

J. H. Jones vs Samson Ford
Washburne

JURY LIST - 2nd WEEK, MARCH 16, 1970

- ~~1. Akers, Mrs. R. M., Collector, Bay Minette~~
- ~~2. Anderson, Evar, Civil Service, Elberta~~
- ~~3. Beverly, Ernie, Farmer, Robertsedale~~
- ~~4. Booker, L. H., Operator, Foley~~
- ~~5. Brooks, Frank, Mechanic, Foley~~
- ~~6. Carlisle, D. C., Newport, Bay Minette~~
- ~~7. Cowling, W. B., Farmer, Robertsedale~~
- ~~8. Crawford, Harry E., Operator, Elberta~~
- ~~9. Hasley, Mabry T., Millman, Bay Minette~~
- ~~10. Fell, Frank, Mechanic, Elberta~~
- ~~11. Green, Harold Keo, Mechanic, Bay Minette~~
- ~~12. Gilbert, B. B. Mechanic, Bay Minette~~
- ~~13. Good, John, Jr., Farmer, Elberta~~
- ~~14. Helms, Kenneth B., Civil Service, Elberta~~
- ~~15. Helton, Robert Franklin, Contractor, Foley~~
- ~~16. Henry, Reuben, Mill Worker, Stockton~~
- ~~17. Hinz, Donald, Civil Service, Elberta~~
- ~~18. Hobbs, Tom, Farmer, Rosinton~~
- ~~19. Hodges, Willie Lee, Sawmill, Bay Minette~~
- ~~20. Hoffman, Winfred C., Gov't. Employee, Bay Minette~~
- ~~21. James, William H., Farmer, Foley~~
- ~~22. Johnston, Jessie, Retired, Bon Secour~~
- ~~23. Jones, Chester, Western Auto, Robertsedale~~
- ~~24. Langham, Tommy M., Merchant, Bay Minette~~
- ~~25. Lipscomb, Wilmer, Farmer, Foley~~
- ~~26. Little, William, Farmer, Fairhope~~
- ~~27. Newman, Paul F., Fairhope~~
- ~~28. Noonan, Edward D., Jr., Newport, Bay Minette~~
- ~~29. Norrell, Lamar, Clerk, Foley~~
- ~~30. Peavy, Thelma, Housewife, Bon Secour~~
- ~~31. Rayborn, Cecil David, Fairhope~~
- ~~32. Thompson, Herman, Public Work, Daphne~~
- ~~33. Turk, Thera W., Gateswood~~
- ~~34. Ulrich, Julius, City Emp., Elberta~~
- ~~35. Underwood, Verne, Farmer, Magnolia Springs~~
- ~~36. King, Diphens, N., Jr., Clerk, Bay Minette~~
- ~~37. Qreites, Otis, Fairhope~~
- ~~38. Norworthy, John C., Clerk, Bay Minette~~
- ~~39. Hall, O. C., Club Operator, Bay Minette~~

P XXXXX XXXXX XXX

D XXXXX XXXXX XXXX

J. G. JORDAN

Plaintiff

vs

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the agent, servant or employee
of Saunders Food Distributors,
Inc., Pensacola, Florida

Defendants

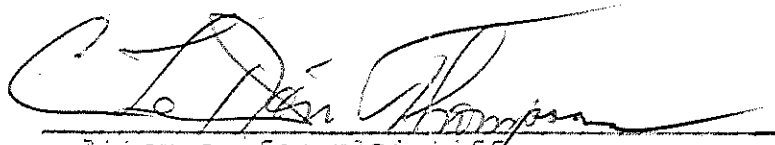
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 8693

