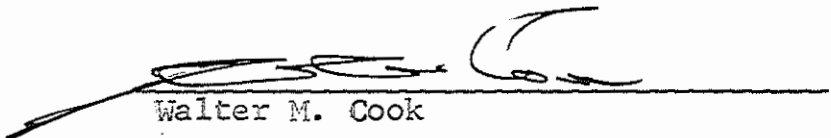


ANNA S. WILSON,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
Vs	)	AT LAW
JOHN GEORGE WHITE,)	
Defendant.	)	NO <u>3962</u>

Comes now the defendant, and demurs to the plaintiff's complaint and to each count thereof, and as grounds for said demurrer sets down and assigns the following separately and severally:

1. Said count fails to allege the violation of any duty owed by the defendant to the plaintiff.
2. Said count fails to allege facts showing the violation of any duty owed by the defendant to the plaintiff.
3. For aught that appears from said count, the accident did not occur on a public street.
4. For aught that appears from said count, the plaintiff was not at a place where she had a legal right to be at the time and place complained of.
5. For aught that appears from said count, the damages suffered by the plaintiff were not the proximate result of any act or failure to act on the part of the defendant
6. For that said count fails to allege any casual connection between the alleged negligence of the defendant and the alleged damages of the plaintiff.
7. For that said count attempts to allege the negligence of the defendant but does not allege facts which as a matter of law constitute negligence.

LYONS, PIPES AND COOK
Attorneys for defendant


Walter M. Cook

WILLIAM S. WILSON,

IN SENIOR CIRCUIT COURT OF

Defendant,

VS. THE STATE OF MISSISSIPPI,

Plaintiff,

BY

JOHN GEORGE SMITH,

Attorney at Law,

Defendant.

vs.

That the defendant, JOHN GEORGE SMITH, admitted and confessed to the commission of the crime charged in the indictment, to-wit: the crime of

murder, and that the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

And that the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

And that the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

3964

FILED

NOV. 4-59

ALICE L. DUCK, CLERK REGISTERED

1. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

2. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

3. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

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6. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

7. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

8. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

9. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

10. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

11. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

12. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

13. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

14. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

15. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

16. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

17. That the defendant, JOHN GEORGE SMITH, is guilty of the crime charged in the indictment, to-wit: the crime of murder.

WITNESSES FOR DEFENDANT
WILLIAM S. WILSON, JOHN GEORGE SMITH

WITNESSES FOR STATE
JOHN GEORGE SMITH, WILLIAM S. WILSON

3964

ANNA S. WILSON,	)	IN THE CIRCUIT COURT OF
)	
PLAINTIFF,	)	BALDWIN COUNTY, ALABAMA
VS.)	
JOHN GEORGE WHITE,	)	AT LAW.
DEFENDANT.)	

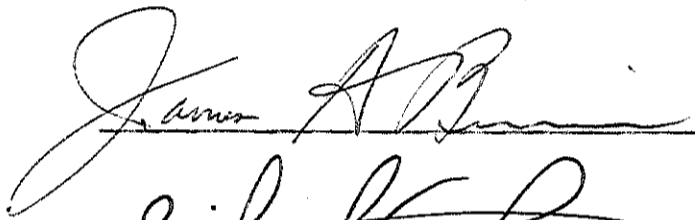
COUNT ONE

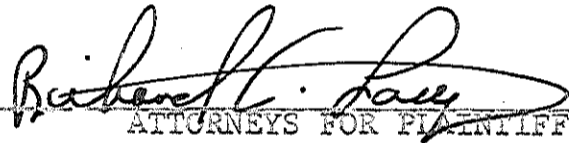
Plaintiff claims of the Defendant the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore, on, to-wit: the 11th day of July, 1959, the Defendant, John George White, so negligently operated a motor vehicle eastwardly on U. S. Highway 98, at its intersection with 6th Street, both public streets in the Town of Lillian, in Baldwin County, Alabama, so as to cause or allow said vehicle to collide with the side of a building located at the Northeast intersection of aforesaid 6th Street and U. S. Highway 98 in Lillian, Baldwin County, Alabama, in which Plaintiff was sleeping, and which is owned by Plaintiff, and as a direct and proximate result of the negligence of the Defendant, John George White, the Plaintiff's building was damaged, Plaintiff's shrubbery was damaged or destroyed, Plaintiff's furniture and furnishings in Plaintiff's building were damaged or destroyed, Plaintiff's yard was plowed up and disarranged, and the Plaintiff was made sick, was caused to suffer shock, great physical pain and mental anguish. Plaintiff has suffered and will continue to suffer great mental anguish, all to plaintiff's injury, hence this suit.

