

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA. AT LAW

CASE NO. 33710

9705

FRED F. SMITH, JR.
W. ROBERTS WILSON, JR.

LARRY BRADLEY, A MINOR, WHO SUES BY HIS MOTHER
AND NEXT FRIEND, EDDIE B. BRADLEY

JURY

FILED

FEB 22 1971

EUNICE B. BLACKMON
CIRCUIT CLERK

VS. Suit for \$200,000.00 damages for personal injuries.
(TORT)

HAND, ARENDALL, BEDSOLE, GREAVES
& JOHNSTON - Paul W. Brock ERVIN ZINK, INC., a Corporation
Michael D. Knight

PLEADINGS, PROCESS, ETC, FILING DATE

1. Complaint & Summons 11-16-70
2. Certificate from Sec'y of State as to service 12-2-70
3. Plea in Abatement 12-18-70

C & S served on Mable Amos, Secretary of State on November 20, 1970.
Service had on Defendant, Ervin Zink, Inc., a Corporation by CERTIFIED MAIL;
Return Receipt signed by B. Sanders for Ervin Zink, Inc., a corporation on
November 29, 1970; Received by the Secretary of State on December 1, 1970
and by the Clerk of the Circuit Court on December 2, 1970.

February 12, 1970 - Plea in Abatement sustained and case transferred to
Baldwin County, Alabama for further proceedings.
/s/ Ferrill D. McRae, Judge 42-523

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above
is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court.
In Witness whereof I have hereunto set my hand and attached my Official Seal as such Clerk of said Court at Mobile, Mobile
County, Alabama, on this the 19th day of February 1971.

John E. Mandeville Clerk

LARRY BRADLEY A MINOR,
WHO SUES BY HIS MOTHER
AND NEXT FRIEND, EDDIE
B. BRADLEY

Plaintiff,

vs.

ERVIN ZINK, INC. A
corporation.

Defendant,

IN THE CIRCUIT COURT
OF MOBILE COUNTY, ALABAMA

AT LAW

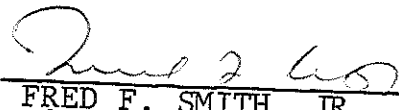
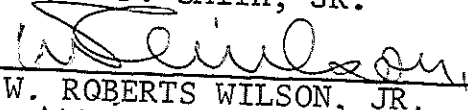
CASE NO. 3371A

The Plaintiff Claims of the Defendant the sum of TWO HUNDRED THOUSAND & NO/100 (\$200,000.00) as damages for that heretofore and on, to-wit: the 16th day of May, 1970, the plaintiff was operating a school bus on and along U. S. Highway No. 98, at a point to-wit: two(2) miles west of Foley, Baldwin County, Alabama, and where the plaintiff had a right to be and then and there the defendant's truck operated at the time and place by an agent, servant or employee who was acting in the line and scope of his authority as such agent, servant, or employee of the defendant, so negligently drove or operated a tractor or semi-trailor truck so as to run into, over, upon and against the school bus that the plaintiff was driving at said time and place and as a proximate consequence of the negligence of the defendant the Plaintiff suffered damages and injuries in this, to-wit: the Plaintiff's body was crushed and injured; he suffered great mental anguish and physical pain; he was caused to incur medical, doctor, hospital and ambulance bills, he suffered permanent bodily injury, all of which damages and injuries are a proximate consequence of the negligence of the Defendant corporation at said time and place and hence this suit...

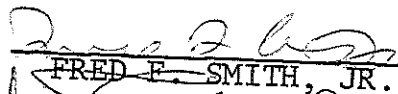
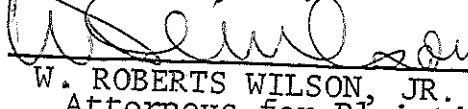
COUNT TWO

