

JUAN G. TREVINO, JR., a minor : IN THE CIRCUIT COURT OF
suing by and through his father :
and next friend, JUAN G. TREVINO, : BALDWIN COUNTY,
SR., :
: ALABAMA
Plaintiff, :
: AT LAW
Vs. :
: CASE NO. 3967
JUAN HERNANDEZ, :
Defendant. :
:

3967

A F F I D A V I T

STATE OF ALABAMA:
COUNTY OF MOBILE:

Before me, the undersigned Notary Public in and for said county, in said state, personally appeared W. C. BOONE, JR., the attorney of record for JUAN G. TREVINO, JR. in the above cause, who, first being duly sworn, on oath deposes and says:

That he is the attorney of record for JUAN G. TREVINO, JR., plaintiff in the above styled cause, which is now pending in the Circuit Court of Baldwin County, Alabama.

Affiant further avers that he is informed and believes and based upon such information and belief doth aver that at the time of the accident referred to in the complaint, to-wit, June 6, 1959, the defendant in said cause, JUAN HERNANDEZ, was a non-resident of the State of Alabama and a resident citizen of Texas, his exact address at said time being unknown to affiant; that on, to-wit, June 6, 1959, the said JUAN HERNANDEZ was doing work and/or performing services in the State of Alabama and was not qualified under the

Constitution and laws of the State of Alabama as to doing business herein; that at said time, he was working on the "Weeks Farm" at or near Magnolia Springs, Baldwin County, Alabama, driving a truck carrying potato pickers to and from the fields on said farm; and that he was engaged in other work at said place, the nature of which is unknown to affiant.

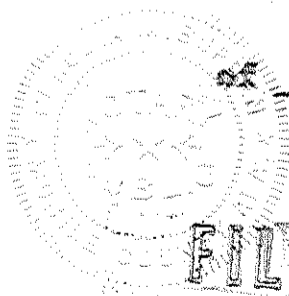
Affiant is informed and believes and based upon such information and belief doth aver that Title 7, Sec. 199(1) 1940 CODE OF ALABAMA, as amended, is applicable to the case at bar.

Affiant further states that he is informed and believes and based upon such information and belief doth aver that the said JUAN HERNANDEZ was involved in the accident which caused the injuries to JUAN G. TREVINO, JR., as alleged in the bill of complaint in the above styled cause; that JUAN HERNANDEZ is not a resident of the State of Alabama, but that he is a resident of the State of Texas, his last known address being Plaska Rural Station, Memphis, Texas.

W. C. Boone, Jr.
Affiant

Subscribed and sworn to before me this 14th day
of December, 1959.

Candice M. Burden
Notary Public, Mobile County, Alabama.



FILED

DEC 16 1959

ALICE J. DUCK, CLERK
MOBILE COUNTY, ALABAMA

JUAN G. TREVINO, JR., a minor,	:	IN THE CIRCUIT COURT OF
suing by and through his father	:	
and next friend, JUAN G. TREVINO,	:	BALDWIN COUNTY,
SR.,	:	
	:	ALABAMA
Plaintiff,	:	
	:	
Vs.	:	AT LAW
	:	
JUAN HERNANDEZ,	:	CASE NO. 3967
	:	
Defendant.	:	

A F F I D A V I T

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned Notary Public in and for said county, in said state, personally appeared W. C. BOONE, JR., the attorney of record for JUAN G. TREVINO, JR. in the above cause, who, first being duly sworn, on oath deposes and says:

That he is the attorney of record for JUAN G. TREVINO, JR., plaintiff in the above styled cause, which is now pending in the Circuit Court of Baldwin County, Alabama.

