

LAW OFFICES  
**HOPKINS & MABIE**  
LAWYERS BUILDING-314 SOUTH BAYLEN STREET  
PENSACOLA, FLORIDA 32501

J. B. HOPKINS  
LEFFERTS L. MABIE, JR.

AREA CODE 904  
TELEPHONE 438-5677

December 29, 1967

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

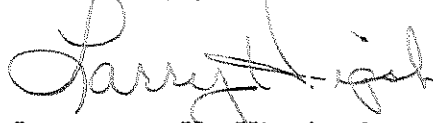
Re: Cases Nos. 7853, 7880, and 7854

Dear Mrs. Duck:

Enclosed are defendant Robert Hay's answers to the above three complaints. Please file same in your office.

Thanking you for your cooperation, I am

Very truly yours,



Lawrence H. Hipsh, Sr.

LHH:if  
Encls.

LAW OFFICES

TYSON, MARR AND FRIEDLANDER

158 ST. LOUIS STREET

MOBILE, ALABAMA 36601

TELEPHONE 432-4554

JOHN M. TYSON  
THOMAS M. MARR  
MAURY FRIEDLANDER  
CHARLES S. STREET  
DAVID S. CONRAD

November 17, 1967

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

In Re: Bessie Mae Burns vs Ora M. Quinn  
and Robert Hay

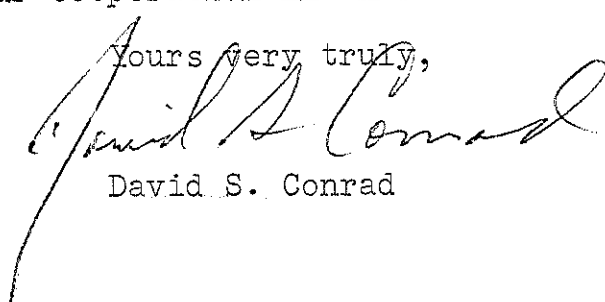
7854

Dear Mrs. Duck:

Please be kind enough to serve Defendant Ora M. Quinn at her address in Robertsedale, Alabama, and in addition thereto have Mr. Robert Hay of 211 West Bayliss Street, Pensacola, Florida, served through the Secretary of State in accordance with Title 7, Section 199 of the Code of Alabama 1958 Recompiled (1965 Cumulative Supplement to Volume Three).

Thank you very much for your cooperation in this matter.

Yours very truly,



David S. Conrad

DSC:mah  
Encs

BESSIE MAE BURNS,	:	IN THE CIRCUIT COURT OF
	:	BALDWIN
	:	<del>MOBILE</del> COUNTY, ALABAMA
Plaintiff	:	AT LAW
v.	:	
ORA M. QUINN and ROBERT	:	
HAY, jointly and indivi-	:	
dually,	:	
Defendant	:	CASE NO. <u>7854</u>

D E M U R R E R

Comes now each of the following defendants,

Ora M. Quinn,

separately and severally, and demurs to the plaintiff's complaint filed herein and each count thereof, separately and severally, and for separate and several grounds of demurrer, sets down and assigns, separately and severally, the following:

1. That it does not state facts sufficient to constitute a cause of action against this defendant.

2. For that negligence is therein alleged merely as a conclusion of the pleader.

3. For that it is vague, indefinite and uncertain, in that it does not apprise this defendant with sufficient certainty against what act or acts of negligence defendant is called on to defend.

4. For that it does not appear with sufficient certainty what duty, if any, this defendant may have owed to the plaintiff.

5. For that it does not appear with sufficient certainty wherein this defendant violated any duty owed by defendant to the plaintiff.

6) For that it does not sufficiently appear that this defendant owed any duty to the plaintiff which defendant negligently failed to perform.

7) For that the averments set up, if true, do not show any liability on the part of the defendant.

8) For that the pleader sets out in what said negligence consisted, and the facts so set out do not show negligence.

9) For that there does not appear sufficient causal connection between this defendant's said breach of duty and plaintiff's injuries and damages.

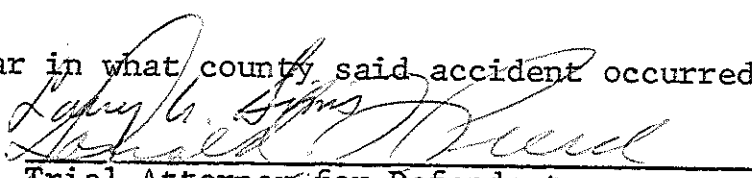
10) No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of this defendant.

11) It is not alleged with sufficient certainty where said accident occurred.

12) For aught that appears, plaintiff had no right to be where plaintiff was at the time and place of said accident.

13) It is not alleged that the negligence complained of proximately caused the accident and the injuries and damages complained of.

14) It does not appear in what county said accident occurred.