The Plaintiff claims of the Defendant the sum of TWO HUNDRED THOUSAND & NO/100 DOLLARS (\$200,000.00) as damages for that heretofore and on, to-wit: the 16th day of May, 1970, the Plaintiff

was operating a school bus on and along U. S. Highway No. 98, at a point to-wit: two (2) miles west of Foley, Baldwin County Alabama, and where the plaintiff had a right to be and then and there the Defendant's truck operated at the time and place by an agent, servant or employee who was acting in the line and scope of his authority as such agent, servant, or employee of the Defendant, willfully or wantonly injured the Plaintiff by willfully or wantonly driving or operating a tractor or truck so as to run into, over, upon and against the school bus the plaintiff was driving at said time and place and as a proximate consequence of the negligence of the Defendant at said time and place, the Plaintiff suffered damages and injuries in this, to-wit: the Plaintiff's body was crushed and injured; xhe suffered great mental anguish and physical pain, he was caused to incur medical, doctor, hospital and ambulance bills, he suffered permanent bodily injury, all of which damages and injuries are a proximate consequence of the willful or wanton operation of the tractor or truck by the Defendant corporation at said time and place and hence this suit.


FRED F. SMITH, JR.

W. ROBERTS WILSON, JR.
Attorneys for Plaintiff

The Plaintiff demands a trial by jury in this cause.


FRED F. SMITH, JR.

W. ROBERTS WILSON, JR.
Attorneys for Plaintiff

Serve defendant at:
Through Secretary of State
Montgomery, Alabama

Defendants Address:
Ervin Zink, Inc.
4729 Massachussetts Avenue
Indianapolis, Indiana

Filed November 16, 1970
John E. Mandeville, Clerk

THE STATE OF ALABAMA
MOBILE COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

ERVIN ZINK, INC., A Corporation

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,
at the place of holding the same, then and there to answer the complaint of
ERVIN ZINK, INC., A Corporation

WITNESS: John E. Mandeville, Clerk of said Court, this 16th day of November, 19 70

Attest:

John E. Mandeville

Clerk

SHERIFF'S RETURN

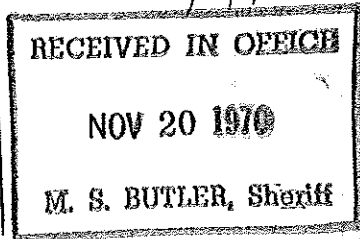
Received _____ day of _____, 19____ and on _____ day
of _____, 19____, I served a copy of
the within _____ on _____
by service on _____

RAY D. BRIDGES, SHERIFF

By _____

D.S.

60 100



Executed by serving 3 copies of
the within on Mable Anne
Secretary of State of The State of
Alabama.

This the 20 day of Nov. 19 70

Sheriff of Montgomery County

M. S. Butler,

By W. L. Mason, D. S.

No. 33710

JUDGE Paul DOCKET

CIVIL DIVISION

CIRCUIT COURT

MOBILE COUNTY

Larry Bradley, etc.

VS. } Complaint and Summons

Ervin Zink, Inc., etc.

Issued 16th day of November, 19 70

Defendant's Address
Service through Secretary of
State, State of Alabama.

FRED F. SMITH, JR.
W. ROBERTS WILSON, JR.

Plaintiff's Attorney

60 PAGE 101

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each for
serving 1 process(es) and \$1.00
travel expense on each of
process(es) or a total of \$2.50

W. L. Mason Deputy Sheriff

LARRY BRADLEY A MINOR,
WHO SUES BY HIS MOTHER
AND NEXT FRIEND, EDDIE
B. BRADLEY

Plaintiff,

vs.

ERVING ZINK, INC. A
corporation.

Defendant,

IN THE CIRCUIT COURT
OF MOBILE COUNTY, ALABAMA

AT LAW

CASE NO. 33710

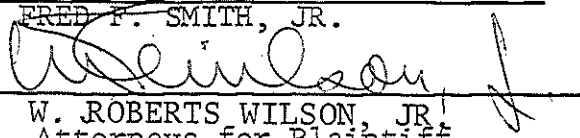
The Plaintiff Claims of the Defendant the sum of TWO HUNDRED THOUSAND & NO/100 (\$200,000.00) as damages for that heretofore and on, to-wit: the 16th day of May, 1970, the plaintiff was operating a school bus on and along U. S. Highway No. 98, at a point to-wit: two(2) miles west of Foley, Baldwin County, Alabama, and where the plaintiff had a right to be and then and there the defendant's truck operated at the time and place by an agent, servant or employee who was acting in the line and scope of his authority as such agent, servant, or employee of the defendant, so negligently drove or operated a tractor or semi-trailor truck so as to run into, over, upon and against the school bus that the plaintiff was driving at said time and place and as a proximate consequence of the negligence of the defendant the Plaintiff suffered damages and injuries in this, to-wit: the Plaintiff's body was crushed and injured; he suffered great mental anguish and physical pain; he was caused to incur medical, doctor, hospital and ambulance bills, he suffered permanent bodily injury, all of which damages and injuries are a proximate consequence of the negligence of the Defendant corporation at said time and place and hence this suit.