Affiant further avers that he is informed and believes and based upon such information and belief doth aver that at the time of the accident referred to in the complaint, to-wit, June 6, 1959, the defendant in said cause, JUAN HERNANDEZ, was a non-resident of the State of Alabama and a resident citizen of Texas, his exact address at said time being unknown to affiant; that on, to-wit, June 6, 1959, the said JUAN HERNANDEZ was doing work and/or performing

services in the State of Alabama and was not qualified under the Constitution and Laws of the State of Alabama as to doing business herein; that at said time, he was working on the "Weeks Farm" at or near Magnolia Springs, Baldwin County, Alabama, driving a truck carrying potato pickers to and from the fields on said farm; and that he was engaged in other work at said place, the nature of which is unknown to affiant.

Affiant further states that he is informed and believes and based upon such information and belief doth aver that the said JUAN HERNANDEZ was involved in the accident which caused the injuries to JUAN C. TRIVINO, JR., as alleged in the bill of complaint in the above styled cause; that JUAN HERNANDEZ is not a resident of the State of Alabama, but that he is a resident of the State of Texas, his last known address being Alaska Rural Station, Memphis, Texas.

W. C. Boone Jr.
Affiant



Subscribed and sworn to before me this 4th day
of December, 1959.

Charles M. Burdick
Notary Public, Mobile County, Alabama.

... by and through
his father and next friend,
J. S. THURMON, Sr.,
Plaintiff,
vs.
JAMES BERNARDSON,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA
AT LAFAYETTE
CASE NO. _____

COMES NOW

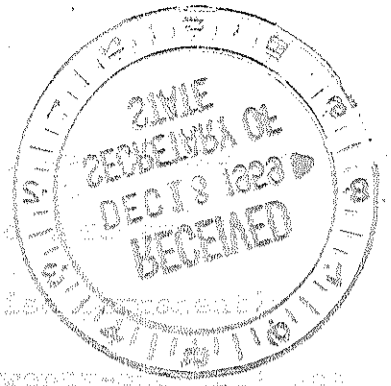
... Plaintiff claims of the defendant ...
THOUSAND DOLLARS (\$250,000.00) as damages, for loss ...
of, to-wit, June 5, 1959, the defendant did so negligently/
operate a motor truck across and over, across, a dirt road ...
was through a field on the "Hicks Farm" at or near, ...
Vergolia Springs, Baldwin County, Alabama, so as to cause the
rear wheels of said motor truck to run over and upon the plaintiff
while he was riding in said motor truck, with his father, ...
... that his father had been employed by the
defendant's employer to pick potatoes on the "Hicks Farm", and
that the plaintiff had been accompanying his father and assist-
ing him in his work, with the knowledge and consent of the
defendant; that immediately prior to said accident the plaintiff
had himself been picking potatoes for the defendant's employer,
and had been assisting his father and assisting the defendant in
and about their work on the "Hicks Farm"; and plaintiff avers
... of the above, his transportation ...
... at said time and place tended to promote the ...
interests of both the plaintiff, the defendant and the plaintiff's
father; and that his carriage in said motor truck thereby confer-
red a benefit on the defendant.

Plaintiff further avers that as a direct and proximate result and consequence of said negligence of the defendant, he was permanently injured in that: He was made sick and sore; he suffered and continues to suffer severe physical pain and mental anguish; he suffered diaphragmatic splinting of the chest; his abdomen became distended and sore; his bladder became distended; he suffered peritonitis of the abdomen; he suffered a fracture of the right ilium; he suffered a fracture of the right femur; he suffered a separation of the symphysis pubis; he suffered a separation of the right sacro-iliac joint; he was otherwise permanently injured; and his earning capacity and his family (3) was thereby diminished. Hence this

CAUSE TWO

Plaintiff claims of the defendant that he sustained injuries amounting to DOLLARS (\$250,000.00) as damages, say that hereinafter on, to-wit, June 5, 1959, the defendant wantonly injured the plaintiff by wantonly operating a motor truck across and over, to-wit, a dirt road which ran through a field on the "Wicks Farm", at or near, to-wit, Magnolia Springs, Baldwin County, Alabama, so as to cause the rear wheels of said motor truck to run over and upon the plaintiff, and as a direct and proximate result and consequence

of said wantonness, the plaintiff was permanently injured in that: he was made sick and sore; he suffered severe physical pain and mental anguish; he suffered diaphragmatic splinting of the chest; his abdomen became distended and sore; his bladder became distended; he suffered peritonitis of the abdomen; he suffered a fracture of the right ilium;



... fracture of the ...
... of the ...
... of the right sacro-iliac joint; he was otherwise ...
... and his earning capacity after age twenty ...
... thereby diminished. Hence this suit.