COUNT TWO

Plaintiff claims of the Defendant the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore, on, to-wit: the 11th day of July, 1959, the defendant, John George White, so wantonly operated a motor vehicle eastwardly on U. S. Highway 98, at its intersection with 6th Street, both public streets in the Town of Lillian, in Baldwin County, Alabama,

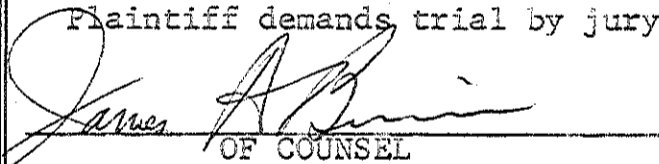
so as to cause or allow said vehicle to collide with the side of a building located at the Northeast intersection of aforesaid 6th Street and U. S. Highway 98 in Lillian, Baldwin County, Alabama, in which Plaintiff was sleeping, and which is owned by Plaintiff, and as a direct and proximate result of the wanton act of the Defendant, John George White, the Plaintiff's building was damaged, Plaintiff's shrubbery was damaged or destroyed, Plaintiff's furniture and furnishings in Plaintiff's building were damaged or destroyed, Plaintiff's yard was plowed up and disarranged, and the Plaintiff was made sick, was caused to suffer shock, great physical pain and mental anguish. Plaintiff has suffered and will continue to suffer great mental anguish, all to plaintiff's injury, hence this suit.




ATTORNEYS FOR PLAINTIFF

DEMAND FOR TRIAL BY JURY:

Plaintiff demands trial by jury.


OF COUNSEL

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.



Circuit Court, Baldwin County

No. 3962

..... TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon JOHN GEORGE WHITE

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.....

..... JOHN GEORGE WHITE, Defendant.....

by ANNA S. WILSON

....., Plaintiff.....

Witness my hand this 2nd day of September 19 59

Anna S. Wilson, Clerk

No. 3962 Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

ANNA S. WILSON

Plaintiffs

vs.

JOHN GEORGE WHITE

Defendants

Summons and Complaint

Filed September 2nd 1959

Alice J. Duck Clerk

*Wife's address:
John George White
521 West 19th St.
Pensacola Fla.*

Plaintiff's Attorney

Defendant's Attorney

address 1457 1704
RECEIVED IN OFFICE
Defendant lives at
SEP 10 1959
M. S. BUTLER
Received In Office
19

3

_____, Sheriff
I have executed this summons

this _____ 19____
by leaving a copy with

Executed by serving 3 copies of
the within on Betty Trinch
Secretary of State of The State of
Alabama.

This the 10 day of Sept. 1959

Sheriff of Montgomery County
M. S. Butler,

By Reno D. S.

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

_____, Sheriff

_____, Deputy Sheriff

ANNA S. WILSON,	)	IN THE CIRCUIT COURT OF
)	
PLAINTIFF,	)	BALDWIN COUNTY, ALABAMA
)	
VS.)	
)	
JOHN GEORGE WHITE,	)	AT LAW.
)	
DEFENDANT.)	

COUNT ONE

Plaintiff claims of the Defendant the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore, on, to-wit: the 11th day of July, 1959, the Defendant, John George White, so negligently operated a motor vehicle eastwardly on U. S. Highway 98, at its intersection with 6th Street, both public streets in the Town of Lillian, in Baldwin County, Alabama, so as to cause or allow said vehicle to collide with the side of a building located at the Northeast intersection of aforesaid 6th Street and U. S. Highway 98 in Lillian, Baldwin County, Alabama, in which Plaintiff was sleeping, and which is owned by Plaintiff, and as a direct and proximate result of the negligence of the Defendant, John George White, the Plaintiff's building was damaged, Plaintiff's shrubbery was damaged or destroyed, Plaintiff's furniture and furnishings in Plaintiff's building were damaged or destroyed, Plaintiff's yard was plowed up and disarranged, and the Plaintiff was made sick, was caused to suffer shock, great physical pain and mental anguish. Plaintiff has suffered and will continue to suffer great mental anguish, all to plaintiff's injury, hence this suit.

