

FROM

Handwritten text in the FROM section, likely a return address or sender information.

Message
Reply

DATE:

January 11, 1971

PRIORITY

- ☐ URGENT!
☐ SOON AS POSSIBLE
☐ NO REPLY NEEDED

FILE NO:

ATTENTION:

SUBJECT:

State of Alabama vs. Edmon
 Occasion, AL.

TO

Mr. Alice T. Dick
 Clerk, Circuit Court
 Bay Minette, Alabama

MESSAGE

Enclosed you will find original and one copy of
 bill of complaint.

W. H. H. H.

SIGNED:

Jury

DATE OF REPLY:

REPLY TO:

REPLY

SIGNED:

RECIPIENT: WRITE REPLY. RETURN WHITE TO SENDER. KEEP THIS PINK COPY.

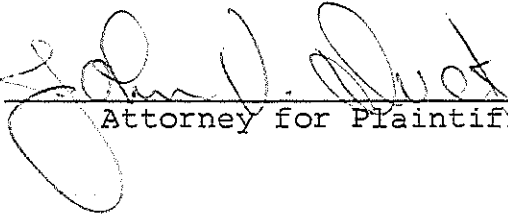
STEVE WILLIAM PAYNE,)	
Plaintiff	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA,
BOLTON POSSIEN, JR.,	)	AT LAW:
Defendant	)	720.6239

Plaintiff claims of the Defendant the sum of SEVEN THOU-
AND FIVE HUNDRED DOLLARS (\$7500.00) as damages, for that, hereto-
fore, on, to-wit: the 18th day of January, 1964, the Defendant,
negligently and unlawfully parked a motor vehicle on Highway
No U.S. 98, at a point thereon at its intersection with Highway
No. U.S. 90 cut-off approximately one and one-quarter (1¼) miles
North of Lake Forest entrance, being then and there a public
highway in Baldwin County, Alabama, during the period of from
one-half hour after sunset to one-half hour before sunrise; and
as a proximate result thereof, the Plaintiff which driving along
said Highway at said time at about the hour of 5:30 A.M., ran into
said motor vehicle and as a proximate result thereof Plaintiff
received the following injuries:

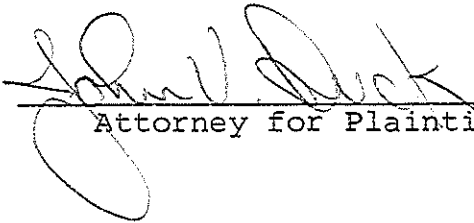
He suffered abrasions of the left hand and upper lip,
he suffered contusions of the right lower chest, contusions of
right arm, that his false dentures were destroyed, that he suffered
multiple contusions and abrasions, and that he was made otherwise
sick sore and lame, and that he suffered great pain, and mental
anguish, and will continue to suffer great pain and mental anguish;
that by reason of said injuries which he sustained in said collision
he was compeled to employ surgeons and doctors and spend great
sums of money in and about the treatments of his injuries; and
Plaintiff further alleges that he has lost much time from his
employment as a result of the negligence of Defendant as aforesaid;

Plaintiff further avers that his automobile was damaged
in that his front bumper was bent damaged smashed and torn, that
the whole front end of his automobile was bent smashed and knocked
out of line, that his steering wheel was smashed torn and had to
be replaced and that both front doors were bent smashed and rendered

a total loss, that the hood was bent smashed and torn and had to be replaced, all as the result of the negligence of the Defendant as aforesaid.


Attorney for Plaintiff

Plaintiff respectfully demands trial by jury.


Attorney for Plaintiff

FILED

JUL 24 1904

ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No.

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon BOLTON POSSIEN, JR.

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.....
BOLTON POSSIEN JR...... Defendant.....

by STEVE WILLIAM PAYNE

..... Plaintiff.....

Witness my hand this 14 day of Oct 1964

EX-10-21-64

Steve Payne

Clerk

e 2473
No 239

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Steve William Payne

Plaintiffs

vs.