  
Trial Attorneys for Defendant

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

FILED

JAN 24 1968

ALICE J. DUFFY CLERK  
REGISTER

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing Demurrer to David S. Conrad, Esq., attorney for plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to Mr. Conrad at his office in Mobile, Alabama, on this the 23rd day of January, 1968.

Larry L. Sims

FILED

JAN 24 1968

ALICE J. DUCK CLERK  
REGISTER

BESSIE MAE BURNS, ) IN THE CIRCUIT COURT OF  
Plaintiff, ) BALDWIN COUNTY, ALABAMA  
VS. ) AT LAW  
ORA M. QUINN and ROBERT  
HAY, jointly and individually, )  
Defendants. ) CASE NO. 7854

Plaintiff claims of the Defendants the sum of Ten Thousand and 00/100 (\$10,000.00) Dollars for that heretofore and on, to-wit, the 19th day of August, 1967, while the Plaintiff was operating an automobile in a northerly direction on and along Milwaukee Street at or near its intersection with Ohio Street, both public streets in the City of Robertsedale, Alabama, Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, so negligently operated a vehicle on Ohio Street at the time and place mentioned that it collided with the vehicle being operated by the Plaintiff and as a direct and proximate result of the negligence of the Defendants as aforesaid the Plaintiff suffered the following injuries: her automobile was badly bent, broken and demolished and greatly depreciated in value; Plaintiff was made sick and sore; she suffered injury to her left arm; the muscles in and about her back were badly strained; she suffered a whiplash injury; she was caused to incur great medical expense in and about the care of her injuries and will so incur such expense in the future; she was caused to lose time from her employment and will so lose such time in the future; all as a direct and proximate result of the negligence of the Defendants as aforesaid, wherefore Plaintiff sues.

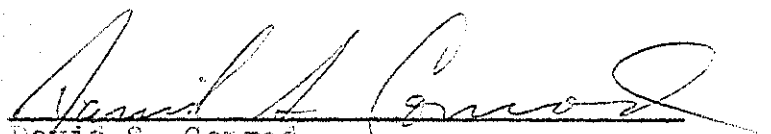
TYSON, MARR AND FRIEDLANDER  
Attorneys for Plaintiff

By David S. Conrad  
David S. Conrad

FILED

NOV 20 1967

Plaintiff respectfully demands a trial by struck jury.

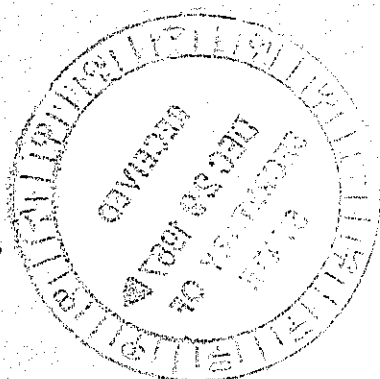
  
David S. Conrad

Defendants may be served:

Ora M. Quinn  
Robertsdale, Alabama

Robert Hay  
211 West Bayliss Street  
Pensacola, Florida

Please serve Defendant Robert Hay through the Secretary of  
State, Montgomery, Alabama.



January 15, 1968

BESSIE MAE BURNS, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA AT LAW

VS

ORA M. QUINN, et al, Defendants

CASE NO. 7,854

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on January 4, 1968  
I sent by certified mail in an envelope addressed as follows:

"Ora M. Quinn  
6805 Larchmont Drive  
North Highlands, California 95660"

"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:

"Ora M. Quinn  
6805 Larchmont Drive  
North Highlands, California 95660

You will take notice that on December 29, 1967 <sup>ALIAS</sup> the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity/summons and complaint in a case entitled: BESSIE MAE BURNS, Plaintiff VS ORA M. QUINN, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW  
Case No. 7,854 <sup>ALIAS</sup> 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 4th day of January, 1968

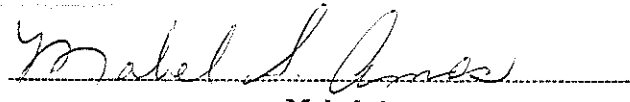
Enclosure (1)

(Signed) Mabel Amos  
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 <sup>ALIAS</sup> summons and complaint in the above-styled cause.

