

Castille, was at the time and place complained of being driven in a careful and prudent manner.

9. For aught that appears the damages alleged to have been sustained by the Plaintiff are not the proximate consequence of any negligence of the Defendants.

10. For aught that appears the Defendant Jack Lawrence Castille, the alleged agent, servant or employee of the Defendant E. Menard, was not acting within the line and scope of his employment as such agent, servant or employee at the time and place complained of.

McCORMEY, TURNER, ROGERS, JOHNSTONE & ADAMS

By:

James M. Adams
Attorneys for Defendants

1202
RECORDED

Ans.

at the time and place complained of.

and scope of his employment as such agent, servant or employee
of the Defendant E. Hester, was not within the line

heretofore stated, the alleged agent, servant or employee

10. Nor ought that appears the Defendant Jack
consequence of any negligence of the Defendant.

have been sustained by the Plaintiff are not the proximate

8. Nor ought that appears the damages alleged to
in a causal and proximate manner.

Castillo, was at the time and place complained of being driven

BY: *[Signature]*
Attorney at Law

McCORMACK, FURBER, HOGAN, JOHNSON & CO.

FILED

SEP 28th 1948

ALICE J. DUCK, Clerk

Sam C. Brannan, Plaintiff

vs

E. Menard and Jack Castille,
Defendants

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*
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*

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA
AT LAW

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW:

I, Sibyl Pool, Secretary of State, hereby certify that on August 4, 1948 I sent by registered mail in an envelope addressed as follows:

"Mr. Jack Castille
Sunset, Louisiana"

"Registered 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:

"Mr. Jack Castille
Sunset, Louisiana"

You will take notice that on August 4th, 1948 there was served upon me, in my official capacity, summons and complaint in a case entitled Sam C. Brannan, Plaintiff vs E. Menard and Jack Castille, Defendants, in the Circuit Court of Baldwin County, Alabama, 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 4th day of August 1948.


Signed) Sibyl Pool
Sibyl Pool
Secretary of State "

Enclosure - 1

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, there being mailed in the envelope at the time shown the notice with copy of summons and complaint attached thereto.

I further certify that the attached receipt was received by me on August 9, 1948 showing the receipt by the designated addressee, on August 6, 1948, of the said notice with the attached summons and complaint aforesaid which receipt I attach hereto.

WITNESS MY HAND and the Great Seal of the State of Alabama, this the 9th, day of August 1948.


Sibyl Pool
Secretary of State

Enclosure - 1



Sam C. Brannan, Plaintiff

vs.

E. Menard and Jack Castille,
Defendants

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Sibyl Pool, Secretary of State, hereby certify that on August 4, 1948 I sent by registered mail in an envelope addressed as follows:

"Mr. E. Menard
Sunset, Louisiana"

"Registered 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:

"Mr. E. Menard
Sunset, Louisiana

You will take notice that on August 4th, 1948 there was served upon me, in my official capacity, summons and complaint in a case entitled Sam C. Brannan, Plaintiff, vs. E. Menard and Jack Castille, Defendants, in the Circuit Court of Baldwin County, Alabama, 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 4th day of August 1948.

Enclosure - 1

Signed) Sibyl Pool
Sibyl Pool, 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, there being mailed in the envelope at the time shown the notice with copy of summons and complaint attached thereto.

I further certify that the attached receipt was received by me on August 11th, 1948 showing the receipt by the designated addressee of said notice with the attached summons and complaint aforesaid, which receipt I attach hereto.

WITNESS MY HAND and the Great Seal of State of Alabama, this the 11th day of August 1948.

Sibyl Pool
Sibyl Pool
Secretary of State

Enclosure - 1



STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED to summon E. MENARD and JACK CASTILLE, 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 the same, then and there to answer the complaint of SAM C. BRANNAN.

WITNESS my hand, this the 28 day of June, 1948.

