

**BALDWIN**  
**The State of Alabama, ~~Pike~~ County**  
**CIRCUIT COURT**

To Any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon **BEN GARRIEK**

**Baldwin**

to appear in the Circuit Court of ~~Pike~~ County, Alabama, at the place of holding the same and plead, answer, or demur, within thirty days from service hereof to the complaint of **LARVIE SMILEY**

Witness this 19 day of **JULY**, 1963

*Alice J. Duck*, Clerk

IF THE DEFENDANT FAILS TO APPEAR AND PLEAD, ANSWER OR DEMUR WITHIN THIRTY DAYS AFTER SERVICE, THE PLAINTIFF MAY TAKE JUDGMENT BY DEFAULT

**COMPLAINT**

**LARVIE SMILEY**

Vs.

**BEN GARRIEK**

Plaintiff

Defendant

**COUNT ONE:** Plaintiff claims of defendant \$5000 as damages, for that, on June 27, 1963, in Baldwin County, Ala., on a public highway, U.S. Highway 31, at a point about 4 miles south of Bay Minette, defendant so negligently operated the vehicle he was then driving, that the car in which plaintiff was lawfully riding, but not driving, collided with another vehicle and turned over, and as a proximate consequence of said negligence of the defendant, the plaintiff suffered the following damages:

He suffered multiple bruises and contusions on his head, face, and body;

He was injured internally;

He suffered shock and severe pain, and will continue to so suffer;

Medical and doctor bills were incurred in the treatment of his injuries, and will incur further in the future;

WHEREFORE, he sues for said sum.

**COUNT TWO:** Plaintiff claims of defendant \$5000 as damages, for that, on June 27, 1963, in Baldwin County, Ala., on U.S. 31, a public highway, about 4 miles south of Bay Minette, the defendant wantonly injured the plaintiff, by wantonly operating the vehicle he was then driving, that the car in which plaintiff was lawfully riding, but not driving, collided with another vehicle, and turned over, and as a proximate consequence of defendants said wanton conduct the plaintiff suffered the following: Multiple bruises and contusions on his head, face, and body; internal injuries; shock and severe pain which he will continue to suffer; and he incurred, and will incur, medical & doctor bills in the treatment of his injuries. WHEREFORE, he sues for said sum.

TRIAL BY JURY DEMANDED

*John C. Walters*  
 Attorney for plaintiff

*John C. Walters*  
 John C. Walters, Attorney (for plaintiff)  
 Address:

Walters Building  
 Troy, Alabama.

**FILED**

JUL 19 1963

ALICE J. DUCK, CLERK  
 REGISTER

FILED  
JUL 19 1983  
ALICE A. DICK, CLERK  
REGISTER

Received this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, Sheriff

Executed this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, by leaving a copy of the within Summons and Complaint with

Defendant \_\_\_\_\_

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Miles at 10¢ \$\_\_\_\_\_

THE STATE OF ALABAMA,  
TALLADEMA COUNTY

To the Sheriff of \_\_\_\_\_ County:

Whereas, the Plaintiff, \_\_\_\_\_, in the within stated cause has \_\_\_\_\_ made affidavit and given bond as required by law, you are hereby required to take the property mentioned in the complaint into your possession, unless Defendant \_\_\_\_\_ give \_\_\_\_\_ bond payable to the Plaintiff, \_\_\_\_\_, with sufficient surety in double the amount of the value of the property, with condition that if the Defendant \_\_\_\_\_

cost in the suit, \_\_\_\_\_, in the within stated cause, within thirty days thereafter, deliver the property to the Plaintiff, \_\_\_\_\_, and pay all costs and damages which may accrue from the detention thereof.

Clerk.

Troy Printing Co., Troy, Ala.