I further certify that on January 15, 1968 I received the return card, showing receipt by the designated addressee of the aforementioned matter at PLACE NOT GIVEN on January 10, 1968

WITNESS MY HAND and the Great Seal of the State of Alabama this the 15th day of January, 1968

  
Mabel Amos  
Secretary of State

Enclosures: Return Receipt Card and copy of Summons and Complaint.  
CC: Honorable David S. Conrad  
Tyson, Marr and Friedlander  
158 St. Louis Street  
Mobile, Alabama 36601



BESSIE MAE BURNS,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
v.	)	AT LA W
ORA M. QUINN and ROBERT	)	
HAY, jointly and individually,	)	
Defendants.	)	CASE NO. 7854

— — — — —

Defendant Robert Hay, for answer to the complaint, sayeth:

1. He is not guilty of the matters alleged therein.

2. Plaintiff was, at the time and place set forth in her complaint, guilty of carelessness and negligence in and about the matters set forth therein, and that said carelessness and negligence proximately contributed thereto, in that plaintiff, at the time of the accident and at all times pertinent thereto, was guilty of contributory negligence, which caused the accident complained of, in the following respects:

a. Plaintiff operated said automobile at a rate of speed that was greater than was reasonable and prudent under all conditions and circumstances existing along said highway at the time and place of the accident alleged in the plaintiff's original complaint.

b. Plaintiff failed to have said automobile under proper control.

c. Plaintiff failed to keep a proper lookout for automobiles then on the highway.

d. Plaintiff failed to swerve her automobile and avoid hitting defendant's automobile by going around it.

Defendant alleges that injuries and damages enumerated and set out in the complaint were directly and proximately contributed to by the acts and omissions of the plaintiff in the particulars hereinabove set out.

3. If this defendant was negligent in any respect, which is specifical ly denied, the plaintiff had the last clear chance to avoid the damage and injuries which she alleges in her complaint, in that plaintiff saw, or by the exercise of

the highest degree of care could and should have seen, that the collision was imminent and that defendant Ora M. Quinn was in a position of imminent peril from which she could not extricate herself, and plaintiff thereafter, and with the means at hand, could have averted and prevented the accident and resulting damages, if any, without injury to herself and others, in the exercise of the highest degree of care for her own safety, and for the life, limb, and property of others, in that plaintiff could have sounded a warning signal or could have stopped, swerved, or slowed down and thereby prevented the collision, but the plaintiff carelessly, negligently, and recklessly failed to do so.

*Lawrence H. Hipsh, Sr.*

Lawrence H. Hipsh, Sr.  
314 South Baylen Street  
Pensacola, Florida 32501  
Attorney for Defendant Robert Hay

I HEREBY CERTIFY that a copy hereof has been furnished to David S. Conrad, Esq., Tyson, Marr & Friedlander, 158 St. Louis Street, Mobile, Alabama, Attorneys for Plaintiff, by mail this 29th day of December, 1967.

*Lawrence H. Hipsh, Sr.*

Lawrence H. Hipsh, Sr.  
Attorney for Defendant Robert Hay

Filed  
12-30-67  
A. S. Conrad  
cc: Mr.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 7854

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon -----

~~Letta Bailey~~, Ora M. Quinn and Robert Ray

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 -----

~~Letta Bailey~~, Ora M. Quinn and Robert Ray, Defendant-----

by ~~Bessie Mae Burns~~-----

-----, Plaintiff-----

Witness my hand this 20th day of November 19 67

W. J. French, Clerk

No. \_\_\_\_\_

Page \_\_\_\_\_

# STATE of ALABAMA

## Baldwin County

CIRCUIT COURT

## Plaintiffs

**VS.**

## Defendants

## Summons and Complaint

Filed \_\_\_\_\_ 19\_\_

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

\_\_\_\_\_, 19\_\_\_\_

Sheriff.

I have executed this summons

this \_\_\_\_\_ 19\_\_

by leaving a copy with

Sheriff.

Deputy Sheriff.

BESSIE MAE BURNS,

Plaintiff,

VS.

ORA M. QUINN and ROBERT  
HAY, jointly and individually,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7854

Plaintiff claims of the Defendants the sum of Ten Thousand and 00/100 (\$10,000.00) Dollars for that heretofore and on, to-wit, the 19th day of August, 1967, while the Plaintiff was operating an automobile in a northerly direction on and along Milwaukee Street at or near its intersection with Ohio Street, both public streets in the City of Robertsdale, Alabama, Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, so negligently operated a vehicle on Ohio Street at the time and place mentioned that it collided with the vehicle being operated by the Plaintiff and as a direct and proximate result of the negligence of the Defendants as aforesaid the Plaintiff suffered the following injuries: her automobile was badly bent, broken and demolished and greatly depreciated in value; Plaintiff was made sick and sore; she suffered injury to her left arm; the muscles in and about her back were badly strained; she suffered a whiplash injury; she was caused to incur great medical expense in and about the care of her injuries and will so incur such expense in the future; she was caused to lose time from her employment and will so lose such time in the future; all as a direct and proximate result of the negligence of the Defendants as aforesaid, wherefore Plaintiff sues.

