

WILLIE MAE STRAUSS,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
THERRELL Z. LEE and	X	AT LAW
ERNEST LEROY LEE,	X	7181
Defendants.	X	

MOTION TO REVIVE

Comes now the Plaintiff, by and through her attorneys of record, in the above styled cause and makes this Motion to Revive said cause against Raymond Norris as Executor of Estate of Therrell Z. Lee, Deceased, and shows unto the Court and unto Your Honor the following in support thereof:

1. That the Defendant, Therrell Z. Lee, departed this life September 7, 1968 in Mobile County, Alabama and that to the date hereof no suggestion has been made upon the record of said death.
2. That by will duly filed for Probate in Mobile County, Alabama, said Raymond Norris has been appointed Executor of the Estate of Therrell Z. Lee, Deceased, and has qualified as such.

WHEREFORE, the Plaintiff moves that this cause be revived as to Therrell Z. Lee, Deceased by the substitution of the said Raymond Norris as Executor of the Estate of Therrell Z. Lee, Deceased, as Defendant.

FILED

SEP 5 1969

ALICE J. DUCK CLERK
REGISTER

CHASON, STONE & CHASON

By: 
Attorneys for Plaintiff

TO: RAYMOND NORRIS as Executor of the Estate of THERRELL Z. LEE, Deceased.

You are hereby commanded to be and appear before this Court within thirty days from service hereof and defend the above

styled cause in the place and stead of Therrell Z. Lee, now deceased.

WITNESS this 5 day of September, 1969.

Alice J. Luck
Clerk

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to execute the foregoing and due return thereof make according to law.

WITNESS this the 5 day of September, 1969.

Alice J. Luck
Clerk

KENDALL
Johnston, Johnston & ~~Kendall~~

Attorneys

810 San Antwerp Building

Mobile, Alabama 36601

Telephone 432-1811

Samuel M. Johnston
William E. Johnston
Samuel M. Johnston, Jr.
~~Robert G. Kendall~~

Mailing Address
P. O. Box 550
Mobile, Alabama

Robert G. Kendall, III

October 3, 1969

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

Re: Bertie L. and Willie Mae Strauss
v. Therrell Z. Lee and Ernest Leroy Lee
Case No. 7181 and 7182

Dear Mrs. Duck:

Please file the enclosed plea in both of
these cases.

Yours very truly,

JOHNSTON, JOHNSTON & KENDALL

By William E. Johnston
William E. Johnston *cl*

WEJ:cl

Encls. (2)

WILLIE MAE STRAUSS,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
vs.	:	AT LAW
THERRELL Z. LEE and	:	
ERNEST LEROY LEE,	:	CASE NO. 7181
Defendants.	:	

Comes Raymond Norris as Executor of the Estate of
 Therrell Z. Lee, deceased, and adopts the pleas heretofore
 filed in this cause by Therrell Z. Lee and Ernest Leroy
 Lee.

JOHNSTON, JOHNSTON & KENDALL
 Attorneys for Defendants

By William E. Johnston / *cl*
 William E. Johnston

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for
 all parties 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 6th day of October, 1969.

William E. Johnston / *cl*
 Attorney for Defendants

FILED

OCT 7 1969

ALICE J. DUCK CLERK
 REGISTER

WILLIE MAE STRAUSS,	X		
Plaintiff,	X	IN THE CIRCUIT COURT OF	
	X		
vs.	X	BALDWIN COUNTY, ALABAMA	
	X		
ERNEST LEROY LEE and	X		
RAYMOND NORRIS, as	X	AT LAW	NO: 7181
Executor of the Estate	X		
of THERRELL Z. LEE,	X		
Deceased,	X		
Defendants.	X		

Comes the Plaintiff in the above styled cause and amends her complaint heretofore filed in said cause and shows unto this Court that since the filing of this cause, she has married and that her name is now Willie Mae Kelley and that such complaint is now amended so that the style of said cause shall be as follows:

WILLIE MAE KELLEY,	X		
formerly known as	X	IN THE CIRCUIT COURT OF	
WILLIE MAE STRAUSS,	X		
Plaintiff,	X	BALDWIN COUNTY, ALABAMA	
	X		
vs.	X		
	X		
ERNEST LEROY LEE and	X	AT LAW	NO.7181
RAYMOND NORRIS, as	X		
Executor of the	X		
Estate of THERRELL Z.	X		
LEE, Deceased,	X		
Defendants.	X		

Wesley Stone & Green
Attorneys for Plaintiff

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 6 day of Oct 1969.

