

STATE OF ALABAMA
COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Dr. C. H. WHARTON to appear within thirty (30) days from the service of this writ in the Circuit Court, to be held in said County at the place of holding same, then and there to answer the complaint of ABITA RAYMOND.

Witness my hand this the 23th day of October 1935.

Robert S. Duck
Clerk of the Circuit Court.

ABITA RAYMOND,
Plaintiff,

VS.

Dr. C. H. WHARTON,
Defendant.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA,
AT LAW.

ONE:

The Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS, as damages for that on to-wit the 24th day of October, 1935, the Plaintiff, while being carried as a passenger along the Robertsdale-Loxley public road, at a pint about one and one-half mile North of Robertsdale in Baldwin County, Alabama, in an automobile owned and which was then and there being operated or driven by one Joe Lucassen, was injured by the automobile of the said defendant as follows; to-wit:

Received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched out and crushed, chest injuries, several deep lacerations on left leg, her breast, chest and stomach crushed, and her body otherwise mangled and or bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.

Plaintiff avers that her injuries were proximately caused by the negligence of the said Defendant in and about the management and operation of said automobile.

TWO:

The Plaintiff claims of the Defendant the further sum of TEN THOUSAND (\$10,000.00) DOLLARS, damages, for that on, to-wit, October 24th, 1935, the Defendant, so negligently operated an automobile which belonged to said Defendant, and which he was then and there driving or running along the public road leading from Robertsdale to Lexley, in Baldwin County, Alabama at a point about one and one-half mile North of the town of Robertsdale, that it crashed or run into an automobile in which the plaintiff was riding as a passenger, which was driven by one JOE LUCASSEN, and as a ^{proximate} result the plaintiff was injured as follows:

She received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched cut and crushed, chest injuries, several deep lacerations on left leg, her breast chest, and stomach crushed, and her body otherwise mangled and or bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.

Plaintiff avers that the said injuries received by her were proximately caused by the negligence of the said Dr. C. W. Wharton, in and about the management and operation of said automobile.

THREE:

Plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on, to-wit, October 24th, 1935, the Defendant, was operating an automobile along the Robertsdale-Lexley public road, in Baldwin County, Alabama, at a place about one and one-half mile North of the town of Robertsdale, and the plaintiff while riding in the automobile of one JOE LUCASSEN, as a guest, that the said automobile of said Defendant at said time and place was so negligently operated that it was caused or allowed by the said Dr. C. W. Wharton, to collide with an automobile driven by one JOE LUCASSEN, and the plaintiff was injured as follows:

She received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched cut and crushed, chest injuries, several deep lacerations on left leg, her breast, chest, and stomach crushed, and her body otherwise mangled and or bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.


Plaintiff avers that the said injuries received by her were proximately caused by the negligence of the said Dr. C. H. Whorton, in and about the management of said automobile which he was driving or operating.

FOUR:


The plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on, to-wit, October 24th, 1935, the Defendant so negligently operated an automobile which he was then and there driving or running along the public road leading from Robertsdale to Loxley, in Baldwin County, Alabama, at a point of said road about one and one-half mile North of Robertsdale, that he caused or allowed the said automobile which he was driving or running to run into or collide with an automobile driven by one JOE LUCASSEN, in which the Plaintiff was riding as a passenger, and Plaintiff was injured as follows:

She received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched cut and crushed, chest injuries, several deep lacerations on left leg, her breast, chest, and stomach crushed, and her body otherwise mangled and bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.

Plaintiff avers that the said injuries received by her were proximately caused by the negligence of the Defendant, in and about the management and operation of said automobile.


Attorney for the Plaintiff.

Plaintiff demands a trial by Jury.


Attorney for the Plaintiff.

The State of Alabama, {

Baldwin County.

CIRCUIT COURT AT BAY MINETTE, ALA.

Before me, Ora Sirmon, a Notary Public,

in and for said County, personally appeared Orvis M. Brown

who, being duly sworn, on oath saith that he is attorney for Anita Raymond

that C. H. Wharton justly indebted to

Anita Raymond

in the sum of Ten Thousand Dollars, which said

amount is justly due after allowing all just offsets and discounts, and that the said

C. H. Wharton is a non-resident of the State of Alabama.

and that this Attachment is not sued out for the purpose of vexing or harassing the Defendant, or other improper motive.

Subscribed and sworn to before me this 28th day of October 1935.

RECORDED

Book
7-349

No. 207

The State of Alabama,

Baldwin County.

CIRCUIT COURT

AT BAY MINETTE, ALA.

Anita Raymond

TO

Mr. C. H. Wharton

Attachment Bond and Affidavit

Filed this the 28 day

of October 1935

Robert S. Duck Clerk.

Attorney.

ATTACHMENT.