TYSON, MARR AND FRIEDLANDER  
Attorneys for Plaintiff

By David S. Conrat  
David S. Conrat

FILED

NOV 20 1967

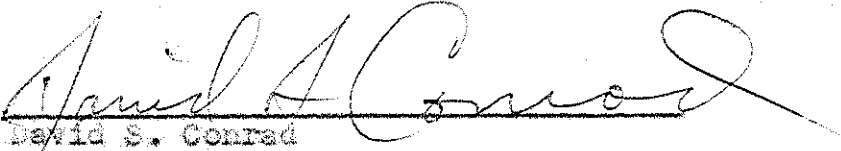
LAW OFFICES  
TYSON, MARR AND FRIEDLANDER  
156 ST. LOUIS STREET  
MOBILE, ALABAMA

168

ALICE J. DUCK

CLERK  
REGISTER

Plaintiff respectfully demands a trial by struck jury.

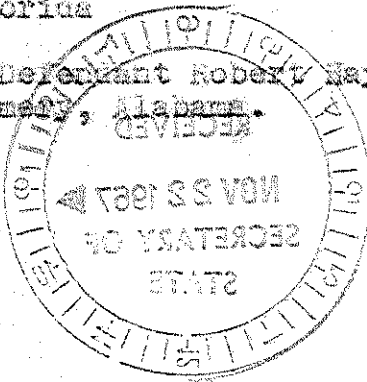
  
David S. Conrad

Defendants may be served:

Ora H. Quinn  
Robertsdale, Alabama

Robert Hay  
211 West Bayliss Street  
Pensacola, Florida

Please serve Defendant Robert Hay through the Secretary of  
State, Montgomery, Alabama.



November 27, 1967

BESSIE MAE BURNS, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA AT LAW

VS

ROBERT HAY, et al, Defendants

CASE NO. 7854

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on November 22, 1967  
I sent by certified mail in an envelope addressed as follows:

" Robert Hay  
211 West Bayliss Street  
Pensacola, Florida 32505"

"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:

" Robert Hay  
211 West Bayliss Street  
Pensacola, Florida 32505

You will take notice that on November 22, 1967 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: BESSIE MAE BURNS, Plaintiff VS ROBERT HAY, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW  
Case No. 7854 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 22  
day of November, 1967

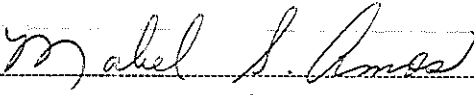
Enclosure (1)

(Signed) Mabel Amos  
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 November 27, 1967 I received the return card, showing receipt by the designated addressee of the aforementioned matter at NOT GIVEN  
on November 24, 1967

WITNESS MY HAND and the Great Seal of the State of Alabama this the 27 day  
of November, 1967

  
Mabel Amos  
Secretary of State

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

cc# Hon. David S. Conrad  
Tyson, Marr & Friedlander  
138 St. Louis Street  
Mobile, Alabama 36602

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. ~~7854~~.....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon .....

Lela Dailey, Ora M. Quinn, and Robert Hay.....

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.....

Lela Dailey, Ora M. Quinn and Robert Hay....., Defendant.....

by Bessie Mae Burns.....

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

Witness my hand this 20th day of November 1937.....

Bessie Mae Burns, Clerk



No. 7854

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Fessie Mae Burns

Plaintiffs

vs.

Oran M. Quinn & Robert H. Hays

Defendants

SUMMONS AND COMPLAINT

Filed ..... 19.....

Clerk

Robert Hays  
211 W. Bayless  
Pineville, La

Oran M. Quinn & Fredlandes

Plaintiff's Attorney

Defendant's Attorney

Oran M. Quinn  
Robert H. Hays

Defendant lives at

Received In Office

NOV. 20 1967 19.....

TAYLOR WILKINS Sheriff

I have executed this summons

this ..... 19.....

by leaving a copy with

15  
20  
11

22 day of Nov 1967  
Not found in my county after diligent search and is  
Taylor Sheriff  
Deputy Sheriff

Sheriff

Deputy Sheriff

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 7854

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon .....

Lela Dailey, Ora M. Quinn, and Robert Hay

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.....

Lela Dailey, Ora M. Quinn and Robert Hay  
....., Defendant.....

by Bessie Mae Burns

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

Witness my hand this 20th day of November 19 67

*Bessie Mae Burns*, Clerk

No. 7854

Page

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

BESSIE MAE BURNS

Plaintiffs

vs.

~~\_\_\_\_\_~~, ORA M. QUINN &

ROBERT HAY

Defendants

SUMMONS AND COMPLAINT

Filed 11-20- 19 67

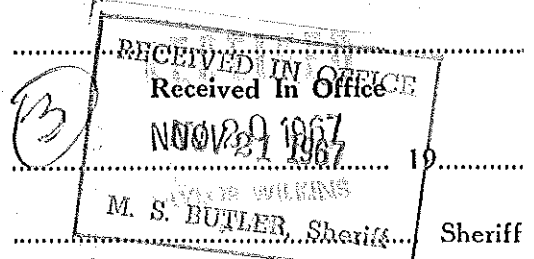
Alice J. Duck Clerk

Tyson, Marr & Friedlander

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at



I have executed this summons

this 19

by leaving a copy with

Executed by serving 3 copies of  
the within on Mr. R. L. Cline  
Secretary of State of The State of  
Alabama.

