

CLERK, REGISTER

PLAINTIFF

VS

JOSH NICHOLS

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO.

3318

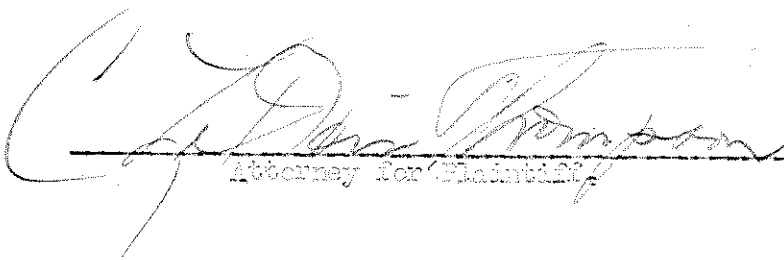
1.

Plaintiff claims of the Defendant FIVE HUNDRED (\$500.00) DOLLARS, as damages for that heretofore on, to-wit: February 26, 1957 Plaintiff's automobile was being lawfully operated along a public highway in Baldwin County, Alabama upon U. S. Highway numbered 90 on the Causeway road about four and a half miles East of the Mobile County line at or near The Howard Johnson Restaurant, that Freeman Robinson the agent, servant or employee of the Defendant while acting in the line and scope of his authority negligently ran an automobile truck into, upon or against Plaintiff's automobile, and as a proximate consequence thereof Plaintiff's automobile was damaged and demolished, or to, his great damage as aforesaid; hence this suit.

And Plaintiff further avers that the Defendant Josh Nichols is a non-resident of the State of Alabama and resides in Escambia County, Florida, his address being 25 E Crescent Drive, Pensacola, Florida; and that defendant is and was on the date of said collision to-wit February 26, 1957 residing as stated, and that he was a non-resident of the State of Alabama on said date and that the present Post Office address of said non-resident Defendant is: 25 E Crescent Drive, Pensacola, Florida.

AND Plaintiff prays that the service of process upon the non-resident defendant named herein may be had in accordance with the provisions of the 1940 Code of Alabama, Title 7, Section 199, as amended.

PLAINTIFF DEMANDS A TRIAL BY JURY OF THIS CAUSE.


Attorney for Plaintiff.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 3318

----- TERM, 19 57

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon -----

JOSH NICHOLS

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 -----

JOSH NICHOLS

-----, Defendant

by -----

OLA REGISTER

-----, Plaintiff

Witness my hand this 26th day of August, 19 57.

Dee J. Smith -----, Clerk

*Filed Aug. 27, 1957
Granted Aug. 27, 1957
Sec. of State*

CIA REGISTER

PLAINTIFF

VS

JOSH NICHOLS

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. _____

Comes the Plaintiff in the above styled cause and propounds the following interrogatories to Defendant, Josh Nichols, of 25 E. Crescent Drive, Pensacola, Florida:

1. Did you have an employee named Freeman Robinson on February 26, 1957?
2. Were you purchasing or did you own a 1950 Chevrolet truck equipped for hauling paper wood?
3. Did your truck have Alabama license number 5H/2 1386?
4. If you did not own this truck did you have any arrangement with the driver Freeman Robinson?
5. If you had such an arrangement state the arrangement.
6. State whether or not this truck was involved in a collision on February 26, 1957.
7. If you know where the collision occurred, state the location.
8. Do you know whether or not this truck was involved in a collision with a car driven by Jacqueline W. Register?
9. If Freeman Robinson was not an employee, were you engaged in producing pulp wood on a share basis?
10. Was the car with which your truck was involved in a wreck on the date named, a 1948 Hudson?


Attorney for Plaintiff.

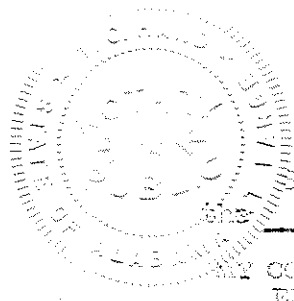
STATE OF ALABAMA
BALDWIN COUNTY

Before me, T.C. Hand, a Notary Public, in and for said State and County, personally appeared one C. LeMoine Thompson, who being by me first duly sworn did depose and say as follows: My name is C. LeMoine Thompson and I am the Attorney of Record for the Plaintiff in the above entitled cause and as such authority to make this affidavit. I further state that the answer of the Defendant to the foregoing interrogatories will, if truthfully made, be material evidence for the Plaintiff on the trial of said cause.

Subscribed and sworn to before me by the said C. LeMoine Thompson on this the 23 day of August, 1957.

MY COMMISSION AS A NOTARY PUBLIC
EXPIRES 30 OF Jan 1960.


Notary Public,



SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 3318

...TERM, 19... 57

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

JOSH WICK

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_____

JOHN W. MOLE

Defendant. . .

by



Plaintiff_ _ _

Witness my hand this 26 day of August 19 57

Clerk

CLERK REGISTER

PLAINTIFF

VS

JOSE NICHOLS

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. _____

1.

