

LOUIS W. DOOLEY,

Plaintiff,

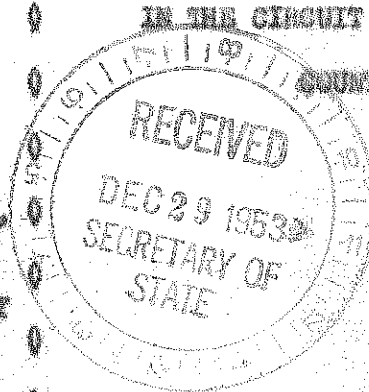
Vs.

JOHN FREDERICK HOLLAND, individually,  
and JAMES A. GARLAND and J. P.  
COLLINSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY of  
DALLAS, TEXAS,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.



AT LAW

NO. 2154

COURT ONE

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company, of Dallas, Texas, did so negligently operate a truck trailer in an Eastwardly direction on U. S. Highway 90, about to-wit: one and one-half (1½) miles East of Robertsdale, Baldwin County, Alabama, said road or highway being a public road or highway in the County of Baldwin, State of Alabama, as to cause said truck trailer to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 (\$1,300.00) Dollars and he was caused to lose

the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said negligence of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas.

COUNT TWO

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of this employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, while driving a truck trailer in an eastwardly direction on a public road or highway commonly known as U. S. Highway 90, said public road or highway being in the County of Baldwin, State of Alabama, at a point to-wit: one and one-half (1½) miles East of Robertsdale, Baldwin County, Alabama, did wilfully or wantonly drive said truck trailer over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of said wilful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J.P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he was caused to suffer acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 (\$1,300.00) Dollars and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of

this Bill of Complaint, all as a proximate consequence of the said wilful and  
wanton act on the part of the Defendant, John Frederick Holland, while acting  
within the line and scope of his employment as the agent, servant or employee  
of the Defendants, James A. Garland and J. P. Collinsworth, individually and  
d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

  
Attorney for Plaintiff

Defendants' address:

John Frederick Holland  
927 Hamood Avenue  
Dallas, Texas.

James A. Garland and J. P.  
Collinsworth  
Garland Distributing Company of  
Dallas, Texas.

NOTE: Serve Secretary of State on  
all three of these men who  
are non-residents

Plaintiff demands trial by jury

FILED  
DEC 30 1933  
WIT I MAY 1934





see over

21519

Filed 5-22-64  
Avery J. Smith  
Clerk

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. \_\_\_\_\_

\_\_\_\_\_ TERM, 19\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ~~JOHN FREDERICK ROLLINS, individually, and JAMES A. CHILDRESS, individually, and d/o/a JAMES EARL RAY, a party of~~  
~~DALLAS, TEXAS~~

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 ~~JOHN FREDERICK ROLLINS, individually, and JAMES A. CHILDRESS, individually, and d/o/a JAMES EARL RAY, a party of~~  
~~DALLAS, TEXAS~~

\_\_\_\_\_, Defendant\_\_\_\_\_

by \_\_\_\_\_

~~JAMES W. RAY~~

\_\_\_\_\_, Plaintiff\_\_\_\_\_

Witness my hand this 21st day of November 1959

Reice J. Ruck, Clerk

No. \_\_\_\_\_ Page \_\_\_\_\_

**THE STATE OF ALABAMA**

BALDWIN COUNTY

**CIRCUIT COURT**

Plaintiffs

vs.

Defendants

**SUMMONS and COMPLAINT**

Filed \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Sheriff

I have executed this summons

this \_\_\_\_\_, 19\_\_\_\_

by leaving a copy with

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Deputy Sheriff



In the Matter of the Removal to  
the District Court of the United  
States for the Southern District  
of Alabama Southern Division,  
of the case of:

LOUIS W. DOOLEY,

Plaintiff,

vs.

JOHN FREDERICK HOLLAND, individually,  
and JAMES A. GARLAND and J. P. COLLINS-  
WORTH, individually and d/b/a JAMES  
GARLAND DISTRIBUTING COMPANY OF DALLAS,  
TEXAS,

Defendants.

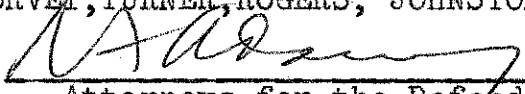
TO: Mrs. Alice J. Duck  
Clerk of the Circuit Court of Baldwin County  
Bay Minette, Alabama

Pursuant to the provisions of law in such cases made  
and provided, there is hereby filed with you a copy of the  
petition of the defendants, John Frederick Holland, indi-  
vidually, and James A. Garland and J. P. Collinsworth, indi-  
vidually and d/b/a James Garland Distributing Company of  
Dallas, Texas, in the above entitled cause to remove said cause  
to the United States District Court for the Southern District  
of Alabama, Southern Division. The said petition, accompanied  
by a bond with good and sufficient surety, conditioned as is  
required by law, was on the 19th day of January, 1954, filed  
in the said United States District Court for the Southern District  
of Alabama, Southern Division.


Written notice of the filing of said petition and bond has  
this day been given to the attorney for the plaintiff herein,  
and you are hereby notified that the filing of a copy of the  
aforesaid petition with you as Clerk of the Circuit Court of  
Baldwin County, Alabama, effects the removal of said cause to  
the said United States District Court.

Dated this 19th day of January, 1954.

McCORMEY, TURNER, ROGERS, JOHNSTONE & ADAMS

BY:   
Attorneys for the Defendants

I, R. F. Adams, hereby certify that on  
this 19th day of January, 1954, I have  
served the above notice on Mrs. Alice J.  
Duck, by mailing a copy addressed to her in  
Bay Minette, Alabama, postage prepaid.

  
\_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION

LOUIS W. DOOLEY,

Plaintiff,

vs.

