

IN THE CIRCUIT COURT

Frank Bradley, Plaintiff

vs

Curtis Foster, Defendant

of  
BALDWIN COUNTY, ALABAMA

Case No. 2029

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 Frank Bradley, Plaintiff vs Curtis Foster

Defendant, in the Circuit Court of Baldwin

County, Alabama, Case No. 2029, 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*  
Mrs. Agnes Baggett  
Secretary of State

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

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

Frank Bradley

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

Witness my hand this 26<sup>th</sup> day of June

1953

Clerk.

COMPLAINT

THE STATE OF ALABAMA  
Bay Minette  
Montgomery, Alabama

Frank Bradley

Plaintiff.

VS.

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 as damages for that heretofore on to-wit, January 9, 1953, plaintiff's automobile was being lawfully driven along a public highway in Baldwin County, Alabama, in a southerly direction on U. S. 31 at or near the intersection of Alabama Highway No. 3 with U. S. 31 and that then and there the defendant's servant, agent or employee, while acting within the line and scope of his authority, negligently ran a motor vehicle truck belonging to defendant into, upon or against the plaintiff's automobile, and plaintiff further avers that plaintiff's wife was lawfully riding as a passenger in said automobile belonging to the plaintiff and as the proximate consequence and result of the negligence of defendant's agent, servant or employee while acting within the line or scope of his authority, plaintiff's automobile was damaged and demolished, personal property belonging to the plaintiff which was located in plaintiff's automobile 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 number of contusions and abrasions on her body; her back, neck

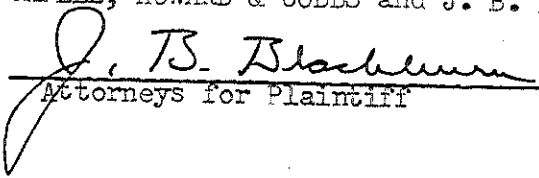
and shoulder were bruised; she suffered muscle spasms of the back; her right leg was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain; she was permanently injured; and plaintiff further avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff 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, the 9th day of January, 1953, plaintiff's automobile was being lawfully driven along the public highway, to-wit, in a southerly direction on U. S. 31 at or near the intersection of U. S. 31 and Alabama Highway No. 3 in Baldwin County, Alabama, and plaintiff avers that his wife then and there riding as a passenger in his automobile and that then and there the defendant's servant, agent or employee, while acting in the line and scope of his authority, wilfully or wantonly damaged the plaintiff's automobile and injured plaintiff's wife by wilfully or wantonly running a motor truck into, upon or against plaintiff's automobile, and as a proximate result and consequence thereof, plaintiff's automobile was damaged and demolished, personal property located in said automobile 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 number of contusious and abrasions on her body; 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; she was permanently injured; and plaintiff further avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff 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

970

Received in office

26

day of

June

1953

Sheriff.

Executed by serving

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of the within Summons and Complaint on

Defendant this the

Aug 14

day of

Agnew, Dargatz  
As Secy of State

1953

Sheriff.

No. 2029

Frank Bradley

vs.

Curtis Foster  
Bay Minette, Alabama

CIRCUIT COURT  
Baldwin  
OF MONTGOMERY COUNTY

Term, 19

## SUMMONS AND COMPLAINT

Filed in office this

26th

day of

June

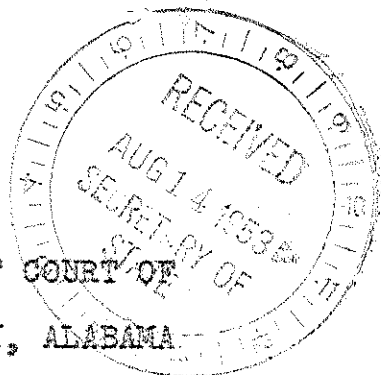
A. D. 1953

Archie French  
Clerk.

Plaintiff's Attorney.

FRANK 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 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 12<sup>th</sup> 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 Frank 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.

*W. J. ...*

Clerk.

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FRANK BRADLEY,  
Plaintiff,  
VS.  
CURTIS FOSTER,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

C O U N T Y 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's automobile was being lawfully driven along a public highway in Baldwin County, Alabama, in a Southerly direction on U. S. 31 at or near the intersection of Alabama Highway No. 3 with U. S. 31 and that then and there the defendant's servant, agent, or employee, while acting within the line and scope of his authority, negligently ran a motor vehicle truck belonging to defendant into, upon or against the plaintiff's automobile, and plaintiff further avers that plaintiff's wife was lawfully riding as a passenger in said automobile belonging to the plaintiff and as the proximate consequence and result of the negligence of defendant's agent, servant or employee while acting within the line and scope of his authority, plaintiff's automobile was damaged and demolished, personal property belonging to the plaintiff which was located in plaintiff's automobile 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 number of contusions and abrasions on her body; 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; she was permanently injured; and plaintiff further avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff 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, the 9th day of January, 1953, plaintiff's automobile was being lawfully driven along the public highway, to-wit, in a southerly direction on U. S. 31 at or near the intersection of U. S. 31 and Alabama Highway No. 3 in Baldwin County, Alabama, and plaintiff avers that his wife then and there riding as a passenger in his automobile and that then and there the defendant's servant, agent or employee, while acting in the line and scope of his authority, wilfully or wantonly damaged the plaintiff's automobile and injured plaintiff's wife by wilfully or wantonly running a motor truck into, upon or against plaintiff's automobile, and as a proximate result and consequence thereof, plaintiff's automobile was damaged and demolished, personal property located in said automobile was damaged and destroyed and plaintiff's wife received severe personal injuries in this, to-wit:

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was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain; she was permanently injured; and plaintiff further avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff 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 E. B. Blackburn

J. B. Blackburn  
Attorneys for Plaintiff

RECORDED

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FILED  
JUL 30 1913  
CLERK OF COURT



was permanently stiffened and injured; she suffered and continues to suffer great mental anguish and physical pain; she was permanently injured; and plaintiff further avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff 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.

RECORDED

2029

FILED  
JUN 26 1933  
MURDER, DUCK, BLOTH  
CAPPELL, HOWARD & COBBES and  
Attorneys for Plaintiff