-1-

The plaintiff claims of the defendants the sum of Two Thousand Two Hundred Dollars (\$2,200.00) as damages for that, heretofore on to-wit, Tuesday, December 17, 1969, about 4:40 P.M., Mrs. Freddie Mae Jordan was operating plaintiff's automobile on a public highway, to-wit, U. S. Highway number 31 South in the police jurisdiction of the City of Bay Minette, where she had a right to be and defendant, James Carl Peterson, an agent, servant or employee of the defendant, Saunders Food Distributors, Inc., alias Food Distributors, whose name is to your plaintiff otherwise unknown, while acting within the line and scope of his employment so negligently operated his motor vehicle, at high speed, to-wit, an automobile which the said James Carl Peterson was then and there operating as to cause said motor vehicle to collide with the automobile which the said Freddie Mae Jordan was then and there operating; and plaintiff avers that as a proximate consequence thereof, his automobile was severely damaged; was bent and broken and the body was damaged. The frame was damaged, the back bumper and back end of the said motor vehicle was damaged, all to his damage in the sum aforesaid; and plaintiff avers that all of his said damages were caused by the said negligence of the said defendant, James Carl Peterson, an agent, servant or employee of defendant, Saunders Food Distributors, Inc., alias Food Distributors, while said James Carl Peterson was acting within the line and scope of his employment as such agent servant or employee in and about the negligent operation of the said motor vehicle at the time and place and on the

occasion aforesaid.

And plaintiff further avers that the said defendant Saunders Food Distributors, Inc., alias Food Distributors, is a non-resident of the State of Alabama and that the present post office address of said defendant is Pensacola, Florida, and said defendant, James Carl Peterson is a non-resident of the State of Alabama and that the present post office address of said defendant, James Carl Peterson is 5534 Lynwood Road, Pensacola, Florida, and the plaintiff prays that service of process upon the defendants may be had in accordance with the provisions of Code of 1940, Title 7, Section 199.


Attorney for plaintiff.

FILED

MAY 6 1969

ALICE J. BUCK CLERK
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Saunders Food Distributors, Inc., alias
Food Distributors, and James Carl Peterson, individually, and as
the agent, servant or employee of Saunders Food Distributors, Inc.,
Pensacola, Florida

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 Saunders Food
Distributors, Inc., alias Food Distributors and James Carl Peterson, individually,
and as the agent, servant or employee of Saunders Food Distributors, Inc.,
Pensacola, Florida Defendant.....

by J. G. Jordan

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

Witness my hand this 6 day of May 1969

Alice D. Luck, Clerk

E-4/5/69

No. 8693

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

J. G. JORDAN

Plaintiffs

vs.

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS and JAMES
CARL PETERSON, individually and as
the agent, servant or employee of
Saunders Food Distributors, Inc.
Pensacola, Florida.

SUMMONS AND COMPLAINT

Filed FILED 19.....

MAY 6 1969

Clerk

ALICE J. DUCK

CLERK
REGISTER

C. L. Thompson
Plaintiff's Attorney

Defendant's Attorney

2357

Defendant lives at

RECEIVED IN OFFICE

Received In Office

MAY 6 1969

M. S. BUTLER, Sheriff

Sheriff

I have executed this summons

this 19.....
by leaving a copy with

Executed by serving 6 copies of
the within on Mable Cmo
Secretary of State of The State of
Alabama.

This the 6 day of May 1969

Sheriff of Montgomery County

M. S. Butler,

By W. D. Mason D. S.

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each for
serving 2 process(es) and \$1.00

travel expense on each of Sheriff

process(es) or a total of 2

Deputy Sheriff

\$5.00

May 13, 1969

J. G. JORDAN, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

VS

JAMES CARL PETERSON, et al, Defendants

CASE NO. 8693

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on May 8, 1969
I sent by certified mail in an envelope addressed as follows:

" James Carl Peterson
5534 Lynwood Road
Pensacola, Florida 32506"

"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:

" James Carl Peterson
5534 Lynwood Road
Pensacola, Florida 32506

You will take notice that on May 8, 1969 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: J. G. JORDAN, Plaintiff VS JAMES CARL PETERSON, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 8693 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 8th day of May, 1969

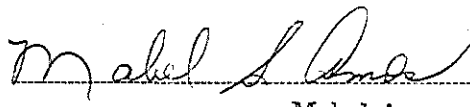
Enclosure (1)

(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 May 12, 1969 I received the return card, showing receipt by the designated addressee of the aforementioned matter at not legible on May 10, 1969

WITNESS MY HAND and the Great Seal of the State of Alabama this the 13th day of May, 1969