The State of Alabama,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

WHEREAS, Orvis M. Brown

hath complained on oath to me, ROBERT S. DUCK, Clerk of Circuit Court of Baldwin County, Ala.,

that Dr. C H. Wharton

is justly indebted to the Plaintiff Anita Raymond

in the sum of Ten Thousand Dollars

Dollars, and

Orvis M. Brown

having made affidavit and ~~given bond~~ Defendant

being a non-resident, elected not to give bond
as required by law, in such cases, you are hereby commanded to attach so much of the estate of
Air-Flow
Dr. C. H. Wharton, to-wit, One/DeSota A utomobile

as will be of value sufficient to satisfy said debt and costs, according to the complaint; and such estate, so
attached unless replevied, so to secure, that the same may be liable to further proceedings thereon to be
had by the Circuit Court of Baldwin County, Ala., at a term thereof, to be held at the Court House of said
County, ~~on~~ within thirty days from service hereoff
Monday of

~~next~~ when and where you must make known to said Court how you have executed this Writ.

WITNESS, my hand, this 28th day of October

A. D. 193 5

Robert S. Duck

Clerk.

Executed 10-30-35
by taking into my
possession one
Air Flow The Sato
Automobile as the
property of Dr C. H. Wharton

M. H. Wilkins Sheriff
C. N. Anderson, D. S.

RECORDED

Sub
7-383

No. 207

ATTACHMENT

ANITA RAYMOND

Vs. { ATTACHMENT

DR. C. H. WHARTON

Issued Oct. 28th, 1935, 193

MOORE PRINTING CO.,

Circuit Court, Baldwin County

Antee Raymond

PLAINTIFF

vs.

De H. Johnston

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per hundred words			
Copies of same, when over 200 words, 15c per 100	30		30	Copies, 5c per hundred words			
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per hundred words			
Entering Sheriff's Return on Summons and Complaint	20		20	Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		25	Witness Certificate	25		
Subpoena for Witness	30			Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50			Entering Order of Court not above named	30		
Filing	10		40	Administering Oath	25		
Trial and Incidents	75			Taking Bond for Costs of Non-Resident Plaintiff	75		
Entering Judgment, or copy of same	30		20	Copy of any paper not above named, 15c per hundred words			
Order for Continuance	10			Filing Writ of Prohibition and Entering Return	15		
Issuing Execution	50			Issuing Writ of Prohibition	75		
Docketing Execution	25			Issuing copies of same, 15c per 100 words	15		
Issuing copy of same	50			Filing Mandamus and Entering Return	75		
Entering Sheriff's Return on Execution, 15c per hundred words	20			Issuing Writ of Mandamus	75		
Final Record, 15c per hundred words	30	5	00	Issuing copies of same, 15c per 100 words			
Order for Alias Summons and Complaint	30		30	Total Clerk's Fees			
Order to Dismiss Cause	30			SHERIFF'S FEES			
Order to Set Aside Dismissal	30			Serving and Returning Summons	\$1 50		
Order Overruling Motion to Set Aside Dismissal	75			Serving and Returning Subpoenas	65		
Order Granting New Trial	30			Collecting Execution for Costs	1 50		
Order Overruling Motion for New Trial	30			Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion for Continuance	30			Executing Writ of Possession	2 50		
Order Overruling Motion to Set Aside Default	30			Levying Attachment	3 00		
Order for Notice to Non-Resident Defendant	30			Entering and Returning Attachment	25		
Issuing Notice for Publication and Copy 20c per hundred words	30			Entering and Returning Execution	25		
Order to Give Security for Costs	30			Summoning and Returning Garnishee	1 50		
Order to Give Additional Bond	30			Taking and Approving Garnishee Bond	75		
Order to Execute Writ of Inquiry	30			Serving and Returning Writs	1 50		
Order of Sale in Attachment	30			Serving and Returning Summons on Forcible Entry	1 00		
Order for Leave to Amend Complaint	30			Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Pleas	30			Taking and Approving Bonds of Every Kind	1 00		
Order for Leave to Amend Writ of Process	30			Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30			Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10			Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75			Taking and Approving Plaintiff's Detinue Bond	1 00		
Issuing copy of same, per hundred words	15			Taking and Approving Defendant's Detinue Bond	1 00		
Issuing Copy of Interrogatories, 15c per hundred words, but not less than	50			Making Deed	2 50		
Endorsing each Pet. Deposition Opened	10			Serving Attachment for Contempt of Court	1 50		
Taking Bond in Garnishment on Summons	75			Collecting Money on Execution			
Summons to Garnishee	50			Empanelling Jury	75		
Copies of same, 20c per hundred words				Sheriff's Commission for Property Sold under Attachment			
Notice to Defendant in Garnishee on Summons, and copy, per hundred words	20			Seizing Personal Property on Writ of Detinue	3 00		
Swearing Garnishee and Recording Answer, 15c per hundred words, but not less than	50			Total Sheriff's Fees			
Filing Attachment	10		100	RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00			Judgment			
Issuing Copies of Attachment Writ, 15c per hundred words				Interest			
Filing Certiorari and Entering Return	15		6 10	Clerk's Fees			
Taking Certiorari Bond and Filing Same	75			Sheriff's Fees			
Issuing Writ of Certiorari	75			Justice's Fees			
Issuing copies of same, 15c per 100 words				Constable's Fees			
Issuing Writ of Scieri Facias, or Notice in Nature of	75			Witnesses' Fees			
Issuing copies of same, 15c per 100 words				Commissioners' Fees			
Taking Supersedeas Bond and Filing same	75			Printer's Fees			
Taking Appeal Bond and Filing same	75			Stenographer's Fees	5 00		
				Answer of Garnishee			
				Trial Tax	3 00		
				Total	\$		
TOTAL FORWARDED							

Received payment this *8th* day of *Jan* 193*6*

ATTEST

Clerk Circuit Court, Baldwin County, Ala.