This the 27 day of Nov. 1967

Sheriff of Montgomery County

M. S. Butler,

By W. L. Moser D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for  
serving 1 process(es) and \$1.00 Sheriff

travel expense on each of 1 Deputy Sheriff  
process(es) or a total of \$2.50

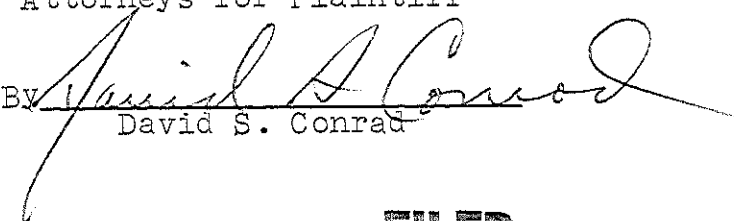
W. L. Moser Deputy Sheriff

BESSIE MAE BURNS, ) IN THE CIRCUIT COURT OF  
Plaintiff, ) BALDWIN COUNTY, ALABAMA  
VS. ) AT LAW  
ORA M. QUINN and ROBERT  
HAY, jointly and individually, )  
Defendants. ) CASE NO. 78 54

Plaintiff claims of the Defendants the sum of Ten Thousand and 00/100 (\$10,000.00) Dollars for that heretofore and on, to-wit, the 19th day of August, 1967, while the Plaintiff was operating an automobile in a northerly direction on and along Milwaukee Street at or near its intersection with Ohio Street, both public streets in the City of Robertsdale, Alabama, Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, so negligently operated a vehicle on Ohio Street at the time and place mentioned that it collided with the vehicle being operated by the Plaintiff and as a direct and proximate result of the negligence of the Defendants as aforesaid the Plaintiff suffered the following injuries: her automobile was badly bent, broken and demolished and greatly depreciated in value; Plaintiff was made sick and sore; she suffered injury to her left arm; the muscles in and about her back were badly strained; she suffered a whiplash injury; she was caused to incur great medical expense in and about the care of her injuries and will so incur such expense in the future; she was caused to lose time from her employment and will so lose such time in the future; all as a direct and proximate result of the negligence of the Defendants as aforesaid, wherefore Plaintiff sues.

TYSON, MARR AND FRIEDLANDER  
Attorneys for Plaintiff

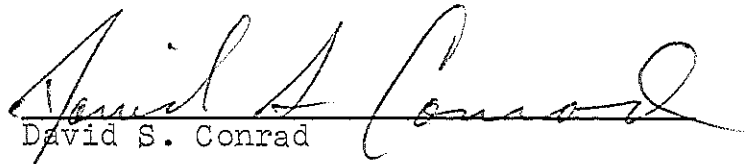
By

  
David S. Conrad

**FILED**

NOV 20 1967

Plaintiff respectfully demands a trial by struck jury.

  
David S. Conrad

Defendants may be served:

Ora M. Quinn  
Robertsdale, Alabama

Robert Hay  
211 West Bayliss Street  
Pensacola, Florida

Please serve Defendant Robert Hay through the Secretary of  
State, Montgomery, Alabama.

Alias

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 7854

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon .... Ora M. Quinn .....

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 Ora M. Quinn &

Robert Hay, Jointly & Individually....., Defendant.....

by Bessie Mae Burns .....

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

Witness my hand this..... 27th ..... day of..... December..... 1967.....

*Oliver J. Luck* Clerk

12-29-67

ALIAS

No. 7854

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

BESSIE MAE BURNS

Plaintiffs

vs.

ORA M. QUINN & ROBERT HAY, Jointly  
& Individually Defendants

SUMMONS AND COMPLAINT

Filed ..... 8 Nov. 20, ..... 1967.....

Alice J. Duck Clerk

Tyson, Marr & Friedlander  
138 St. Louis St. Plaintiff's Attorney  
Mobile, Alabama

Defendant's Attorney

1108  
SERVE: Secretary of State

Defendant lives at

Ora M. Quinn 6805 Larchmont Dr.  
North Highlands, California

RECEIVED IN OFFICE

Received In Office

DEC 28 1967

DEC 27 1967

19.....

