

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. **6722**

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon **J.E. SHAW & JOHNSON MOTOR LINES SYSTEM, A Corp.**

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 **J.E. SHAW,**

and JOHNSON MOTOR LINES SYSTEM, A Corporation....., Defendant.....

by **CURTIS O. POWELL**.....

....., Plaintiff.....

Witness my hand this **7th** day of **October** 19 **65**

Alice J. Clark Clerk

CURTIS O. POWELL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
J. H. SHAW and	X	AT LAW
JOHNSON MOTOR LINES SYSTEM,	X	6722
a corporation,	X	
Defendants.	X	

1.

The Plaintiff claims of the Defendants the sum of TWO THOUSAND (\$2,000.00) DOLLARS as damages for that heretofore on, to-wit, the 6th day of February, 1965, the Plaintiff was driving his car along and upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately 5.4 miles West of the Town of Loxley, Alabama. At said time and place, the Defendant, J. H. Shaw, so negligently operated the motor vehicle he was driving as to cause it to get out of control and as a direct and proximate consequence of this negligence, the Defendant, Johnson Motor Lines^{System,}, a corporation, who was then and there acting by and through its agent, servant or employee, was forced to suddenly apply his brakes so as to avoid colliding with the Defendant, J. H. Shaw. The Defendant, Johnson Motor Lines^{System,}, a corporation, acting by and through its agent, servant or employee, so negligently operated its motor vehicle while trying to avoid colliding with the Defendant, J. H. Shaw, that he caused said motor vehicle to collide with the automobile being operated by the Plaintiff. As a direct and proximate consequence and result of concurring negligence of the aforesaid Defendants, the Plaintiff was damaged as follows: His head was cut and bruised and he suffered much mental and physical anguish and pain. His automo-

bile was bent, torn and twisted and rendered less valuable, all to the loss of the Plaintiff in the aforesaid amount.

2.

The Plaintiff claims of the Defendant, J. H. Shaw, the sum of TWO THOUSAND (\$2,000.00) DOLLARS as damages for that heretofore on, to-wit, the 6th day of February, 1965, the Plaintiff was driving his car along and upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately 5.4 miles West of the Town of Loxley, Alabama. At said time and place, the Defendant, J. H. Shaw, so negligently operated his motor vehicle as to cause the Plaintiff's automobile to collide with a vehicle owned by a third party and as a direct and proximate consequence of said negligence, the Plaintiff was damaged as follows: His head was cut and bruised and he suffered much mental and physical anguish and pain. His automobile was bent, torn and twisted and rendered less valuable, all to the loss of the Plaintiff in the aforesaid amount.

3.

The Plaintiff claims of the Defendant, Johnson Motor Lines^{System,}, a corporation, sum of TWO THOUSAND (\$2,000.00) DOLLARS for that heretofore on, to-wit, the 6th day of February, 1965, the Plaintiff was driving his car along and upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately 5.4 miles West of the Town of Loxley, Alabama. At said time and place the Defendant, Johnson Motor Lines^{System,}, a corporation, acting by and through its servant, agent or employee, who was then and there acting within the line and scope of his employment, so negligently operated his motor vehicle as to cause

or allow it to collide with the automobile in which the Plaintiff was driving and as a direct and proximate consequence and result of said negligence, the Plaintiff was damaged as follows: His head was cut and bruised and he suffered much mental and physical anguish and pain. His automobile was bent, torn and twisted and rendered less valuable, all to the loss of the Plaintiff in the aforesaid amount.

Plaintiff further avers that the Defendant, J. H. Shaw, is and was on the date of said collision, a non-resident of the State of Alabama, and that his present Post Office address is 1515 Napier Traylor Court, Pascagoula, Mississippi. Plaintiff prays that service of process be had upon the Defendant, J. H. Shaw, in accordance with the provisions of the Code of Alabama, Section 7, Title 199.

WILTERS & BRANTLEY

BY:

Tolbert M. Brantley
Attorney for Plaintiff

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Tolbert M. Brantley, who after being by me first duly sworn, deposes and says: That the facts contained in the foregoing Complaint are true and correct.

Tolbert M. Brantley
Tolbert M. Brantley

Sworn to and subscribed before me on this the 6th day of ^{Ocr.}~~June~~, 1965.

FILED

June B. Hester
Notary Public, State of Alabama at Large

OCT 7 1965
ALICE J. DICK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

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in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against J.E. SHAW,
and JOHNSON MOTOR LINES SYSTEM, A Corporation Defendant.....

by CURTIS O. POWELL
....., Plaintiff.....

Witness my hand this 7th day of October 19 65

Alice J. Luck Clerk

CURTIS O. POWELL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
J. H. SHAW and	X	AT LAW
JOHNSON MOTOR LINES SYSTEM,	X	6722
a corporation,	X	
Defendants.	X	

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The Plaintiff claims of the Defendants the sum of TWO THOUSAND (\$2,000.00) DOLLARS as damages for that heretofore on, to-wit, the 6th day of February, 1965, the Plaintiff was driving his car along and upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately 5.4 miles West of the Town of Loxley, Alabama. At said time and place, the Defendant, J. H. Shaw, so negligently operated the motor vehicle he was driving as to cause it to get out of control and as a direct and proximate consequence of this negligence, the Defendant, Johnson Motor Lines/^{System,} a corporation, who was then and there acting by and through its agent, servant or employee, was forced to suddenly apply his brakes so as to avoid colliding with the Defendant, J. H. Shaw. The Defendant, Johnson Motor Lines/^{System,} a corporation, acting by and through its agent, servant or employee, so negligently operated its motor vehicle while trying to avoid colliding with the Defendant, J. H. Shaw, that he caused said motor vehicle to collide with the automobile being operated by the Plaintiff. As a direct and proximate consequence and result of concurring negligence of the aforesaid Defendants, the Plaintiff was damaged as follows: His head was cut and bruised and he suffered much mental and physical anguish and pain. His automo-

bile was bent, torn and twisted and rendered less valuable, all to the loss of the Plaintiff in the aforesaid amount.

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The Plaintiff claims of the Defendant, J. H. Shaw, the sum of TWO THOUSAND (\$2,000.00) DOLLARS as damages for that heretofore on, to-wit, the 6th day of February, 1965, the Plaintiff was driving his car along and upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately 5.4 miles West of the Town of Loxley, Alabama. At said time and place, the Defendant, J. H. Shaw, so negligently operated his motor vehicle as to cause the Plaintiff's automobile to collide with a vehicle owned by a third party and as a direct and proximate consequence of said negligence, the Plaintiff was damaged as follows: His head was cut and bruised and he suffered much mental and physical anguish and pain. His automobile was bent, torn and twisted and rendered less valuable, all to the loss of the Plaintiff in the aforesaid amount.

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or allow it to collide with the automobile in which the Plaintiff was driving and as a direct and proximate consequence and result of said negligence, the Plaintiff was damaged as follows: His head was cut and bruised and he suffered much mental and physical anguish and pain. His automobile was bent, torn and twisted and rendered less valuable, all to the loss of the Plaintiff in the aforesaid amount.

Plaintiff further avers that the Defendant, J. H. Shaw, is and was on the date of said collision, a non-resident of the State of Alabama, and that his present Post Office address is 1515 Napier Traylor Court, Pascagoula, Mississippi. Plaintiff prays that service of process be had upon the Defendant, J. H. Shaw, in accordance with the provisions of the Code of Alabama, Section 7, Title 199.

WILTERS & BRANTLEY

BY:

Tolbert M. Brantley
Attorney for Plaintiff

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Tolbert M. Brantley, who after being by me first duly sworn, deposes and says: That the facts contained in the foregoing Complaint are true and correct.

Tolbert M. Brantley
Tolbert M. Brantley

Sworn to and subscribed before me on this the 6th day of Oct, 1965.

June B. Hedges
Notary Public, State of Alabama at Large

FILED

OCT 7 1965

ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 6722

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in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

J.H. SMITH,
and JOHNSON MOORE LINES SYSTEM, A Corporation, Defendant.

by CURTIS G. FOSBELL, Plaintiff.

Witness my hand this 7th day of October 19 65

Alice J. Luck, Clerk

CURTIS O. POWELL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
J. H. SHAW and	X	AT LAW
JOHNSON MOTOR LINES SYSTEM,	X	6722
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June B. Hudson
Notary Public, State of Alabama at Large

FILED

OCT 7 1965

ALICE J. DUCK, CLERK
REGISTER

CURTIS O. POWELL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
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BY: Tolbert M. Brantley
Attorney for Plaintiff

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BALDWIN COUNTY

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Tolbert M. Brantley
Tolbert M. Brantley

Sworn to and subscribed before me on this the 6th day of Oct., 1965.

June B. Hedge
Notary Public, State of Alabama at Large

*Johnson Motor Lines System, Inc.
1111 Virginia
Mobile, Alabama*

FILED
OCT 7 1965
ALICE L. DICK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 6722

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by CURTIS Q. POWELL.....

....., Plaintiff.....

Witness my hand this 7th day of October 19 65

Alice J. Luck Clerk

EX-10-8-65

ch
No. 6722

5081
Page.....

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CURTIS O. POWELL

Plaintiffs

vs.

J.H. SHAW & JOHNSON MOTOR LINES

SYSTEM, A Corp.

Defendants

SUMMONS AND COMPLAINT

Filed October 7, 1965

Alice J. Duck Clerk

Walters & Brantley

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office

OCT 7 1965

19.....

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this Oct 8 1965

by leaving a copy with

Mr. Johnson, Mr.
Johnson Motor Lines
System, A Corp

Ray L. Bridges Sheriff

L. Chambers Deputy Sheriff

HARRY J. WILTERS, JR.
TOLBERT M. BRANTLEY

LAW OFFICES OF
WILTERS & BRANTLEY
P. O. BOX 968
BAY MINETTE, ALABAMA

PHONE
BAY MINETTE 937-6721

October 11, 1965

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

Re: Powell vs. Shaw and Johnson Motor Lines

Dear Mrs. Duck:

Please dismiss the above styled cause.

Yours truly,

WILTERS & BRANTLEY

BY: +


Tolbert M. Brantley

TMB:jh