

BERTIE L. STRAUSS,

Plaintiff,

vs.

THERRELL Z. LEE and
ERNEST LEROY LEE,

Defendants.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

7182

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.

FILED

SEP 5 1969

CHASON, STONE & CHASON

By:


Attorneys for Plaintiff

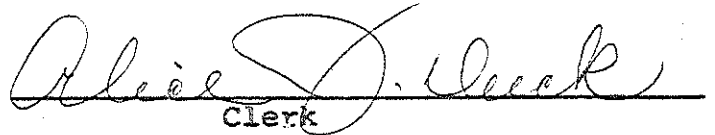
ALICE J. DUCK CLERK
REGISTER

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.

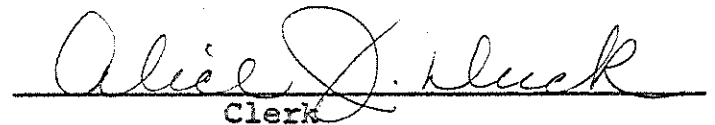
WITNESS this 2 day of September, 1969.


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 2 day of September, 1969.


Clerk

BERTIE L. STRAUSS,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
vs.	:	AT LAW
THERRELL Z. LEE and	:	CASE NO. 7182
ERNEST LEROY LEE,	:	
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

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

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

FILED



SEP 5 1969

ALICE J. DUCK CLERK
REGISTER

BERTIE L. STRAUSS,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
vs.	:	
THERRELL Z. LEE AND	:	AT LAW
ERNEST LEROY LEE,	:	
Defendants.	:	CASE NO:7182
	:	

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, the plaintiff was herself guilty of negligence which proximately contributed to her injury and damage, wherefore she should not recover in this action.

	_____
JAMES OWENS	
	_____
JOHNSTON, JOHNSTON & NETTLES	
Attorneys for Defendant	

FILED

NOV 23 1957

ALICE L. BARKER 372

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	
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.

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

FILED

SEP 5 1969

ALICE J. DUCK CLERK
REGISTER

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

WITNESS this 5 day of September, 1969.

Alice D. 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 5th day of September, 1969.

Alice D. Luck
Clerk

*Servid accepted this 5th day of September 1969
and waives further notice.*

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

September 26, 1966

BERTIE L. STRAUSS, Plaintiff
VS
THERRELL Z. LEE, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

CASE NO. 7182

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: BERTIE L. STRAUSS, Plaintiff VS THERRELL Z. LEE, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
Case No. 7182 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

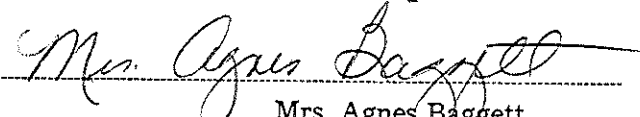
Enclosure (1)

(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 Pensacola, —
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
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 to 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 Bertie L. Strauss.

Witness my hand this 19 day of September, 1966.

David J. Lee
Clerk

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	

70 7182.

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 the employment as such, negligently drove an automobile into or against an automobile which was then and there being driven by the Plaintiff and, as a proximate result of the negligence of such Defendants, the Plaintiff was injured in this: Her left clavicle was fractured, she had several broken ribs, she had multiple abrasions and contusions, she suffered severe pain and mental anguish and was permanently injured; she incurred large medical and hospital expenses and ambulance expenses. She was gainfully employed at the time and lost approximately seventeen 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 One Thousand Dollars (\$1,000.00) 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 which was then and there being driven by the Plaintiff and as a proximate result of the negligence of such Defendants, the Plaintiff was damaged in this: Her eye glasses were broken, her luggage and locker were damaged and her clothing and wearing apparel were damaged, 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.

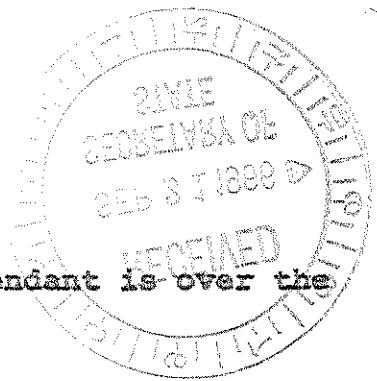
* * * * *

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.

John H. Hason

Sworn to and subscribed before

me this 19th day of September, 1966.

