

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1921.

Come the Defendants in the above styled cause, acting by and through their Attorneys of Record, Chason & Stone, and show unto this Court and unto your Honor as follows:

That the Defendant, Robert Stewart, is a minor 18 years of age and is now in Military Service of the United States of America and therefore unable to properly defend this cause of action and in his absence the Defendant, J. W. Stewart, is unable to properly defend such cause of action.

WHEREFORE, the Defendants pray that this cause of action will be continued until the said Robert Stewart is released from the Military Service of the United States of America or allowed sufficient time from such service in which to properly defend such cause of action.

Attorneys for Defendants.

SUGGESTION OF MILITARY SERVICE

MRS. JOHNNIE DEXTER,

Plaintiff,

vs.

J. W. STEWART AND ROBERT  
STEWART, jointly and severally,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1921.

Filed: February 27, 1953.

Alfred H. Huch  
Clerk.

MRS. JOHNNIE DEXTER,

Plaintiff,

-vs-

J. W. STEWART and  
ROBERT STEWART, jointly  
and severally,

Defendants.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA.

AT LAW

CASE NO. 1921

Plaintiff claims of the Defendants the sum of Two Thousand Five Hundred (\$2,500.00) Dollars as damages in this, that heretofore, on to-wit: the 19th day of May, 1952, the Defendant Robert Stewart, the agent, servant or employee of the Defendant J. W. Stewart, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle eastwardly on U. S. Highway 90, a public highway in Baldwin County, Alabama, at a point approximately twenty miles west of Foley, Alabama, as to cause or allow said motor vehicle to collide with or run against the automobile in which the Plaintiff was riding and which was then being driven in a westwardly direction on said U. S. Highway 90, and as a proximate consequence thereof, Plaintiff was badly cut, broken and bruised and otherwise injured about her face, head, chest, legs, her forehead was disfigured and the use of her right leg was permanently impaired, and that she suffered great physical pain and mental anguish, being at the time of this accident pregnant with child, all to the injury of the Plaintiff, hence this suit.

  
ATTORNEYS FOR PLAINTIFF

Plaintiff respectfully requests that this cause be tried by a jury.

  
ATTORNEYS FOR PLAINTIFF

DEFENDANTS' ADDRESS:

Both may be served at  
Robertsdale, Alabama

STATE OF ALABAMA )  
BALDWIN COUNTY )

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ROBERT STEWART to appear within thirty days from service of this process, in the Circuit Court of Baldwin County, Alabama, at the place of holding same, then and there to answer the complaint of MRS. JOHNNIE DEXTER.

Witness: Alice J. Duck, Clerk of said Court, this 13<sup>th</sup> day of Feb, 1953.

Attest: Alice J. Duck  
Clerk.

\* \* \* \* \*

SHERIFF'S RETURN

Received \_\_\_\_\_ day of \_\_\_\_\_, 1953, and on \_\_\_\_\_ day of \_\_\_\_\_, 1953, I served a copy of the within Complaint on \_\_\_\_\_ by service on \_\_\_\_\_.

\_\_\_\_\_  
SHERIFF.

SHERIFF'S OFFICE

ON \_\_\_\_\_  
of the within complaint on \_\_\_\_\_ at \_\_\_\_\_  
ON \_\_\_\_\_ day of \_\_\_\_\_, 1892, I served a copy  
hereof \_\_\_\_\_ day of \_\_\_\_\_, 1892, and

SHERIFF'S OFFICE

\* \* \* \* \*

Witness: \_\_\_\_\_  
Jury: \_\_\_\_\_

of \_\_\_\_\_, 1892.  
Witness: \_\_\_\_\_  
Jury: \_\_\_\_\_  
I have and there to answer the complaint of \_\_\_\_\_  
SHERIFF'S OFFICE OF \_\_\_\_\_  
above within \_\_\_\_\_ day of \_\_\_\_\_, 1892, in the  
Don the hereby commenced to answer \_\_\_\_\_ to

DO AND SHERIFF OF THE STATE OF \_\_\_\_\_:

WITNESS MY HAND )  
STATE OF \_\_\_\_\_ )  
CIRCUIT COURT

FILED  
FEB 13 - 92  
SHERIFF'S OFFICE

701921

MATTHEW DEXTER,

Plaintiff,

-vs-

J. W. STEWART and  
ROBERT STEWART, jointly  
and severally,

Defendants.

) IN THE CIRCUIT COURT

) OF BALDWIN COUNTY,

) ALABAMA.

) AT LAW.

) CASE NO. 1920

Plaintiff claims of the Defendants the sum of Two Thousand (\$2,000.00) Dollars as damages in this, that heretofore, on to-wit: the 19th day of May, 1952, the Defendant Robert Stewart, the agent, servant or employee of the Defendant J. W. Stewart, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle eastwardly on U. S. Highway 90, a public highway in Baldwin County, Alabama, at a point approximately twenty miles west of Foley, Alabama, as to cause or allow said motor vehicle to collide with or run against the automobile of the Plaintiff which was then being driven in a westwardly direction on said U. S. Highway 90, and as a proximate consequence thereof, Plaintiff's automobile was badly bent, broken and damaged and rendered unfit for use as an automobile and of no further value to the Plaintiff; and the Plaintiff was cut, broken and bruised about the face, head, arms, shoulders, legs and body, and he was permanently disfigured about the eye and his left knee was permanently injured and scarred, and the Plaintiff was required to expend large sums of money in the treatment of his injuries by competent physicians, for hospitalization and medicines, and he was unable to work for a long period of time, all to his injury, hence this suit.

Erden Hassen  
ATTORNEYS FOR PLAINTIFF

Plaintiff respectfully requests that this cause be tried  
by a jury.

Erden Hassen  
ATTORNEYS FOR PLAINTIFF

DEFENDANTS' ADDRESS:  
Both may be served  
at Robertsedale, Alabama.

STATE OF ALABAMA )  
(  
BALDWIN COUNTY )

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ROBERT STEWART to appear within thirty days from service of this process, in the Circuit Court of Baldwin County, Alabama, at the place of holding same, then and there to answer the complaint of MATTHEW DEXTER.

Witness: Alice J. Duck, Clerk of said Court, this

13th day of Feb, 1953.

Attest: Alice J. Duck Clerk.

\* \* \* \* \*

SHERIFF'S RETURN

Received \_\_\_\_\_ day of \_\_\_\_\_, 1953, and on \_\_\_\_\_ day of \_\_\_\_\_, 1953, I served a copy of the within Complaint on \_\_\_\_\_ by service on \_\_\_\_\_.

\_\_\_\_\_  
SHERIFF.

CIRCUIT COURT

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ROBERT STEWART to appear within thirty days from service of this process, in the Circuit Court of Baldwin County, Alabama, at the place of holding same then and there to answer the complaint of MATTHEW DEXTER.

FILED  
FEB 19 - 53  
ALICE J. DICK, Clerk

Witness: Alice J. Dick, Clerk of said Court  
day of Feb, 1953.

Clerk.

Attest:

\* \* \* \* \*

SHERIFF'S RETURN

Received \_\_\_\_\_ day of \_\_\_\_\_, 1953, and  
on \_\_\_\_\_ day of \_\_\_\_\_, 1953, I served a  
copy of the within Complaint on \_\_\_\_\_ by  
service on \_\_\_\_\_.

SHERIFF.

COPY FOR

NO 1928



MRS. JOHNNIE DEXTER,

Plaintiff,

vs.

J. W. STEWART and ROBERT  
STEWART, jointly and  
severally,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1921.

Come the Defendants in the above styled cause and demur  
to the Complaint filed in said cause, and assign the following  
separate and several grounds, viz:

1. That said Complaint does not state a cause of action.

  
Attorneys for Defendants.

DEMURRER

RECORDED

MRS. JOHNNIE DEXTER,

Plaintiff,

vs.

J. W. STEWART AND ROBERT  
STEWART, jointly and  
severally,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1921.

Filed: February 27, 1953.

Aerie French  
Clerk.

MRS. JOHNNIE DEXTER,

Plaintiff,

-vs-

J. W. STEWART and  
ROBERT STEWART, jointly  
and severally,

Defendants.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA.

AT LAW

CASE NO. 1921

Plaintiff claims of the Defendants the sum of Two Thousand Five Hundred (\$2,500.00) Dollars as damages in this, that heretofore, on to-wit: the 19th day of May, 1952, the Defendant Robert Stewart, the agent, servant or employee of the Defendant J. W. Stewart, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle eastwardly on U. S. Highway 90, a public highway in Baldwin County, Alabama, at a point approximately twenty miles west of Foley, Alabama, as to cause or allow said motor vehicle to collide with or run against the automobile in which the Plaintiff was riding and which was then being driven in a westwardly direction on said U. S. Highway 90, and as a proximate consequence thereof, Plaintiff was badly cut, broken and bruised and otherwise injured about her face, head, chest, legs, her forehead was disfigured and the use of her right leg was permanently impaired, and that she suffered great physical pain and mental anguish, being at the time of this accident pregnant with child, all to the injury of the Plaintiff, hence this suit.

  
ATTORNEYS FOR PLAINTIFF

Plaintiff respectfully requests that this cause be tried

by a jury.

  
ATTORNEYS FOR PLAINTIFF

STATE OF ALABAMA )  
BALDWIN COUNTY )

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ROBERT STEWART to appear within thirty days from service of this process, in the Circuit Court of Baldwin County, Alabama, at the place of holding same, then and there to answer the complaint of MRS. JOHNNIE DEXTER.

Witness: Alice J. Duck, Clerk of said Court, this \_\_\_\_\_ day of \_\_\_\_\_, 1953.

Attest: \_\_\_\_\_ Clerk.

\* \* \* \* \*

SHERIFF'S RETURN

Received \_\_\_\_\_ day of \_\_\_\_\_, 1953, and on \_\_\_\_\_ day of \_\_\_\_\_, 1953, I served a copy of the within Complaint on \_\_\_\_\_ by service on \_\_\_\_\_.

\_\_\_\_\_  
SHERIFF.

STATE OF ALABAMA )  
BALDWIN COUNTY )

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. W. STEWART to appear within thirty days from service of this process, in the Circuit Court of Baldwin County, Alabama, at the place of holding same, then and there to answer the complaint of MRS. JOHNNIE DEXTER.

Witness: Alice J. Duck, Clerk of said Court, this

13<sup>th</sup> day of Feb, 1953.

Attest: *Alice J. Duck* Clerk.

\* \* \* \* \*

SHERIFF'S RETURN

Received \_\_\_\_\_ day of \_\_\_\_\_, 1953, and on \_\_\_\_\_ day of \_\_\_\_\_, 1953, I served a copy of the within Complaint on \_\_\_\_\_ by service on \_\_\_\_\_.

\_\_\_\_\_  
SHERIFF.

Received in Sheriff's Office  
this 13 day of Feb, 1953  
TAYLOR WILKINS, Sheriff

ORIGINAL  
701921

RECORDED

Matthew Dexter

VS.

J. W. Stewart and  
Robert Stewart

Received 13 day of Feb 1953  
and on 17 day of Feb 1953  
I served a copy of the within  
on J. W. Stewart  
By service on

TAYLOR WILKINS, Sheriff

By Leigh Stewart D.S.

Not found as  
to Robert Stewart  
in this county

1861

Filed 2-13-53  
Alice French  
Clerk