COUNT TWO

The Plaintiff claims of the Defendant the sum of TWO HUNDRED THOUSAND & NO/100 DOLLARS (\$200,000.00) as damages for that heretofore and on, to-wit: the 16th day of May, 1970, the Plaintiff

was operating a school bus on and along U. S. Highway No. 98, at a point to-wit: two (2) miles west of Foley, Baldwin County Alabama, and where the plaintiff had a right to be and then and there the Defendant's truck operated at the time and place by an agent, servant or employee who was acting in the line and scope of his authority as such agent, servant, or employee of the Defendant, willfully or wantonly injured the Plaintiff by willfully or wantonly driving or operating a tractor or truck so as to run into, over, upon and against the school bus the plaintiff was driving at said time and place and as a proximate consequence of the negligence of the Defendant at said time and place, the Plaintiff suffered damages and injuries in this, to-wit: the Plaintiff's body was crushed and injured; he suffered great mental anguish and physical pain, he was caused to incur medical, doctor, hospital and ambulance bills, he suffered permanent bodily injury, all of which damages and injuries are a proximate consequence of the willful or wanton operation of the tractor or truck by the Defendant corporation at said time and place and hence this suit.


FRED F. SMITH, JR.


W. ROBERTS WILSON, JR.
Attorneys for Plaintiff

The Plaintiff demands a trial by jury in this cause.


FRED F. SMITH, JR.


W. ROBERTS WILSON, JR.
Attorneys for Plaintiff

Serve defendant at:
Through Secretary of State
Montgomery, Alabama

Defendants Address:
Ervin Zink, Inc.
4729 Massachussetts Avenue
Indianapolis, Indiana

LARRY BRADLEY, A MINOR, WHO SUES BY HIS
MOTHER AND NEXT FRIEND, EDDIE B. BRADLEY,
Plaintiff

VS

ERVIN ZINK, INC., A CORPORATION, Defendant

December 1, 1970

IN THE CIRCUIT COURT OF MOBILE
COUNTY, ALABAMA, AT LAW

CASE NO. 33710

TO THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on November 20, 1970
I sent by certified mail in an envelope addressed as follows:

"Ervin Zink, Inc., a Corporation
4729 Massachusetts Avenue
Indianapolis, Indiana 46204"

"Certified 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:

"Ervin Zink, Inc., a Corporation
4729 Massachusetts Avenue
Indianapolis, Indiana 46204

You will take notice that on November 20, 1970 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: LARRY BRADLEY, A MINOR, WHO SUES BY HIS MOTHER AND NEXT FRIEND, EDDIE B. BRADLEY, Plaintiff VS ERVIN ZINK, INC., A CORPORATION, Defendant

in the CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT LAW
Case No. 33710 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 20th day of November, 1970

Enclosure (1)

(Signed) Mabel S. Amos
Secretary of State

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 December 1, 1970 I received the return card, showing receipt by the designated addressee of the aforementioned matter at not given on November 28, 1970

WITNESS MY HAND and the Great Seal of the State of Alabama this the 1st day of December, 1970

Mabel S. Amos
MABEL S. AMOS
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
CC: Honorable Fred F. Smith, Jr.
111 Ellis Street
Prichard, Alabama 36610

STATE OF ALA. MOBILE CO.
I CERTIFY THIS PLEADING
WAS FILED ON


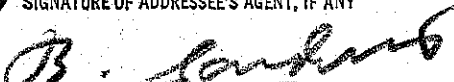

Dec 2 8 17 AM '70

Richard M. Smith
CLERK

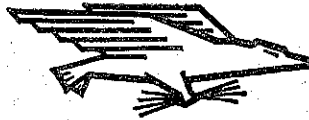
PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S). REQUIRED FEE(S) PAID.	
<input type="checkbox"/> Show to whom, date and address where delivered	<input type="checkbox"/> Deliver ONLY to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.	<div style="display: flex; align-items: center;"> <div style="background-color: black; color: white; padding: 5px; margin-right: 5px;">1</div> <div style="border-bottom: 1px solid black; width: 150px;">  </div> </div> <div style="display: flex; align-items: center;"> <div style="background-color: black; color: white; padding: 5px; margin-right: 5px;">2</div> <div style="border-bottom: 1px solid black; width: 150px;">  </div> </div> <div style="display: flex; align-items: center;"> <div style="background-color: black; color: white; padding: 5px; margin-right: 5px;">3</div> <div style="border-bottom: 1px solid black; width: 150px;">  </div> </div>	SIGNATURE OR NAME OF ADDRESSEE (<i>Must always be filled in</i>)
CERTIFIED NO. 52890		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
INSURED NO.		
DATE DELIVERED	SHOW WHERE DELIVERED (<i>only if requested</i>)	

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



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

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or do not have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN
TO

SECRETARY OF STATE
MONTGOMERY, AL 36104

LARRY BRADLEY A MINOR,
WHO SUES BY HIS MOTHER
AND NEXT FRIEND, EDDIE
B. BRADLEY

Plaintiff,

vs.

ERVIN W. ZINK, INC. A
corporation.

Defendant,

IN THE CIRCUIT COURT
OF MOBILE COUNTY, ALABAMA

AT LAW

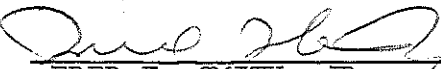
CASE NO. 33710

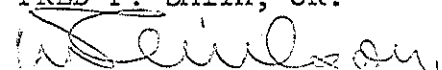
The Plaintiff Claims of the Defendant the sum of TWO HUNDRED THOUSAND & NO/100 (\$200,000.00) as damages for that heretofore and on, to-wit: the 16th day of May, 1970, the plaintiff was operating a school bus on and along U. S. Highway No. 98, at a point to-wit: two(2) miles west of Foley, Baldwin County, Alabama, and where the plaintiff had a right to be and then and there the defendant's truck operated at the time and place by an agent, servant or employee who was acting in the line and scope of his authority as such agent, servant, or employee of the defendant, so negligently drove or operated a tractor or semi-trailor truck so as to run into, over, upon and against the school bus that the plaintiff was driving at said time and place and as a proximate consequence of the negligence of the defendant the Plaintiff suffered damages and injuries in this, to-wit: the Plaintiff's body was crushed and injured; he suffered great mental anguish and physical pain; he was caused to incur medical, doctor, hospital and ambulance bills, he suffered permanent bodily injury, all of which damages and injuries are a proximate consequence of the negligence of the Defendant corporation at said time and place and hence this suit.

COUNT TWO

The Plaintiff claims of the Defendant the sum of TWO HUNDRED THOUSAND & NO/100 DOLLARS (\$200,000.00) as damages for that heretofore and on, to-wit: the 16th day of May, 1970, the Plaintiff

was operating a school bus on and along U. S. Highway No. 98, at a point to-wit: two (2) miles west of Foley, Baldwin County Alabama, and where the plaintiff had a right to be and then and there the Defendant's truck operated at the time and place by an agent, servant or employee who was acting in the line and scope of his authority as such agent, servant, or employee of the Defendant, willfully or wantonly injured the Plaintiff by willfully or wantonly driving or operating a tractor or truck so as to run into, over, upon and against the school bus the plaintiff was driving at said time and place and as a proximate consequence of the negligence of the Defendant at said time and place, the Plaintiff suffered damages and injuries in this, to-wit: the Plaintiff's body was crushed and injured; she suffered great mental anguish and physical pain, he was caused to incur medical, doctor, hospital and ambulance bills, he suffered permanent bodily injury, all of which damages and injuries are a proximate consequence of the willful or wanton operation of the tractor or truck by the Defendant corporation at said time and place and hence this suit.


FRED F. SMITH, JR.