COUNT TWO

Plaintiff claims of the Defendant the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore, on, to-wit: the 11th day of July, 1959, the defendant, John George White, so wantonly operated a motor vehicle eastwardly on U. S. Highway 98, at its intersection with 6th Street, both public streets in the Town of Lillian, in Baldwin County, Alabama,

so as to cause or allow said vehicle to collide with the side of a building located at the Northeast intersection of aforesaid 6th Street and U. S. Highway 98 in Lillian, Baldwin County, Alabama, in which Plaintiff was sleeping, and which is owned by Plaintiff, and as a direct and proximate result of the wanton act of the Defendant, John George White, the Plaintiff's building was damaged, Plaintiff's shrubbery was damaged or destroyed, Plaintiff's furniture and furnishings in Plaintiff's building were damaged or destroyed, Plaintiff's yard was plowed up and disarranged, and the Plaintiff was made sick, was caused to suffer shock, great physical pain and mental anguish. Plaintiff has suffered and will continue to suffer great mental anguish, all to plaintiff's injury, hence this suit.

James A. B...
Richard K. L...
ATTORNEYS FOR PLAINTIFF

DEMAND FOR TRIAL BY JURY:

Plaintiff demands trial by jury.

James A. B...
OF COUNSEL

NOTICE TO DEPT. REGISTERED CLERK

FILED
22b 5 1960

[Handwritten notes and signatures]

October 27, 1959

ANNA S. WILSON, Plaintiff
VS
JOHN GEORGE WHITE, Defendant

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

CASE NO. 3962

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

I, Bettye Frink, Secretary of State, hereby certify that on October 23, 1959
I sent by registered mail in an envelope addressed as follows:

" John George White
810 North Davis Street
Pensacola, Florida"

"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:

" John George White
810 North Davis Street
Pensacola, Florida

You will take notice that on September 10, 1959 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: ANNA S. WILSON, Plaintiff VS JOHN GEORGE WHITE, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW,
Case No. 3962 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 23
day of October 1959

Enclosure (1)

(Signed) Bettye Frink
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 Oct 27 1959 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Pensacola, Fla.
on 10-26-59

WITNESS MY HAND and the Great Seal of the State of Alabama this the 27 day
of October 1959

Bettye Frink
Bettye Frink
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
cc: Honorable James A. Brice
Attorney at Law
Foley, Alabama

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 3962

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOHN GEORGE WHITE

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

JOHN GEORGE WHITE

-----, Defendant

by ANNA S. WILSON

-----, Plaintiff

Witness my hand this 2nd day of September 1959.

Anna S. Wilson

-----, Clerk

No. 3742 Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

ANN B. WILSON

Plaintiffs

vs.

JOHN GEORGE WILSON

Defendants

Summons and Complaint

Filed September 22nd 1929

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19

Sheriff

I have executed this summons

this _____ 19

by leaving a copy with

Sheriff

Deputy Sheriff

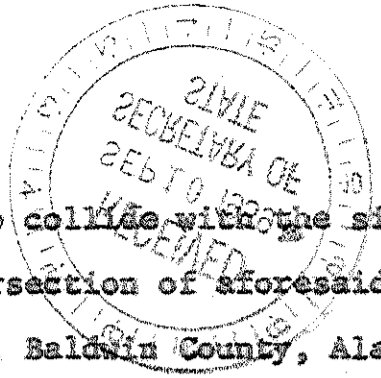
ANNA S. WILSON,	)	IN THE CIRCUIT COURT OF
)	
PLAINTIFF,	)	BALDWIN COUNTY, ALABAMA
)	
VS.)	
)	
JOHN GEORGE WHITE,	)	AT LAW.
)	
DEFENDANT.)	