FILED

OCT 7 1969

ALICE J. DUCK CLERK REGISTER

BERTIE L. STRAUSS,	X	
Plaintiff,	X	
	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
		AT LAW
THERRELL Z. LEE and	X	
ERNEST LEROY LEE,	X	
Defendants.	X	

MOTION TO REVIVE

Comes now the Plaintiff, by and through her attorneys of record, in the above styled cause and makes this Motion to Revive said cause against Raymond Norris as Executor of the Estate of Therrell Z. Lee, Deceased, and shows unto the Court and unto Your Honor the following in support thereof:

1. That the Defendant, Therrell Z. Lee, departed this life September 7, 1968 in Mobile County, Alabama and that to the date hereof no suggestion has been made upon the record of said death.

2. That by will duly filed for Probate in Mobile County, Alabama, said Raymond Norris has been appointed Executor of the Estate of Therrell Z. Lee, Deceased, and has qualified as such.

WHEREFORE, the Plaintiff moves that this cause be revived as to Therrell Z. Lee, Deceased, by the substitution of the said Raymond Norris as Executor of the Estate of Therrell Z. Lee, Deceased, as Defendant.

CHASON, STONE & CHASON

FILED

SEP 5 1969

ALICE J. DUCK

CLERK
REGISTER

By: _____

Attorneys for Plaintiff

TO: RAYMOND NORRIS as Executor of the Estate of THERRELL Z. LEE, Deceased.

You are hereby commanded to be and appear before this

Court within thirty days from service hereof and defend the above styled cause in the place and stead of Therrell Z. Lee, now deceased.

WITNESS this 5 day of September, 1969.

Alice J. Luck
Clerk

TO: ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to execute the foregoing and due return thereof make according to law.

WITNESS this 5 day of September, 1969.

Alice J. Luck
Clerk

*Semie accepted this 5th day of September, 1969
& waive further notice*

*Johnston, Johnston & Kendall
J. S. M. Johnston
attorneys for Defendants*

WILLIE MAE STRAUSS,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
THERRELL Z. LEE and	X	AT LAW
ERNEST LEROY LEE,	X	7181
Defendants.	X	

ORDER

This day came the Plaintiff in the above styled cause and made her motion to revive said cause against Raymond Norris as Executor of the Estate of Therrell Z. Lee, Deceased, and upon consideration; it is, therefore,

ORDERED, ADJUDGED and DECREED that citation issue to the said Raymond Norris as Executor of the Estate of Therrell Z. Lee, Deceased, to be and appear before this Court within thirty days from service of said citation to defend said cause in the place and stead of Therrell Z. Lee, Deceased.

Done this 5th day of September, 1969.

J. J. Mashburn
Circuit Judge

FILED

SEP 5 1969

ALICE J. DUCK CLERK
REGISTER

WILLIE MAE STRAUSS,

Plaintiff,

vs.

THERRELL Z. LEE AND
ERNEST LEROY LEE,

Defendants.

: IN THE CIRCUIT COURT OF
: BALDWIN COUNTY, ALABAMA

:

: AT LAW

:

CASE NO: 7181

:

Comes the Defendant Ernest Leroy Lee and for answer
to the complaint and each count thereof, separately and
severally, says:


1. Not Guilty.

2. At the time and on the occasion complained of,
an agent, servant or employee of the plaintiff while
acting within the line and scope of her employment
as such, was herself guilty of negligence which
proximately contributed to the plaintiff's injury and
damage, wherefore she should not recover in this action.