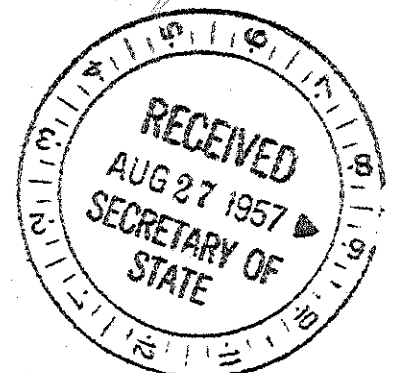
Plaintiff claims of the Defendant FIVE HUNDRED (\$500.00) DOLLARS, as damages for that heretofore on, to-wit: February 26, 1957 Plaintiff's automobile was being lawfully operated along a public highway in Baldwin County, Alabama upon U. S. Highway numbered 90 on the Causeway road about four and a half miles East of the Mobile County Line at or near The Howard Johnson Restaurant, that Freeman Robinson the agent, servant or employee of the Defendant while acting in the line and scope of his authority negligently ran an automobile truck into, upon or against Plaintiff's automobile, and as a proximate consequence thereof Plaintiff's automobile was damaged and demolished, or to, his great damage as aforesaid; hence this suit.

And Plaintiff further avers that the Defendant Jose Nichols is a non-resident of the State of Alabama and resides in Escambia County, Florida, his address being 25 E Crescent Drive, Pensacola, Florida; and that defendant is and was on the date of said collision to-wit February 26, 1957 residing as stated, and that he was a non-resident of the State of Alabama on said date and that the present Post Office address of said non-resident Defendant is: 25 E Crescent Drive, Pensacola, Florida.

AND Plaintiff prays that the service of process upon the non-resident defendant named herein may be had in accordance with the provisions of the 1940 Code of Alabama, Title 7, Section 199, as amended.

PLAINTIFF DEMANDS A JUDICIAL TRIAL OF THIS CAUSE.

Freeman Robinson
Attorney for Plaintiff.



OLA REGISTER

PLAINTIFF

VS

JOSH NICHOLS

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. _____

Comes the Plaintiff in the above styled cause and propounds the following interrogatories to Defendant, Josh Nichols, of 25 E. Crescent Drive, Pensacola, Florida:

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2. Were you purchasing or did you own a 1950 Chevrolet truck equipped for hauling paper wood?
3. Did your truck have Alabama License number 5H/2 1386?
4. If you did not own this truck did you have any arrangement with the driver Freeman Robinson?
5. If you had such an arrangement state the arrangement.
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9. If Freeman Robinson was not an employee, were you engaged in producing pulp wood on a share basis?
10. Was the car with which your truck was involved in a wreck on the date named, a 1948 Hudson?

C. LeNoir Thompson
Attorney for Plaintiff.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, T.C. Hand, a Notary Public, in and for said State and County, personally appeared one C. LeNoir Thompson, who being by me first duly sworn did depose and say as follows: My name is C. LeNoir Thompson and I am the Attorney of Record for the Plaintiff in the above entitled cause and as such authority to make this affidavit. I further state that the answer of the Defendant to the foregoing interrogatories will, if truthfully made, be material evidence for the Plaintiff on the trial of said cause.

Subscribed and sworn to before me by the said C. LeNoir Thompson on this the 22 day of August, 1957.

T.C. Hand
Notary Public,



MARY TEXAS HURT
SECRETARY OF STATE

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

September 13, 1957

Honorable C. LeNoir Thompson
Attorney at Law
Bay Minette, Alabama

Re: Ola Register VS Josh Nichols

Dear Mr. Thompson:

Please refer to your file in the above-styled cause and be advised that on August 27, 1957, I sent by registered mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint ^{and interrogatories} attached, to:

Josh Nichols
25 E. Crescent Drive
Pensacola, Florida

On September 13, 1957 this letter (Registered No. 53326) was returned to me with reason for non-delivery given as "RETURNED TO WRITER UNCLAIMED."

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

Sincerely yours,

Mary Texas Hurt Garner

Mary Texas Hurt Garner
Secretary of State

Jamie L. Pettigrew

By: Jamie L. Pettigrew
Administrative Assistant

cc: Honorable Alice J. Duck, Clerk
Circuit Court of Baldwin County, At Law
Bay Minette, Alabama



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

November 18, 1958

MARY TEXAS HURT
SECRETARY OF STATE

To the Honorable Sheriff
Escambia County
Pensacola, Florida

REGISTERED MAIL
RETURN RECEIPT REQUESTED

Re: Shelby Register VS Josh Nichols
Ola Register VS Josh Nichols

Dear Sir:

Enclosed are my notices, together with copies of summons and complaint in duplicate, in suit against Josh Nichols, now pending in the Circuit Court of Baldwin County, Alabama.

Act No. 100 of the Second Special Session of 1956 of the Alabama Legislature provides, among other things, that service of process may be had by a sheriff or other duly authorized public official within the jurisdiction of the defendant's residence. This Act further provides a fee of \$2.00 for each service by said official. I am enclosing cash in the amount of \$4.00 forwarded to me by the Honorable C. LeNoir Thompson, Attorney for the Plaintiffs. If there are any additional charges by you, you will please contact Mr. Thompson who will give same his prompt attention.

