

September 22, 1966

LAWRENCE R. WRIGHT, Plaintiff
VS
MABORNE B. DAWSON, Defendant

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA AT LAW

CASE NO. 7173

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW:

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on September 16, 1966
I sent by certified mail in an envelope addressed as follows:

" Maborne B. Dawson
Box 369, Gamarra Rd.
Pensacola, Fla."

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

" Maborne B. Dawson
Box 369, Gamarra Rd.
Pensacola, Fla."

You will take notice that on September 16, 1966 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: LAWRENCE R. WRIGHT, Plaintiff VS MABORNE B. DAWSON, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 7173 a 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 16
day of September 1966

Enclosure (1)

(Signed) Mrs. Agnes Baggett
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on Sep 22 1966 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Pensacola, —
on Sep 21 1966

WITNESS MY HAND and the Great Seal of the State of Alabama this the 22 day
of September 1966

Mrs. Agnes Baggett
Mrs. Agnes Baggett
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.

cc: Hon. Phyllis S. Nesbit
Robertsdale, Ala.

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7173

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MABORNE B. DAWSON

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.....

MABORNE B. DAWSON....., Defendant.....

by
LAWRENCE R. WRIGHT....., Plaintiff.....

Witness my hand this 15 day of Sept 1966

Oliver J. Luck Clerk

No.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

LAWRENCE R. WRIGHT

Plaintiffs

vs.

MABORNE B. DAWSON

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

WILTERS, BRANTLEY & NESBIT

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
Box 369
Gamarra Road
Pensacola, Florida

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

22

WILTERS, BRANTLEY & NESBIT

BY

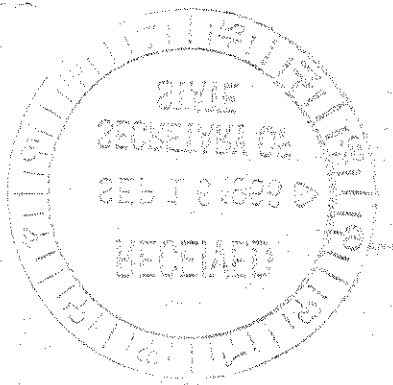
~~Attorney for Plaintiff~~

By:

FILED

DATE: 10/10/2001 CLASS: 1000000000


STATE OF ALABAMA
BALDWIN COUNTY



AFFIDAVIT

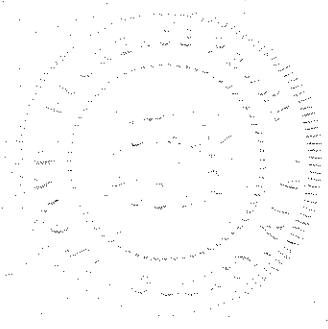
Phyllis S. Nesbit, being first duly sworn, deposes and says that she is the attorney of Lawrence R. Wright, Plaintiff, in the aforementioned cause of action and that in the belief of your Affiant, the Defendant, Maborne B. Dawson, is a non-resident of the State of Alabama, and as such non-resident, he did operate a motor vehicle upon the public highway of this County and State, and while operating such motor vehicle upon the highway of said County and State, did give rise to this action by the Plaintiff against the Defendant. Your Affiant further avers that in her belief the last known Post Office address of the said Defendant is: Box 369, Gamarra Road, Pensacola, Florida, and that the Defendant is over the age of twenty-one years.

The Plaintiff prays that service of process upon the Defendant may be had in accordance with the provisions of Code of Alabama, 1940, Title 7, Sec. 199, which provides for service upon the Secretary of State, or his successor or successors in office, as the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued or accruing from the operation of a motor vehicle upon the highways of the State of Alabama, or as an incident thereto by any such non-resident, or his agent, servant or employee.


Attorney for Plaintiff

Sworn before me this 14th day of September, 1966.