JOHN FREDERICK HOLLAND, indi-  
vidually, and JAMES A. GARLAND  
and J. P. COLLINSWORTH, indi-  
vidually and d/b/a JAMES GARLAND  
DISTRIBUTING COMPANY of DALLAS,  
TEXAS,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. \_\_\_\_\_

PETITION FOR REMOVAL OF CIVIL ACTION FROM THE CIRCUIT COURT OF  
BALDWIN COUNTY IN THE STATE OF ALABAMA TO THE DISTRICT COURT OF  
THE UNITED STATES FOR THE SOUTHERN DISTRICT OF ALABAMA, SOUTHERN  
DIVISION

TO THE HONORABLE DANIEL H. THOMAS, JUDGE OF SAID DISTRICT COURT  
OF THE UNITED STATES:

Your Petitioners, John Frederick Holland, individually, and  
James A. Garland and J. P. Collinsworth, individually and d/b/a  
James Garland Distributing Company of Dallas, Texas, Defendants  
in the above styled cause, respectfully show:

ONE

That a civil action has been brought and is now pending in  
the Circuit Court of Baldwin County, in the State of Alabama, a  
State court, wherein Louis W. Dooley is Plaintiff and your Peti-  
tioners are Defendants.

TWO

That said action is a civil action of which the District  
Courts of the United States have original jurisdiction, in that  
the said action is one to recover damages for personal injuries  
alleged to have been received in an automobile accident.

THREE

That Petitioners hereby petition to remove said action to  
this Court upon the ground and for the reason that the above  
action involves a controversy which is wholly between citizens  
of different states, in that Louis W. Dooley, the said Plaintiff,  
was at the time of commencement of said suit and still is a

citizen of the State of Louisiana residing at 5621 Royal Street, New Orleans, Louisiana, and that your Petitioners, John Frederick Holland, James A. Garland and J. P. Collinsworth, the Defendants in said suit, were at the time of commencement thereof and still are citizens of the State of Texas, the address of John Frederick Holland being 927 Harwood Avenue, Dallas, Texas, and the address of James A. Garland and James P. Collinsworth being 1132 South Preston Avenue, Dallas, Texas.

FOUR

That the matter in controversy in said action at the time of commencement of said action and at the present time exceeds the sum of value of \$3,000.00, exclusive of interest and costs.

FIVE

That said action was commenced on the 23rd day of December, 1953, and process therein was served on Petitioners through service on the Secretary of State of Alabama on December 29, 1953, a copy of said complaint being sent to Petitioners by registered mail by said Secretary of State on December 29, 1953.

SIX

Your Petitioners herewith present a good and sufficient bond as provided by the statute, conditioned that your Petitioners, the Defendants, will pay all costs and disbursements incurred by reason of the removal proceedings should it be determined that the case was not removable or was improperly removed.

WHEREFORE, Petitioners pray that the said action may be removed from said State Court into this Court for trial and determination; that this Court accept said bond and make and enter an order of removal of said action.

JOHN FREDERICK HOLLAND, individually, and  
JAMES A. GARLAND and J. P. COLLINSWORTH, indi-  
vidually and d/b/a JAMES GARLAND DISTRIBUTING  
COMPANY OF DALLAS, TEXAS

Petitioners

McCORMY, TURNER, ROGERS, JOHNSTONE & ADAMS  
BY: *[Signature]*

As their Attorney

State of Alabama  
Mobile County

R. F. Adams, being duly sworn, says that he is one of the attorneys for the Petitioners in the above petition, that he has read the foregoing petition, and that he is informed and believes that the allegations therein are true and correct, and on such information and belief he avers them to be true and correct.

R. F. Adams

Sworn to and subscribed before me

on this the 14th day of January, 1954.

William H. Powers  
Notary Public, Mobile County, Alabama

copy

STATE OF ALABAMA  
OFFICE OF SECRETARY OF STATE

Montgomery 4, Alabama

December 29, 1953

REGISTERED MAIL  
RETURN RECEIPT REQUESTED  
DELIVER TO ADDRESSEE ONLY

James A. Garland, Individually  
and c/o/a James Garland Distributing Company of  
Dallas, Texas

You will take notice that on December 29, 1953, the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled Louis W. Wooley, Plaintiff vs. John Frederick Holland, individually, and James A. Garland and J. F. Collinsworth, individually and c/o/a James Garland Distributing Company of Dallas, Texas, Defendants in the Circuit Court of Baldwin County, Alabama, Case No. 2154, 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 29th day of December, 1953.

/s/Mrs. Agnes Barrett  
MRS. AGNES BARRETT  
Secretary of State

encl. 1 copy of summons and complaint

CC - Honorable Maurice A. Downing  
Attorney-at-Law  
529 First National Bank Building  
Mobile, Alabama

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

NO. \_\_\_\_\_

TERM, 19\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby Commanded to Summon JOHN FREDERICK <sup>Holland</sup>, individually, and JAMES A. GARLAND and J. P. COLLINSWORTH, individually and c/o/a JAMES GARLAND DISTRIBUTING COMPANY of DALLAS, TEXAS 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 JOHN FREDERICK HOLLAND, individually, and JAMES A. GARLAND and J. P. COLLINSWORTH, individually and c/o/a JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS, Defendant, by LOUIS V. BOOLEY, Plaintiff.

Witness my hand this 23rd day of December, 1953.

/s/ Alice J. Duck, Clerk

LOUIS W. DOOLEY,

Plaintiff,

vs.

JOHN FREDERICK HOLLAND, indi-  
vidually, and JAMES A. GARLAND  
and J. P. COLLINSWORTH, indi-  
vidually and d/b/a JAMES GARLAND  
DISTRIBUTING COMPANY of DALLAS,  
TEXAS,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

AT LAW

NO. \_\_\_\_\_

RECEIVED

December 29, 1953

SECRETARY OF STATE

COUNT ONE

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, did so negligently operate a truck trailer in an Eastwardly direction on U. S. Highway 90, about to-wit: one and one-half (1½) miles East of Robertsedale, Baldwin County, Alabama, said road or highway being a public road or highway in the County of Baldwin, State of Alabama, as to cause said truck trailer to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 (\$1,300.00) Dollars and he was caused to lose the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all

as a proximate consequence of the said negligence of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas.

