HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON LAWYERS 30TH FLOOR FIRST NATIONAL BANK BUILDING CHAS, C. HAND C. B. ARENDALL, JR. T. MASSEY BEOSOLE MAILING ADDRESS: MOBILE, ALABAMA THOMAS G. GREAVES, JR. VIVIAN G. JOHNSTON, JR. PAUL W. BROCK 36601 ALEX F. LANKFORD, III EDMUND R. CANNON LYMAN F. HOLLAND, JR.

OR P. O. BOX 123 CABLE ADDRESS: TELEPHONE 432-550 AREA CODE 205

August 23, 1972

Mrs. Eunice B. Blackmon, Clerk Circuit Court of Baldwin County Baldwin County Courthouse Bay Minette, Alabama

> Robert A. Hume v. Harford Penn Case No. 8713

Dear Mrs. Blackmon:

By letter dated June 27, 1972, we inquired whether the \$50.00 deposited with you as clerk in the above reference case could be credited against the court cost in the amount of \$47.20 with the balance being forwarded to our offices. We would appreciate hearing from you in regard to this matter at your earliest convenience.

Yours very truly,

HEC/pa

J. THOMAS HINES, JR. DONALD F. PIERCE

EDWARD A. HYNOMAN, JR. G. HAMP UZZELLE, III

LOUIS E. BRASWELL HAROLD D. PARKMAN G. PORTER BROCK, JR. HARWELL E. COALE, JR. STEPHEN G. CRAWFORD JERRY A. MCDOWELL W. RAMSEY MEKINNEY, JR. LARRY U. SIMS A. CLAY RANKIN, III

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

SOTH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

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

Cable Address: Hab Telephone 432-55!! Area Code 205

June 27, 1972

Mrs. Eunice B. Blackmon, Clerk Circuit Court of Baldwin County Baldwin County Courthouse Bay Minette, Alabama

Re: Robert A. Hume v. Harford Penn

Case No. 8713

Dear Mrs. Blackmon:

CHAS, C. HAND C. B. ARENDALL, JR. T. MASSEY BEDSOLE

PAUL W. BROCK

THOMAS G. GREAVES, JR. VIVIAN G. JOHNSTON, JR.

ALEX F. LANKFORD, TIT

LYMAN F. HOLLAND, JR.

J. THOMAS HINES, JR. DONALD F. PIERCE

LOUIS E. BRASWELL HAROLD D. PARKMAN G. PORTER BROCK, JR. HARWELL E. COALE. JR. STEPHEN G. CRAWFORD

JERRY A. MCDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
A. CLAY RANKIN, III
EDWARD A. HYNDMAN, JR.
MICHAEL D. KNIGHY
G. HAMP UZZELLE, III

EDMUND R. CANNON

We received your note in regard to payment of court costs in the above-referenced matter in the amount of \$47.20. Sometime ago we were notified by T. M. Brantley the defendant's attorney that \$50.00 had been deposited with you as Clerk of the Court. Please advise if you can apply this \$50.00 to the payment of costs and forward the balance to our offices. Thank you for your assistance in this matter.

Yours very truly,

For the firm

HEC.jr/jr

J. CONNOR OWENS, JR.

ATTORNEY AT LAW

DAHLBERG BUILDING

P. O. BOX 729

BAY MINETTE, ALABAMA 36507

May 30, 1972

TELEPHONE NO. 937-4661

Mr. Edward A. Hyndman, Jr. Attorney at Law P. O. Box 123 Mobile, Alabama

Subject: Robert A. Hume vs. Harvard Penn

Baldwin County Case No. 8713

Dear Ed:

This is with reference to your letter of May 29, 1972, concerning the above styled matter. Also, I am answering your letter of May 28, 1972, directed to Mrs. Eunice B. Blackmon.

I checked the records today and it does not appear that a writ of discovery has ever issued in this case. You state that such was done on February 4, 1972, however, the records do not indicate such.

Furthermore, it appears that the execution issued in the matter was never returned to the Clerk from the Sheriff's office. I am this day requesting Mr. Byrd in the Sheriff's office to return the execution to Mrs. Blackmon in order that a petition for such a writ of discovery might be filed. Generally, the practice in this county is to file a motion requesting that a writ of discovery be filed, alleging that more than thirty days has elapsed since execution issued and the same was returned marked no property found.