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 Mobile Amos  
Secretary of State of The State of  
Alabama

This the 29 day of Dec. 1967

Sheriff of Montgomery County

M. S. Butler,

By W. L. Mason D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each\* for

serving 1 process(es) and \$1.00

travel expense on each of 1 Sheriff

process(es) or a total of \$2.50 Deputy Sheriff

W. L. Mason Deputy Sheriff

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

MAILING ADDRESS:  
P. O. DRAWER C  
OR P. O. BOX 123

CABLE ADDRESS:  
HAB  
TELEPHONE  
432-5511  
AREA CODE 205

CHAS. C. HAND  
C. B. ARENDALL, JR.  
T. MASSEY BEDSOLE  
THOMAS G. 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 D. PARKMAN  
G. PORTER BROCK, JR.  
HARWELL C. COALE, JR.  
STEPHEN G. CRAWFORD  
JERRY A. MCDOWELL  
W. RAMSEY MCKINNEY, JR.  
LARRY U. SIMS  
C. WAYNE LOUDERMILCH  
A. CLAY RANKIN, III  
EDWARD A. HYNDMAN, JR.

November 5, 1968

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

Re: Bessie Mae Burns, as Administratrix of the  
Estate of Evett James Page v. Ora M. Quinn  
and Robert Hay - Case No. 7880; Lela Dailey  
v. Ora M. Quinn and Robert Hay - Case No.  
7853; Bessie Mae Burns v. Ora M. Quinn and  
Robert Hay - Case No. 7854

---

Dear Mrs. Duck:

Please advise me whether or not you have received  
copies of the hospital records in the above-referenced  
cases which were subpoenaed by me on February 13, 1968  
from the Mobile General Hospital and the South Baldwin  
Hospital.

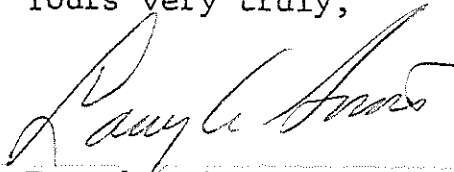
If you have received these records and if it is  
possible for you to copy them, please do so and for-  
ward the copies to me, along with your bill for the  
copying. However if this is not possible, please send  
me the file and I will copy them here in our office and  
return the file to you immediately.



Mrs. Alice J. Duck  
November 5, 1968  
Page Two

I certainly thank you for your services in this matter.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Rayle H. Hines". The signature is written in dark ink and is positioned above the typed name "Rayle Hines".

For the Firm

LUS.bac

THE STATE OF ALABAMA  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Medical Records Librarian of the  
South Baldwin Hospital, Post Office Drawer 610, Foley, Ala.,

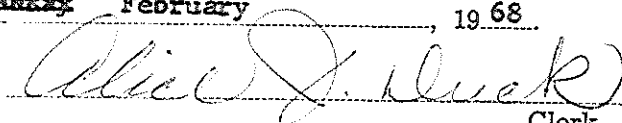
at the instance of the Defendants, If he should be found in your County, personally  
to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at  
deliver the same within 10 days from the date of this subpoena  
the Court House in \_\_\_\_\_, to wit: on \_\_\_\_\_, the day of \_\_\_\_\_, 19\_\_\_\_

at \_\_\_\_\_, and to bring with him and produce at the time and place aforesaid, to be used as  
evidence (here describe it).

to prepare a certified copy of all records of that hospital pertaining to Mrs.  
Bessie Mae Burns, including those of August of 1967, and deliver the same to the  
Clerk of the Circuit Court of Baldwin County, Alabama, within ten (10) days from  
the date of this subpoena, as is provided for in Act No. 77, Second ~~Session~~ Special  
Session of the Legislature of Alabama of 1965,

and then and there testify and the truth to speak concerning all and singular those things of which he  
may have knowledge, or the said instrument of writing doth import of, and concerning a certain suit  
now pending and undetermined in said Court, wherein Bessie Mae Burns  
Plaintiff, and Ora M. Quinn & Robert Hay Defendant.  
And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then  
and there this writ with your endorsement thereon in what manner you have executed same.

Witness my hand, this 14th day of ~~February~~ February, 19 68.

  
Clerk

No. \_\_\_\_\_

**THE STATE OF ALABAMA**  
Baldwin County

Plaintiff

VS. SUBPOENA DECUS TECUM

Defendant

**CIRCUIT COURT**

WITNESSES:

