

3232

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY:

Summon BETTY RUTH KNOWLES to be and appear before Louise J. Dusenbury, Court Reporter, at the Courthouse in Bay Minette, Alabama, at 2:00 P. M. on the 5th day of September, 1957, in the case of Albert H. Knowles, Plaintiff, vs. Marion Ernie Fleming and City of Bay Minette, a Municipal Corporation, Defendants, as a witness for the Defendants, and there make return of this writ.

WITNESS my hand on this the 3rd day of September, 1957.

*Alice J. Dusenbury*

Clerk of the Circuit Court of Baldwin  
County, Alabama.

ALBERT H. KNOWLES,  
Plaintiff,

vs.

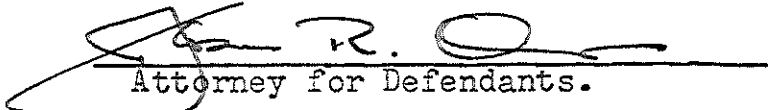
MARION ERNIE FLEMING and  
CITY OF BAY MINETTE, a  
Municipal Corporation,  
Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. No. 3232.


NOTICE:

Pursuant to the provisions of Act No. 375 enacted by the Legislature of Alabama and approved September 8, 1955, (General Acts of Alabama, 1955 Session, Volume 2, pages 901-7), notice is hereby given that the Defendants desire to take the testimony of Betty Ruth Knowles by deposition upon oral examination for the purpose of discovery or for the use as evidence in the action or for both purposes.

Notice is further given that the said testimony will be taken in the office of Louise J. Dusenbury, Courthouse, Bay Minette Baldwin County, Alabama, at 2:00 P. M. on September 5th, 1957.

  
Attorney for Defendants.

I hereby certify that I delivered a copy of the foregoing notice to Hon. Telfair J. Mashburn, Jr., the Attorney for the Plaintiff on this the 3rd day of September, 1957.

  
Attorney for Defendants.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3232

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ~~XXXXXXXXXX~~ Marion Ernie Flemmings and  
City of Bay Minette, a Municipal Corporation

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 Marion Ernie  
Flemming and City of Bay Minette, a Municipal Corporation, Defendant .....

by Albert H. Knowles

Plaintiff.....

Witness my hand this 1st day of May 1957.

Acie J. Duck, Clerk

ALBERT H. KNOWLES,

Plaintiff,

VS.

MARION ERNIE FLEMING and  
CITY OF BAY MINETTE, A  
MUNICIPAL CORPORATION,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. \_\_\_\_\_

C O U N T   O N E

The plaintiff claims of the defendants the sum of SIX HUNDRED (\$600.00) DOLLARS, as damages, for that, heretofore, on, to-wit: the 2nd day of January, 1957, at about 9:00 o'clock, A. M., at the intersection of Seventh Street and Moog Avenue, Public Highways, in the City of Bay Minette, Baldwin County, Alabama, the defendant, MARION ERNIE FLEMING, who was then and there an agent, servant, or employee of the defendant, CITY OF BAY MINETTE, A MUNICIPAL CORPORATION, acting within the line and scope of his employment as such, so negligently operated an automobile truck, belonging to the defendant, CITY OF BAY MINETTE, which he was then and there driving, as to cause plaintiff's automobile which was then and there being driven by plaintiff's wife, BETTY RUTH KNOWLES, to run into, upon or against said automobile truck, and as a proximate result of the negligence of the said MARION ERNIE FLEMING, as aforesaid, plaintiff's automobile was demolished, damaged beyond repair, and rendered a total loss. And plaintiff avers that his said damages to his said automobile were proximately caused by the negligence of the defendant, MARION ERNIE FLEMING, an agent, servant or employee of the defendant, CITY OF BAY MINETTE, A MUNICIPAL CORPORATION, then and there in charge of said automobile truck for the City of Bay Minette and acting within the line and scope of his employment as such, in that the said MARION ERNIE FLEMING negligently operated said automobile truck at the time and place of the said collision.

And plaintiff alleges that a statement of said claim was filed with the defendant, CITY OF BAY MINETTE, A MUNICIPAL CORPORATION, within six (6) months after January 2, 1957, and that said City of Bay Minette, a Municipal Corporation, has failed or refused to pay the same;

Plaintiff demands a jury trial  
of this cause.

*Jeffrey A. Marshall*  
ATTORNEY FOR PLAINTIFF.  
Attorney for Plaintiff.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. 3232

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ALBERT H. KNOWLES,  
Plaintiff,  
VS.  
MARION ERNIE FLEMING and  
CITY OF BAY MINETTE, A  
MUNICIPAL CORPORATION,  
Defendants.

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COMPLAINT.

Filed  
5-1-57  
Receivd  
Clerk  
TELFAIR J. MASHBURN, JR.  
ATTORNEY-AT-LAW  
BAY MINETTE, ALABAMA

Received 1 day of May 1957  
d on 2 day of May 1957  
served a copy of the within P/C.  
Marion Ernie Fleming  
City of Bay Minette  
y service on Marion Ernie Fleming  
Rudolph Cromatic City Clerk  
TAYLOR WILKINS Sheriff  
By W.A. Zeller D. S.  
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