W. ROBERTS WILSON, JR.
Attorneys for Plaintiff

The Plaintiff demands a trial by jury in this cause.


FRED F. SMITH, JR.


W. ROBERTS WILSON, JR.
Attorneys for Plaintiff

Serve defendant at:
Through Secretary of State
Montgomery, Alabama

Defendants Address:
Ervin Zink, Inc.
4729 Massachusetts Avenue
Indianapolis, Indiana

THE STATE OF ALABAMA
MOBILE COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

ERVIN ZINK, INC., A Corporation

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,
at the place of holding the same, then and there to answer the complaint of

ERVIN ZINK, INC., A Corporation

WITNESS: John E. Mandeville, Clerk of said Court, this 16th day of November, 1970

Attest: John E. Mandeville
Clerk

SHERIFF'S RETURN

Received _____ day of _____, 19____ and on _____ day
of _____, 19____, I served a copy of
the within _____ on _____
by service on _____

RAY D. BRIDGES, SHERIFF

By _____ D.S.

No. 33710

JUDGE _____ DOCKET _____

CIVIL DIVISION

CIRCUIT COURT
MOBILE COUNTY

Larry Bradley, etc.

VS. }

Complaint and Summons

Ervin Zink, Inc., etc.

Issued 16th day of November, 19 70

Defendant's Address

Service through Secretary of
State, State of Alabama.

FRED F. SMITH, JR.

W. ROBERTS WILSON, JR.

Plaintiff's Attorney

"COPY"



LARRY BRADLEY, a minor,
who sues by his mother
and next friend, EDDIE
B. BRADLEY,

Plaintiff,

vs.

ERVIN ZINK, INC., a
corporation,

Defendant.

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA

AT LAW

CASE NUMBER 33,710 - 2

AT LAW

Plaintiff.

VS.

ERVIN ZINK, INC., a
corporation,

Defendant.

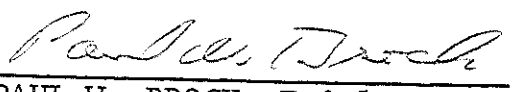
CASE NUMBER 33,710 - 2

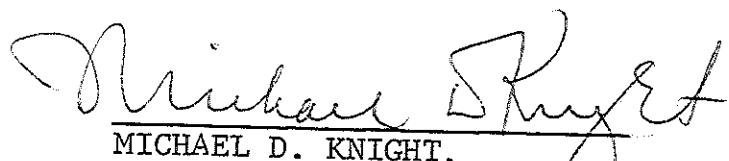
PLEA IN ABATEMENT

Comes now the defendant, ERVIN ZINK, INC., and appears solely and specially for the purpose of filing the following plea in abatement, and for no other purpose, and, without submitting to the general jurisdiction of this court, but pleading in abatement only, said defendant does say the following, separately and severally:

That said ERVIN ZINK, INC., is a foreign corporation, incorporated under the laws of a state other than Alabama, and has no permanent office within the State of Alabama; that the accident made the basis of this suit occurred on or about May 16, 1970, in Baldwin County, Alabama; that this suit was filed on or about November 16, 1970; and that the service of process upon this defendant was attempted to be perfected through the Secretary of State of Alabama in Montgomery County, Alabama, and that said defendant did no business by agent or otherwise in Mobile County, Alabama, when said suit was filed

or when said cause of action allegedly arose, and that, hence, venue is improper in this court in said county, but would be proper in Baldwin County, Alabama, where said accident occurred.


PAUL W. BROCK, Trial
Attorney for said defendant


MICHAEL D. KNIGHT,
Attorney for said defendant

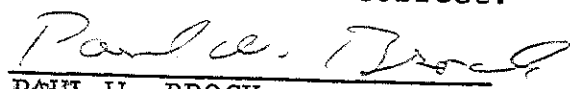
OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
30th Floor, First National Bank Building
Mobile, Alabama 36601

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, Ellouise E. Stiller, a Notary Public in and for said County in said State, comes Paul W. Brock, who being duly sworn, deposes and says he is one of the attorneys at law for the above named defendant, ERVIN ZINK, INC., and that, as such attorney, he has made and has caused to be made an investigation of the facts set forth in the foregoing plea in abatement and that he is informed and believes, and, based upon such information and belief, states that said facts are true and correct.


