

3692

J. F. BARNES,

Plaintiff,

VS.

LOREN E. FLOWERS and
VIRGIL MILLER,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

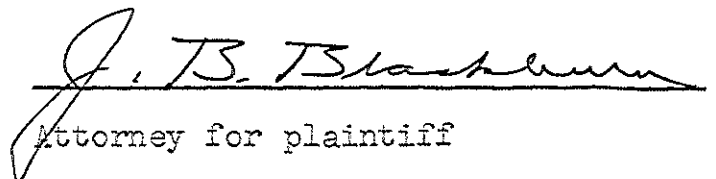
COMPLAINT

COUNT ONE

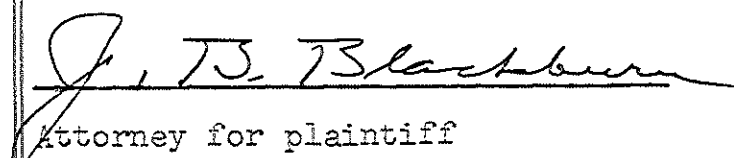
The plaintiff claims of the defendants, Loren E. Flowers and Virgil Miller, Fifty Thousand Dollars (\$50,000.00) as damages for that heretofore on, to-wit, November 1, 1957, on United States Highway Number 31, a public highway in Baldwin County, Alabama, at a point approximately two and one-half miles south of the south corporate limits of the City of Bay Minette, Alabama, the defendant, Loren E. Flowers, who was then and there the agent, servant or employee of the defendant, Virgil Miller, and who was then and there acting within the line and scope of his authority as such agent, servant or employee, so negligently operated the motor vehicle which he was then and there driving as to cause it to run into, upon or against the automobile which the plaintiff was then and there driving, and as a proximate consequence and result of the negligence of the said defendant, Loren E. Flowers, the plaintiff's left hip was bruised, contused, sprained and injured; his left wrist was bruised, contused, sprained and injured; his back was bruised, contused, sprained and injured; his chest was bruised, contused, sprained and injured; his nervous system was shocked and impaired; his nervous system was permanently shocked and impaired; and he was caused to suffer great physical pain and mental anguish, and also caused to expend large amounts for treatment of his said injuries.

COUNT TWO

The plaintiff claims of the defendants, Loren E. Flowers, and Virgil Miller, Fifty Thousand Dollars (\$50,000.00) as damages for that heretofore on, to-wit, November 1, 1957, on United States Highway Number 31, a public highway in Baldwin County, Alabama, at a point approximately two and one-half miles south of the south corporate limits of the City of Bay Minette, Alabama, the defendant, Loren E. Flowers, who was then and there the agent, servant or employee of the defendant, Virgil Miller, and who was then and there acting within the line and scope of his authority as such agent, servant or employee, wilfully and wantonly injured the plaintiff by then and there wilfully and wantonly driving a motor vehicle into, upon or against the automobile that was then and there being operated by the plaintiff, and as a proximate consequence and result of the said wilfulness and wantonness of the defendant, Loren E. Flowers, the plaintiff suffered serious personal injuries in this: the plaintiff's left hip was bruised, contused, sprained and injured; his left wrist was bruised, contused, sprained and injured; his back was bruised, contused, sprained and injured; his chest was bruised, contused, sprained and injured; his nervous system was shocked and impaired; his nervous system was permanently shocked and impaired; and he was caused to suffer great physical pain and mental anguish, and also caused to expend large amounts for treatment of his said injuries.


Attorney for plaintiff

Plaintiff demands a trial of
this cause by jury.


Attorney for plaintiff

J. F. BARNES,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
vs.)	BALDWIN COUNTY, ALABAMA
)	
LOREN E. FLOWERS and)	AT LAW.
VIRGIL MILLER,)	
)	
Defendants.)	

AFFIDAVIT

STATE OF ALABAMA)
 *
 BALDWIN COUNTY)

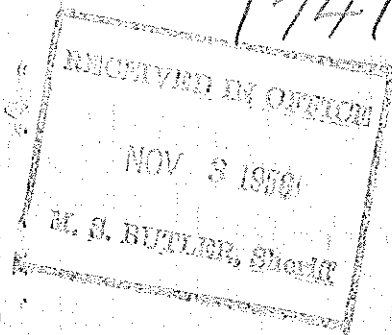
Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is attorney for the plaintiff in the above entitled Cause; that the defendant, Loren E. Flowers, is, in the belief of the affiant, a non-resident of the State of Alabama, whose place of residence and post office address is Post Office Box 14, Morris, Georgia.

J. B. Blackburn

Sworn to and subscribed before me on this the 30th day of October, 1958.

Gleice L. Miller
 Notary Public, Baldwin County, Alabama

Exp. 11-3-58
 & 11-12-58



cd-
1312
SUMMONS AND COMPLAINT

J. F. BARNES,

370
Plaintiff,

VS.

LOREN E. FLOWERS and VIRGIL MILLER,

Defendants.

EXECUTED

This 12 day of Nov, 1958

by serving a copy of the within on

Virgil Miller
RAY D. BRIDGES, Sheriff

By J. Adams D.S.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 447
3692

3
Executed by serving 3 copies of
the within on Mary Texas Hurt,
Secretary of State of The State of
Alabama.

This the 3 day of Nov 1958

Sheriff of Baldwin County,

M. S. Butler

By Mitchell D.S.

FILED
OCT 30 1958

ALICE J. DUCK, Clerk

J. B. BLACKBURN

ATTORNEY AT LAW

BAY MINETTE, ALABAMA

The Sheriff claims 2
miles at 10c per mile for a total
of \$ 20
M. S. Butler, Sheriff
Montgomery County, Ala.

November 6, 1958

J. F. BARNES, Plaintiff

VS

LOREN E. FLOWERS, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA AT LAW

CASE NO. 4422

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW:

I, Mary Texas Hurt Garner, Secretary of State, hereby certify that on November 3, 1958
I sent by registered mail in an envelope addressed as follows:

" Loren E. Flowers
Post Office Box 14
Morris, Georgia"

"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:

" Loren E. Flowers
Post Office Box 14
Morris, Georgia"

You will take notice that on November 3, 1958 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: J. F. BARNES, Plaintiff VS LOREN E. FLOWERS, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 4422 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 3
day of November 1958

Enclosure (1)

(Signed) Mary Texas Hurt Garner
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 November 6, 1958 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Morris Ga.
on 11/5/58

WITNESS MY HAND and the Great Seal of the State of Alabama this the 6 day
of November 1958

Mary Texas Hurt Garner
Mary Texas Hurt Garner
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.

cc: Honorable J. B. Blackburn
Attorney at Law
P. O. Box 59
Bay Minette, Alabama

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Loren E. Flowers and Virgil Miller 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 same, then and there to answer the complaint filed against them by J. F. Barnes.

WITNESS my hand this 30th day of October, 1958.


Clerk of the Circuit Court

The defendant, Loren E. Flowers, is a non-resident of the State of Alabama, whose place of residence is Morris, Georgia, and whose mailing address is Post Office Box 14, Morris, Georgia.

The defendant, Virgil Miller, resides at 4590 North Sunset Drive, Spring Hill, Mobile County, Alabama.

J. F. BARNES,

Plaintiff,

VS.

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VIRGIL MILLER,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

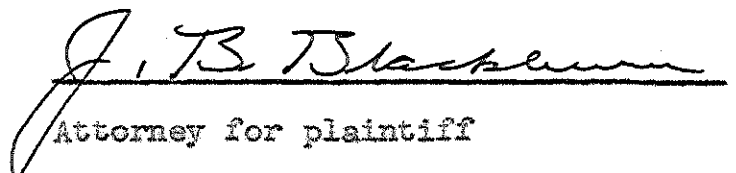
COMPLAINT

COUNT ONE

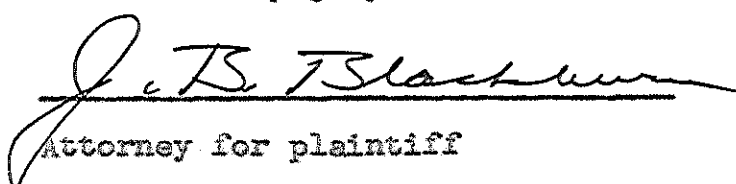
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COUNT TWO

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Attorney for plaintiff

Plaintiff demands a trial of
this cause by jury.


Attorney for plaintiff

J. F. BARNES,

Plaintiff,

vs.

LOREN E. FLOWERS and
VIRGIL MILLER,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

AFFIDAVIT

STATE OF ALABAMA)

*

BALDWIN COUNTY)

Before me, the undersigned authority, within and for said County in said State, personally appeared J. E. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is attorney for the plaintiff in the above entitled cause; that the defendant, Loren E. Flowers, is, in the belief of the affiant, a non-resident of the State of Alabama, whose place of residence and post office address is Post Office Box 14, Morris, Georgia.

J. E. Blackburn

Sworn to and subscribed before me on
this the 30th day of October, 1958.

Glice L. Miller

Notary Public, Baldwin County, Alabama

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

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WITNESS my hand this 30th day of October, 1958.

Roice L. Duck

Clerk of the Circuit Court

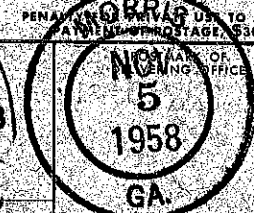
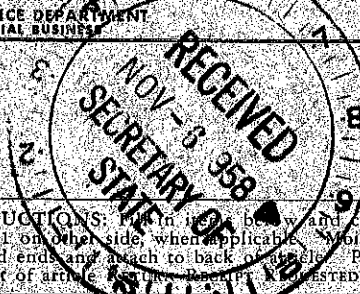
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FILED
OCT 30 1958
ROICE L. DUCK, Clerk

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

POSTAGE WILL BE PAID BY ADDRESSEE
PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300



INSTRUCTIONS: Put in use below and complete #1 on other side, when applicable. Register gummed ends and attach to back of article. Print on front of article for the receipt requested.

RETURN
TO

REGISTERED NO.
~~67146~~

NAME OF SENDER
Secretary of State

REGISTERED NO.
67146

STREET AND NO. OR P. O. BOX
Montgomery, Alabama

INSURED NO.

CITY, ZONE AND STATE

POP Form 3811 Jan 1958

J. F. BARNES VS LOREN E. FLOWERS, et al

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee

☐ Show address where delivered

(Additional charges required for these services) 44.22

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Loren E. Flowers

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DELIVER TO ADDRESSEE ONLY

DATE DELIVERED

11/5/58

ADDRESS WHERE DELIVERED (only if requested in item #1)