Bolton Posseim, Jr.

Defendants

SUMMONS AND COMPLAINT

Filed 10-14 1964

Reichman Clerk

Wick & Lacy
Plaintiff's Attorney

Defendant's Attorney

FIS

RECEIVED Defendant lives at

OCT 19 1964

Received In Office
SHERIFF'S OFFICE

10/14/64

..... Sheriff

I have executed this summons

this 10-21 1964

by leaving a copy with

21/10/64 Bolton Posseim, Jr.
Ruey Bridges, Sheriff
W. H. Fisher, D.S.
Lives at

13539 McArthur
Mobile

Angela Williams Sheriff

Deputy Sheriff

STEVE WILLIAM PAYNE, X
Plaintiff, X IN THE CIRCUIT COURT OF
vs. X BALDWIN COUNTY, ALABAMA
BOLTON POSSIEN, JR., X AT LAW NO. 6239
Defendant. X

PLEA

Comes now the Defendant in the above styled cause by and through his attorneys of record and files the following separate and several pleas to Amended Complaint heretofore filed against him in the above styled cause, viz:

1. Not guilty.
2. The Defendant alleges that at the time and place alleged in the Amended Complaint the Plaintiff was then and there guilty of negligence in the operation of his vehicle which such negligence proximately contributed to the injuries and damages alleged to have been suffered by the Plaintiff, hence he should not recover of the Defendant.

CHASON, STONE & CHASON

By: John Earle Chason

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 12th day of May, 1966

of John E. Chason

FILED

MAY 11 1966

ALICE L. DIX, CLERK
REGISTER

6239

STEVE WILLIAM PAYNE,

Plaintiff,

vs.

BOLTON POSSIEN, JR.,

Defendant.

PLEAS

FILED
MAY 11 1966
ALICE L. BOW, CLERK
REGISTER

STEVE WILLIAM PAYNE,	)	IN THE CIRCUIT COURT OF	
Plaintiff,	)	BALDWIN COUNTY, ALABAMA	
vs.	)	AT LAW	NO. 6239
BOLTON POSSIEN, JR.)		
Defendant.)		

AMENDED BILL OF COMPLAINT

Comes now the Plaintiff in the above styled cause, and amends his Bill of Complaint filed heretofore to read as follows:

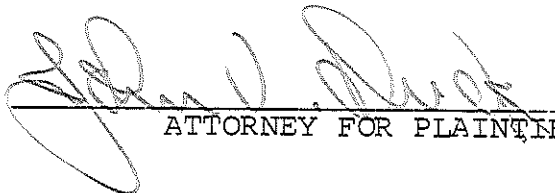
Plaintiff claims of the Defendant the sum of SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS as damages, for that heretofore on, to-wit: the 18th day of January, 1965, the Defendant negligently and unlawfully parked or left a vehicle on the paved or improved or main traveled portion of Highway U.S. No. 98 without sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such highway, and which said vehicle was not equipped with one or more lamps which would exhibit a white light on the roadway side visible for a distance of five hundred (500) feet to the front of such vehicle and a red light visible from a distance of five hundred (500) feet to the rear of said vehicle, and not leaving a clear and unobstructed width of not less than fifteen (15) feet upon the main travelled portion of said highway opposite such standing vehicle, at a point thereon at it's intersection with Highway No. U. S. 90 cut-off approximately one and one-quarter (1½) miles north of Lake Forest entrance, which said highway being then and there a public highway in Baldwin County, Alabama, during the period of from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise; and as a proximate result thereof, the Plaintiff, while driving along said highway at said time and place at about the hour of 5:30 A.M. ran into said motor vehicle and as a proximate result thereof, Plaintiff received the following injuries:

He suffered abrasions of the left hand and upper lip, he suffered contusions of the right lower chest, contusions of the

right arm, that his dentures were destroyed, and he suffered multiple contusions and abrasions, and that he was made otherwise sick, sore and lame, and that he suffered great pain and mental anguish, and will continue to suffer great pain and mental anguish; that by reason of said injuries which he sustained in said collision, he was compelled to employ surgeons and doctors and spend great sums of money in and about the treatment of his injuries; and Plaintiff further alleges that he lost much time from his employment as a result of the negligence of the Defendant as aforesaid.