COUNT TWO

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore and on, to-wit: the 22nd day of June, 1953, the Defendant, John Frederick Holland, while acting within the line and scope of this employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth individually and d/b/a James Garland Distributing Company of Dallas, Texas, while driving a truck trailer in an eastwardly direction on a public road or highway commonly known as U. S. Highway 90, said public road or highway being in the County of Baldwin, State of Alabama, at a point to-wit: one and one-half (1½) miles East of Robertsdale, Baldwin County, Alabama, did wilfully or wantonly drive said truck trailer over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of said wilful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he was caused to suffer acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and No/100 (\$1,300.00) Dollars and he was caused to lose the use of said automobile from the date of said accident



to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said wilful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

/s/ Maurice A. Downing  
Attorney for Plaintiff

Defendants' address:

John Frederick Holland  
927 Hawood Avenue  
Dallas, Texas.

James A. Garland and J. P.  
Collinsworth  
Garland Distributing Company of  
Dallas, Texas.

NOTE: Serve Secretary of State on  
all three of these men who  
are non-residents

Plaintiff demands trial by jury

/s/ M.A. Downing

In the Matter of the Removal to  
the District Court of the United  
States for the Southern District  
of Alabama, Southern Division,  
of the case of:

LOUIS W. DOOLEY,

Plaintiff

vs.

JOHN FREDERICK HOLLAND, individually,  
and JAMES A. GARLAND and J. P. COLLINS-  
WORTH, individually and d/b/a JAMES  
GARLAND DISTRIBUTING COMPANY of DALLAS,  
TEXAS,

Defendants.

TO: Mr. Maurice A. Downing  
Attorney for Plaintiff  
First National Bank Building  
Mobile, Alabama

Please take notice that John Frederick Holland, individually,  
and James A. Garland and J. P. Collinsworth, individually and d/b/a  
James Garland Distributing Company of Dallas, Texas, the defendants  
in the above styled cause, have on the 19th day of January, 1954,  
filed their petition to remove the above entitled action to the  
United States District Court for the Southern Division of the  
Southern District of Alabama, a copy of the said petition being  
attached to this said notice, and that said defendants have on the  
19th day of January, 1954, filed in the United States District  
Court a bond with good and sufficient surety conditioned as is  
provided by law with respect to said proceedings. You are hereby  
further notified that a copy of the said petition is being filed  
this day with Mrs. Alice J. Duck, Clerk of the Circuit Court of  
Baldwin County, Alabama, wherein said cause is now pending, which  
shall effect the removal of said cause from said Court.

This said notice is given to you as attorney for the Plaintiff  
in compliance with the provisions of Title 28 U.S.C.A., Sec. 1446 (e).

Dated this 19th day of January, 1954.

McCORVEY, TURNER, ACOORS, JOHNSTONE & ADAMS

BY: M. A. Adams

Attorneys for Defendants

I, R. F. Adams, hereby certify that on  
this date I have served the above notice  
on the Honorable Maurice A. Downing.  
This the 19th day of January, 1954.

M. A. Adams

960-11-11

# Faintly

JOHN FREDERICK HOLLAND, individually,  
and JAMES A. GARLAND and J. P. COLLINS-  
WORTH, individually and d/b/a JAMES  
GARLAND DISTRIBUTING COMPANY OF DALLAS,  
TEXAS.

TO: Mrs. Alice J. Duck  
Clerk of the Circuit Court of Baldwin County  
Bay Minette, Alabama

Written notice of the filing of said petition and bond has this day been given to the attorney for the plaintiff herein, and you are hereby notified that the filing of a copy of the aforesaid petition with you as Clerk of the Circuit Court of Baldwin County, Alabama, effects the removal of said cause to the said United States District Court.

McCORVEY, TURNER, ROGERS, JOHNSTONE &amp; ADAMS

I, R. F. Adams, hereby certify that on this 19th day of January, 1954, I have served the above notice on Mrs. Alice J. Duck, by mailing a copy addressed to her in Bay Minette, Alabama, postage prepaid.

*Madame*

TO THE HONORABLE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
WASHINGTON, D. C.

RE: THE PROPOSED  
AMENDMENT TO THE  
NATIONAL LABOR RELATIONS ACT  
RELATIVE TO THE  
RIGHT OF WORKERS TO  
STRIKE

Dear Sir:

I am writing to you in regard to the proposed amendment to the National Labor Relations Act which would prohibit strikes in certain cases.

In your statement of the reasons for the proposed amendment, you state that it is necessary to prohibit strikes in certain cases in order to protect the public interest.

I am sure that you are fully aware of the importance of the right of workers to strike, and I am sure that you are also aware of the importance of the public interest.

Very truly yours,  
J. Edgar Hoover

cc: Mr. Tolson  
Mr. Clegg  
Mr. Glavin  
Mr. Ladd  
Mr. Nichols  
Mr. Rosen  
Mr. Tracy  
Mr. Carson  
Mr. Egan  
Mr. Gurnea  
Mr. Hendon  
Mr. Pennington  
Mr. Quinn  
Mr. Nease  
Miss Gandy

Filed 1-20-54  
A. J. French  
Clerk

IN THE CIRCUIT COURT

of

Louis W. Dooley, Plaintiff

BALDWIN COUNTY, ALABAMA

VS

Case No. 2154

John Frederick Holland, Individually,  
et als, Defendants

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State, hereby certify that on December 29, 1953,  
I sent by registered mail in an envelope addressed as follows:

" John Frederick Holland  
927 Hawood Avenue  
Dallas, Texas "

"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:

" John Frederick Holland  
927 Hawood Avenue  
Dallas, Texas

You will take notice that on December 29, 1953 the Sheriff of  
Montgomery County, Alabama served upon me, in my official capacity,  
summons and complaint in a case entitled Louis W. Dooley, Plaintiff vs  
John Frederick Holland, individually, and James A. Garland and J. P. Collins-  
worth, individually and d/b/a James Garland Distributing Company of Dallas, Texas,  
Defendants in the Circuit Court of Baldwin County,  
County, Alabama, Case No. 2154, 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  
29th day of December, 1953.

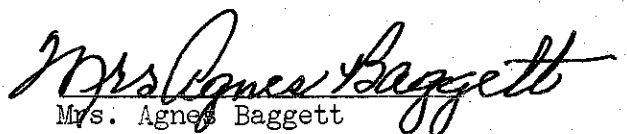
Signed) Agnes Baggett  
Mrs. Agnes Baggett  
Secretary of State "

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 January 4, 1954, I received the return card,  
showing receipt by the designated addressee of the aforementioned matter, at  
Dallas, Texas on January 2, 1954.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 4 day  
of January, 1954.

  
Mrs. Agnes Baggett  
Secretary of State

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

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2154

TERM, 19\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOHN FREDERICK HOLLAND, individually, and  
JAMES A. GARLAND and J.P. COLLINGSWORTH, individually and d/b/a JAMES GARLAND  
JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

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 JOHN FREDERICK HOLLAND  
individually, and JAMES A. GARLAND and J.P. COLLINGSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

Defendant

by

LOUIS W. DOOLEY

Plaintiff

Witness my hand this 23rd day of December 19 53

Alice J. Luck, Clerk

**THE STATE OF ALABAMA**

BALDWIN COUNTY

**CIRCUIT COURT**

LOUIS W. BOOLEY

Plaintiffs

vs.

JOHN FREDERICK HOLLAND, individually  
and JAMES A. GARLAND and J.P. COLLINS-  
WORTH, individually and d/b/a JAMES  
GARLAND DISTRIBUTING COMPANY OF DALLAS  
TEXAS

Defendants

**SUMMONS and COMPLAINT**

Filed 23 December, 19 53

ALICE J. DUCK, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this \_\_\_\_\_, 19

by leaving a copy with

Sheriff

Deputy Sheriff

LOUIS W. DOOLEY,

Plaintiff,

Vs.

JOHN FREDERICK HOLLAND, individually,  
and JAMES A. GARLAND and J. P.  
COLLINSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY of  
DALLAS, TEXAS,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

AT LAW

NO. \_\_\_\_\_

COUNT ONE

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, did so negligently operate a truck trailer in an Eastwardly direction on U. S. Highway 90, about to-wit: one and one-half ( $1\frac{1}{2}$ ) miles East of Robertsdale, Baldwin County, Alabama, said road or highway being a public road or highway in the County of Baldwin, State of Alabama, as to cause said truck trailer to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 Dollars (\$1,300.00) and he was caused to lose



the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said negligence of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

#### COUNT TWO

The plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, while driving a truck trailer in an eastwardly direction on a public road or highway commonly known as U. S. Highway 90, said public road or highway being in the County of Baldwin, State of Alabama, at a point to-wit: one and one-half (1½) miles East of Robertsdale, Baldwin County, Alabama, did willfully or wantonly drive said truck trailer over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he was caused to suffer acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 (\$1,300.00) Dollars and he was caused to lose the use of

said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

*Maurice A. Downing*  
Attorney for Plaintiff  
507 First National Bank Bldg

Defendants' Address:

John Frederick Holland  
927 Hamood Avenue  
Dallas, Texas.

James A. Garland and  
J. P. Collinworth  
Dallas, Texas  
*James Garland Distributing Co.*

NOTE: Serve Secretary of State  
on all three of these men  
who are non-residents

*Plaintiff demands a trial by jury.*  
*Maurice A. Downing*

FILED  
JAN 10 1937  
U.S. DISTRICT COURT  
DALLAS, TEXAS

and automobile from the date of said accident to the date of filing of this bill of complaint, all as a proximate consequence of the said willful and wanton act on the part of the defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the defendant. James A. Garland and J. P. Hollingsworth, individually and jointly James Garland Distributing Company of Dallas, Texas, hence this suit.

*James A. Garland*  
*Attorney for Plaintiff*  
*507 First National Bank Bldg.*

Defendants: Answer:

John Frederick Holland  
 927 Second Avenue  
 Dallas, Texas.

James A. Garland and  
 J. P. Hollingsworth

*James A. Garland and J. P. Hollingsworth*  
 Defendants: Answer:  
 on all three of these men  
 who are non-residents  
 of Texas  
 State Secretary of State  
 James A. Garland and J. P. Hollingsworth

*Plaintiff demands a trial by jury.*  
*James A. Garland*

FILED  
 OCT 23 1934  
 U.S. DISTRICT COURT  
 DALLAS, TEXAS

Each Probate Judge, Sheriff, and the Clerk and Register of the Circuit Court is required by law to preserve this slip or pamphlet in a book kept in his office until the Act is published in permanent form.

## ALABAMA LAW

(Regular Session, 1953)

c-199(1)  
Act No. 282

H. 241—Scruggs

### AN ACT

Relating to the service of legal process on certain nonresident defendants; amending the Act approved June 23, 1949, entitled "An Act To provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes," as amended by an Act approved August 28, 1951.

*Be It Enacted by the Legislature of Alabama:*

Section 1. The Act approved June 23, 1949, entitled "An Act To provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes," as amended by an Act approved August 28, 1951, is amended further and shall read as follows:

"Any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the Constitution and laws of this state as to doing business herein, who shall do any business or perform any character of work or service in this state shall, by the doing of such business or the performing of such work, or services, be deemed to have appointed the secretary of state, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued or accruing from the doing of such business, or the performing of such work, or service, or as an incident thereto by any such non-resident, or his, its or their agent, servant or employee. Service of such process shall be made by serving three copies of the process on the said secretary of State, and such service shall be sufficient service upon the said non-resident of the state of Alabama, provided that notice of such service and a copy of the process are forth-