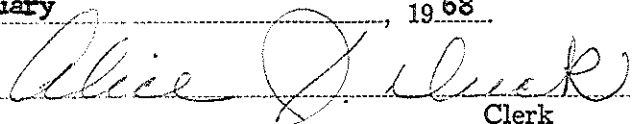
SET FOR TRIAL

\_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

TIMES, BAY MINETTE

THE STATE OF ALABAMA  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Medical Records Librarian of the  
South Baldwin Hospital, P. O. Drawer 610, Foley, Alabama,at the instance of the Defendants, If he should be found in your County, personally  
to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at  
the Court House in within 10 days from the date of this subpoena,  
to wit: on \_\_\_\_\_, the day of \_\_\_\_\_, 19\_\_\_\_  
at \_\_\_\_\_, and to bring with him and produce at the time and place aforesaid, to be used as  
evidence (here describe it).to prepare a certified copy of all records of that hospital pertaining to Mrs. Lela  
Dailey, including those of August of 1967, and deliver the same to the Clerk of the  
Circuit Court of Baldwin County, Alabama, within ten (10) days from the date of this  
subpoena, as is provided for in Act No. 77, Second Special Session of the Legislature  
of Alabama of 1965,and then and there testify and the truth to speak concerning all and singular those things of which he  
may have knowledge, or the said instrument of writing doth import of, and concerning a certain suit  
now pending and undetermined in said Court, wherein Lela Dailey  
Plaintiff, and Ora M. Quinn & Robert Hay, Defendant.And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then  
and there this writ with your endorsement thereon in what manner you have executed same.Witness my hand, this 14th day of February, 1968.  
Clerk

No. ....

**THE STATE OF ALABAMA**  
Baldwin County

Plaintiff

VS. SUBPOENA DECUS TECUM

Defendant

**CIRCUIT COURT**

WITNESSES:

**SET FOR TRIAL**

..... day of ..... 19 .....

TIMES, BAY MINETTE

THE STATE OF ALABAMA  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Medical Records Librarian of the  
South Baldwin Hospital, P. O. Drawer 610, Foley, Alabama,  
at the instance of the Defendants, If he should be found in your County, personally  
to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at  
deliver within 10 days from the date of this subpoena  
the Court House in \_\_\_\_\_, to wit: on \_\_\_\_\_, the day of \_\_\_\_\_, 19\_\_\_\_  
at \_\_\_\_\_, and to bring with him and produce at the time and place aforesaid, to be used as  
evidence (here describe it).

to prepare a certified copy of all records of that hospital pertaining to Everette  
<sup>Burns</sup>  
James Page or Evett James Page, including those of August of 1967, and deliver the  
same to the Clerk of the Circuit Court of Baldwin County, Alabama, within ten (10)  
days from the date of this subpoena, as is provided for in Act No. 77, Second  
Special Session of the Legislature of Alabama of 1965,

and then and there testify and the truth to speak concerning all and singular those things of which he  
may have knowledge, or the said instrument of writing doth import of, and concerning a certain suit  
now pending and undetermined in said Court, wherein Bessie Mae Burns, as Adm. of the Estate of  
Evett James Page, deceased  
Plaintiff, and Ora M. Quinn and Robert Hay Defendant.  
And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then  
and there this writ with your endorsement thereon in what manner you have executed same.

Witness my hand, this 14th day of February, 1968.

Alice J. Neuk  
Clerk

No. ....

**THE STATE OF ALABAMA**  
Baldwin County

Plaintiff

VS. SUBPOENA DECUS TECUM

Defendant

**CIRCUIT COURT**

WITNESSES:

**SET FOR TRIAL**

..... day of ..... 19 .....

TIMES, BAY MINETTE

SOUTH BALDWIN HOSPITAL  
OUTPATIENT REPORT

HOSPITAL NO. 3947  
(Assigned by Record Dept.)

DATE 9-26-68  
HOUR \_\_\_\_\_

COMPLETE AND PLACE IN ADMITTING OFFICE:

NAME Burns Bessie Mae  
Family Name First Name Middle Name

ADDRESS General B. L. Lohley PHONE \_\_\_\_\_

DATE OF BIRTH July 4 RACE \_\_\_\_\_ SEX \_\_\_\_\_ AGE 30

FATHER'S NAME Deceased  
Family Name First Name Middle Name

EMPLOYER \_\_\_\_\_ ADDRESS \_\_\_\_\_  
(or Person Responsible for Payment)

DOCTOR Michaelson NURSE PRESENT \_\_\_\_\_

EMERGENCY ROOM AND OUTPATIENT MINOR SURGERY

IF INJURY GIVE DATE \_\_\_\_\_ PLACE \_\_\_\_\_

COMPLAINT Niggles - Since Early Morning

DIAGNOSIS Rhynorrhea

TREATMENT Antihist

INSTRUCTIONS TO PATIENT To office Tuesday 4h

ITEM	CHARGE
E-R	2.00
Antihist 3-	1.50
	<u>\$3.50</u>

DISPOSITION \_\_\_\_\_

DOCTOR'S SIGNATURE Michaelson

METHOD OF PAYMENT (Check One) CASH ☒ CHECK \_\_\_\_\_

LABORATORY AND X-RAY USE REVERSE SIDE OF THIS SHEET

5-00



# SOUTH BALDWIN HOSPITAL

## OUTPATIENT REPORT

HOSPITAL NO. 1876  
 (Assigned by Record Dept.)  
 DATE 8-19-67  
 HOUR 7:45 PM

COMPLETE AND PLACE IN ADMITTING OFFICE:

