

T. K. STANLEY,
Plaintiff,
vs
MURRAY THOMAS,
Defendant.

* IN THE CIRCUIT COURT OF
* BALDWIN COUNTY, ALABAMA,
* AT LAW. NO. 1544
*
*
*

COUNT ONE:

Plaintiff claims of the defendant the sum of Seven Hundred Fifty and no/100 (\$750.00) Dollars damages for that heretofore on, to-wit, August 11, 1949, the defendant so negligently operated a motor vehicle on U. S. Highway 45 at a point approximately eight miles north of Shubuta, Mississippi, that it was caused to run into, over or against the motor vehicle belonging to the plaintiff which was then and there being driven off said Highway 45 and as a direct and proximate consequence of said negligence of said defendant, plaintiff's automobile was badly bent and broken and otherwise damaged, hence he sues.

Harrell & Shuster
ATTORNEYS FOR PLAINTIFF

Defendant's address:

Fairhope, Alabama

Received in Sheriff's Office
this 15 day of Aug. 19 50
TAYLOR WILKINS, Sheriff

1544 RECORDED

turned 15 day of Aug. 19 50
found in my custody after diligent search and in-
quiry.

Taylor Wilkins, Sheriff

By 11774 all Deputy Sheriff

out of state

Filed 8-6-50
Alicia J. Leno
clerk

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 1544

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MURRAY THOMAS

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

MURRAY THOMAS

Defendant

by T.K. STANLEY

Plaintiff

Witness my hand this 7th day of Aug. 19 50

Alfred A. Smith, Clerk

No.

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

T. K. STANLEY

Plaintiffs

vs.

MURRAY THOMAS

Defendants

SUMMONS and COMPLAINT

Filed 7th August, 1950

....., Clerk

HOWELL & JOHNSTON

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Fairhope, Alabama

RECEIVED IN OFFICE

....., 19.....

....., Sheriff

I have executed this summons

this, 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff

T. K. STANLEY,

Plaintiff,

vs

MURRAY THOMAS,

Defendant.

*

*

*

*

*

*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW. NO.

COUNT ONE:

Plaintiff claims of the defendant the sum of Seven Hundred Fifty and no/100 (\$750.00) Dollars damages for that heretofore on, to-wit, August 11, 1949, the defendant so negligently operated a motor vehicle on U. S. Highway 45 at a point approximately eight miles north of Shubuta, Mississippi, that it was caused to run into, over or against the motor vehicle belonging to the plaintiff which was then and there being driven off said Highway 45 and as a direct and proximate consequence of said negligence of said defendant, plaintiff's automobile was badly bent and broken and otherwise damaged, hence he sues.

Howell & Johnston
ATTORNEYS FOR PLAINTIFF

Defendant's address:

Fairhope, Alabama

LAW OFFICES OF
HOWELL AND JOHNSTON
FIRST NATIONAL BANK ANNEX
P. O. BOX 1652
MOBILE 9, ALABAMA

THOMAS O. HOWELL, JR.
THOMAS A. JOHNSTON, III

VERNOL R. JANSEN, JR.

August 4, 1950

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

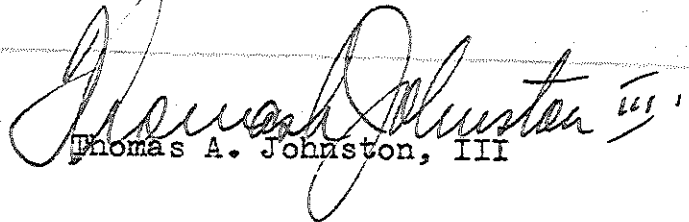
Dear Mrs. Duck:

Enclosed herewith please find complaint styled T. K. Stanley vs Murray Thomas. We would appreciate same being filed in your court and also we would appreciate an acknowledgment of the receipt of same from you.

We are enclosing herewith stamped, self-addressed envelope for your convenience in replying.

Very truly yours,

HOWELL & JOHNSTON


Thomas A. Johnston, III

TAJ:et

Enc.

1544

J. H. Stanley

vs.

Murray Thomas

Damages

Filed 8-7-50

Harold Johnson

LAW OFFICES OF
HOWELL AND JOHNSTON
FIRST NATIONAL BANK ANNEX
P. O. BOX 1632
MOBILE 9, ALABAMA

THOMAS O. HOWELL, JR.
THOMAS A. JOHNSTON, III

VERNOL R. JANSEN, JR.

September 7, 1950

Mrs. Alice J. Duck, Clerk
Circuit Court, Baldwin County
County Court House
Bay Minette, Alabama

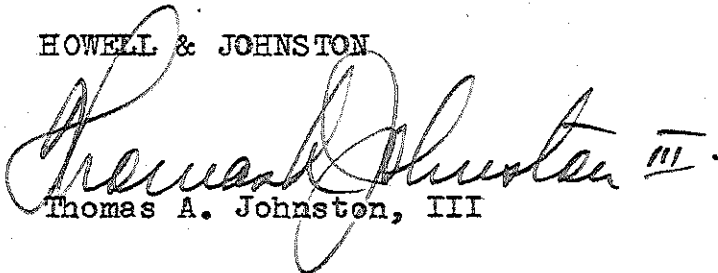
Re: T. K. Stanley
Vs: Murray Thomas
No: 1544

Dear Mrs. Duck:

We would appreciate your advising us as to the amount of the accrued court costs in this matter based on a dismissal at this time. Thanking you, we remain,

Very truly yours,

HOWELL & JOHNSTON


Thomas A. Johnston, III

TAJ:hd

PERRY COKER,

Complainant,

VS.

