

Ernest Age vs Curtis Foster

Form 3811
Rev. 1-52

RETURN RECEIPT

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

1 Curtis Foster
(Signature or name of addressee)

2 DELIVER TO ADDRESSEE ONLY
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery AUG 25 1953, 19

U. S. GOVERNMENT PRINTING OFFICE 16-12421-2

Roselia Bradley vs Curtis Foster

Form 3811
Rev. 1-52

RETURN RECEIPT

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

1 Curtis Foster
(Signature or name of addressee)

2 DELIVER TO ADDRESSEE ONLY
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery AUG 25 1953, 19

U. S. GOVERNMENT PRINTING OFFICE 16-12421-2

Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

(GPO)

POSTMARK OF DELIVERING
OFFICE

Return to

Secretary of State

(NAME OF SENDER)

Street and Number,
or Post Office Box

Montgomery, Alabama

REGISTERED ARTICLE

No. 52694

INSURED PARCEL

MONTGOMERY,

ALABAMA.

Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

(GPO)

POSTMARK OF DELIVERING
OFFICE

Return to

Secretary of State

(NAME OF SENDER)

Street and Number,
or Post Office Box

Montgomery, Alabama

REGISTERED ARTICLE

No. 52697

INSURED PARCEL

MONTGOMERY,

ALABAMA.

2028

IN THE CIRCUIT COURT

of

Ernest Age, Plaintiff

BALDWIN COUNTY, ALABAMA

vs

CASE No. 2028

Curtis Foster, Defendant

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State, hereby certify that on August 14, 1953, I sent by registered mail in an envelope addressed as follows:

"Curtis Foster
West Fairfield Drive
Pensacola, Florida"

"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:

"Curtis Foster
West Fairfield Drive
Pensacola, Florida

You will take notice that on August 14, 1953 the Sheriff of Montgomery County, Alabama served upon me, in my official capacity, summons and complaint in a case entitled Ernest Age, Plaintiff vs Curtis Foster,

Defendants in the Circuit Court of Baldwin

County, Alabama, Case No. 2028, 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 14 day of August, 1953.

Signed) Agnes Baggett

Mrs. Agnes Baggett

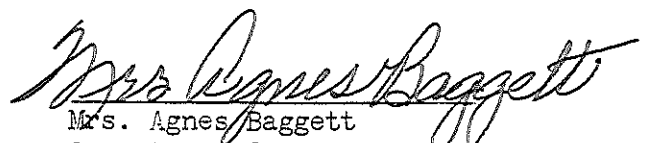
Secretary of State "

Enclosures - 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.

I further certify that on August 27, 1953, I received the return card, showing receipt by the designated addressee of the aforementioned matter, at Myrtle Grove, Florida on August 26, 1953.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 27 day of August, 1953.


Mrs. Agnes Baggett
Secretary of State

Enclosures - (Return card
and copy of summons and
complaint)



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2028

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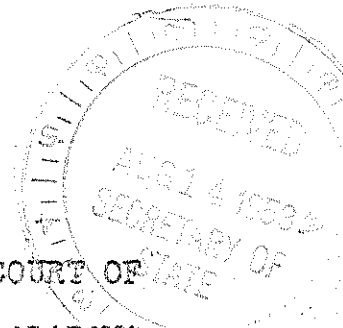
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ERNEST AGE,
Plaintiff,
VS.
CURTIS FOSTER,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW



STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared
J. B. Blackburn, who first being duly and legally sworn, deposes
and says:

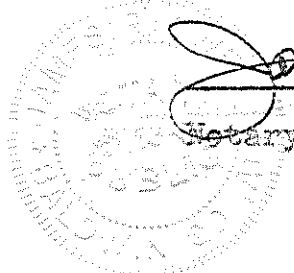
That he is one of the attorneys of record for the Plain-
tiff in the above styled cause.

That he is informed and verily believes that the Defend-
ant, Curtis Foster, is a non-resident of the State of Alabama, but
that he was a resident of the State of Alabama on the 9th day of
January, 1953, and that he was doing business in the State of Ala-
bama on said date, and that the present Post Office address of said
defendant is West Fairfield Drive, Pensacola, Florida; and that he
believes that service of process upon the defendant, Curtis Foster,
in accordance with the provisions of Title 7, Section 199, of the
1940 Code of Alabama, as Amended, is necessary to perfect service
upon the said defendant.

J. B. Blackburn

Sworn to and subscribed before me on
this the 12th day of August, 1953.

James R. Owen
Notary Public, Baldwin County, Alabama



STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon Curtis Foster to appear before the Circuit Court of Baldwin County, in and for said County, at the place of holding the same, within thirty days from the service of this summons and complaint, then and there to demur or plead to the complaint of Ernest Age. And you are hereby commanded to execute this process instantler and make return as required by law.

Witness my hand this 26th day of June, 1953.

Amos J. Huckle
Clerk.

ERNEST AGE,

Plaintiff,

VS.

CURTIS FOSTER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

C O U N T O N E

The Plaintiff claims of the Defendant the sum of \$10,000.00 damages for that heretofore on, to-wit, January 9, 1953, plaintiff's wife was lawfully riding as a guest passenger in an automobile on a public highway, to-wit, at or near the intersection of U. S. 31 and Alabama Highway No. 3 in Baldwin County, Alabama, and that then and there the defendant's agent, servant or employee, while acting in the line and scope of his authority negligently ran a motor vehicle truck belonging to the defendant into, upon or against the automobile in which the plaintiff's wife was riding as a passenger, and in which automobile was located personal property belonging to the plaintiff, to-wit, an outboard motor and fishing equipment, and as the proximate consequence and result of the negligence of defendant's agent, servant or employee while acting in the line and scope of his employment, plaintiff's personal property

as aforesaid was destroyed or greatly damaged, and plaintiff's wife received severe personal injuries in this, to-wit:

She was made sick, sore and lame; she was rendered unconscious; she was bruised and lacerated; she suffered a severe scalp wound; she suffered a severe loss of blood; she suffered a number of contusions and abrasions on her body; her back, neck and shoulder were bruised; she suffered and continues to suffer great mental anguish and physical pain; she was permanently injured; she was internally injured; and plaintiff further avers that he was caused to incur considerable expense for medical, surgical and hospital treatment, taking of X-rays, nurses attention and doctors' services in and about the treatment of his said wife, and will probably have to incur further expenses in the future, and plaintiff lost and continues to lose the society, consortium and services of his said wife; for all of which he claims damages, hence this suit.

C O U N T T W O

Plaintiff claims of the defendant the sum of \$10,000.00 as damages for that heretofore on, to-wit, January 9, 1953, plaintiff alleges his wife was riding as a guest passenger in an automobile on a public highway, to-wit, at or near the intersection of U. S. 31 and Alabama Highway No. 3 in Baldwin County, Alabama, and on said day and date and at such time and place, defendant's servant, agent or employee while acting in the line and scope of his authority, wilfully or wantonly injured plaintiff's wife and wilfully or wantonly destroyed personal property belonging to the plaintiff which was located in said automobile in which plaintiff's wife was riding as a passenger, by wilfully or wantonly running a motor truck into, upon or against the automobile in which the plaintiff's wife was riding, which plaintiff's personal property was located as aforesaid, and as a proximate result and consequence thereof, plaintiff's personal property located in said automobile, to-wit, one outboard motor and fishing equipment, was damaged and destroyed, and plaintiff's wife received severe personal injuries in this, to-wit:

RECEIVED IN OFFICE

She was made sick, sore and lame; she was rendered unconscious; she was bruised and lacerated; she suffered a severe scalp wound; she suffered a severe loss of blood; she suffered a number of contusions and abrasions on her body; her back, neck and shoulder were bruised; she suffered and continues to suffer great mental anguish and physical pain; she was permanently injured; she was internally injured; and plaintiff further avers that he was caused to incur considerable expense for medical, surgical and hospital treatment, taking of X-rays, nurses attention and doctors' services in and about the treatment of his said wife, and will probably have to incur further expenses in the future, and plaintiff lost and continues to lose the society, consortium and services of his said wife; for all of which he claims damages, hence this suit.

CAPELL, HOWARD & COBBS and J. B. Blackburn

J. B. Blackburn

Attorneys for Plaintiff

RECEIVED IN OFFICE

AUG 14 1953

G. A. MOSLEY, Sheriff

she was made sick, sore and lame; she was rendered unconscious; she was bruised and lacerated; she suffered a severe scalp wound; she suffered a severe loss of blood; she suffered a number of contusions and abrasions on her body; her back, neck and shoulders were bruised; she suffered and continues to suffer great mental

anguish and physical pain; she was permanently injured; she was internally injured; and plaintiff further avers that he was caused to incur considerable expenses for medical, surgical and hospital treatment, taking of X-rays, nurses attention and doctors' services in and about the treatment of his said wife, and will probably have to incur further expenses in the future, and plaintiff lost and

continues to lose the society, consortium and services of his said wife, for all of which he claims damages, hence this suit.

CAPRILL, HOWARD & COBBES, Attorneys for Plaintiff

FILED
JUN 26 1953
MRS. J. DUCK, Clerk

RECORDED

20228

THE STATE OF ALABAMA
Baldwin
Montgomery County

To any Sheriff of the State of Alabama—GREETING:

You are Hereby Commanded to Summon

Curtis Foster
Bay Minette, Alabama

Baldwin
to appear before the Circuit Court of ~~Montgomery~~ County, in and for said County, at the place of holding the same, within thirty days from the service of this summons and complaint, then and there to demur or plead to the complaint of

Ernest Age

And you are hereby commanded to execute this process instanter and make return as required by law.