Plaintiff further avers that due to the negligence of the Defendant as aforesaid, his automobile was damaged in that his front bumper was bent, damaged, smashed and torn, that the whole front end of his automobile was bent, smashed and knocked out of line, that his steering wheel was smashed and torn and had to be replaced, and that both front doors were bent, smashed and rendered a total loss, that the hood was bent, smashed and torn and had to be replaced, all as a result of the negligence of the Defendant as aforesaid.

Plaintiff further avers that the defendant had room off of the paved portion of the highway to park his said motor vehicle.


ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This.....16..... day of February 1966

Attorney for Plaintiff

FILED

FEB 17 1966

CLERK
REGISTER

STEVE WILLIAM PAYNE,)
 Plaintiff,)
vs.)
BOLTON POSSIEN, JR.,)
 Defendant.)

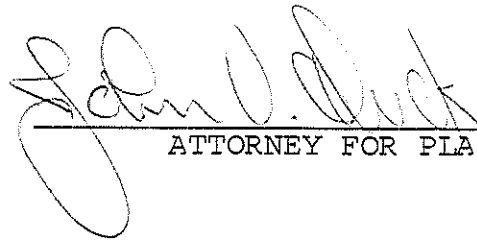
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
6239

Comes now the Plaintiff in the above styled cause, and amends his Bill of Complaint filed heretofore to read as follows:

Plaintiff claims of the Defendant the sum of SEVEN THOUSAND FIVE HUNDRED AND NO/100 (\$7,500.00) DOLLARS as damages, for that heretofore, on, to-wit: the 18th day of January, 1965, the Defendant negligently and unlawfully parked a motor vehicle along Highway No. U.S. 98, not leaving a clear and unobstructed width of not less than fifteen feet upon the main traveled portion of said highway opposite such standing vehicle, where it was practicable to park the said automobile off the paved main traveled portion, at a point thereon at its intersection with Highway No. U. S. 98 cut-off approximately one and one-quarter (1¼) miles north of Lake Forest entrance, being then and there a public highway in Baldwin County, Alabama, during the period of from one-half hour after sunset to one-half hour before sunrise; and as a direct and proximate result of the negligence of the Defendant as aforesaid, the Plaintiff received the following injuries:

He suffered abrasions of the left hand and upper lip, he suffered contusions of the right lower chest, contusions of the right arm, that his dentures were destroyed, and he suffered multiple contusions and abrasions; that he was made otherwise sick, sore and lame; that he suffered great pain and mental anguish, and will continue to suffer great pain and mental anguish; that by reason of said injuries which he sustained in said collision, he was compelled to employ surgeons and doctors and spend great sums of money in and about the treatment of his injuries; and Plaintiff further avers that he lost much time from his employment as a result of the negligence of the Defendant as aforesaid; Plaintiff further avers that due to the negligence of the Defendant as afore-

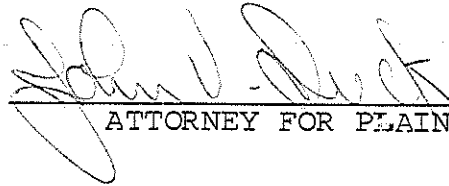
said, his automobile was damaged in that his front bumper was bent, damaged, smashed and torn, that the whole front end of his automobile was bent, smashed and knocked out of line, that his steering wheel was smashed and torn and had to be replaced, and that both front doors were bent, smashed and rendered a total loss, that the hood was bent, smashed and torn and had to be replaced, all as a result of the negligence of the Defendant as aforesaid.



ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that I have this 25th day of August, 1965 served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.



ATTORNEY FOR PLAINTIFF

FILED
AUG 26 1965
ALICE L. DUCK, CLERK
REGISTER

11. The Complaint does not allege that the injuries alleged were the proximate result of the negligence of the Defendant.

