THE STATE OF ALABAMA,

BALDWIN COUNTY

		CIRCUIT	COURT,	BALDWIN	COUNTY
No	5514				
*1.1 *4	i,	N.A		TERM	. 19
					,

TO ANY SHERIFF OF THE STATE OF ALABAMA:

					·-•
and severally					
The second secon					
to appear and plead, answe	r or demur, within	thirty days from	m the service he	ereof, to the complaint	filed in the
	1.				
Circuit Court of Baldwin C	lounty State of Al	ahama, at Bay	Minette, agains	t Charles Ed Y	earline
onday oddy of Dalawin C	ound, Diale of In	avama, ar Daj			
and Percy Yearling,	separately a	nd severall	Ŧ	Def	endant
				, 1901	\$14(4(d110
by Clyde V. Hubbart					
	4.				
1				PI	aintiff
				,	
Witness my hand this	20	day of	March	19	
,, , , , , , , , , , , , , , , , , , ,				19	63
		uay or			<u>63</u>
		day or	<i>(</i> ), .	19	<u>63</u>

You Are Hereby Commanded to Summon Charles Ed Yearling and Percy Yearling, separately

Page	
THE STATE OF ALABAMA  BALDWIN COUNTY	Defendant lives at
CIRCUIT COURT	RECEIVED IN OFFICE
- COURT	
CLYDE V. HUBBART	-11 avel 20, 196 3
	, Sheri
	I have executed this summone
vs. Plaintiffs	this 3 - 3 - 3 - 19 - 2
CHARLES ED VEADA	by leaving a copy with
CHARLES ED YEARLING and	Charles Ed Jearling 30
PERCY YEARLING, separately and sev	erally
Defendants	The state of the s
SUMMONS and COMPLAINT	
iled 3-20-63	
Alice J. Duck , Clerk	144
, Clerk	Sheriff claims The miles of
	Ten Cents per mile Total
Particular and the second seco	TAYLOR WILKINS, Sheriff
	DEPUTY SHEKIFF
All the second of the second o	
Service Control of the Control of th	
Plaintee	
Plaintiff's Attorney	520 May 6 1101
Defendant's Attorney	Sheriff Sheriff
	the transfer to the form of the
	Deputy Sheriff

CLYDE V. HUBBART

PLAINTIFF

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CHARLES ED YEARLING, ET AL

DEFENDANTS

DEFENDANTS

Comes the undersigned as attorney of record for the defendants in the above styled cause, and for good and sufficient reasons heretofore conveyed to the defendants, withdraws his appearance as attorney of record for the defendants.

Done this 3/5/day of August 1963.

Attorney for defendants

FILED SZP 8 MSZ AUG LEGGER CLYDE V. HUBBART,

PLAINTIFF

VS

CHARLES ED YEARLING and PERCEY YEARLING, separately and severally

DEFENDANTS

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW, NO. 5514

### DEMURRER

Comesnow the Defendant's, by their attorney, and demur to the cause of action heretofore filed in said cause and as grounds therefore assigns the following and several grounds:

1. That the complaint fails to state a cause of action.

Attorney for Defendants

## DEMAND FOR TRIAL BY JURY

Come now the defendant's in the above styled cause, by their attorney, and demands trial by jury

Actorney for defendants

I certify that a copy of the above demurrer has been mailed, postage prepaid, on this **23rd** day of April 1963 to Frank T. Pope, Jr., Esquire, attorney of record for Plantiff

Attorney for detendants

FILED

APR 24 1883

ALIE L WILL CLER

### LYONS, PIPES & COOK

ATTORNEYS AT LAW

SI7 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)
SAM W. PIPCES, III
WALTER M. COOK
FRANK T. POPE, JR.
GORDON B. KANN
IRWIN W. COLEMAN, JR.
G. SAGE LYONS

March 19, 1963

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

Re: Clyde V. Hubbart

v.

Charles Ed Yearling, et al

Dear Mrs. Duck:

We enclose the original and two copies of complaint styled: "Clyde V. Hubbart, Plaintiff, vs. Charles Ed Yearling and Percy Yearling, Defendants" which we request that you file. It is our understanding that both defendants may be served at Route 3, Box 5, Foley, Alabama. It would be greatly appreciated if you would advise when service is had upon the defendants.

Very truly yours,

LYONS, PIPES & COOK

Frank T. Pope, Jr.

FTP/bb Encl.

#### LYONS, PIPES AND COOK ATTORNEYS-AT-LAW

516-519 FIRST NATIONAL BANK BUILDING 492-4484 P. O. DRAWER 79 MOBILE, ALABAMA 36601

JOSEPH H. LYONS (1900-1957) SAM W. PIPES, III WALTER M. COOK GORDON B. KAHN IRWIN W. COLEMAN, JR. G. SAGE LYONS

April 15, 1964

Honorable Taylor Wilkins Sheriff of Baldwin County Bay Minette, Alabama

Re: Clyde V. Hubbart vs Charles Ed Yearling and Percey Yearling - Case 5514 in the Circuit Court of Maldwin County, Alabama

Dear Taylor:

Reference is made to this case, and I will appreciate it if you will make your return in due course to the Clerk of the Court.

