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TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Fred Frishkorn, individually and doing business as Frisko Distributing Company, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, at the place of holding same, then and there to answer the complaint of Rex Dolive, as Administrator of the Estate of Marone C. Dolive.

Witness my hand this 25th day of August, 1942.

U. S. A. S. S. R.

Clerk.

[illegible]

REX DOLIVE, as Administrator of
the Estate of Marone C. Dolive,
Deceased,

Plaintiff,

VS.

FRED FRISHKORN, Individually and
doing business as Frisko Distributing
Company,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

1. The Plaintiff claims of the Defendant Twenty-five Thousand Dollars damages, for that, heretofore, on to-wit, the 10th day of March, 1942, the Defendant's agent, servant or employee, while acting within the line and scope of his authority, so negligently operated a motor truck on the public highway known as U. S. Highway Number 90, at a point about two miles west of Loxley, Alabama, and at or near the residence of A. W. Saxe in Baldwin County, Alabama; that the same was run upon or against Plaintiff's intestate and as a proximate consequence thereof Plaintiff's intestate was killed. Plaintiff avers that his intestate was killed

as a proximate consequence of the aforesaid negligence of the Defendant's agent, servant or employee while acting within the line and scope of his authority.

2. The Plaintiff claims of the Defendant the sum of Twenty-five Thousand Dollars as damages, for that, heretofore, on to-wit, March 10, 1942, Plaintiff's intestate was in the act of crossing the public highway known as U. S. Highway Number 90 at a point about two miles west of Loxley in Baldwin County, Alabama, at or in proximity to the junction of the said highway with a dirt road west of the property of A. W. Saxe, both of which are public highways in said county and state and at said time and place the Defendant's agent, servant or employee, acting within the line and scope of his authority, was operating a motor truck and plaintiff avers that the Defendant's agent, servant or employee, while so acting within the line and scope of his authority, then and there negligently ran said motor truck against, over or upon Plaintiff's intestate, thereby killing him; Plaintiff avers that the death of his intestate was proximately caused by the negligence of the said Defendant's agent, servant or employee, namely, H. E. Brantley, in that at the said time and place he so negligently handled, managed, operated or controlled the motor vehicle which he was driving that it ran against, upon or over Plaintiff's intestate as aforesaid. Plaintiff avers that the death of his intestate was the proximate consequence of the aforesaid negligence of the said Defendant's said agent, servant or employee.

L. B. Blackburn
Attorney for Plaintiff.

Plaintiff demands a trial of said cause by jury.

L. B. Blackburn
Attorney for Plaintiff.

Recd in Office of
Circuit Court

Presented & approved
by serving copy of
the within summons
and complaint
on the defendant
individually and
doing business as
C. B. Frisko Distributing
Company.
W. M. Stewart
Sherry

RECORDED
\$5.64

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SUMMONS AND COMPLAINT

LEX JOLIVE, as Administrator of
the estate of Marone C. Jolive,
Deceased,

Plaintiff,

VS.

FRED FRISKORN, Individually and
doing business as Frisko Distributing
Company,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Filed Sept 25 1943
J. B. Blackburn
By

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

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