with sent by registered mail by the secretary of the state to the defendant at his last known address, which shall be stated in the affidavit of the plaintiff or complainant hereinafter mentioned, marked "Deliver to Addressee Only" and "Return Receipt Requested," and provided further that such return receipt shall be received by the secretary of state purporting to have been signed by said non-resident, or the secretary of state shall be advised by the postal authority that delivery of said registered mail was refused by said non-resident; and the date on which the secretary of state receives said return receipt, or advice by the postal authority that delivery of said registered mail was refused, shall be created and considered as the date of service of process on said non-resident. The secretary of state shall make an affidavit as to the service of said process on him, and as to his mailing a copy of the same and notice of such service to the non-resident, and as to the receipt of said return receipt, or advice of the refusal of said registered mail, and the respective dates thereof, and shall attach said affidavit, return receipt, or advice from the postal authority, to a copy of the process and shall return the same to the clerk or register who issued the same, and all of the same shall be filed in the cause by the clerk or register. The party to a cause filed or pending, or his agent or attorney, desiring to obtain service upon a non-resident under the provisions of this section shall make and file in the cause an affidavit stating facts showing that this section is applicable, and stating the residence and last known post office address of the non-resident, and the clerk or register of the court in which the action is filed shall attach a copy of the affidavit to the writ of process, and a copy of the affidavit to each copy of the writ or process, and forward the original writ or process and three copies thereof to the sheriff of Montgomery county for service on the secretary of state and it shall be the duty of the sheriff to serve the same on the secretary of state and to make due return of such service. The court in which the cause is pending may order such continuance of the cause as may be necessary to afford the defendant or defendants reasonable opportunity to make defense. Any person who was a resident of this state at the time of the doing of business, or performing work or service in this state, but who is a non-resident at the time of the pendency of a cause involving the doing of said business or performance of said work or service, and any corporation which was qualified to do business in this state at the time of doing business herein and which is not qualified at the time of the pendency of a cause involving the doing of such business, shall be deemed a non-resident within the meaning of this section, and service of process under such circumstances may be had as herein provided.

"The secretary of state of the state of Alabama, or his successor in office, may give such non-resident defendant notice of

such service upon the secretary of state of the state of Alabama in lieu of the notice of service hereinabove provided to be given, by registered mail, in the following manner: By causing or having a notice of such service and a copy of the process served upon such non-resident defendant, if found within the state of Alabama, by any officer duly qualified to serve legal process within the state of Alabama, or if such non-resident defendant is found without the state of Alabama, by a sheriff, deputy sheriff, or United States marshal, or deputy United States marshal, or any duly constituted public officer qualified to serve like process in the state of the jurisdiction where such non-resident defendant is found; and the officer's return showing such service and when and where made, which shall be under oath, shall be filed in the office of the clerk or register of the court wherein such action is pending.

"Service of summons when obtained upon any such non-resident as above provided for the service of process herein shall be deemed sufficient service of summons and process to give to any of the courts of this state jurisdiction over the cause of action and over such non-resident defendant, or defendants, and shall warrant and authorize personal judgment against such non-resident defendant, or defendants, in the event that the plaintiff prevails in the action.

"The Secretary of State shall refuse to receive and file or serve any process, pleading, or paper under this section unless three copies thereof are supplied to the secretary of state and a fee of three dollars is paid to the secretary of state; and no service shall be perfected hereunder unless there is on file in the office of the Secretary of State a certificate or statement under oath by the plaintiff or his attorney that the provisions of this section are applicable to the case."

Section 2. This Act is remedial and shall apply to causes now pending as well as those hereafter filed, but in any cause now pending in which process has been served compliance with the amendatory provisions of this Act shall not be required.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved August 5, 1953.

Time: 12:37 P. M.

I hereby certify that the foregoing copy of an Act of the Legislature of Alabama has been compared with the enrolled Act and it is a true and correct copy thereof.

Given under my hand this 6 day of August, 1953.

R. T. GOODWYN, JR.,  
Clerk of the House.

Each Probate Judge, Sheriff, and the Clerk and Register of the Circuit Court is required by law to preserve this slip or pamphlet in a book kept in his office until the Act is published in permanent form.

## ALABAMA LAW

(Regular Session, 1953)

Act No. 314

H. 242—Scruggs

### AN ACT

Relating to the service of legal process on certain nonresident defendants; amending the Code of Alabama (1940), Title 7, Sections 192 and 193, as amended.

*Be It Enacted by the Legislature of Alabama:*

Section 1. Section 192 of Title 7, Code of Alabama (1940), as amended, is amended further to read as follows:

"When a foreign corporation has filed an instrument in writing designating one or more agents in this state as provided by this code, process, pleadings or papers issuing against such foreign corporation, other than in equity, may be served upon any agent, so designated; and the certificate of the secretary of state or of the auditor, as the case may be, showing such designation, is evidence of the fact of such agency. In the event such foreign corporation withdraws from this state and ceases to transact business herein, it shall continue to keep and maintain such agent within this state upon whom service of process, pleadings or papers may be made, until the statutes of limitations shall have run against the bringing of action against said corporation. If the agent designated by such foreign corporation shall die, resign, remove from the state, or his authority shall cease from any cause, and no other agent shall be designated by such foreign corporation, or said corporation shall revoke or fail to maintain in effect the authority of its designated agent after its withdrawal from this state and prior to the time when the statutes of limitations would have run against the causes of action so accruing against it, then in that event such corporation shall by a duly executed instrument filed in the office of the secretary of state, constitute and appoint the secretary of state its true and lawful attorney, upon whom all such process, pleadings or papers may be served and therein shall agree that all such process, pleadings or papers which may be served upon its said attorney, shall be of the same force and validity as if served upon the said corporation, and the authority thereof shall continue in force irrevocably until the statutes of limitations shall have run against the bringing of the action against said corporation, and the same shall be held as due and sufficient service upon such corporation.

in the event such corporation shall fail to so constitute and appoint the secretary of state its true and lawful attorney, upon whom all such process, pleadings or papers may be served, and no other such agent shall have been so designated by such corporation for such purpose, then such corporation shall be deemed to have consented to the Secretary of state being its true and lawful attorney, upon whom all such process, pleadings or papers may be served, until the statutes of limitations shall have run against the bringing of the action against said corporation, and the same shall be held as due and sufficient service upon such corporation. The secretary of state must immediately transmit by registered mail, return receipt requested, to such foreign corporation at its home office, a copy of such process, pleadings or papers served upon him, retaining the copy of such process, pleadings or papers served upon him along with the return receipt as part of the permanent records of his office. The Secretary of State shall refuse to receive and file or serve any process, pleading, or paper under this section unless the same is served by the Sheriff of Montgomery County, Alabama, or a United States Marshal upon the secretary of state and three copies thereof are supplied secretary of state and a fee of three dollars is paid to the secretary of state and no service shall be perfected hereunder unless there is on file in the office of the Secretary of State a certificate or statement under oath by the plaintiff or his attorney that the provisions of this section are applicable to the case."