Mabel Amos
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
CC: Honorable C. LeNoir Thompson
124 Court House Square
Bay Minette, Alabama 36507

J. G. JORDAN

Plaintiff

vs

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the agent, servant or employee
of Saunders Food Distributors,
Inc., Pensacola, Florida

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 8693

-1-

The plaintiff claims of the defendants the sum of Two Thousand Two Hundred Dollars (\$2,200.00) as damages for that, heretofore on to-wit, Tuesday, December 17, 1969, about 4:40 P.M., Mrs. Freddie Mae Jordan was operating plaintiff's automobile on a public highway, to-wit, U. S. Highway number 31 South in the police jurisdiction of the City of Bay Minette, where she had a right to be and defendant, James Carl Peterson, an agent, servant or employee of the defendant, Saunders Food Distributors, Inc., alias Food Distributors, whose name is to your plaintiff otherwise unknown, while acting within the line and scope of his employment so negligently operated his motor vehicle, at high speed, to-wit, an automobile which the said James Carl Peterson was then and there operating as to cause said motor vehicle to collide with the automobile which the said Freddie Mae Jordan was then and there operating; and plaintiff avers that as a proximate consequence thereof, his automobile was severely damaged; was bent and broken and the body was damaged. The frame was damaged, the back bumper and back end of the said motor vehicle was damaged, all to his damage in the sum aforesaid; and plaintiff avers that all of his said damages were caused by the said negligence of the said defendant, James Carl Peterson, an agent, servant or employee of defendant, Saunders Food Distributors, Inc., alias Food Distributors, while said James Carl Peterson was acting within the line and scope of his employment as such agent servant or employee in and about the negligent operation of the said motor vehicle at the time and place and on the

occasion aforesaid.

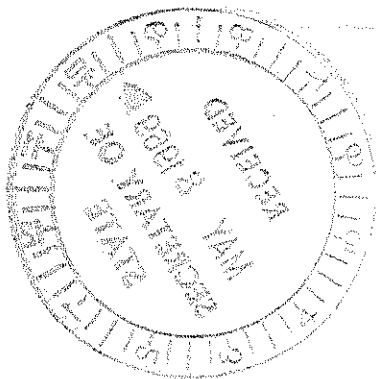
And plaintiff further avers that the said defendant
Saunders Food Distributors, Inc., alias Food Distributors,
is a non-resident of the State of Alabama and that the
present post office address of said defendant is Pensacola,
Florida, and said defendant, James Carl Peterson is a non-
resident of the State of Alabama and that the present post
~~office address of said defendant, James Carl Peterson is~~
prays that service of process upon the defendants may be
had in accordance with the provisions of Code of 1940, Title
7, Section 199.


Attorney for plaintiff.

FILED

MAY 6 1969

ALICE J. BUCK CLERK
REGISTER



SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County
No. 8693

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ~~Saunders Food Distributors, Inc., alias~~
~~Food Distributors, and James Carl Peterson, individually, and as~~
~~the agent, servant or employee of Saunders Food Distributors, Inc.,~~
~~Pennacola, Florida~~

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 ~~Saunders Food~~
~~Distributors, Inc., alias Food Distributors and James Carl Peterson, individually,~~
~~and as the agent, servant or employee of Saunders Food Distributors, Inc.,~~
~~Pennacola, Florida~~ Defendant.....

by ~~J. G. Jordan~~

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

Witness my hand this

6

day of

May

1969

Alice Duck

Clerk

J. G. JORDAN

Plaintiff

VS.

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the agent, servant or employee
of Saunders Food Distributors, Inc.,
Pensacola, Florida

Defendants.