Keep tabs on me and I will attempt to secure some action in this matter.

Sincerely yours,

J. Connor Owens, Jr.

JCO:am

CC: Mrs. Eunice B. Blackmon, Clerk Circuit Court of Baldwin County Bay Minette, Alabama 36507

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

May 28, 1972

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

CABLE ADORESS:
HAB
TELEPHONE
432-5511
AREA CODE 205

Mrs. Eunice B. Blackmon, Clerk Circuit Court of Baldwin County Baldwin County Courthouse Bay Minette, Alabama

Re: Robert A. Hume vs.

Harvard Penn Case No. 8713

Dear Mrs. Blackmon:

You will note from the file that a writ of discovery was issued in the above-captioned case on February 4, 1972. Apparently the defendant never appeared. We would appreciate your issuing a rule nisi or whatever else is necessary in order to get the defendant into court in order that we may discover what assets he has if any and where he works, so that we may garnish his wages if necessary.

Yours very truly,

For the Firm

EAH.er

CHAS, C. HAND C. B. ARENDALL, JR.

T. MASSEY BEDSOLF

EDMUND R. CANNON

DONALD F. PIERCE LOUIS E. BRASWELL

MAROLO D. FARKMAN
G. POATER BROCK, JR.
HARWELL E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. MEDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
A. CLAY RANKIN, M.
EDWARD A. HYNDMAN, JR.
MICHAEL D. KNIGHT
G. HAMP UZZELLE, M.

LYMAN F. HOLLAND, JR.

J. THOMAS HINES, ID.

PAUL W. BROCK

THOMAS G. GREAVES, JR. VIVIAN G. JOHNSTON, JR.

cc: J. Connor Owens, Jr.

		PLEA	
ROBERT A	A. HUME,)	
	Plaintiff,)	IN THE CIRCUIT COURT OF
VS.	1 A	,	BALDWIN COUNTY, ALABAMA
HARFORD	51. fr.)	CASE NO.
	Defendant.	Ç	- O.

1.

Not Guilty.

WILTERS & BRANTLEY

BY: Solut Brantley
Tolbert M. Brantley

The Defendant demands a trial by Jury.

WILTERS & BRANTLEY

BY: Sollus ha Bantley
Tolbert M. Brantley

CERTIFICATE OF SERVICE

I do hereby certify that I have on this day of May 1942 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, and first class postage prepaid.

WILTERS & BRANTLEY

By Lolluk Bang

FILED

MAY 20 1989

ALCO J. STORY CLERK REGISTER

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT TAW

CASE NO. 28286 - CAFFEY HAND, ARENDALL, BEDSOLE, ROBERT A. HUME N.J. GREAVES & JOHNSTON BY: HARWELL E. COALE VS. Suit for \$1,500.00 damages to auto. (TORT)

TOLBERT M. BRANTLEY HARFORD PENN N.J. P.O. Box 968 Bay Minette, , Ala. , 36597. PLEADINGS, ROCESS, ETC, * FILING DATE 1. Complaint & Summons 4-21-69 & S served on Defendant on April 26, 1969. 5-9-69 2. Plea in Abatement May 16, 1969 - Plea in Abatement sustained and case transferred to Baldwin County for further proceedings. /s/ Will G. Caffey, Jr. Judge 3 30

I. JOHN E. MAN DEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court. In Witness whereof I have hereunto set my hand and attached my Official Seal as such Clerk of said Court at Mobile. Mobile

County. Alabama, on this the 16th day of

· 1.00

ROBERT A. HUME, IN THE CIRCUIT COURT OF

> Plaintiff, MOBILE COUNTY, ALABAMA

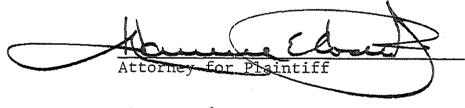
vs. AT LAW

HARFORD PENN

CASE NO. 28286 Defendant.

COMPLAINT

The plaintiff claims of the defendant, ONE THOUSAND FIVE HUNDRED AND NO/100 (\$1,500.00) DOLLARS as damages for that heretofore and on, to-wit: August 12, 1968, the defendant so negligently operated a motor vehicle on U. S. Highway 98 at a point on said Highway near Daphne, Alabama, at which point said U. S. Highway 98 is a public road in the County of Baldwin, State of Alabama, so as to cause or allow said motor vehicle to collide with the plaintiff's motor vehicle which was then being operated on said U. S. Highway 98 at a point near Daphne, Alabama, and as a direct and proximate result and consequence of the aforesaid negligence of the defendant, the plaintiff's motor vehicle was bent, broken and damaged and the plaintiff lost the use thereof for a period of time, hence, this suit.



OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON Defendant may be served at:

Daphne, Alabama

STATE OF ALA. MOBILE CO. I CERTIFY THIS PLEADING WAS FILED ON

APR 21 8 18 AH *69

THE STATE OF ALABAMA

MOBILE COUNTY

CIRCUIT COURT

HARFORD PENN			
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•			
o appear within thirty day	s from service of this proc	ess, in the Circuit Court of I	Mobile County, Alabama
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ROBERT A. HUME			
			- Comment - Comm
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99 -			
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		21st .	April 40 69
WITNESS: John E. Mande	eville, Clerk of said Court, t	test: John 6. 1	<u> </u>
	At	test: <i>John 6. Ju</i>	(anderulle)
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	•	RAY D. BRIDGE	es, sheriff
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244-26-69

Sheriff claims D 7 miles at
Ten Cents per mile Total \$ 5.40
TAYLOR WICKINS, Sheriff
BY Randall
DEPUTY SHERIFF
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Harford Penn
service on
TAYLOR WILKINS, Sheriff
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D. S.
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	No., 2828	6-0	LDOCKET	
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CIRC	JUIT MOBILE	COU	JRT	
			-	
Robert A	. Hume			

Complaint and Summons

Harford Penn

Issued 21st day of April:

Defendant's Address

RESIDENCE: take left off Highway 98 on Wilson Avenue in Daphne, Alabama, proceed about 3/4 mile. At this point, his house will be on the left side of Wilson Avenue in Daphne, Alabama.

HARWELL E. COALE

Plaintiff's Attorney

~ #28286

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR-FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

April 10, 1969

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

CABLE ADDRESS: HAB TELEPHONE 432-5511 AREA CODE 205

Clerk, Circourt Court Mobile County Courthouse Mobile, Alabama

Re: Robert A. Hume vs. Harford Penn,

Case No. 28286

Dear Sir:

CHAS. C. HAND C. B. ARENDALL, JR.

T, MASSEY BEDSOLD 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 E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. MCDOWELL
W. RAMSEY MCKINNEY, JR.
W. RAMSEY MCKINNEY, JR.

LARRY U. SIMS
C. WAYNE LOUDERMILCH
A. CLAY RANKIN, III,
EDWARD A. HYNDMAN, JR.

We are filing herewith a complaint against Harford Penn. For the purpose of serving the summons and complaint, his residence can be found by taking a left off of Highway 98 on Wilson Avenue in Daphne, Alabama, and proceed for about 3/4 of a mile. At this point, his house will be on the left side of Wilson Avenue.

Yours very truly,

For the Firm

STATE OF ALA, MOSILE CO. I CERTIFY THIS PLEADING HEC. SPWAS FILED ON

APR 21 8 18 AM PRO

Shipping CLERY

STATE OF ALA. MOBILE CO. I CERTIFY THIS PLEADING WAS FILED ON

Ara 15 8 24 AH 768

Jan Antanbrella OLERIE

ROBERT A. HUME,)				
·	_	IN THE CIRCUIT COURT OF			
Plaintiff	=,)	MOBILE COUNTY, ALABAMA			
VS.)	ŕ			
HARFORD PENN,	`	AT LAW			
imit one i min,	,	CASE NO. 28,286			
Defendant	.)				

PLEA IN ABATEMENT

Comes now the Defendant in the above styled cause and appears for the purpose of filing this, his Plea in Abatement to the jurisdiction, and for grounds for said Plea, says as follows:

That the cause of action complained of, being an automobile wreck, occurred in Daphne, Baldwin County, Alabama. That the Defendant, Harford Penn, is a resident citizen of Daphne, Baldwin County, Alabama, and has been for the past 25 years and has never lived in Mobile County, Alabama. That the Court is without jurisdiction to try this case.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Harford Penn, who is known to me and who being by me first duly sworn, deposes and says: That he has read the aforegoing Plea in Abatement and that the matters stated therein are true and correct.

Given under my hand and seal on this the 8th day of May, 1969.