HARRY SWAINNEY,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NUMBER 1543.

TESTIMONY TAKEN IN CHAMBERS ON
OCTOBER 4, 1950

Mr. Perry Coker, being first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. A. B. Miller

Q. State your name.

A. Perry Coker.

Q. Address?

A. Robertsdale, Alabama.

Q. Occupation.

A. Oil distributor.

Q. On August 3, 1950, did your automobile collide with an automobile belonging to Harry Swainney?

A. Yes sir.

Q. Were you driving your automobile at the time of the collision?

A. Yes sir.

Q. As a result of this collision did you receive any injuries?

A. Yes sir.

Q. Where did this accident occur, Mr. Coker?

A. On U. S. Highway 90 approximately three miles northwest of Robertsdale.

Q. In which direction were you traveling?

A. Southeast.

Q. Mr. Coker, will you describe in your own words how this accident occurred?

A. I was traveling southeast on Highway Ninety approximately fifty-five miles an hour and it was about twelve-fifteen noon, the sun was

shining, no other cars near, I was meeting this Jeep station wagon and approximately fifty feet ahead of me he turned on my side of the road ahead of me, and headed on directly on my side of the road.

Q. At the time he made his turn did he give you any indication that he was going to turn or stop?

A. None whatever.

Q. He only turned from his side of the road across your side of the road?

A. That's right. If you don't mind me elaborating, Judge, Your Honor, the only thing I can think is that we were approaching a little cut-rate gasoline station where gas was twenty-three and a half cents, only thing I can figure out, this old man saw this sign and turned. He's approximately seventy-nine years old.

Q. After the accident, Mr. Coker, how did you feel physically?

A. I was groggy and cut over the eye, bleeding quite a bit.

Q. Were you unconscious?

A. Not that I know of, Mr. Miller. I might have been for a minute or two.

Q. After the accident did you go to a doctor, require medical treatment?

A. Yes. My wife carried me to Foley to Dr. Holmes. They kept me there between two and three hours and put five stitches over this eye and treated both knees.

Q. What were the extent of your injuries as found by the doctor?

A. I explained about all there was to it, I was cut over my eye and my knees were sore ^{and my chest for} a few days and where the steering wheel hit me. My back was sore but there was nothing there that required medical attention.

Q. Did you lose time from work as a result of these injuries?

A. Yes, I did. The doctor requested that I stay in bed for a week and take it easy for awhile.

Q. About how long did, about how much time did you actually lose?

A. Lost a whole week and part time for two or three more weeks.

Q. You say what time, what was the greater extent of that time?

A. Fifty to seventy percent of my activities were curtailed.

Q. What would you say would be the value of your services per day as lost during that time?

A. That would be hard to estimate. I would say Fifty Dollars a day for the time I was out completely. You understand my type of business there is no way you can measure that like you could a salaried man. Might not be worth anything or it might be worth a Hundred Dollars a day.

Q. Then the part time you lost you estimate at what?

A. I would say Twenty-five Dollars a day.

Q. Were there any other damages you suffered due to this accident?

A. Yes. I broke my glasses and ruined a suit of clothes. I believe that's about all.

Q. What would be the value of that?

A. My clothes was a Sixty Dollar suit and my glasses were Twenty-six Dollars. We did salvage the rims and kept those, but the total cost of them was Twenty-six Dollars.

Q. You mentioned in your injuries and item of cuts, did you have any permanent scars from these cuts?

A. I have one now over my right eye (removing glasses). My glasses almost cover it but it's a pretty bad cut.

That's all

- - - - -

I, Ora S. Nelson, Court Reporter, hereby certify that the above and foregoing is a true and correct copy of the testimony as taken and transcribed by me on a hearing of the above styled cause on October 4, 1950.

This 5th day of October, 1950.

Ora S. Nelson
Court Reporter

7544

FILED
OCT 5 1950
ALICE L. BUCK, CLERK

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1541

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MURRAY THOMAS

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

MURRAY THOMAS

, Defendant

by T.K. STANLEY

, Plaintiff

Witness my hand this 7th day of Aug. 19 50

Alvin J. Smith, Clerk

No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

T. K. STANLEY

Plaintiffs

vs.

MURRAY THOMAS

Defendants

SUMMONS and COMPLAINT

Filed 7th August, 1950.....

....., Clerk

HOWELL & JOHNSTON

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Fairhope, Alabama

RECEIVED IN OFFICE

....., 19.....

....., Sheriff

I have executed this summons

this, 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff