IN THE CIRCUIT COURT

of

BALDWIN COUNTY, ALABAMA

Case No. 2027

Roselia Bradley, Plaintiff

vs

Curtis Foster, Defendant

2027

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
Roselia Bradley, Plaintiff vs Curtis Foster

Defendants in the Circuit Court of Baldwin County, Alabama, Case No. 2027, 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 Grive, 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
Mrs. Agnes Baggett
Secretary of State

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

ROSELLA BRADLEY,

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 Plaintiff in the above styled cause.

That he is informed and verily believes that the Defendant, 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 Alabama 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.

Jesse R. Cain

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 Rosella Bradley. 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.

Alice L. Uncle

Clerk.

* *

ROSELLA BRADLEY, Plaintiff,	IN THE CIRCUIT COURT OF
VS.	BALDWIN COUNTY, ALABAMA
CURTIS FOSTER, Defendant.	AT LAW

C O U N T O N E

The plaintiff claims of the defendant the sum of $10,000.00 as damages for that heretofore on to-wit, January 9, 1953, plaintiff avers that she was riding 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, at said time and place, defendant's servant, agent 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 was riding, and as the proximate consequence and result of the negligence of the defendant's agent, servant or employee while acting in the line and scope of his authority, plaintiff 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 number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, 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 she was riding 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, the defendant's servant, agent or employee while acting in the line and scope of his employment, with reckless indifference to the consequences, wilfully or wantonly injured plaintiff by wilfully or wantonly running a motor vehicle truck belonging to the defendant into or upon or against the automobile in which the plaintiff was riding, said agent, servant or employee being conscious at the time that his conduct in so doing would probably result in disaster to the plaintiff, and by reason thereon and as proximate result of the consequence thereof, plaintiff 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 number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, hence this suit.

CAPELL, HOWARD & COBBS and J. B. Blackburn

J. B. Blackburn

Attorneys for Plaintiff

She was made sick, sore and lame; she was rendered unconscious; she was bruised and lacerated; she suffered a number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, 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 she was riding 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, the defendant's servant, agent or employee while acting in the line and scope of his employment, with reckless indifference to the consequences, wilfully or wantonly injured plaintiff by wilfully or wantonly running a motor vehicle truck belonging to the defendant into or upon or against the automobile in which the plaintiff was riding, said agent, servant or employee being conscious at the time that his conduct in so doing would probably result in disaster to the plaintiff, and by reason thereon and as proximate result of the consequence thereof, plaintiff 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 number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, hence this suit.

CAPELL, HOWARD & COBBS and J. B. Blackburn

J. B. Blackburn

Attorneys for Plaintiff

She was made sick, sore and lame; she was rendered unconscious; she was bruised and lacerated; she suffered a number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, hence this suit.

COUNT TWO

Plaintiff claims of the defendant the sum of $10,000.00 as damages for that heretofore on, to-wit, January 9, 1957, plaintiff alleges she was riding 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, the defendant's servant, agent or employee while acting in the line and scope of his employment, with reckless indifference to the consequences, wilfully or wantonly injured plaintiff by wilfully or wantonly running a motor vehicle truck belonging to the defendant into or upon or against the automobile in which the plaintiff was riding, said agent, servant or employee being conscious at the time that his conduct in so doing would probably result in disaster to the plaintiff, and by reason thereon and as proximate result of the consequence thereof, plaintiff 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 number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, hence this suit.

CARTER, HOWARD & COZBY and L. B. Blackburn

L. B. Blackburn

Attorneys for Plaintiff

2427

RECORDED

THE STATE OF ALABAMA
~~Montgomery~~ Baldwin County

To any Sheriff of the State of Alabama—GREETING:

You are Hereby Commanded to Summon

Curtis Foster
Bay Minette, Alabama

to appear before the Circuit Court of ~~Montgomery~~ 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

Rosella Bradley

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

Mrs. Clerk. Clerk.

COMPLAINT

THE STATE OF ALABAMA ~~Montgomery~~ Bay Minette, Alabama		In the Circuit Court of ~~Montgomery~~ Baldwin County Term, 19
Rosella Bradley Plaintiff.	VS.	Curtis Foster Defendant.

COUNT 1

The plaintiff claims of the Defendant ~~the sum of $10~~,000.00 as damages for that heretofore on to-wit, January 9, 1953, plaintiff avers that she was riding 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, at said time and place, defendant's servant, agent 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 was riding, and as the proximate consequence and result of the negligence of the defendant's agent, servant or employee while acting in the line and scope of his authority, plaintiff 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 number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, 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 she was riding 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, the defendant's servant, agent or employee while acting in the line and scope of his employment, with reckless indifference to the consequences, wilfully or wantonly injured plaintiff by wilfully or wantonly running a motor vehicle truck belonging to the defendant into or upon or against the automobile in which the plaintiff was riding, said agent, servant or employee being conscious at the time that his conduct in so doing would probably result in disaster to the plaintiff, and by reason thereon and as proximate result of the consequence thereof, plaintiff 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 number of contusions and abrasions on her body; she was permanently injured; she was internally injured; her back, neck and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain, for all of which she claims damages as aforesaid, hence this suit.

CAPELL, HOWARD & COBBS and J. B. Blackburn

J. B. Blackburn

Attorneys for Plaintiff

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Received in office 26 day of June 1953

Taylor Wilkins Sheriff.

Executed by serving 7 copy of the within Summons and Complaint on Defendant this the Aug 14 day of August, 1953

Agnes Doggett
M Secy of State

G N Morley Sheriff.

Reams

RECORDED No. 2027

Rosella Bradley

vs.

Curtis Foster
Bay Minette, Alabama

CIRCUIT COURT
OF ~~MONTGOMERY~~ Baldwin COUNTY

Term, 19

SUMMONS AND COMPLAINT

Filed in office this 26th day of June A. D. 1953

Alice J. Wenck
Clerk.

Plaintiff's Attorney.

WALKER PTG. CO.