

4175

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

817 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

HEMLOCK 2-0568

JANUARY 7, 1958

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1925-1956)

WILLIAM L. GREEN

MR. DOYLE BAGGETT
ROUTE 1
BAY MINETTE, ALABAMA

DEAR DOYLE:

ENCLOSED HEREWITH IS AN APPEAL FROM YOUR
DRIVERS LICENSE TO BE FILED IN THE CIRCUIT COURT
OF BALDWIN COUNTY.

YOU WILL NOTE THAT YOU NEED TO SIGN THIS
BEFORE A NOTARY AND ALSO THAT YOU AND TWO PERSONS
NEED TO SIGN THE SAME THAT YOU WILL PAY THE COSTS.
IF YOU WILL TAKE THIS PAPER TO THE CLERK OF THE
COURT I FEEL SURE THAT SHE WILL ALLOW YOUR FATHER
AND SOME OTHER PERSON TO SIGN THIS FOR COSTS ALONG
WITH YOU AND ALSO AT THAT TIME I BELIEVE THAT YOU
CAN SIGN THE SAME BEFORE HER AND SHE WILL NOTARIZE
IT.

WHEN THIS IS DONE PLEASE HAVE HER FILE IT AND
NOTIFY ME THAT THE SAME IS FILED AND TELL HER THAT
I HAVE MAILED A COPY TO THE DIRECTOR OF THE DEPART-
MENT OF PUBLIC SAFETY.

VERY TRULY YOURS,

COLLINS, GALLOWAY & MURPHY

By: 
THOMAS M. GALLOWAY

TMG/FS

January 10, 1958

Collins, Galloway & Murphy
Attorneys at Law
First National Bank Bldg.
Mobile, Alabama

Attention: Hon. Thomas M. Galloway

Dear Sir:

Re: Hentis Doyle Baggett
VS
Dept. Public Safety

The appeal in the above styled cause has been filed this day,
the bond approved, and case placed on Equity docket No. 4195.

Yours very truly

Register.

AJD/eb

RE: : IN THE CIRCUIT COURT OF
APPEAL OF HERTIS :
DOYLE BAGGETT. : BALDWIN COUNTY, ALABAMA

APPEAL IS HEREBY TAKEN TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, UNDER THE PROVISIONS OF SECTION 74 (43) OF TITLE 36, CODE OF ALABAMA, 1940 AS AMENDED, FROM THAT CERTAIN ORDER OF THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF ALABAMA WHEREIN THE DRIVERS LICENSE AND LICENSE PLATES OF HERTIS DOYLE BAGGETT WERE SUSPENDED FOR NON PAYMENT OF JUDGEMENT ARISING OUT OF AN AUTOMOBILE ACCIDENT.

YOUR PETITIONER SHOWS UNTO THIS HONORABLE COURT THAT HE WAS INVOLVED IN AN AUTOMOBILE ACCIDENT IN BALDWIN COUNTY, ALABAMA, AND THAT SUBSEQUENT THERETO HIS DRIVERS LICENSE EXPIRED AND HE APPLIED TO THE JUDGE OF PROBATE AND RECEIVED A TEMPORARY PERMIT BUT HIS DRIVERS LICENSE WERE NEVER ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF ALABAMA, THE SAME APPARENTLY BEING SUSPENDED FOR NON PAYMENT OF THE JUDGEMENT ARISING OUT OF THE AUTOMOBILE ACCIDENT ABOVE REFERRED TO.