Notary Public



FILED
SEP 15 1966
ALICE L. BARK, CLERK
REGISTER

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA
36601

MAILING ADDRESS:
P. O. BOX 123

CABLE ADDRESS:
HAB

TELEPHONE:
432-5511
AREA CODE 205

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS O. GREAVES, JR.
WM. BREVARD HAND
VIVIAN G. JOHNSTON, JR.
PAUL W. BROCK
ALEX F. LANKFORD, III
EDMUND R. CANNON
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
DONALD F. PIERCE
LOUIS E. BRASWELL
HAROLD G. PARKMAN
G. PORTER BROCK, JR.
HARWELL E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. MCDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
C. WAYNE LOUDERMILCH

November 28, 1966

*Order
Settled between parties
and dismissed. Costs
assessed against defendant.*

Miss Phyllis S. Nesbit
Attorney at Law
Bay Minette, Alabama

Re: Wright vs. Dawson
Case No. 7173
Circuit Court of Baldwin County
Our File: LEB 7446

Dear Phyllis:

In connection with the settlement of the above case, I enclose (1) the settlement draft in the amount of \$400.00 made payable to your client and you, and (2) several copies of a release to be signed by your client and appropriately notarized. I understand that the draft will not be delivered, cashed, or deposited until these releases (and also the ones which you prepared) have been signed.

Please return these releases to me after they have been signed and notarized. Also, please send me a copy of the release which my client signed. You may keep a copy of the release I have prepared for your file.

Please dismiss the case and ask that the costs be taxed against the defendant and the bill be sent to me.

It has been a pleasure to work with you in connection with this settlement.

Yours very truly,

Louis

For the Firm

LEB.an
Enclosures

LAWRENCE R. WRIGHT,
PLAINTIFF

VS

MABORNE B. DAWSON,
DEFENDANT

I IN THE CIRCUIT COURT OF
I BALDWIN COUNTY, ALABAMA

I AT LAW

I NO. 7173

1.

The Plaintiff claims of the Defendant the sum of SEVEN HUNDRED DOLLARS (\$700.00) as damages for that heretofore, on to-wit, the 20th day of August, 1966, the Defendant so negligently operated his motor vehicle on U.S. Highway 90, a public highway in Baldwin County, Alabama, at a point approximately 75 feet East of the Taylor Still Road, in front of a Service Station as to cause or allow same to run into and collide with the vehicle of the Plaintiff, and as a direct and proximate result of said negligence, the Plaintiff's car was damaged as follows: The left side of the car was bent in and torn, the frame and rear bumper were bent, the glass in the door was broken and the rocker panels and frame were also bent in, and the Plaintiff will be caused to spend a large amount of money to repair the damage to his automobile, all to the loss of the Plaintiff in the aforesaid amount.

WILTERS, BRANTLEY & NESBIT

By: Phyllis S. Nesbit
Attorney for Plaintiff

Plaintiff demands a trial by jury.

By: Phyllis S. Nesbit

FILED
SEP 20 1966
MADE 1. DICK, CLERK
REGISTER

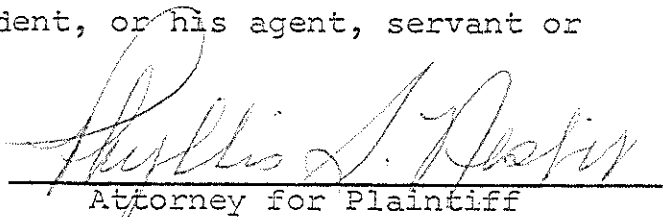
STATE OF ALABAMA

BALDWIN COUNTY

AFFIDAVIT

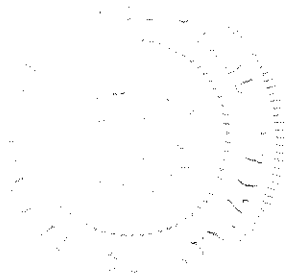
Phyllis S. Nesbit, being first duly sworn, deposes and says that she is the attorney of Lawrence R. Wright, Plaintiff, in the aforementioned cause of action and that in the belief of your Affiant, the Defendant, Maborne B. Dawson, is a non-resident of the State of Alabama, and as such non-resident, he did operate a motor vehicle upon the public highway of this County and State, and while operating such motor vehicle upon the highway of said County and State, did give rise to this action by the Plaintiff against the Defendant. Your Affiant further avers that in her belief the last known Post Office address of the said Defendant is: Box 369, Gamarra Road, Pensacola, Florida, and that the Defendant is over the age of twenty-one years.