With best wishes, I am

Sincerely yours,

LYONS, PIPES AND COOK

Walter M. Cook

WMC/a

cc: Mrs. Alice J. Duck Clerk of the Circuit Court of Baldwin County Bay Minette, Alabama

Returnel aproperty found

CLYDE V. HUBBART,

IN THE CIRCUIT COURT OF

Plaintiff,

:

BALDWIN COUNTY, ALABAMA

=vs=

CHARLES ED YEARLING and PERCY YEARLING, Separately and Severally,

CASE NO. 5514

Defendats.

## COUNT ONE

Plaintiff claims of the defendants the sum of, to-wit, Nine Hundred Fifty (\$950.00) Dollars for that heretofore and on, to-wit, the 25th day of June, 1962, the defendant, Charles Ed Yearling, the agent, servant, or employee of the defendant Percy Yearling and while acting in the line and scope of his authority as such so negligently operated an automobile on and along Alabama Highway No. 135 approximately 1.7 miles south of Gulf Shores, Baldwin County, Alabama, said highway then and there being a public highway within the County of Baldwin, State of Alabama, so as to cause the same to run into, upon or against the plaintiff's automobile which he was then and there operating and as a direct and proximate result and consequence of the negligence of the defendants as aforesaid, the plaintiff was injured and damaged in this; his automobile was badly bent, broken, smashed, torn and otherwise rendered less valuable and he lost the use thereof for a long period of time, for all of which the plaintiff claims damages as aforesaid.

> LYONS, PIPES AND COOK Attorneys for the Plaintiff

By: Frank T. Pope, Jr.

Defendants may be served at:

Route 3, Box 5 Foley, Alabama FILED

MINE J. DUNA SEGRESS

or gradient was to the contract of the 

ing a specific property of the second second

en de la composition and section made the contract of the contract March Authorities of the engine of the contract of the engine of the contract of the engine of the e end in the light of the particular section of the property of the property of the particular of the pa owner got owns to the proof rank of ellerte a great residence. on Branch actions at the present of the property of process and other section of the pro-

er terretak terdenak yang bermailan di kecamatan dan permailan dan permailan dan permailan dan permailan dan p Bermailan dan permailan da

## THE STATE OF ALABAMA,

BALDWIN COUNTY

		CIRCUIT	COURT,	BALDWIN	COL	)NT
No.	551J <sub>1</sub>					
·	·			TERN	I, 19	

TO ANY SHERIFF OF THE STATE OF ALABAMA:

and severally			
	1	· · · · · · · · · · · · · · · · · · ·	
	A STATE OF THE STA		the the complaint filed in the
to appear and plead, answer or d	emur, widin d	mily days from the service mereo.	, so the completely about 115 inc
Circuit Court of Baldwin County,	State of Alab	ama, at Bay Minette, against _	Charles Ed Yearling
and Percy Yearling, sepa			, Defendant
Clyde V. Hubbart			
			, Plaintiff
Witness my hand this	20	day ofMarch	19 63
		De 1	in the second
Enf. 3-23-63	>	Much	Clerk

You Are Hereby Commanded to Summon Charles Ed Yearling and Percy Yearling, separately

	و د د دستر ا	
No. 5514 Page		Defendant lives at
THE STATE OF ALABAM BALDWIN COUNTY	<b>A</b>	RECEIVED IN OFFICE
CIRCUIT COURT		March 20, 1963
CLYDE V. HUBBART		, Sheriff
Plai	ntiffs	I have executed this summons
vs.		by leaving a copy with  Charles Ed Alarking 3-53
CHARLES ED YEARLING and PERCY YEARLING, separate	ely and se	1-62 6 16 0 19 3
Defen		
SUMMONS and COMPLAI	NT	
Filed 3-20-63 , 19		144
Alice J. Duck	, Clerk	Shoriff claims anilysy.
		Ten Cents per mile Total TAYLOR WILKINS, Sheriff
		DEPUTY SHERIFF
Plaintiff's	Attorney	Daylor Chille Sheriff
Defendant's A	ttorney	Deputy Sheriff
		Lacy and

CLYDE V. HUBBART

PLAINTIFF

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CHARLES ED YEARLING, ET AL

DEFENDANTS

DEFENDANTS

Comes the undersigned as attorney of record for the defendants in the above styled cause, and for good and sufficient reasons heretofore conveyed to the defendants, withdraws his appearance as attorney of record for the defendants.

Done this 3/5/day of August 1963.

Attorney for defendants

FALED SEP O SOME HAT I MAN, CESTER CLYDE V. HUBBART,

PLAINTIFF

IN THE CIRCUIT COURT OF

WS

BALDWIN COUNTY, ALABAMA

CHARLES ED YEARLING and
PERCEY YEARLING, separately and
severally

DEFENDANTS

### DEMURRER

Comesnow the Defendant's, by their attorney, and demur to the cause of action heretofore filed in said cause and as grounds therefore assigns the following and several grounds:

1. That the complaint fails to state a cause of action.

Aftorney for Defendants

## DEMAND FOR TRIAL BY JURY

Come now the defendant's in the above cyled cause, by their attorney, and demands trial by jury

ctorney for defendants

I certify that a copy of the above demurrer has been mailed, postage prepaid, on this **23rd** day of April 1963 to Frank T. Pope, Jr., Esquire, attorney of record for Plantiff

Attorney for devendants

FULED
APR 24 BOS

ALE L DIK CLOK