NAME Martinez Lela  
Family Name First Name Middle Name  
 ADDRESS Genl Del, Los Angeles PHONE \_\_\_\_\_  
 DATE OF BIRTH 12-25-1883 RACE C SEX F AGE 73  
 FATHER'S NAME Martin Willis  
Family Name First Name Middle Name  
 EMPLOYER himself ADDRESS \_\_\_\_\_  
(or Person Responsible for Payment)  
 DOCTOR Abraham / Neill NURSE PRESENT H. Wilkinson, RN

EMERGENCY ROOM AND OUTPATIENT MINOR SURGERY

IF INJURY GIVE DATE 8-19-67 auto acc PLACE Rancho Santa  
 COMPLAINT leg pain - left knee  
 DIAGNOSIS Abrasions both knees  
 TREATMENT Wash left knee and right knee  
 INSTRUCTIONS TO PATIENT To office Mon.

Medicare

ITEM	CHARGE
<u>LR</u>	<u>2.00</u>
<u>X-Ray</u>	<u>24.00</u>
<u>cell</u>	<u>3.00</u>
	<u>2.00</u>
DISPOSITION <u>Discharged to office</u>	
DOCTOR'S SIGNATURE <u>Willis / Michaelson</u>	
METHOD OF PAYMENT (Check One) <u>5.00</u> CASH _____ CHECK _____	

LABORATORY AND X-RAY USE REVERSE SIDE OF THIS SHEET

# X-RAY REPORT

Family Name <b>DAILEY, LELA</b>	First Name	Middle Name	Room No. <b>op</b>	Hosp. No.
<input type="checkbox"/> Treatment of	Name — Part	Sex M F	Age — Years <b>73</b>	X-RAY No. <b>B 6003</b>
Attending Physician <b>Drs. Mullins/Eoster</b>		Date <b>8-19-67</b>	O. P. D. No.	

## Report:

### FILMS OF BOTH KNEES:

Do not reveal evidence of fracture about either knee.

**SOUTH BALDWIN  
HOSPITAL**

141 SOUTH POLEY, ALA. 36

*B.D.* **B. D. Rhea, M. D. /m**

Signature of Roentgenologist

X-RAY REPORT

# SOUTH BALDWIN HOSPITAL

## OUTPATIENT REPORT

HOSPITAL NO. 1877  
 (Assigned by Record Dept.)  
 DATE 8-19-67  
 HOUR 7:45 PM

COMPLETE AND PLACE IN ADMITTING OFFICE:

NAME Burns Everett James  
Family Name First Name Middle Name  
 ADDRESS Gen'l Del. Loxley, Ala PHONE \_\_\_\_\_  
 DATE OF BIRTH 1-16-67 RACE C SEX M AGE 7  
 FATHER'S NAME Burns John L  
Family Name First Name Middle Name  
 EMPLOYER Low Cape - Loxley ADDRESS Loxley  
(or Person Responsible for Payment)  
 DOCTOR Adams / Mullins NURSE PRESENT G. W. Peterson

### EMERGENCY ROOM AND OUTPATIENT MINOR SURGERY

IF INJURY GIVE DATE Out acc 8-19-67 PLACE Robert Hall  
 COMPLAINT \_\_\_\_\_  
 DIAGNOSIS Fr skull  
 TREATMENT Skull X-ray  
 INSTRUCTIONS TO PATIENT To Mobile Gen.

ITEM	CHARGE
EL	200
X-Ray	1500
Call	300
	<u>2000</u>

DISPOSITION To Mobile Gen.  
 DOCTOR'S SIGNATURE Mullins / Michaelson  
 METHOD OF PAYMENT (Check One) 5 CASH \_\_\_\_\_ CHECK \_\_\_\_\_

# X-RAY REPORT

Family Name	First Name	Middle Name	Room No.	Hosp. No.
BURNS, EVERETT			Op	
<input type="checkbox"/> Treatment of	Name — Part	Sex	Age — Years	X-RAY No.
<input type="checkbox"/> Examination		M F	7 mos	B 6004
Attending Physician	Date			O. P. D. No.
Drs. Mullins, / Foster	8-19-67			

## Report:

A SINGLE AP AND OBLIQUE VIEW OF THE SKULL give poor visualization of the bones of the calvarium but there is an obvious fracture involving the right parietal region with wide separation at the fracture site. There are apparently two fractures, one just above the temporal bone and another in the mid parietal area half way between the temporal bone and the sagittal suture. At the latter fracture site there is about a centimeter/<sup>maximum</sup> separation.

SOUTH BALDWIN  
HOSPITAL

BARBONIS, MOLEY, ALA. 9

*B.D. Rhea*

B. D Rhea, M. D. /m

Signature of Roentgenologist

X-RAY REPORT