Section 2. Section 193 of Title 7, Code of Alabama (1940), as amended, is amended further to read as follows:

"Wherever a foreign corporation has carried on or transacted business in this state without qualifying to do business herein as is provided by the constitution and statutes of this state and there is no other agent and process, pleadings or papers cannot be served on such foreign corporation as is provided in the preceding section, then any legal process, pleadings or papers, other than in equity, concerning causes of action arising out of or as consequence of acts or business done in this state, may be served upon any agent or servant of such foreign corporation who has made contracts for the corporation or did the act which constituted the doing of business in this state; in the event process, pleadings or papers, cannot be served on either of the above named, then such corporation shall by a duly executed instrument filed in the office of the secretary of state, constitute and appoint the secretary of state its true and lawful attorney, upon whom all such process, pleadings or papers may be served, and herein shall agree that all such process, pleadings or papers which may be served upon its said attorney, shall be of the same



force and validity as if served upon the said corporation, and the authority thereof shall continue in force irrevocably until the statutes of limitations shall have run against the bringing of the action against said corporation, and the same shall be held as due and sufficient service upon such corporation. In the event such corporation shall fail to so constitute and appoint the secretary of state its true and lawful attorney, upon whom all such process, pleadings or papers may be served, and no other such agent shall have been so designated by such corporation for such purpose, then such corporation shall be deemed to have consented to the secretary of state being its true and lawful attorney, upon whom all such process, pleadings or papers may be served, until the statutes of limitations shall have run against the bringing of the action against said corporation, and the same shall be held as due and sufficient service upon such corporation. The secretary of state must immediately transmit by registered mail, return receipt requested, to such foreign corporation at its home office, a copy of such process, pleadings or papers served upon him, retaining the copy of such process, pleadings or papers served upon him along with the return receipt as part of the permanent records of his office. This section, however, shall not be exclusive of any other mode of service of process, pleadings or papers in the cases herein provided for. The Secretary of State shall refuse to receive and file or serve any process, pleading, or paper under this section unless the same are served by the Sheriff of Montgomery County, or a United States Marshal upon the secretary of state and three copies thereof are supplied secretary of state and a fee of three dollars is paid to the secretary of state and no service shall be perfected hereunder unless there is on file in the office of the Secretary of State a certificate or statement under oath by the plaintiff or his attorney that the provisions of this section are applicable to the case."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 4. This Act is remedial and shall apply to causes now pending as well as those hereafter filed, but in any cause now pending in which process has been served compliance with the amendatory provisions of this Act shall not be required.

Approved August 6, 1953.

Time: 2:46 P. M.

I hereby certify that the foregoing copy of an Act of the Legislature of Alabama has been compared with the enrolled Act and it is a true and correct copy thereof.

Given under my hand this 7 day of August, 1953.

R. T. GOODWYN, JR.,  
Clerk of the House.



MRS. AGNES BAGGETT  
SECRETARY OF STATE

STATE OF ALABAMA  
OFFICE OF SECRETARY OF STATE  
MONTGOMERY 4, ALABAMA  
January 5, 1954

*Will be seeing you, honey,  
before too long.  
AB*

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

Re: Louis W. Dooley vs Holland and  
Gene Farmer vs Holland, et als

My dear Alice:

In connection with the certificates attached covering the above causes, I should like to say I noticed in the copy of your letter to the Honorable Maurice Downing that you referred to service being under provisions of Title 7, Section 192, Code of Alabama 1940. No affidavits, as is required by said statute, were attached to the instruments however and service was perfected by us without mention of said statute. Under the new requirements my notices to defendants and my certificates to the Courts would read that said statute applied, if it were correctly done.

During the latter part of August, last year, I furnished to each Circuit Clerk of the State copies of the Acts by the 1953 Legislature having to do with Legal Process of Service through this office. Not having a listing of the attorneys of the State it was my belief that that a letter to each of the Clerks would prove most helpful to all concerned in that the Clerks, being the first persons contacted by the attorneys filing suits in the Courts, could advise the attorneys of the new enactments and more especially of the new requirements in connection therewith.

I am enclosing another set of Acts 282 and 314 for your future reference in connection with process of service through this office and know that I can count on your usual splendid cooperation to the end that attorneys filing suits will submit all instruments required under whatever statute they desire service perfected, before said instruments leave your office.

My very best wishes to you for continued success and happiness in this New Year, I am

Sincerely yours,

*Mrs. Agnes Baggett*  
Mrs. Agnes Baggett  
Secretary of State

Encs.

cc: Hon. Maurice A Downing, Attorney  
529 First National Bank Building  
Mobile, Alabama

IN THE CIRCUIT COURT

of

BALDWIN COUNTY, ALABAMA

Louis W. Dooley, Plaintiff

VS

Case No. 2154

John Frederick Holland, and James  
A. Garland, et als, defendants

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State, hereby certify that on December 29 1953,  
I sent by registered mail in an envelope addressed as follows:

" J. P. Collinsworth , individually  
and d/b/a James Garland Distributing  
Company of  
Dallas, Texas"

"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:

" J.P.Collinsworth, Individually and d/b/a  
James Garland Distributing Company of  
Dallas, Texas

You will take notice that on December 29, 1953 the Sheriff of  
Montgomery County, Alabama served upon me, ~~in my official capacity~~ Louis W. Dooley, Plaintiff vs  
summons and complaint in a case entitled John Frederick Holland, individually,  
and James A. Garland and J.P.Collinsworth, individually and d/b/a James Garland  
Distributing Company of Dallas, Texas  
Defendants in the Circuit Court of Baldwin

County, Alabama, Case No. 2154, 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  
29 day of December, 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 January 7, 1954, I received the return card,  
showing receipt by the designated addressee of the aforementioned matter, at  
Dallas, Texas on January 5, 1954.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 7 day  
of January, 1954.

  
Mrs. Agnes Baggett  
Secretary of State

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

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2154.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOHN FREDERICK HOLLAND, individually, and

JAMES A. GARLAND and J.P. COLLINGSWORTH, individually and d/b/a JAMES GARLAND

JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

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 JOHN FREDERICK HOLLAND  
individually, and JAMES A. GARLAND and J.P. COLLINGSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

....., Defendant.....

by.....