Witness my hand this 26th day of June 1953
Ernest Age Clerk.

COMPLAINT

THE STATE OF ALABAMA
Bay Minette
Montgomery, Alabama

Ernest Age

Plaintiff.

VS.

Baldwin
In the Circuit Court of ~~Montgomery~~ County

Term, 19

Curtis Foster

Defendant.

COUNT 1

The plaintiff claims of the Defendant the sum of \$10,000.00 damages for that heretofore on, to-wit, January 9, 1953, plaintiff's wife was lawfully riding as a guest passenger in an automobile on a public highway, to-wit, at or near the intersection of U. S. 31 and Alabama Highway No. 3 in Baldwin County, Alabama, and that then and there the defendant's agent, servant or employee, while acting in the line and scope of his authority negligently ran a motor vehicle truck belonging to the defendant into, upon or against the automobile in which the plaintiff's wife was riding as a passenger, and in which automobile was located personal property belonging to the plaintiff, to-wit, an outboard motor and fishing equipment, and as the proximate consequence and result of the negligence of defendant's agent, servant or employee while acting in the line and scope of his employment, plaintiff's personal property as aforesaid was destroyed or greatly damaged, and plaintiff's wife received severe personal injuries in this, to-wit:

She was made sick, sore and lame; she was rendered unconscious; she was bruised and lacerated; she suffered a severe scalp wound; she suffered a severe loss of blood; she suffered a number of contusions and abrasions on her body; her back, neck and shoulder

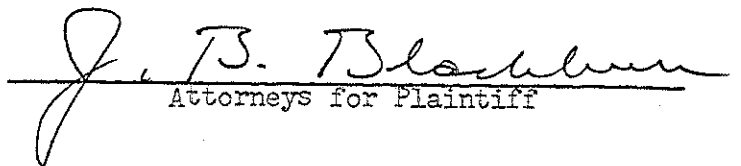
were bruised; she suffered and continues to suffer great mental anguish and physical pain; she was permanently injured; she was internally injured; and plaintiff further avers that he was caused to incur considerable expense for medical, surgical and hospital treatment, taking of X-rays, nurses attention and doctors' services in and about the treatment of his said wife, and will probably have to incur further expenses in the future, and plaintiff lost and continues to lose the society, consortium and services of his said wife; for all of which he claims damages, hence this suit.

COUNT 2

Plaintiff claims of the defendant the sum of \$10,000.00 as damages for that heretofore on, to-wit, January 9, 1953, plaintiff alleges his wife was riding as a guest passenger in an automobile on a public highway, to-wit, at or near the intersection of U. S. 31 and Alabama Highway No. 3 in Baldwin County, Alabama, and on said day and date and at such time and place, defendant's servant, agent or employee while acting in the line and scope of his authority, wilfully or wantonly injured plaintiff's wife and wilfully or wantonly destroyed personal property belonging to the plaintiff which was located in said automobile in which plaintiff's wife was riding as a passenger, by wilfully or wantonly running a motor truck into, upon or against the automobile in which the plaintiff's wife was riding, as a guest passenger and in which plaintiff's personal property was located as aforesaid, and as a proximate result and consequence thereof, plaintiff's personal property located in said automobile, to-wit, one outboard motor and fishing equipment, was damaged and destroyed, and plaintiff's wife received severe personal injuries in this, to-wit:

She was made sick, sore and lame; she was rendered unconscious; she was bruised and lacerated; she suffered a severe scalp wound; she suffered a severe loss of blood; she suffered a number of contusions and abrasions on her body; her back, neck and shoulder were bruised; she suffered and continues to suffer great mental anguish and physical pain; she was permanently injured; she was internally injured; and plaintiff further avers that he was caused to incur considerable expense for medical, surgical and hospital treatment, taking of X-rays, nurses attention and doctors' services in and about the treatment of his said wife, and will probably have to incur further expenses in the future, and plaintiff lost and continues to lose the society, consortium and services of his said wife; for all of which he claims damages, hence this suit.

CAPELL, HOWARD & COBBS and J. B. Blackburn


Attorneys for Plaintiff

971

RECORDED

No.

2028

Received in office

day of

June 26
1933

Naylor William Sheriff.

Executed by serving

copy

of the within Summons and Complaint on

Defendant this the Aug 14 day of

Birmingham, Alabama 1933
Al Secy of State

G. A. Groves Sheriff.

Ernest Age

vs.

Curtis Foster
Bay Minette, Alabama

CIRCUIT COURT
OF BALDWIN
MONTGOMERY COUNTY

Term, 19

SUMMONS AND
COMPLAINT

Filed in office this 26th day of

June A. D. 1933

Alice French
Clerk.

Plaintiff's Attorney.