YOUR PETITIONER ALLEGES THAT AT THE TIME OF THE ABOVE SAID ACCIDENT HE HAD AUTOMOBILE LIABILITY INSURANCE BUT THAT SUBSEQUENT THERETO AND BEFORE THE TIME OF THE TRIAL HIS AUTOMOBILE LIABILITY INSURANCE CARRIER, THE LAWYERS MUTUAL INSURANCE COMPANY, WENT INTO RECEIVERSHIP AND THEY HAVE FAILED AND/OR REFUSED TO PAY THE JUDGEMENT AS RENDERED AGAINST HIM IN THIS HONORABLE COURT AND THAT YOUR PETITIONER HAS PAID PART OF SAID JUDGEMENT BUT BEING WITHOUT ASSETS AND BEING FORCED TO FILE BANKRUPTCY PROCEEDINGS HE HAS

HOWEVER CONTINUED TO PAY TWENTY FIVE AND 00/100
(\$25.00) DOLLARS PER MONTH ON THE SETTLEMENT IN
THIS MATTER OF SEVEN HUNDRED FIFTY AND 00/100
(\$750.00) DOLLARS.

YOUR PETITIONER ALLEGES THAT IMMEDIATELY AFTER
THIS ACCIDENT AND AT ALL TIMES SINCE THEN HE HAD IN
FORCE AND EFFECT LIABILITY INSURANCE ON HIS AUTO-
MOBILE BUT THAT HIS OCCUPATION IS THAT OF A TRUCK
DRIVER AND WITHOUT SAID LICENSE HIS INCOME IS GREATLY
DECREASED.

PETITIONER RESPECTFULLY PRAYS THAT THIS COURT
SHALL ISSUE AN ORDER STAYING THE OPERATION OF THE
ORDER OF THE DIRECTOR OF PUBLIC SAFETY SUSPENDING
THE PETITIONER'S LICENSE AND FURTHER ORDER THE
DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE
TO YOUR PETITIONER A LICENSE, SINCE AT ALL TIMES HE
HAS ATTEMPTED IN GOOD FAITH TO COMPLY WITH THE TERMS
OF THE SAFETY RESPONSIBILITY ACT, AS SUPRA, DUE TO
HIS INSURANCE COMPANY BEING INSOLVENT AND WHOLLY
WITHOUT HIS FAULT THE JUDGEMENT AGAINST HIM WAS
UNSATISFIED EVEN THOUGH HE PAID THE PREMIUM FOR THE
INSURANCE WHICH DID NOT PROTECT HIM.

IT IS FURTHER PRAYED THAT IF YOUR PETITIONER
HAS NOT IN ALL RESPECTS COMPLIED WITH THE LAW THAT
THIS HONORABLE COURT WILL UNDER ITS EQUITY POWERS
DECLARE THAT YOUR PETITIONER HAS COMPLIED IN ALL
RESPECTS WITH THIS LAW AND ORDER THE DIRECTOR OF
THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE TO HIM HIS
DRIVERS LICENSE.

A WRITTEN NOTICE OF THIS APPEAL IS BEING SERVED
UPON THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY
BY SENDING A COPY OF SAME THROUGH THE UNITED STATES

MAIL AT HIS ADDRESS IN MONTGOMERY, ALABAMA, POSTAGE
PREPAID.

SINCE THIS IS AN APPEAL APPARENTLY AFFECTING
ONLY THE DEPARTMENT OF PUBLIC SAFETY AND YOUR
PETITIONER NO COPY OF SUCH IS BEING MAILED TO ANY
OTHER PARTY, YOUR PETITIONER NOT BEING FAMILIAR
WITH ANY OTHER PARTY IN INTEREST IN THIS MATTER.

Hertis Doyle Baggett
HERTIS DOYLE BAGGETT, APPELLANT

SUBSCRIBED AND SWORN TO BEFORE ME
ON THIS 10th DAY OF JANUARY, 1958.

[Signature]
NOTARY PUBLIC

WE HEREBY BIND OURSELVES FIRMLY AND BY THESE
PRESENTS TO THE STATE OF ALABAMA TO PAY ALL COSTS
CREATED BY THIS APPEAL.

Hertis Doyle Baggett
PRINCIPAL

J. J. Baggett
SURETY

Nura Long
SURETY

Filed Jan. 10, 1958

4195

FILED

JAN 10 1958

ALICE J. BUCK, Register