

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ANDERSON TOLBERT and JOHN E. MILTON, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at the place of holding the same, then and there to answer the Complaint of DAVID W. COKER.

WITNESS my hand this 21 day of March, 1958.

David W. Coker  
Clerk.

Defendants' address is  
Loxley, Alabama.

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DAVID W. COKER,

Plaintiff,

vs.

ANDERSON TOLBERT and JOHN  
E. MILTON,

Defendants.

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

3485



COUNT ONE:

The Plaintiff claims of the Defendant, John E. Milton, the sum of TWO HUNDRED DOLLARS (\$200.00) for that heretofore on to-wit, the 18th day of January, 1958, the Plaintiff was driving his automobile on Baldwin County Road No. 67, at a point where the said road intersects Baldwin County Road No. 27, in Belforest, Baldwin County, Alabama, (which said roads are public roads in Baldwin County, Alabama) and at said time and place the Defendant, John E. Milton, so negligently operated an automobile which he was then and there driving as to cause it to run into, upon or against the automobile of the Plaintiff and as a proximate result thereof, Plaintiff's said automobile was greatly bent, broken and damaged; the right front fender was bent and damaged; the front bumper was bent; the right front light was broken and Plaintiff was caused thereby to pay large sums of money for parts and re-

pairs for his said automobile and was deprived of the use of his said automobile for a long period of time and Plaintiff avers that he received all of the said damages as a proximate result of the Defendant's said negligence, hence this suit.

COUNT TWO:

The Plaintiff claims of the Defendants the sum of TWO HUNDRED DOLLARS (\$200.00) for that heretofore on to-wit, the 18th day of January, 1958, the Plaintiff was driving his automobile on Baldwin County Road No. 67 at a point where the said road intersects Baldwin County Road No. 27 in Belforest, Baldwin County, Alabama, (which said roads are public roads in Baldwin County, Alabama), and that at said time and place, the Defendant, John E. Milton, who was then and there an agent, servant or employee of the Defendant, Anderson Tolbert, acting within the line and scope of his authority as said agent, servant or employee, so negligently operated an automobile which he was then and there driving as to cause it to run into, upon or against the automobile of the Plaintiff, and as a proximate result thereof Plaintiff's said automobile was greatly bent, broken and damaged; the right front fender was bent and damaged; the front bumper was bent; the right front light was broken and Plaintiff was caused thereby to pay large sums of money for parts and repairs for his said automobile and was deprived of the use of his said automobile for a long period of time, and Plaintiff avers that he received all of the said damages as a proximate result of the negligence of the Defendant, John E. Milton, who was then and there an agent, servant or employee of the Defendant, Anderson Tolbert, acting within the line and scope of his authority as said agent, servant or employee, hence this suit.

  
  
Attorneys for Plaintiff.

3485  
RECORDED

SUMMONS AND COMPLAINT

DAVID W. COKER,

Plaintiff,

vs.

ANDERSON TOLBERT AND JOHN E.  
MILTON,

Defendants.

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

FILED

MAR 21 1958

ALICE L. DUCK, Clerk

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

Received 27 day of Nov 1958  
and on 26 day of June 1958  
served a copy of the within 392  
on Anderson Tolbert and  
John E. Milton  
Service on

TAYLOR WILKINS, Sheriff  
By C. A. McNeil D. S.  
6-26-58

Soxley 40 mi

Sheriff claims 40 miles at  
Ten Cents per mile Total \$ 4.00  
TAYLOR WILKINS, Sheriff  
BY McNeil  
DEPUTY SHERIFF