PAUL W. BROCK

(Plea in Abatement)

Subscribed and sworn to before me,
on this, the 18th day of December, 1970.

Ellenise E. Stillu
NOTARY PUBLIC, STATE OF ALABAMA AT LARGE

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing plea in abatement to Fred F. Smith, Jr., Esq., attorney for the plaintiff, by depositing a copy of same in the United States Mail, postage prepaid, addressed to said attorney at his office at Post Office Box 10622, Mobile, Alabama, on this, the 18th day of December, 1970.

Paul W. Brock
PAUL W. BROCK

STATE OF ALA. MOBILE CO.
I CERTIFY THIS PLEADING
WAS FILED ON

Dec 18 1 27 PM '70

Robert H. Hall
CLERK

VOL

60 PAGE 104

Thos. J. Smith, Jr.
W. Roberts Wilson, Jr.

My dear Mr. Smith:

I have the pleasure to

acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the proposed purchase of the land in the town of ... and I am glad to hear that you are interested in the same. I have been very busy lately and have not had time to write you more fully, but I am sure that you will understand my position. I am sure that you will find the land very desirable for the purpose for which you intend to use it. I am sure that you will find it very well adapted to the purpose for which you intend to use it. I am sure that you will find it very well adapted to the purpose for which you intend to use it.

Very truly yours,
W. Roberts Wilson, Jr.

FRIDAY, FEBRUARY 12, 1971

LARRY BRADLEY, a Minor, who sues by
his Mother and next friend, EDDIE
B. BRADLEY

McRAE -vs- 33710

ERVIN ZINK, INC., a Corporation

)
) PLEA IN ABATEMENT SUSTAINED
) AND CASE TRANSFERRED TO
) BALDWIN COUNTY, ALABAMA,
) FOR FURTHER PROCEEDINGS
)
)

This day in open Court came the parties by their attorneys,
and defendant's Plea in Abatement filed December 18, 1970, to the
complaint in this cause, coming on to be heard and being argued by
counsel and understood by the Court;

It is ordered and adjudged by the Court that defendant's said
Plea in Abatement filed December 18, 1970, to the complaint in this
cause be, and the same is hereby sustained; and case ordered trans-
ferred to the Circuit Court of Baldwin County, Alabama, for further
proceedings.

Minute Book 42

Page 523

STATE OF ALABAMA, }
 COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

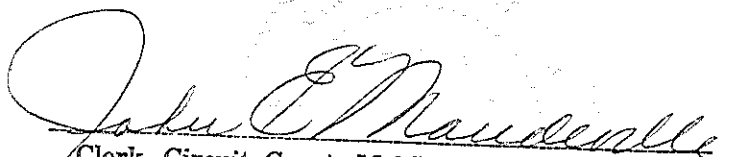
I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby
 certify that the foregoing is a full, true and correct copy of ORDER OF COURT

as rendered by the said Circuit Court on the 12th day of February, 19 71, in the cause
 entitled No. 33710 - LARRY BRADLEY, a Minor, who sues by his Mother
and next friend, EDDIE B. BRADLEY, Plaintiff,
 — versus — ERVIN ZINK, INC., a Corporation

Defendant, ~~(together with the case on which it is based)~~, as the same remains of record in this office in
 Minute Book No. 42, Page No. 523

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office
 in the City of Mobile, Alabama, on this the 19th day of February, 19 71.

ATTEST:


 Clerk, Circuit Court, Mobile County, Alabama.

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

No. ~~33~~ 3710

LARRY BRADLEY, a Minor, etc.

plaintiff

VS.