CHASON, STONE & CHASON

By: John Earle Chason
Attorneys for Defendant.

FILED

10-31-1994

ALICE I. DUCK, CLERK
REGISTER

STEVE WILLIAM PAYNE,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW
BOLTON POSSIEN, JR.,	)	6239
Defendant.)	

Comes now the Plaintiff in the above styled cause, and amends his Bill of Complaint filed heretofore to read as follows:

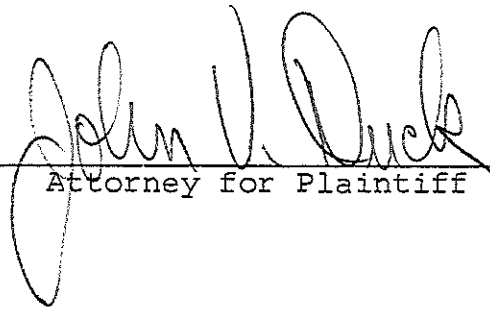
Plaintiff claims of the Defendant the sum of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) as damages, for that heretofore on, to-wit: the 18th day of January, 1965, the Defendant negligently and unlawfully parked a motor vehicle on Highway No. U.S. 98, not leaving a clear and unobstructed width of not less than fifteen feet upon the main travel portion of said highway opposite such standing vehicle, at a point thereon at its intersection with Highway No. U.S. 90 cut-off approximately one and one-quarter (1 $\frac{1}{4}$) miles north of Lake Forest entrance, being then and there a public highway in Baldwin County, Alabama, during the period of from one-half hour after sunset to one-half hour before sunrise; and as a proximate result thereof, the Plaintiff, while driving along said Highway at said time at about the hour of 5:30 A.M., ran into said motor vehicle and as a proximate result thereof, Plaintiff received the following injuries:

He suffered abrasions of the left hand and upper lip, he suffered contusions of the right lower chest, contusions of the right arm, that his dentures were destroyed, and he suffered multiple contusions and abrasions, and that he was made otherwise sick, sore and lame, and that he suffered great pain and mental anguish, and will continue to suffer great pain and mental anguish; that by reason of said injuries which he sustained in said collision, he was compelled to employ surgeons and doctors and spend great sums of money in and about the treatment of his injuries; and Plaintiff further alleges that he lost much time from his employment as a result of the negligence of the Defendant as aforesaid; Plaintiff further avers that due to the negligence of the Defendant as aforesaid, his automobile was damaged and that his front bumper was bent

~~011~~

damaged, smashed and torn, that the whole front end of his automobile was bent, smashed and knocked out of line, that his steering wheel was smashed and torn and had to be replaced, and that both front doors were bent, smashed and rendered a total loss, that the hood was bent, smashed and torn and had to be replaced, all as a result of the negligence of the Defendant as aforesaid.

Plaintiff further avers that the Defendant had room off of the paved portion of the highway to park his said motor vehicle.


Attorney for Plaintiff



STEVE WILLIAM PAYNE,
Plaintiff,

vs.

BOLTON POSSIEN, JR.,
Defendant.

X
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X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 6239

DEMURRER

Comes now the Defendant in the above styled cause, by his attorneys, and demurs to the Complaint heretofore filed against him by the Plaintiff in the above styled cause and shows unto the Court the following separate and several grounds in support thereof:

1. The Complaint is vague, indefinite and uncertain.
2. The Complaint does not fully appraise the Defendant of the matters which he is called upon to defend.
3. The Complaint fails to allege that it was "practicable" to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway.
4. The Complaint does not allege that the personal injuries alleged were the proximate result of the negligence of the Defendant.
5. The Complaint fails to allege that there was insufficient light to reveal any personal object within a distance of five hundred feet upon such highway.
6. The Complaint fails to allege that the Defendant's vehicle was unlighted.

CHASON, STONE & CHASON

By: John Earle Chason
Attorneys for Defendant

FILED

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6239

STEVE WILLIAM PAYNE,

Plaintiff,

Vs.