Maria B. Bryan
Notary Public, Baldwin County, Alabama

BEATRICE L. STRAUSS

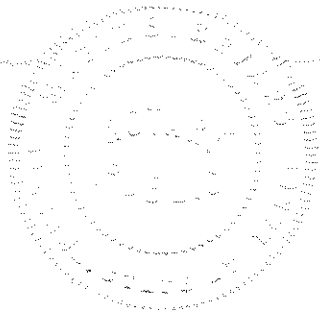
Defendant

vs.

LEE and ERNEST TERROY LEE

Defendants

SUMMONS AND COMPLAINT



FILED
SEP 19 1966
AUGIE A. DUCK, CLERK
REGISTER

BERTIE L. STRAUSS,

Plaintiff,

vs.

THERRELL Z. LEE AND
ERNEST LEROY LEE,

Defendants.

: IN THE CIRCUIT COURT OF

: BALDWIN COUNTY, ALABAMA

:

:

AT LAW

:

CASE NO: 7182

:

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

1. Not Guilty.

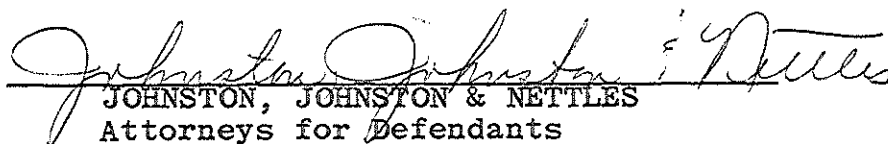
2. At the time and on the occasion complained of,
the plaintiff was herself guilty of negligence which
proximately contributed to her injury and damage, wherefore
she should not recover in this action.


JAMES OWENS

FILED

DEC 6 1966

ALICE L. DUCK, CLERK
REGISTER


JOHNSTON, JOHNSTON & NETTLES
Attorneys for Defendants

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 to 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 Bertie L. Strauss.

Witness my hand this 19 day of September, 1966.

David J. ...
Clerk

BERTIE L. STRAUSS, X

Plaintiff, X

vs.

THERRELL Z. LEE AND X

ERNEST LEROY LEE, X

Defendants. X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 7182

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 the employment as such, negligently drove an automobile into or against an automobile which was then and there being driven by the Plaintiff and, as a proximate result of the negligence of such Defendants, the Plaintiff was injured in this: Her left clavicle was fractured, she had several broken ribs, she had multiple abrasions and contusions, she suffered severe pain and mental anguish and was permanently injured; she incurred large medical and hospital expenses and ambulance expenses. She was gainfully employed at the time and lost approximately seventeen weeks from her employment, all to the damage to the Plaintiff in the sum above mentioned, hence this suit.

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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

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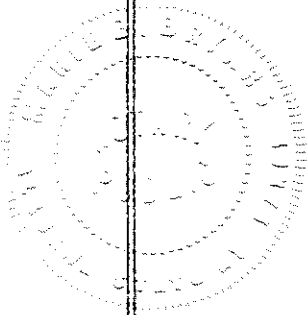
That his name is John Chason, that he is one of the attorneys of record for the Plaintiff in the above styled cause and according to the best of his knowledge, information and belief, the Defendant, Therrell Z. Lee, is a non-resident of the State of Alabama, his post office address being 39 Adkinson

Drive, Pensacola, Florida; that said Defendant is over the age of twenty-one years.

John Gason

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

Maria B. Bryan
Notary Public, Baldwin County, Alabama



FILED
SEP 19 1966
AUGUST DICK, CLERK
REGISTER

RECEIVED
210
SEP 19 1966

JAYLOR WILKINS
SHERIFF

RECEIVED IN OFFICE

SEP 20 1966

M. S. BUTLER, Sheriff

Executed by serving 3 copies of
the within on Alvin 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. H. Ramo D. S.

The Sheriff claims 2

miles at 100 per mile for a total

of \$ 20

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

RETURNED 10-14-66

Not found in my County after diligent search and inquiry as to Ernest Lee

RAY D. BRIDGES, Sheriff

By Redman D. S.

BERTIE L. STRAUSS,

Plaintiff,

vs.

THERRELL Z. LEE and ERNEST LEROY LEE

Defendants.

SUMMONS AND COMPLAINT

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