* IN THE CIRCUIT COURT OF

* BALDWIN COUNTY, ALABAMA

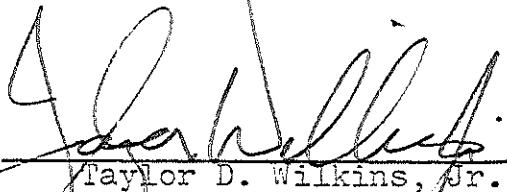
* AT LAW

CASE NO. _____

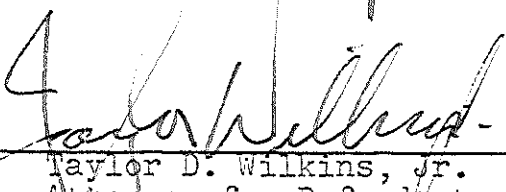
DEMUR

Comes now SAUNDERS FOOD DISTRIBUTORS, INC., and files this demur to the plaintiff's complaint and set down and assigns the following grounds separately and severally:

1. Plaintiff has failed to allege the proximate cause or consequence of the accident was due to the negligence of the defendant.

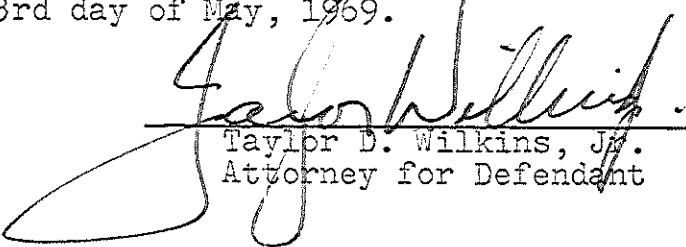

Taylor D. Wilkins, Jr.
Attorney for Defendant

The defendant respectively demands a trial of this cause by a jury.


Taylor D. Wilkins, Jr.
Attorney for Defendant

I certify that I have on this 23rd day of May, 1969, forwarded a true and exact copy of this forgoing demur to Mr. C. Le Noir, ^{Thompson} 124 Courthouse Square, Bay Minette, Alabama, Attorney for Plaintiff, by mailing the same in the United States Post Office, properly addressed, with the postage paid thereon.

Done this the 23rd day of May, 1969.


Taylor D. Wilkins, Jr.
Attorney for Defendant

FILED

MAY 27 1969

ALICE J. DUCK

CLERK
REGISTER

J. G. JORDAN,
PLAINTIFF,

VS.

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the servant, agent or employee
of Saunders Food Distributors, Inc.,
Pensacola, Florida

DEFENDANTS.

: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY, ALABAMA

: AT LAW

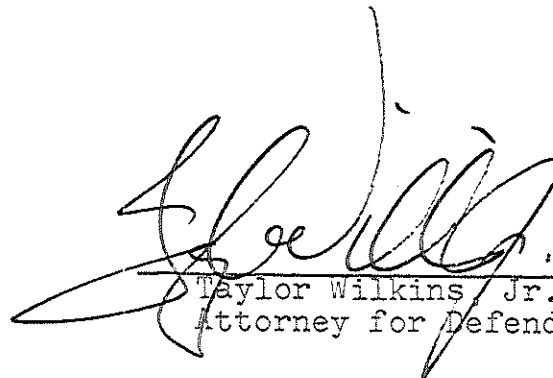
: CASE NO. 8693

PLEA

Comes now the defendant, Saunders Food Distributors, Inc.,
and files the following plea to the plaintiff's complaint and to
each count thereof separately and severally:

I.

Not guilty.

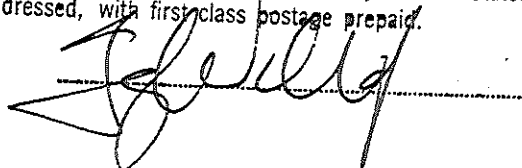

Taylor Wilkins, Jr.
Attorney for Defendant

FILED

OCT 2 1969

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 30 day of Sept
1969 served a copy of the foregoing pleading on counsel for all
parties to this proceeding by mailing the same by United States
Mail, properly addressed, with first class postage prepaid.



ALICE J. DUCK

CLERK
REGISTER

J. B. JORDAN VS JAMES CARL PETERSON (8693)

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☒ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

5C163

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Deliver to addressee only

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

5-10-69

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE: \$300

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and
complete instructions on other side where applicable.
Moisten gummed end, attach and fold fully to back
of article. Print on front of article. RETURN
RECEIPT REQUESTED.

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

RETURN
TO

SECRETARY OF STATE
MONTGOMERY, ALABAMA

36104

POD Form 3811-40-1967 655-0-7125-76