STATE OF ALABAMA
COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Dr. C. H. WHARTON to appear within thirty (30) days from the service of this writ in the Circuit Court, to be held in said County at the place of holding same, then and there to answer the Complaint of ANITA RAYMOND.

Witness my hand this the 28th day of October 1935.

Robert H. Duck
Clerk of the Circuit Court.

ANITA RAYMOND,	:	
	:	
Plaintiff,	:	
	:	
VS.	:	IN THE CIRCUIT COURT OF BALDWIN
	:	
Dr. C. H. WHARTON,	:	COUNTY, ALABAMA,
	:	
Defendant.	:	AT LAW.

ONE:

The Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS, as damages for that on to-wit the 24th day of October, 1935, the Plaintiff, while being carried as a passenger along the Robertsdale-Loxley public road, at a pint about one and one-half mile North of Robertsdale in Baldwin County, Alabama, in an automobile owned and which was then and there being operated or driven by one Joe Lucassen, was injured by the automobile of the said defendant as follows; to-wit:

Received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched cut and crushed, chest injuries, several deep lacerations on left leg, her breast, chest and stomach crushed, and her body otherwise mangled and or bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.

Plaintiff avers that her injuries were proximately caused by the negligence of the said Defendant in and about the management and operation of said automobile.

TWO:

The Plaintiff claims of the Defendant the further sum of TEN THOUSAND (\$10,000.00) DOLLARS, damages, for that on, to-wit, October 24th, 1935, the Defendant, so negligently operated an automobile which belonged to said Defendant, and which he was then and there driving or running along the public road leading from Robertsdale to Loxley, in Baldwin County, Alabama, at a point about one and one-half mile North of the town of Robertsdale, that it crashed or run into an automobile in which the plaintiff was riding as a passenger, which was driven by one JOE LUCASSEN, and as a ^{proximate} result the Plaintiff was injured as follows:

She received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched cut and crushed, chest injuries, several deep lacerations on left leg, her breast chest, and stomach crushed, and her body otherwise mangled and or bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.

Plaintiff avers that the said injuries received by her were proximately caused by the negligence of the said Dr. C. H. Wharton, in and about the management and operation of said automobile.

THREE:

Plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on, to-wit, October 24th, 1935, the Defendant, was operateing an automobile along the Robertsdale-Loxley public road, in Baldwin County, Alabama, at a place about one and one-half mile North of the town of Robertsdale, and the plaintiff while rideing in the automobile of one JOE LUCASSEN, as a guest, that the said automobile of said Defendant at said time and place was so negligently operated that it was caused or allowed by the said Dr. C. H. WHARTON, to collide with an automobile driven by one JOE LUCASSEN, and the plaintiff was injured as follows:

She received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched cut and crushed, chest injuries, several deep lacerations on left leg, her breast, chest, and stomach crushed, and her body otherwise mangled and or bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.

Plaintiff avers that the said injuries received by her were proximately caused by the negligence of the said Dr. C. H. Wharton, in and about the management of said automobile which he was driveing or operating.

FOUR:

The Plaintiff claims of the Defendant the further and additional sum of TEN THOUSAND (\$10,000.00) DOLLARS, for that on, to-wit, October 24th, 1935, the Defendant so negligently operated an automobile which he was then and there driving or running along the public road leading from Robertsdale to Loxley, in Baldwin County, Alabama, at a point of said road about one and one-half mile North of Robertsdale, that he caused or allowed the said automobile which he was driving or running to run into or collide with an automobile driven by one JOE LUCASSEN, in which the Plaintiff was rideing as a passenger, and Plaintiff was injured as follows:

She received deep cuts on the forehead, left eye and nose seriously bruised, left arm scratched cut and crushed, chest injuries, several deep lacerations on left leg, her breast, chest, and stomach crushed, and her body otherwise mangled and bruised; that she was caused to suffer great physical pain and mental anguish, and to doctor and hospital bills, and other expense.

Plaintiff avers that the said injuries received by her were proximately caused by the negligence of the defendant, in and about the management and operation of said automobile.


Attorney for the Plaintiff.

Plaintiff demands a trial by Jury.


Attorney for the Plaintiff.

1/61

RECORDED
no 207 Duck
7-381

Rec in office
10/28/35

M. H. Wilkins - *aff*

Anita Raymond

Returned 12/31/35

V.S.

Dr. C. H. Wharton

Dr. C. H. Wharton

Def't not found in
Baldwin County.

Bill of Complaint

M. H. Wilkins - *aff*

Filed Oct 28, 1935
Robert S. Duck

ORVIS M. BROWN

ATTORNEY-AT-LAW

ROBERTSDALE, ALABAMA