W. J. Duck
Clerk

SAM C. BRANNAN

PLAINTIFF

VS

E. MENARD and JACK
CASTILLE

DEFENDANTS

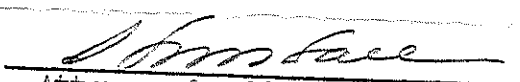
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

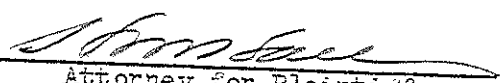
AT LAW

The Plaintiff claims of the defendants TWENTY-FIVE HUNDRED (\$2500.00) DOLLARS as damages for that on, to-wit, February 8, 1948, the plaintiff was operating an automobile along highway number 90, a public highway in Baldwin County, Alabama, at a point approximately one half mile West of Spanish Fort, and on the bridge across Blakely River, in Baldwin County, Alabama, and then and there the defendant JACK CASTILLE, the agent, servant, or employee of the defendant E. Menard, while acting within the line and scope of his employment, negligently drove an automobile truck into, over or against the automobile being operated by the plaintiff, and by reason thereof and as a proximate result and consequence thereof, the plaintiff suffered injuries and damages as follows; his body was bruised and made sore and lame; he was permanently injured; he has suffered and will continue to suffer great physical pain and mental anguish; he was caused to lose time from his work; he was caused to incur Doctor bills; he was caused to incur drug bills; he was caused to incur hospital bills; for all of which he claims damages as aforesaid.

The plaintiff claims of the defendants TWENTY-FIVE HUNDRED (\$2500.00) DOLLARS as damages for that on to-wit, February 8, 1948, the plaintiff was driving and automobile along highway number 90, a public highway in Baldwin County, Alabama, at a point approximately one half mile West of Spanish Fort, and on the bridge across Blakely River, in Baldwin County, Alabama, the defendant E. MENARD, acting by and through his agent, servant or employee, JACK CASTILLIE, who was then and there acting within the line and scope of his employment, willfully or wantonly injured the plaintiff by driving an automobile truck into, upon or against the automobile then and there being operated by the plaintiff and by reason thereof and as a proximate result and consequence thereof the plaintiff was injured as follows; his body was bruised and made sore and lame; he was permanently injured; he has suffered and will continue to suffer great physical pain and mental anguish; he was caused to lose time from his work; he was caused to incur Doctor bills; he was caused to incur drug bills; he was caused to incur hospital bills; for all of which he claims damages as aforesaid.


Attorney for Plaintiff

The plaintiff demands a trial by jury.


Attorney for Plaintiff

RECORDED

Sam C. Brauman

VS

E. Menard ex of

EXECUTED BY DELIVERING

6 copies & copy of the within

8-4-48

TO Sybil Pool

Secretary of State

OF THE State of Ala

AND SAID Sybil Pool

WAS MUCH WHEN SO DEIVED

By Mosley

Being Attorney General

Goodman

James Hall

Insurance & Complaints

Filed June 28, 1948

Hubert M. Hall

HUBERT M. HALL
LAWYER
BAY MINETTE, ALABAMA

1202

McCORMACK, TURNER, ROGERS, JOHNSTONE & ADAMS
By: *[Signature]*
~~Attorney for Defendants.~~

in the above entitled cause and reserve the right to demur or plead specially.

Bay Minette
Alabama, Ala.
August 25, 1948
McCormack, Turner, Rogers,
Johnstone & Adams
appear for
H. Menard and Jack Castille, Defendants.

Sam C. Brennan,
Plaintiff
vs.
H. Menard and Jack Castille,
Defendants.

State of Alabama---Mobile County
BALDWIN
CIRCUIT COURT, OCTOBER TERM 19

C. C. Law 23-2M-5-47

APPEARANCE	vs.	Filed in Office	Clerk	No.	19

No.

APPEARANCE

vs.

Filed in Office

8-26

1948

Wesley H. H. H.
Clerk

Clerk

C. C. Law 23-2M-5-47

BALDWIN

State of Alabama---Mobile County

CIRCUIT COURT, OCTOBER TERM 19____

Sam C. Brannan.

Plaintiff

VS.

E. Menard and Jack Castille,

Defendants.

Bay Minette

Mobile, Ala.,

August 25, 1948

McCorvey, Turner, Rogers,
Johnstone & Adams

appear for

E. Menard and Jack Castille, Defendants

in the above entitled cause and reserve the right to demur or plead specially.