Mr. Thompson and I shall greatly appreciate your efforts in completing these services upon Mr. Nichols by serving upon him the originals and making your return on the copies of same to the Honorable Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Bay Minette, Alabama.

In order to comply with Act No. 100, will you please (1) use the space provided on the back of the summons for certifying to the Court that you made personal service on defendant and (2) have the Clerk of the circuit court, the supreme court, or a court of like jurisdiction, of the county of your residence certify on the same page that you are duly authorized to serve such process.

Yours very truly,

M. J. N. G.

Mary Texas Hurt Garner
Secretary of State

Enclosures

cc: Honorable C. LeNoir Thompson
Attorney at Law
Bay Minette, Alabama

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



MARY TEXAS HURT
SECRETARY OF STATE

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

November 14, 1957

Honorable C. LeNoir Thompson
Attorney at Law
Bay Minette

Re: Ola Register vs Josh Nichols

Dear Mr. Thompson:

Please refer to your file in the above-styled cause and be advised that on October 31, 1957, I sent by registered mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint & Interrogatories attached, to:

Josh Nichols
25 E. Crescent Drive
Pensacola, Florida

On November 14, 1957, this letter (Registered No. 56256) was returned to me with reason for non-delivery given as "OUT OF CITY."

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

Sincerely yours,

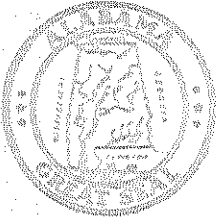
Mary Texas Hurt Garner

Mary Texas Hurt Garner
Secretary of State

Jamie L. Pettigrew

By: Jamie L. Pettigrew
Administrative Assistant

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



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

November 28, 1958

MARY TEXAS HURT GARNER
SECRETARY OF STATE

Josh Nichols
25 E Crescent Drive
Pensacola, Florida

REGISTERED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

You will take notice that on August 27, 1957 the Sheriff of
Montgomery County, Alabama, served upon me, in my official capacity, Summons and Com-
plaint and Interrogatories
plain in a case entitled: SHELLEY REGISTER, et al. Minor by OLS REGISTER, her mother,
her natural guardian and next friend,

Plaintiff VS JOSE NICHOLS,

Defendant in the Circuit Court of Alabama

Case No. 222 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 18
day of November 1958

M. S. H. S.

Mary Texas Hurt Garner
Secretary of State

Enclosure Copy of Summons and Complaint
cc: Honorable C. LeMoire Thompson
Attorney at Law

OFFICER'S RETURN

J. E. Hamilton, Deputy Sheriff
(Name of Officer or Deputy actually serving)
hereby certify that original of the within notification of service of process upon the Secretary of State of the State of Alabama as service upon defendant, and copies of the within summons and complaint, were received the 28 day of November 1958, and were by me duly served upon

Josh Nichols
by personally handing same to the defendant Josh Nichols, at 11:10 AM, Dec. 2, 1958 at 25 E. Crescent Dr. Pensacola, Escambia, Fla. on (Local address including county)
Dec. 2, 1958.
(Date)

J. E. Hamilton
Deputy Sheriff

CERTIFICATE OF CLERK OF COURT

STATE OF FLORIDA
COUNTY OF Escambia

I, Ernie Lee Magaha, Clerk
of the Escambia County, Court of Record
(Name & location of court)
hereby certify that J. E. Hamilton
whose name is signed to the foregoing Officer's Return, is a resident and duly constituted public law enforcement officer in and for said County, and that he is fully authorized and qualified to serve such legal process in said County.

11th day of
December, 1958.

Ernie Lee Magaha
Name & Title
Clerk, Court of Record
Escambia Co., Fla.

(OVER)

OFFICER'S RETURN

3319

I, J. E. Hamilton, Deputy Sheriff,
(Name of Officer or Deputy actually serving)
hereby certify that original of the within notification of service of process upon the Secretary of State of the State of Alabama as service upon defendant, and copies of the within summons and complaint, were received the 28 day of November 1958, and were by me duly served upon _____
Josh Nichols
by personally handing same to the defendant.
Josh Nichols, at 11:10 AM, Dec. 2, 1958, at
25 E. Crescent Dr. Pensacola, Escambia, Florida
(Local address including county)
December 2,, 1958.
(Date)

J. E. Hamilton Deputy Sheriff
Name and Title of Officer Actually Serving

CERTIFICATE OF CLERK OF COURT

STATE OF FLORIDA
COUNTY OF Escambia

I, Ernie Lee Magaha, Clerk
of the Escambia County Court of Record,
(Name & location of court)
hereby certify that J. E. Hamilton,
whose name is signed to the
foregoing Officer's Return, is a resident and duly
constituted public law enforcement officer in and
for said County, and that he is fully authorized
and qualified to serve such legal process in said
County.

Witness my hand and seal this 11th day of
December, 1958.

Ernie Lee Magaha
Name & Title
Clerk, Court of Record
Escambia Co., Fla.

(OVER)