ERVIN ZINK, INC., a corporation

Defendant

(Act No. 740, Reg. Session Ala. Legislature 1957
Appvd. Sept. 20, 1957)
(Amend Sec. 21, Title 11, Code Ala. 1940)

BILL OF COST

(Act No. 571, Reg. Ses. Leg. 1955)
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES	Pltff.	Deft.	SHERIFF'S FEES	Pltff.	Deft.
Suits for \$100 or less\$ 6.00			Society of State \$5.00	6 50	
Suits for over \$100 but less than \$1,000 10.00			Serving Summons & Complaint\$ 1.50		
Suits for \$1,000 and over 20.00	20 00		Serving Writ of Garnishment 1.50		
Suits in detinue, ejectment, etc. 10.00			Serving Sci Fa.-Notices 1.50		
Suits not otherwise provided 10.00			Levying Attachment & Return 6.25		
Writs, Mandamus, Prohibition, etc. 15.00			Executing Writ Possession 5.00		
Appeals from Court General			Seizing personal property under Writ of Detinue 6.00		
Sessions 15.00			Serving subpoenas, each75		
Appeals from Probate Court 20.00			Impanelling Jury75		
Appeals from JP Courts 6.00			Taking & Approving Bond 2.00		
Appeals from State Dept of Pub. Safety, and other State			Collecting Costs Execution 1.50		
Agencies 10.00			Serving Contempt Writ 1.50		
Workmen's Compensation Settle. 10.00			Making Deed for Property sold 2.50		
Garnishment on Judgment 6.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3% \$		
Order of Sale, Motions to sell. 6.00			Total \$	6 50	
Recording executions from State Agencies 3.00					
Cert. Copy of Record - per 100 words15	80		RECAPITULATION		
Taking Appeal Bond75			Clerk 20 00		
Record for Supreme Court etc., per 100 words15			Sheriff Refund Pltff. \$5.00	6 50	
Add'l Copies of Record for Supreme Court, per 100 words05			Inferior Civil Court		
Checking - including Reporters			Justice Peace fees		
Transcript of Evidence 10.00			Witness fees		
Certifying Abstract in lieu of Transcript on Appeal 5.00			Commissioner's fees		
Collecting Money on Judgments over 30 days old, % the per- centage allowed Sheriffs \$			Certificate of Judgment		
			Judgment		
			10% Damages		
			Interest		
			Stenographer's fees (\$10.00 Day)		
			Library fee 1.50	1 50	
			Trial Tax (County) 1.50	1 50	
			Trial Tax (State) 1.50	1 50	
			Advertisement		
			Garnishee's fees		
Total\$	20 80				

I respectfully beg to advise that if this bill for costs is not paid before _____ 19_____, it will be my unpleasant duty to issue execution for same.

JOHN E. MANDEVILLE, Clerk

LARRY BRADLEY, a minor who	:	IN THE CIRCUIT COURT OF
sues by his mother and next	:	
friend, EDDIE B. BRADLEY,	:	BALDWIN COUNTY, ALABAMA
	:	
Plaintiff,	:	AT LAW
	:	
vs.	:	CASE NO. 9705
	:	
ERVIN ZINK, INC., a	:	
corporation,	:	
	:	
Defendant.	:	

D E M U R R E R

Comes now Pullman Incorporated, one of the third-party defendants in the above styled cause, and demurs to the third-party complaint and as grounds of demurrer assigns the following separately and severally:

1. Said third-party complaint fails to state a cause of action against this third-party defendant upon which relief can be granted.

2. It does not appear that this third-party defendant owed any duty to the third-party plaintiff.

3. It does not appear that this third-party defendant has breached any duty which it owed to the third-party plaintiff.

4. It does not appear that the trailer referred to in the third-party complaint was in an inherently or imminently dangerous condition as a result of the alleged negligence of this third-party defendant.

5. It is not alleged that the trailer referred to in the complaint was imminently or inherently dangerous as a result of the alleged negligence of this defendant.

6. The third-party complaint attempts to join in a single count an action ex delictu and an action ex contractu.

7. The third-party complaint joins in a single count an action in negligence and an action for breach of contract.

8. It affirmatively appears that the negligence of Tony's Trailer Sales & Service, Inc. was an intervening superseding cause of the accident which forms the subject matter of the third-party complaint.

9. It affirmatively appears from the allegations of the complaint that the third-party plaintiff seeks indemnity for its own active negligence.

10. The third-party plaintiff is not entitled to indemnity for its wanton or willful misconduct.

11. It affirmatively appears from the complaint that the third-party plaintiff is charged with wanton and willful misconduct for which it seeks indemnity from this third-party defendant on the basis of mere negligence.