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

By :

Attorneys for Defendants.

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

ATTORNEYS AT LAW

NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING

P.O. BOX 1070

MOBILE 6, ALABAMA

GESSNER T. MCCORVEY
BEN D. TURNER
C.M.A. ROGERS
C.A.L. JOHNSTONE, JR.
R.F. ADAMS

JAMES L. MAY, JR.
CHAUNCEY MOORE

August 25, 1948

Mrs. Alice Duck, Clerk
Circuit Court of Baldwin County, Ala.
Bay Minette, Alabama

Dear Mrs. Duck: Re: OM-18555
 Brannan et al vs.
 Menard-Bourque

We are enclosing herewith our appearance
to be filed immediately in the above styled
cause.

Thanking you, we are,

Yours very truly,

MCCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

By:

James L. May, Jr.

JLM/mj
Encl.

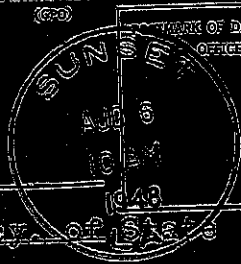
STATE OF ALABAMA
BALDWIN COUNTY.

I, ALICE J. DUCK, Clerk of the Circuit Court in and for
the said county and State, do hereby certify that the case of
SAM C. BRANNON VS. E. MENARD and JACK CASTILLE is settled between
parties and Defendant taxed with cost this 28th day of February, 1949.

Clerk Circuit Court.

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$100
(G.P.O.)



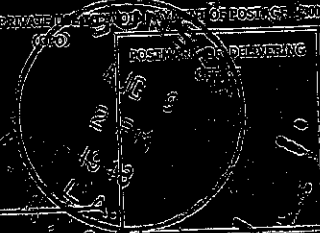
Return to Miss Sibyl Pool, Secy. of State
(NAME OF SENDER)
Street and Number, or Post Office Box, The Capitol, Montgomery, Alabama

REGISTERED ARTICLE

No. 5133 SECRETARY
INSURED PARCEL
MONTGOMERY,
ALABAMA.

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$100
(G.P.O.)



Return to Miss Sibyl Pool, Secy. of State
(NAME OF SENDER)
Street and Number, or Post Office Box, The Capitol, Montgomery, Alabama

REGISTERED ARTICLE

No. 5133
INSURED PARCEL
MONTGOMERY,
ALABAMA.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 _____
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery _____, 194

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

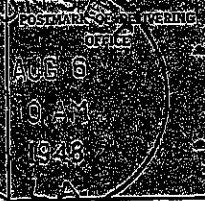
1 _____
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery _____, 194

Post Office Department
OFFICIAL BUSINESS

PERMIT FOR PRIVATE USE TO ADDRESS ONLY OF POSTAGE 4100
(C-2)



Return to Miss Sibyl Pool, Secy. of State

(NAME OF SENDER)

Street and Number or Post Office Box The Capitol, Montgomery, Ala

REGISTERED ARTICLE

51333

NO

INSURED PARCEL

MONTGOMERY,

ALABAMA

NO

Return to Miss Sibyl Pool, Secy. of State

ALABAMA

MONTGOMERY,

INSURED PARCEL

51333

REGISTERED ARTICLE

Street and Number or Post Office Box

Return to Miss Sibyl Pool, Secy. of State
The Capitol, Montgomery, Ala

(NAME OF SENDER)



Post Office Department
OFFICIAL BUSINESS
PERMIT FOR PRIVATE USE TO ADDRESS ONLY OF POSTAGE 4100
(C-2)

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee)

2
(Signature of addressee's agent—Agent should enter addressee's name on line ONB above)

Date of delivery _____ 194_____

U. S. GOVERNMENT PRINTING OFFICE 16-12421

Received from the Postmaster The Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee)

2 _____
(Signature of addressee agent—Agent should enter addressee's name on line ONE above)

Date of delivery 4-17, 1947

U. S. GOVERNMENT PRINTING OFFICE 16-12420-1