FILED

DEC 6 1966

AUG L. DICK, CLERK
REGISTERED



JAMES OWENS



JOHNSTON, JOHNSTON & NETTLES
Attorneys for Defendants

WILLIE MAE STRAUSS,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
vs.	:	
THERRELL Z. LEE AND	:	AT LAW
ERNEST LEROY LEE,	:	
Defendants.	:	CASE NO: 7181
	:	

Comes the Defendant Therrell Z. Lee and for answer to the complaint and each count thereof, separately and severally, says:

1. Not Guilty.
2. At the time and on the occasion complained of, an agent, servant or employee of the plaintiff while acting within the line and scope of her employment as such, was hereself guilty of negligence which proximately contributed to the plaintiff's injury and damage, wherefore she should not recover in this action.


 JAMES OWENS


 JOHNSTON, JOHNSTON & NETTLES
 Attorneys for Defendant

FILED
 NOV 23 1968
 CLERK
 REGISTER

September 26, 1966

WILLIE MAE STRAUSS, Plaintiff
VS
THERRELL Z. LEE, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

CASE NO. 7181

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

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

September 21, 1966

" Therrell Z. Lee
39 Adkinson Dr.
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:

" Therrell Z. Lee
39 Adkinson Dr.
Pensacola, Fla."

You will take notice that on September 21, 1966 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: WILLIE MAE STRAUSS, Plaintiff VS THERRELL Z. LEE, et al,
Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
Case No. 7181 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 21
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 26 1966 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Pen—cola, —
on 9-24-66

WITNESS MY HAND and the Great Seal of the State of Alabama this the 26 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. John Chason
Bay Minette, Ala.

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Therrell Z. Lee and Ernest Leroy Lee to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of Willie Mae Strauss.

Witness my hand this 19 day of September, 1966.

Alice J. Smith
Clerk

WILLIE MAE STRAUSS,

X

Plaintiff,

X

vs.

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

THERRELL Z. LEE AND
ERNEST LEROY LEE,

X

AT LAW

Defendants.

X

No. 7181

X

COUNT ONE

The Plaintiff claims of the Defendants the sum of Fifteen Thousand Dollars (\$15,000.00) as damages for that on, to-wit: December 12, 1965, at a point on U. S. Highway No. 90 about one mile East of the East City Limits of Robertsedale in Baldwin County, Alabama, the Defendant, Therrell Z. Lee, acting

by and through his agent, servant or employee, Ernest Leroy Lee, who was then and there acting within the line and scope of his employment as such, negligently drove an automobile into or against an automobile owned by the Plaintiff, in which she was then and there riding, and as a proximate result of the negligence of such Defendants, Plaintiff was injured in this: Her left leg was broken, her right thigh was injured, she received multiple abrasions and contusions; she suffered severe pain and mental anguish and was permanently injured. She was caused to incur large medical and hospital expenses and expenses of ambulance, she was gainfully employed and lost about eleven weeks from her employment, all to the damage to the Plaintiff in the sum above mentioned, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendants the sum of Two Thousand Dollars (\$2,000.00) as damages for that on, to-wit: December 12, 1965, at a point on U. S. Highway No. 90 about one mile East of the East City Limits of Robertsedale in Baldwin County, Alabama, the Defendant, Therrell Z. Lee, acting by and through his agent, servant or employee, Ernest Leroy Lee, who was then and there acting within the line and scope of his employment as such, negligently drove an automobile into or against an automobile owned by the Plaintiff in which she was then and there riding and as a proximate result of the negligence of such Defendants, the Plaintiff's automobile was damaged in this: It was completely demolished. The Plaintiff also lost or had seriously damaged the following personal property belonging to her, viz: Prescription sun glasses, a watch, diamond ring and

personal clothing, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

Lee R. Young &
CHASON, STONE & CHASON

By John Chason
Attorneys for Plaintiff

The Plaintiff demands a trial
of this cause by a jury.

John Chason
Attorneys for Plaintiff

Defendants' Addresses:

Therrell Z. Lee, 39 Adkinson Drive, Pensacola, Florida.

Ernest Leroy Lee, Route 1, Box 212, Irvington, Alabama.