The Plaintiff prays that service of process upon the Defendant may be had in accordance with the provisions of Code of Alabama, 1940, Title 7, Sec. 199, which provides for service upon the Secretary of State, or his successor or successors in office, as the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued or accruing from the operation of a motor vehicle upon the highways of the State of Alabama, or as an incident thereto by any such non-resident, or his agent, servant or employee.


Attorney for Plaintiff

Sworn before me this 14th day of September, 1966.


Notary Public



FILED

SEP 15 1966

ALICE L. TUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7123

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MABORNE B. DAWSON

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.....

MABORNE B. DAWSON

....., Defendant.....

by

LAWRENCE R. WRIGHT

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

Witness my hand this.....

.....day of.....

1966

Oliver D. Sweet Clerk

Entered 9-16-66

M.S. Butler - Sec

By J.S. Brown - R.S.

460

No. 7123

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

LAWRENCE R. WRIGHT

Plaintiffs

vs.

MABORNE B. DAWSON

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

WILTERS, BRANTLEY & NESBIT

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Box 369

Gamarra Road

Pensacola, Florida

RECEIVED IN OFFICE
Received In Office

SEP 15 1966

19.....

TAYLOR WILKINS

M. S. BUTLER, Sheriff

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 3 copies of

the within on Deputy Sheriff

Secretary of State of The State of

Alabama

This the 16 day of Sept 1966

Sheriff of Montgomery County

M. S. Butler,

By J. H. ... D. S.

The Sheriff claims 2

miles at 10c per mile for a total

of \$ 20

M. S. Butler, Sheriff

Montgomery County, Ala.

Sheriff

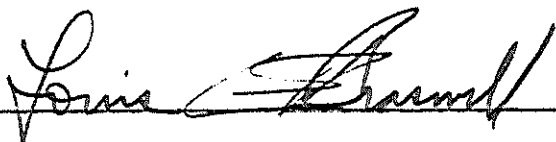
Deputy Sheriff

LAWRENCE R. WRIGHT, : IN THE CIRCUIT COURT OF
Plaintiff : BALDWIN COUNTY, ALABAMA
vs. : AT LAW
MABORNE B. DAWSON, :
Defendant. : CASE NO. 7173


A N S W E R

Comes now the Defendant in the above-styled cause,
and for answer to each separate and several count of the
complaint filed herein, separately and severally, assigns
the following separate and several pleas, separately and
severally:

1. Not guilty.
2. The material allegations thereof are untrue.
3. At the time and place described in said count,
the Plaintiff himself so negligently operated a motor vehicle
as to contribute proximately and directly to the collision
and to the damages described in said count; hence, Plaintiff
ought not recover.



Defendant demands a trial by jury.



Attorney for Defendant
First National Bank Building
Mobile, Alabama

Of Counsel:

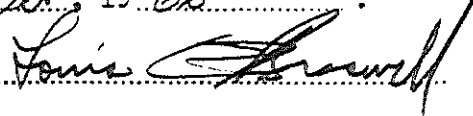
HAND, ARENDALL, BEDSOLE, GREAVES AND JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct
copy of the foregoing pleading to Phyllis S.
Keshit....., Esq., Attorney for Plaintiff
by depositing a copy of same in the United States mail,
postage prepaid, addressed to said attorney at his off-
ice in Mobile, Alabama on this, the 4 day of

Oct. 19 66

- 464 -



FILED
OCT 5 1966
ALICE L. DUCK, CLERK
REGISTERED