12. It affirmatively appears from the complaint and the third-party complaint that the defendant and third-party plaintiff is seeking indemnity among the alleged joint tortfeasors.

JOHNSTONE, ADAMS, MAY, HOWARD & HILL

By William H. Hardie, Jr.
Attorneys for Third-party
Defendant Pullman Incorporated
Post Office Box 1988
Mobile, Alabama 36601

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 6th day of August, 1971, served a copy of the foregoing demurrer on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, and first class postage prepaid.

William H. Hardie, Jr.
William H. Hardie, Jr.

FILED

AUG 9 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

INGE, TWITTY, DUFFY & PRINCE

LAWYERS

FRANCIS H. INGE (1902-1959)
THOS. E. TWITTY
RICHARD H. INGE
THOS. E. TWITTY, JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III
JOHN N. LEACH, JR.

MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA
36602

MAILING ADDRESS:
P. O. BOX 1109
MOBILE, ALA.
36601

CABLE ADDRESS:
TWINING
TELEPHONE
433-5441

August 12, 1971

Mrs. Eunice B. Blackmon
Clerk of Circuit Court of Baldwin County
Baldwin County Courthouse
Bay Minette, Alabama 36507

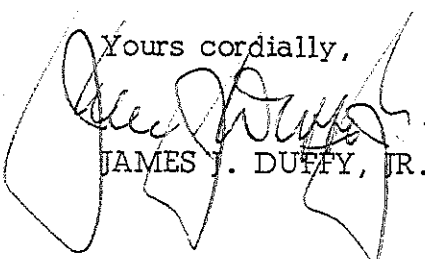
RE: Larry Bradley, a minor who sues by his mother
and next friend, Eddie B. Bradley, vs. Ervin
Zink, Inc., a corporation. - Baldwin County
Circuit Court Case No. 9705

Dear Mrs. Blackmon:

Enclosed for filing please find demurrer filed on behalf of the
plaintiff Larry Bradley and a motion to strike filed on behalf of third-party
defendants W. G. Gladney, W. G. Gladney individually and doing business
as W. G. Gladney Bus Service. Please enter my appearance as attorney
for the third-party defendants W. G. Gladney and W. G. Gladney individually
and doing business as W. G. Gladney Bus Service and as additional counsel
for the plaintiff Larry Bradley.

Thank you for your cooperation.

Yours cordially,


JAMES J. DUFFY, JR.

JJD, JR:bd
Enclosures

W. ROBERTS WILSON, JR.

ATTORNEY AT LAW

P. O. BOX 1507

3132 CANTY STREET

PASCAGOULA, MISSISSIPPI 39567

December 8, 1972

The Honorable Eunice Blackman
Circuit Clerk of Baldwin County
Baldwin County Courthouse
Bayminette, Alabama

Re: Bradley V Zink #9705 and Bradley V Zink #9833

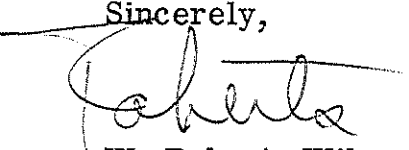
Dear Eunice:

I am in receipt of your note in response to my letter of December 4, 1972, concerning proper procedure for canceling judgments in the above styled and numbered cases. Thank you very much for the same.

Please cancel the judgment in each case and mark it satisfied, paid and discharged. We have successfully concluded a settlement of this matter, in both cases, and there is no longer any outstanding debt owed Bradley or Bradley's mother by Zink.

Thank you very much, Merry Christmas and Happy New Year, I remain

Sincerely,



W. Roberts Wilson, Jr.

WRW/dt

Handwritten scribbles and marks at the top left of the page.

Handwritten text: "The first one"

Handwritten text: "The first one is the most important one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The second one is the one that follows the first one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The third one is the one that follows the second one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The fourth one is the one that follows the third one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The fifth one is the one that follows the fourth one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The sixth one is the one that follows the fifth one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The seventh one is the one that follows the sixth one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The eighth one is the one that follows the seventh one. It is the one that sets the tone for the rest of the document."

Handwritten text: "The ninth one is the one that follows the eighth one. It is the one that sets the tone for the rest of the document."