BALDWIN  
**The State of Alabama, Pike County**  
**CIRCUIT COURT**

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Baldwin

to appear in the Circuit Court of ~~Pike~~ County, Alabama, at the place of holding the same and plead, answer, or demur, within thirty days from service hereof to the complaint of **LARVIE SMILEY**

Witness this 19 day of JULY, 1963

Alice A. Duck, Clerk

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**COMPLAINT**

**LARVIE SMILEY**

**BEN GARRIEK**

Vs.

Mo. 544 D

Plaintiff

Defendant

COUNT ONE: Plaintiff claims of defendant \$5000 as damages, for that, on June 27, 1963, in Baldwin County, Ala., on a public highway, U.S. Highway 31, at a point about 4 miles south of Bay Minette, defendant so negligently operated the vehicle he was then driving, that the car in which plaintiff was lawfully riding, but not driving, collided with another vehicle and turned over, and as a proximate consequence of said negligence of the defendant, the plaintiff suffered the following damages:

He suffered multiple bruises and contusions on his head, face, and body;

He was injured internally;

He suffered shock and severe pain, and will continue to so suffer;

Medical and doctor bills were incurred in the treatment of his injuries, and will incur further in the future;

WHEREFORE, he sues for said sum.

COUNT TWO: Plaintiff claims of defendant \$5000 as damages, for that, on June 27, 1963, in Baldwin County, Ala., on U.S. 31, a public highway, about 4 miles south of Bay Minette, the defendant wantonly injured the plaintiff, by wantonly operating the vehicle he was then driving, that the car in which plaintiff was lawfully riding, but not driving, collided with another vehicle, and turned over, and as a proximate consequence of defendants said wanton conduct the plaintiff suffered the following: Multiple bruises and contusions on his head, face, and body; internal injuries; shock and severe pain which he will continue to suffer; and he incurred, and will incur, medical & doctor bills in the treatment of his injuries. WHEREFORE, he sues for said sum.

TRIAL BY JURY DEMANDED

John C. Walters  
 Attorney for plaintiff

John C. Walters  
 John C. Walters, Attorney (for plaintiff)

Address:

Walters Building  
 Troy, Alabama.

**FILED**

JUL 19 1963

ALICE A. DUCK, CLERK  
 REGISTER

438

Bay Minette, Ala., July 19 1963

To the Sheriff of Mobile County, Mobile, Alabama

I enclose herewith 2 I & C to be served on  
Pritchett Loftin - 473 Wellington  
Street, Mobile, Ala.

Please serve and return as early as possible.

Taylor Wilkins

Sheriff Baldwin County, Alabama

(If not found in your county please advise promptly giving information as to present location if possible)

Received this \_\_\_\_\_ day of \_\_\_\_\_

19 \_\_\_\_\_ July \_\_\_\_\_, 1963

\_\_\_\_\_, Sheriff

Executed this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, 19 \_\_\_\_\_

by leaving a copy of the within Summons and Complaint with \_\_\_\_\_

Defendant \_\_\_\_\_

Sheriff \_\_\_\_\_

Miles at 10¢ \$ \_\_\_\_\_

THE STATE OF ALABAMA,

~~THIR~~ COUNTY

To the Sheriff of \_\_\_\_\_ County:

Whereas, the Plaintiff, in the within stated

cause has made affidavit and given bond as

required by law, you are hereby required to

take the property mentioned in the complaint

into your possession, unless Defendant, \_\_\_\_\_

give \_\_\_\_\_ bond payable to the Plaintiff, with

sufficient surety in double the amount of the

value of the property, with condition that if

the Defendant

cost in the suit, \_\_\_\_\_, thereafter, deliver the prop-

erty to the Plaintiff, \_\_\_\_\_, and pay all costs and

damages which may accrue from the detention

thereof.

Clerk.

Troy Printing Co., Troy, Ala.

m. 5640

Laurie Smiley

Rens Burch

Returned 23 day of July 1963  
Not found in my county after diligent search and inquiry.

By W. A. Taylor  
Taylor Wilkins, Sheriff

Deputy Sheriff

FILED

JUL 19 1963

ALICE L. DUCK, CLERK  
REGISTER