CERTIFICATE OF SERVICE

I do heleby cellify that I have on this. A day of 19 served a copy of the foregoing pleading on counsel or all parties to this proceeding by mailing the same by United States Mail, properly add.essed, and first class postage prepaid.

FRIDAY, MAY 16, 1969

ROBERT A. HUME

) PLEA IN ABATEMENT SUSTAINED,

CAFFEY -vs- 28286

) AND CASE TRANSFERRED TO

BALDWIN COUNTY FOR FURTHER

HARFORD PENN

) PROCEEDINGS

This day in open Court came the parties by their attorneys, and defendant's Plea in Abatement filed May 9, 1969, in this cause, coming on to be heard and being argued by counsel and understood by the Court:

the Court;

It is ordered and adjudged by the Court that defendant's said Plea in Abatement filed May 9, 1969, in this cause be, and the same is hereby sustained, and cause ordered transferred to the Circuit Court of Baldwin County, Alabama, for forther proceedings.

Minute Book 39

Page 70

STATE OF ALABAMA, \ COUNTY OF MOBILE

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby
certify that the foregoing is a full, true and correct copy of ORDER OF COURT
as rendered by the said Circuit Court on the 16th day of May , 19 69, in the cause
entitled No. 28286 - ROBERT A. HUME
, Plaintiff,
versus HARFORD PENN
Defendant, (Together-withinthexeaxion matter thereof), as the same remains of record in this office in
Minute Book No. 39, Page No. 70
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office
in the City of Mobile. Alabama, on this the 16th day of May

ATTEST:

Clerk, Circuit Court, Mobile County, Alabama.

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

ROBE	ERT A.	HUN	Œ							Plaintif
No. 28286	HARF	ORD	PEN	IN	7	VS.				_ Defendan
(Act No. 740, Reg. Session Ala. Leg Appvd. Sept. 20, 1957) (Amend Sec. 21, Title 11, Code Ala. 194		957	3		0	F C O S T (Act No. 571, Re (Amend Sec. 34)	eg. Ses. and 100,	Leg. 19 Title 1	55) 1. Code	Ala. 1940)
CLERK'S FEES		PI	tff.	Def	t.	SHERIFF'S FEES		Pl	tff.	Deft.
Suits for \$100 or less	\$ 6.00					Mileage \$5.40 Serving Summons & Complaint Serving Writ of Garnishment		6	90	
Suits for over \$100 but less than \$1,000	10.00				·	Serving Sci FaNotices	1.50			
Suits for \$1,000 and over		20	00		······································	Executing Writ Possession Seizing personal property under Writ of Detinue				
Suits not otherwise provided						Writ of Detinue				
Writs, Mandamus, Prohibition, etc	15.00					Impanelling Jury Taking & Approving Bond				
Appeals from Court General Sessions	15.00					Collecting Costs Execution Serving Contempt Writ	1.50 1.50			
Appeals from JP Courts			,			Making Deed for Property sold Commission, collecting money on executions, 1st \$200 5%;	2.50			
Appeals from State Dept of Pub. Safety, and other State Agencies						\$200 to \$500 4%; over \$500 3% \$ Total \$	*******	6	90	
Workmen's Compensation Settle.										
Garnishment on Judgment	6.00									
Order of Sale, Motions to sell.	6.00									
Recording executions from State Agencies	3.00									
Cert. Copy of Record - per 100 words	15		80			RECAPITULATION				
Taking Appeal Bond						Clerk		20	00	
Record for Supreme Court etc., per 100 words	15					Sheriff Taylor Wilkins Baldwin County		6	90	
Add'l Copies of Record for Supreme Court, per 100 words	05					Inferior Civil Court Justice Peace fees				
Checking - including Reporters Transcript of Evidence	10.00					Witness fees				
Certifying Abstract in lieu of Transcript on Appeal	5.00					Judgment				
Collecting Money on Judgments over 30 days old, ½ the per- centage allowed Sheriffs	\$	the state of the s				Interest Stenographer's fees (\$10.00 Day) Library fee	1.50	<u> </u>	50 50	
	\$					Trial Tax (County) Trial Tax (State) Advertisement	1.50 1.50	Ī	50	
Total	.\$	20	දුර			Garnishee's fees				
I respectfully beg to advise	e that i	f this	bill					\$32.	,20	- 11

JOHN E. MANDEVILLE, Clerk

execution for same.