* * * * *

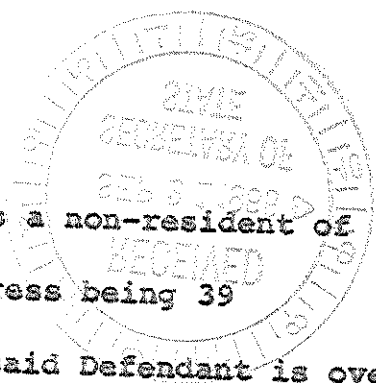
STATE OF ALABAMA

BALDWIN COUNTY

Before me, a Notary Public in and for said State and County, personally appeared John Chason as one of the attorneys of record for the Plaintiff in the above styled cause and after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is John Chason, that he is one of the attorneys of record for the Plaintiff in the above styled cause and according to the best of his knowledge, information and

belief, the Defendant, Therrell Z. Lee, is a non-resident of the State of Alabama, his post office address being 39 Adkinson Drive, Pensacola, Florida; that said Defendant is over the age of twenty-one years.



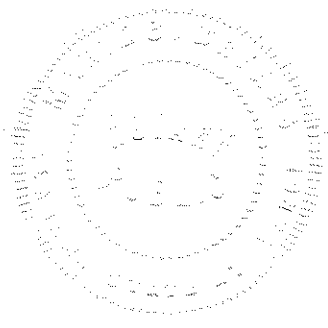
John B. Gassan

Sworn to and subscribed before me this 19th day of September, 1966.

Maria B. Gassan
 Notary Public, Baldwin County, Alabama

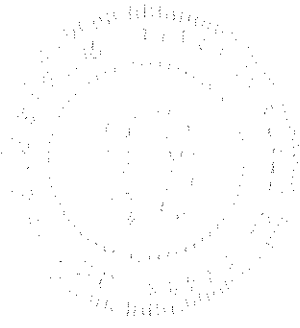
STATE OF ALABAMA
 BALDWIN COUNTY
 IN THE CIRCUIT COURT OF
 THE FIRST JUDICIAL CIRCUIT
 IN AND FOR THE COUNTY OF BALDWIN

SUMMONS AND COMPLAINT



FILED
 SEP. 19 1966
 ALICE A. DICK, CLERK

See of State



WILLIE MAE STRAUSS,
Plaintiff,

vs.

THERRELL Z. LEE AND
ERNEST LEROY LEE
Defendants.

* * * * *

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

* * * * *

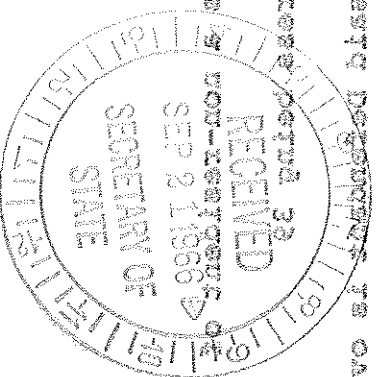
SUMMONS AND COMPLAINT

* * * * *

John Brown

the side of twenty-one years.

William Davis, Esquire, Attorney at Law, 100 North Main Street, Birmingham, Alabama, is over the State of Alabama, the last office square period 32



FILED
SEP 21 1966
BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA


IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Therrell Z. Lee and Ernest Leroy Lee to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Complaint of Willie Mae Strauss.

Witness my hand this 19 day of September, 1966.


Clerk

WILLIE MAE STRAUSS,	X	
Plaintiff,	X	
vs.	X	IN THE CIRCUIT COURT OF
	X	BALDWIN COUNTY, ALABAMA
THERRELL Z. LEE AND	X	AT LAW
ERNEST LEROY LEE,	X	No. 7181
Defendants.	X	