BOLTON POSSIEN, JR.,

Defendant.

DEMURRER

FILED

JUN 9 1965

ALICE J. DICK, CLERK
REGISTER

STEVE WILLIAM PAYNE,	X		
Plaintiff,	X		
	X	IN THE CIRCUIT COURT OF	
vs.	X	BALDWIN COUNTY, ALABAMA	
	X		
BOLTON POSSIEN, JR.,	X	AT LAW	NO. 6239
Defendant.	X		

DEMURRER TO AMENDED COMPLAINT

Comes now the Defendant in the above styled cause, by his attorneys, and demurs to the Complaint as last amended in the above styled cause and shows unto the Court the following separate and several grounds in support thereof:

1. The Complaint does not state a cause of action.
2. The Complaint is vague, indefinite and uncertain.
3. Said Complaint fails to allege that the Defendant parked or left a vehicle upon the paved or improved or main traveled portion of any highway outside of a business or resident district in Baldwin County, Alabama.
4. The Complaint fails to allege that at the time and place alleged there was not sufficient light to reveal any person or object within a distance of five-hundred feet upon such highway.
5. The Complaint fails to allege that the vehicle so parked or stopped was not equipped with one or more lamps which would exhibit a white light on the road-way side visible from a distance of five-hundred feet to the front of such vehicle and a red light visible from a distance of five-hundred feet to the rear.

CHASON, STONE & CHASON

By John Earle Chason
Attorneys for Defendant

FILED
AUG 20 1935
ALICE J. DICK, CLERK
REGISTER

CERTIFICATE OF SERVICE

We do hereby certify that we have this 30 day of August, 1965 served a copy of the above and foregoing demurrer on Counsel for the Plaintiff by depositing a copy of the same in the United States Mail addressed to John V. Duck, Attorney at Law, Fairhope, Alabama, with adequate postage thereon.

CHASON, STONE & CHASON

By John Earle Chason

FILED

AUG 30 1965

ALICE L. DUCK, CLERK
REGISTER



STATE OF ALABAMA
DEPARTMENT OF PUBLIC SAFETY
DRIVER LICENSE DIVISION
P. O. Box 1471
MONTGOMERY, ALABAMA 36102

COLONEL C. W. RUSSELL
DIRECTOR OF PUBLIC SAFETY

LT. COLONEL J. R. DYKES
ASSISTANT DIRECTOR

September 26, 1966

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

Re: Accident Case No. 64-4,753

Dear Madam:

We are enclosing state warrant number 249137 in
the amount of \$632.

This is being forwarded to you to be applied on
a judgment rendered against Bolton Possien, Jr. in
your court case number, 6239, arising out of an
accident of January 18, 1964 in Spanish Fort, Alabama.

Yours very truly,

B. J. Wilson

B. J. Wilson, Lieutenant
Safety Responsibility Unit

BJW:s

Enclosure

DRIVE CAREFULLY -- SAVE A LIFE



State of Alabama

DEPARTMENT OF FINANCE
STATE COMPTROLLER
MONTGOMERY, ALA.

WARRANT
NUMBER,

VOUCHER
NUMBER, 1032

VENDOR

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

DATE
ISSUED

REMITTANCE ADVICE TO VENDOR

[illegible]

9-27-66

9-21-66

THE ENCLOSED WARRANT IS IN PAYMENT OF ITEMS LISTED ABOVE. REFERENCE TO THE WARRANT
NUMBER SHOULD BE MADE IN ANY CORRESPONDENCE RELATING TO THIS ACCOUNT.

ADDRESS CORRESPONDENCE TO THE STATE DEPARTMENT WHICH RECEIVED THE PURCHASE.

Bay Minette, Ala.,

1907

To the Sheriff of

Mobile County

Mobile, Alabama

I enclose herewith

Q & C Ser. Bolton & Pessens
Q-1353 McArthur Q-1 - Mobile

Please serve and return as early as possible.

Myler W. Perkins
Sheriff Baldwin County, Alabama

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