LOUIS W. DOOLEY

....., Plaintiff.....

Witness my hand this 23rd day of December 19 53

Alice J. Luck, Clerk

**THE STATE OF ALABAMA**

BALDWIN COUNTY

**CIRCUIT COURT**

LOUIS W. DOOLEY

Plaintiffs

vs.

JOHN FREDERICK HOLLAND, individually  
and JAMES A. GARLAND and J.P. COLLINS-  
WORTH, individually and d/b/a JAMES  
GARLAND DISTRIBUTING COMPANY OF DALLAS  
TEXAS

Defendants

**SUMMONS and COMPLAINT**

Filed 23 December, 19 53

ALICE J. DUCK, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Sheriff

I have executed this summons

this \_\_\_\_\_, 19\_\_\_\_

by leaving a copy with

\_\_\_\_\_, Sheriff

\_\_\_\_\_, Deputy Sheriff

**THE STATE OF ALABAMA,**  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2154

TERM, 19\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOHN FREDERICK HOLLAND, individually, and  
JAMES A. GARLAND and J.P. COLLINSWORTH, individually and d/b/a JAMES GARLAND  
JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

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 JOHN FREDERICK HOLLAND  
individually, and JAMES A. GARLAND AND J.P. COLLINSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

, Defendant\_\_\_\_

by \_\_\_\_\_

LOUIS W. DOOLEY

, Plaintiff\_\_\_\_

Witness my hand this 23rd day of December 19 53Alfred. Luck, Clerk

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

LOUIS W. DOOLEY

Plaintiffs

vs.

JOHN FREDERICK HOLLAND, individually  
and JAMES A. GARLAND and J.P. COLLINS-  
WORTH, individually and d/b/a JAMES  
GARLAND DISTRIBUTING COMPANY OF DALLAS  
TEXAS

Defendants

**SUMMONS and COMPLAINT**

Filed 23 December, 19 53

ALICE J. DUCK, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this \_\_\_\_\_, 19

by leaving a copy with

Sheriff

Deputy Sheriff

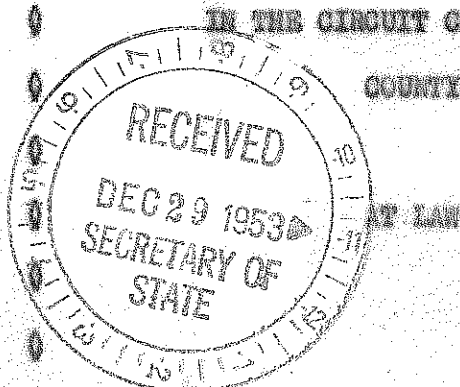
LOUIS W. DOOLLEY,

Plaintiff,

Vs.

JOHN FREDERICK HOLLAND, individually,  
and JAMES A. GARLAND and J. P.  
COLLINSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY of  
DALLAS, TEXAS,

Defendants.



COUNT ONE

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, did so negligently operate a truck trailer in an Eastwardly direction on U. S. Highway 90, about to-wit: one and one-half (1½) miles East of Robertsdale, Baldwin County, Alabama, said road or highway being a public road or highway in the County of Baldwin, State of Alabama, as to cause said truck trailer to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 Dollars (\$1,300.00) and he was caused to lose



the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said negligence of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

#### COUNT TWO

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, while driving a truck trailer in an eastwardly direction on a public road or highway commonly known as U. S. Highway 90, said public road or highway being in the County of Baldwin, State of Alabama, at a point to-wit: one and one-half (1½) miles East of Robertsdale, Baldwin County, Alabama, did willfully or wantonly drive said truck trailer over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he was caused to suffer acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 (\$1,300.00) Dollars and he was caused to lose the use of

said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said willful and wanton act on the part of the defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. F. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

*Maurice A. Downing*  
Attorney for Plaintiff  
507 First National Bank Bldg

**Defendants' Address:**

John Frederick Holland  
927 Hawood Avenue  
Dallas, Texas.

James A. Garland and  
J. F. Collinsworth  
Dallas, Texas

*James Garland Distributing Co.*

NOTE: Serve Secretary of State  
on all three of these men  
who are non-residents

*Plaintiff demands a trial by jury.*

*Maurice A. Downing.*

FILED  
DEC 29 1932  
THE F. M. M. M.



LOUIS W. DOOLEY,

Plaintiff,

Vs.

JOHN FREDERICK HOLLAND, individually,  
and JAMES A. GARLAND and J. P.  
COLLINSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY of  
DALLAS, TEXAS,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

AT LAW

NO. \_\_\_\_\_

COUNT ONE

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, did so negligently operate a truck trailer in an Eastwardly direction on U. S. Highway 90, about to-wit: one and one-half ( $1\frac{1}{2}$ ) miles East of Robertsedale, Baldwin County, Alabama, said road or highway being a public road or highway in the County of Baldwin, State of Alabama, as to cause said truck trailer to collide with, run over, upon or against an automobile owned and operated by the Plaintiff, and as a direct and proximate consequence of said negligence of said Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he received acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 Dollars (\$1,300.00) and he was caused to lose

the use of said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said negligence of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