COUNT ONE

Plaintiff claims of the Defendant the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore, on, to-wit: the 11th day of July, 1959, the Defendant, John George White, so negligently operated a motor vehicle eastwardly on U. S. Highway 98, at its intersection with 6th Street, both public streets in the Town of Lillian, in Baldwin County, Alabama, so as to cause or allow said vehicle to collide with the side of a building located at the Northeast intersection of aforesaid 6th Street and U. S. Highway 98 in Lillian, Baldwin County, Alabama, in which Plaintiff was sleeping, and which is owned by Plaintiff, and as a direct and proximate result of the negligence of the Defendant, John George White, the Plaintiff's building was damaged, Plaintiff's shrubbery was damaged or destroyed, Plaintiff's furniture and furnishings in Plaintiff's building were damaged or destroyed, Plaintiff's yard was plowed up and disarranged, and the Plaintiff was made sick, was caused to suffer shock, great physical pain and mental anguish. Plaintiff has suffered and will continue to suffer great mental anguish, all to plaintiff's injury, hence this suit.

COUNT TWO

~~Plaintiff claims of the Defendant the sum of Twenty Five Thousand and No/100 (\$25,000.00) Dollars as damages, for that heretofore, on, to-wit: the 11th day of July, 1959, the defendant, John George White, so wantonly operated a motor vehicle eastwardly on U. S. Highway 98, at its intersection with 6th Street, both public streets in the Town of Lillian, in Baldwin County, Alabama,~~



so as to cause or allow said vehicle to collide with the side of a building located at the Northeast intersection of aforesaid 6th Street and U. S. Highway 98 in Lillian, Baldwin County, Alabama, in which Plaintiff was sleeping, and which is owned by Plaintiff, and as a direct and proximate result of the wanton act of the Defendant, John George White, the Plaintiff's building was damaged, Plaintiff's shrubbery was damaged or destroyed, Plaintiff's furniture and furnishings in Plaintiff's building were damaged or destroyed, Plaintiff's yard was plowed up and disarranged, and the Plaintiff was made sick, was caused to suffer shock, great physical pain and mental anguish. Plaintiff has suffered and will continue to suffer great mental anguish, all to plaintiff's injury, hence this suit.

51923

James A. Brum
Richard L. Low
 ATTORNEYS FOR PLAINTIFF

DEMAND FOR TRIAL BY JURY:

Plaintiff demands trial by jury.

James A. Brum
 OF COUNSEL

FILED
 REC'D
 FEB 10 1933

25b 2 1933

FILED

51923

LAW OFFICES
JAMES A. BRICE
FOLEY, ALABAMA

JAMES A. BRICE
RICHARD C. LACEY

P. O. Box 298
WHITEHALL 3-3601

August 31, 1959

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Anna S. Wilson vs.
John George White

Dear Mrs. Duck:

The defendant in the above cause, complaint for which is enclosed, is a non-resident operator of a motor vehicle.

I am enclosing check for \$3.00 and ask that you have him served through the Secretary of State.

His Address:

John George White
521 West 19th Street
Pensacola, Florida

Thank you.

Very truly yours,


James A. Brice

JAB/vd

Enclosure

3962

FILED

SEP 2 1950

ALICE J. DUCK, CLERK
REGISTER



BETTYE FRINK
SECRETARY OF STATE

STATE OF ALABAMA
OFFICE OF SECRETARY OF STATE
MONTGOMERY 4, ALABAMA

September 21, 1959

Honorable James A. Brice
Attorney at Law
Poley, Alabama

Re: Anna S. Wilson VS John George White

Dear Mr. Brice:

Please refer to your file in the above-styled cause and be advised that on September 10, 1959, I sent by registered mail, return receipt requested, deliver to addressee only, my notice, with copy of Summons and Complaint attached, to:

John George White
521 West 19th St.
Pensacola, Fla.

On September 14, 1959 this letter (Registered No. 51111) was returned to me with reason for non-delivery given as "INSUFFICIENT ADDRESS".

Will you please advise me as to any further efforts you wish me to make in perfecting this service.

Sincerely yours,

7

Bettye Frink
Secretary of State

9
By: (Mrs.) Nancy H. Turner
Administrative Assistant

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