COUNT ONE

The Plaintiff claims of the Defendants the sum of Fifteen Thousand Dollars (\$15,000.00) as damages for that on, to-wit: December 12, 1965, at a point on U. S. Highway No. 90 about one mile East of the East City Limits of Robertsdale in Baldwin County, Alabama, the Defendant, Therrell Z. Lee, acting

by and through his agent, servant or employee, Ernest Leroy Lee, who was then and there acting within the line and scope of his employment as such, negligently drove an automobile into or against an automobile owned by the Plaintiff, in which she was then and there riding, and as a proximate result of the negligence of such Defendants, Plaintiff was injured in this: Her left leg was broken, her right thigh was injured, she received multiple abrasions and contusions; she suffered severe pain and mental anguish and was permanently injured. She was caused to incur large medical and hospital expenses and expenses of ambulance, she was gainfully employed and lost about eleven weeks from her employment, all to the damage to the Plaintiff in the sum above mentioned, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendants the sum of Two Thousand Dollars (\$2,000.00) as damages for that on, to-wit: December 12, 1965, at a point on U. S. Highway No. 90 about one mile East of the East City Limits of Robertsedale in Baldwin County, Alabama, the Defendant, Therrell Z. Lee, acting by and through his agent, servant or employee, Ernest Leroy Lee, who was then and there acting within the line and scope of his employment as such, negligently drove an automobile into or against an automobile owned by the Plaintiff in which she was then and there riding and as a proximate result of the negligence of such Defendants, the Plaintiff's automobile was damaged in this: It was completely demolished. The Plaintiff also lost or had seriously damaged the following personal property belonging to her, viz: Prescription sun glasses, a watch, diamond ring and

personal clothing, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

Joe R. Young Jr.

CHASON, STONE & CHASON

By

John Chason

Attorneys for Plaintiff

The Plaintiff demands a trial
of this cause by a jury.

John Chason
Attorneys for Plaintiff

Defendants' Addresses:

Therrell Z. Lee, 39 Adkinson Drive, Pensacola, Florida.

Ernest Leroy Lee, Route 1, Box 212, Irvington, Alabama.

* * * * *

STATE OF ALABAMA

BALDWIN COUNTY

Before me, a Notary Public in and for said State and County, personally appeared John Chason as one of the attorneys of record for the Plaintiff in the above styled cause and after being by me first duly and legally sworn, did depose and say under oath as follows:

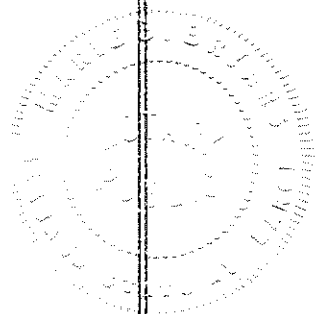
That his name is John Chason, that he is one of the attorneys of record for the Plaintiff in the above styled cause and according to the best of his knowledge, information and

belief, the Defendant, Therrell Z. Lee, is a non-resident of the State of Alabama, his post office address being 39 Adkinson Drive, Pensacola, Florida; that said Defendant is over the age of twenty-one years.

Julius Graham

Sworn to and subscribed before
me this 19th day of September, 1966.

Maria B. Bryan
Notary Public, Baldwin County, Alabama



FILED

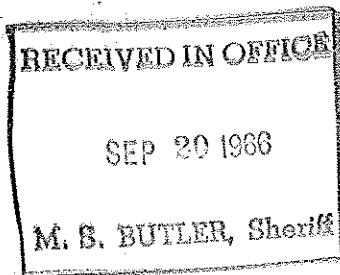
SEP. 19 1966

CLERK

RECEIVED

SEP 19 1966

TAYLOR WILKINS
SHERIFF



Executed by serving 3 copies of
the within on Agnis Baggett
Secretary of State of The State of
Alabama.

This the 21 day of Sept 1966

Sheriff of Montgomery County

M. S. Butler,

By J. L. Berman D. S.

The Sheriff claims 2
miles at 100 per mile for a total
of \$ 20

M. S. Butler, Sheriff
Montgomery County, Ala.

Not found in my County after dili-

gent search and inquiry. As to Ernest

LEWIS, Sheriff

By R. Adams D. S.

WILLIE MAE STRAUSS,

Plaintiff,

vs.

THERRELL Z. LEE AND
ERNEST LEROY LEE,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

SUMMONS AND COMPLAINT

* * * * *

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.
SEP 23 9 50 AM '66