

S. H. Strain, Jr., Plaintiff

VS

Johnny Ward, d/b/a Pan American Shows,
Defendant

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA

AT LAW

Case No. 2501

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Agnes Baggett, Secretary of State, hereby certify that on January 4, 1955 I sent by registered mail in an envelope addressed as follows:

" Johnny Ward, d/b/a
Pan American Shows
390 Arcade Building
St. Louis, Missouri"

"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:

" Johnny Ward, d/b/a
Pan American Shows
390 Arcade Building
St. Louis, Missouri

You will take notice that on January 4, 1955 the Sheriff of Montgomery County, Alabama served upon me, in my official capacity, summons and complaint in a case entitled S. H. Strain, Jr., Plaintiff vs Johnny Ward, d/b/a Pan American Shows, Defendant

in the Circuit Court of Baldwin County, Alabama, At Law Case No. 2501 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 4th day of January 1955

Enc. 1

Signed) Mrs. Agnes Baggett
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 January 10, 1955 I received the return card, showing receipt by the designated addressee of the aforementioned matter at (Post-marked at Baton Rouge, Louisiana) on Jan. 8, 1955

WITNESS MY HAND and the Great Seal of the State of Alabama this the 10 day of January, 1955

Mrs. Agnes Baggett
Secretary of State

Encs. Return receipt card and
copy of summons and complaint

cc: Messrs Gordon & Jansen, Attorneys
Merchants National Bank Building
Mobile, Alabama



B2.50-

FILED
JUN 20 1955
ALICE I. DUCK, REGISTER

S. H. STRAIN, JR.,
PLAINTIFF,
VS.
JOHNNY WARD, ET AL.
DEFENDANT.

IN THE
CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA. NO. 2501

S. H. STRAIN, JR., THE PLAINTIFF, BEING FIRST DULY SWORN,
TESTIFIED:

- Q. Is this S. H. Strain, Jr.?
- A. Yes sir.
- Q. You are the Plaintiff in this case?
- A. Yes sir.
- Q. I will ask you if, in March of 1954, you were involved in an automobile accident in Baldwin County?
- A. Yes sir.
- Q. What kind of car were you driving?
- A. 1952 Oldsmobile.
- Q. Was that your car?
- A. Yes.
- Q. That wreck occurred the 5th day of March, 1954?
- A. Yes sir.
- Q. Where, in Baldwin County?
- A. About five miles the other side of bBay Minette.
- Q. South of Bay Minette?
- A. Yes, sir.

S. H. STRAIN, JR.,
Plaintiff,

-vs-

JOHNNY WARD, individually
and doing business as
PAN AMERICAN SHOWS, and
THOMAS F. GILHAM, jointly
and severally,

Defendants.

) IN THE CIRCUIT COURT
(OF BALDWIN COUNTY,
(ALABAMA.
(AT LAW.

) CASE NO. _____

COUNT ONE

Plaintiff claims of the Defendants the sum of Five Hundred (\$500.00) Dollars as damages, in this that heretofore on to-wit: the 5th day of March, 1954, the Defendant Gilham, the agent, servant or employee of Johnny Ward, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle in a Northwardly direction on U. S. Highway 31, a public highway in Baldwin County, Alabama, as to cause or allow said motor vehicle to collide with or run against the automobile of the Plaintiff which was then being driven in a northerly direction on said U. S. Highway 31, and as a proximate consequence thereof, Plaintiff's automobile was badly bent, broken and damaged, all to the injury of the Plaintiff, hence this suit.

FILED

1-3-55

ALICE J. DUCK, Clerk

Borden Ross

ATTORNEYS FOR PLAINTIFF

STATE OF ALABAMA)
(
COUNTY OF BALDWIN)

C I R C U I T C O U R T

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Thomas F. Gilham to appear within thirty days from service of this process in the Circuit Court of Baldwin County, Alabama, at the place of holding same, then and there to answer the complaint of S. H. Strain, Jr.

Witness, Alice J. Duck, Clerk of said Court, this 3rd day of January, 1955.

Attest: Alice J. Duck
Clerk

* * * * *

SHERIFF'S RETURN

Received _____ day of _____, 195____, and on _____ day of _____, 1955, I served a copy of the within complaint on Thomas F. Gilham by service on _____.

FILED
1-3-55
ALICE J. DUCK, Clerk

SHERIFF

GORDON & JANSEN

ATTORNEYS AT LAW

1607-1610 MERCHANTS NATIONAL BANK BUILDING

MOBILE 11, ALABAMA

A. FLETCHER GORDON
VERNOL R. JANSEN, JR.

OF COUNSEL:
ROBERT E. GORDON
1325 DAUPHIN STREET

December 30, 1954

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

Dear Mrs. Duck:

Enclosed herewith find our firm check in the sum of \$3.00 and original and four copies of complaint and summons to be filed in your court. As indicated in the pleadings, the defendant Gilham may be served at Monroeville, and Mr. Ward must be served through the Secretary of State by registered mail. That is the reason for the \$3.00 remittance and the three copies of the complaint which we have enclosed.

Please note that the defendant to be served by registered mail is the individual Ward and not the carnival as such.

Please acknowledge receipt of these pleadings and let us know what results are obtained through the Secretary of State. With best wishes and kindest personal regards, we remain

Very truly yours,

GORDON & JANSEN

BY: 

VRJjr/pjb
Encls.