COUNT TWO

The Plaintiff claims of the Defendants the sum of Twenty Five Thousand and NO/100 (\$25,000.00) Dollars as damages, for that heretofore and on to-wit: the 22nd day of June 1953, the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, while driving a truck trailer in an eastwardly direction on a public road or highway commonly known as U. S. Highway 90, said public road or highway being in the County of Baldwin, State of Alabama, at a point to-wit: one and one-half ( $1\frac{1}{2}$ ) miles East of Robertsedale, Baldwin County, Alabama, did willfully or wantonly drive said truck trailer over, upon or against an automobile then and there owned and operated by the Plaintiff, and as a direct and proximate consequence of the said willful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, the Plaintiff was injured and damaged, in that he was caused to suffer acute shock; acute concussion of the brain; contusions of the forehead; contusions of left eye; was caused to lose partial sight in both eyes; was caused to suffer headaches and dizziness; an injury to the left optic nerve; to suffer severe contusions of the entire chest; sprained left ankle, moderately severe; diminished hearing; was made sick and sore and to suffer great physical and mental pain and anguish; to incur great hospital bills, medicine bills, doctor bills and nurses' bills; was caused to lose a long period of time from his employment and to expend great sums of money for the care and cure of said above injuries; his automobile was bent, broken, damaged and otherwise destroyed in the amount of One Thousand Three Hundred and NO/100 (\$1,300.00) Dollars and he was caused to lose the use of

said automobile from the date of said accident to the date of the filing of this Bill of Complaint, all as a proximate consequence of the said willful and wanton act on the part of the Defendant, John Frederick Holland, while acting within the line and scope of his employment as the agent, servant or employee of the Defendants, James A. Garland and J. P. Collinsworth, individually and d/b/a James Garland Distributing Company of Dallas, Texas, hence this suit.

*Maurice A. Downing*  
Attorney for Plaintiff  
507 First National Bank Bldg  
Mobile, Ala.

Defendants' Address:

John Frederick Holland  
927 Hawood Avenue  
Dallas, Texas.

James A. Garland and  
J. P. Collinsworth  
Dallas, Texas  
*James A. Garland Distributing Co.*

NOTE: Serve Secretary of State  
on all three of these men  
who are non-residents

*Plaintiff demands a trial by jury.*  
*Maurice A. Downing*

2154

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2154

TERM, 19\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOHN FREDERICK HOLLAND, individually, and  
JAMES A. GARLAND and J.P. COLLINSWORTH, individually and d/b/a JAMES GARLAND  
JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

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 JOHN FREDERICK HOLLAND  
individually, and JAMES A. GARLAND AND J.P. COLLINSWORTH, individually and d/b/a  
JAMES GARLAND DISTRIBUTING COMPANY OF DALLAS, TEXAS

, Defendant....

by \_\_\_\_\_

LOUIS W. DOOLEY

, Plaintiff....

Witness my hand this 23rd day of December 19 53Arise J. Luck, Clerk



No. 2154 Page       

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

LOUIS W. DOOLEY

Plaintiffs

vs.

JOHN FREDERICK HOLLAND, individually  
and JAMES A. GARLAND and J.P. COLLINS-  
WORTH, individually and d/b/a JAMES  
GARLAND DISTRIBUTING COMPANY OF DALLAS  
TEXAS

Defendants

**SUMMONS and COMPLAINT**

Filed 23 December, 19 53

ALICE J. DUCK, Clerk

Plaintiff's Attorney

Defendant's Attorney

1532  
RECEIVED IN OFFICE

Defendant lives at

DEC 29 1953

RECEIVED IN OFFICE  
G. A. MOSLEY, Sheriff

1228, 1953  
*Mayor William*, Sheriff

I have executed this summons

this 12/29, 1953  
by leaving 7 copy with

*Agnes Ruggitt*  
*in Secy of State*

*G. A. Mosley* Sheriff  
*Thomas D. King* Deputy Sheriff

IN THE CIRCUIT COURT

of

Louis W. Dooley, Plaintiff

VS

John Frederick Holland, James A. Garland, et  
als, Defendants

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State, hereby certify that on December 29, 1953,  
I sent by registered mail in an envelope addressed as follows:

" James A. Garland, Individually and d/b/a  
James Garland Distributing Company of  
Dallas, Texas "

"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:

" James A. Garland, Individually and d/b/a  
James Garland Distributing Company of  
Dallas, Texas

You will take notice that on December 29, 1953 the Sheriff of  
Montgomery County, Alabama served upon me, in my official capacity,  
summons and complaint in a case entitled Louis W. Dooley, Plaintiff vs  
John Frederick Holland, individually, and James A Garland and J.P.Collins-  
worth, individually and d/b/a James Garland Distributing Company of Dallas, Texas  
Defendants in the Circuit Court of Baldwin

County, Alabama, Case No. 2154, 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  
29th day of December, 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 January 6, 1954, I received the return card,  
showing receipt by the designated addressee of the aforementioned matter, at  
Dallas, Texas on January 4, 1954.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 6 day  
of January, 1954.



Mrs. Agnes Baggett  
Secretary of State

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

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

54309

No.

INSURED PARCEL

No.

**MONTGOMERY,**

**ALABAMA.**

Louis W. Dooley vs James A. Garland, individually and  
d/b/a/ James Garland Distributing Co.  
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.

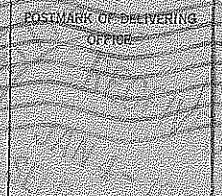
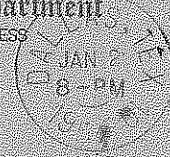
1 James A. Garland  
(Signature or name of addressee)

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

Date of delivery JAN 4 1954, 19

Post Office Department  
OFFICIAL BUSINESS

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



Return to \_\_\_\_\_  
Secretary of State

Street and Number, \_\_\_\_\_  
or Post Office Box, \_\_\_\_\_  
(NAME OF SENDER)  
Montgomery, Alabama

REGISTERED ARTICLE

No. \_\_\_\_\_  
INSURED PARCEL

No. \_\_\_\_\_

54316

**MONTGOMERY,**  
**ALABAMA.**

Louis W. Dooley vs John Frederick Holland  
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 John Frederick Holland  
(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 JAN 2 1953, 1953

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 54307

No.

INSURED PARCEL

No.

**MONTGOMERY,**  
**ALABAMA.**

Louis W. Dooley vs J.P. Collinsworth, individually and  
d/b/a/ James Garland Distributing Company  
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 J.P. Collinsworth  
(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 JUN 4 1952 1952



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 54307

No. \_\_\_\_\_  
INSURED PARCEL

**MONTGOMERY,**  
**ALABAMA.**

No. \_\_\_\_\_

Louis W. Dooley vs J.P. Collinsworth, individually and  
d/b/a/ James Garland Distributing Company  
RETURN RECEIPT

Form 3811  
Rev. 1-52

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

1 J.P. Collinsworth  
(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 12 1 1952 19