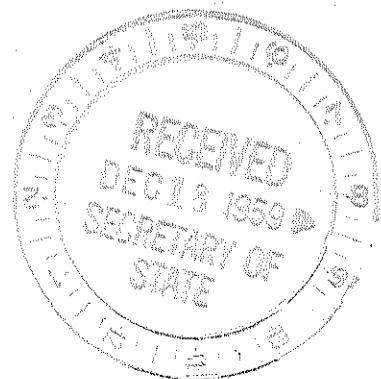
W.C. Boone Jr.
Attorney at Law

Pl demands a trial by jury.
W.C. Boone Jr.

OF COUNSEL:
RAND, ARNDALL, BENSOLE,
CREAVES & JOHNSTON

Defendant may be served by service on the Secretary of State
under the provisions of Title 7, Section 199⁽¹⁾, 1940 Code of Ala-
... as amended.

Defendant's address is:
~~Highway 44, General Delivery,~~
~~DeWitt, Texas~~
Plaska Rural Station
Memphis, Texas



January 4, 1960

JUAN G. TREVINO, JR., a minor, suing by
and through his father and next friend,
JUAN G. TREVINO, SR., Plaintiff
VS.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

JUAN HERNANDEZ, Defendant

CASE NO. 3967

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Nancy H. Turner, a Notary Public in and for said State-at-Large, personally appeared Bettye Frink, Secretary of State of the State of Alabama, who is known to me and who, being duly sworn, deposes and says that in her official capacity as Secretary of State of the State of Alabama she, on the 18 day of December 1959 sent by registered mail in an envelope addressed as follows:

“
Juan Hernandez
Plaska Rural Station
Memphis, Texas”

“Registered Mail—
Return Receipt Requested
Deliver to Addressee only”

bearing sufficient and proper prepaid postage, a notice bearing her signature and the Great Seal of the State of Alabama in words and figures as follows:

“Juan Hernandez
Plaska Rural Station
Memphis, Texas

You will take notice that on December 18, 1959 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint and Affidavit in a case entitled: JUAN G. TREVINO, JR., a minor, suing by and through his father and next friend, JUAN G. TREVINO, SR., Plaintiff VS JUAN HERNANDEZ, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 3967

a true copy of which Summons and Complaint and Affidavit are 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, said service being under provisions of Title 7, Section 199(1) of the 1940 Code of Alabama and Supplement thereto.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 18 day of December 1959

(Signed) Bettye Frink
Bettye Frink
Secretary of State

Enclosures (2)

Affiant further says 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 and Affidavit in the above-styled cause.

Affiant further says that on Dec. 28, 1959 she received the “Return Card” showing receipt by the designated addressee of the aforementioned matter at Robstown Tex. on Date Not Given

Bettye Frink

Affiant—Bettye Frink
Secretary of State

Sworn to and subscribed before me, this the 4 day of January 1960

Nancy H. Turner
Notary Public—State-at-Large

My Commission expires: 10-17-62

Enclosures—“Return Receipt” and
Copy of Process

cc: Honorable W. C. Boone, Jr.
Hand, Arendall, Bedsome, Greaves &
Johnston, Attorneys at Law
Suite #22, First National Bank Bldg.
Mobile, Alabama



BETTYE FRINK
SECRETARY OF STATE

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

December 9, 1959

MEMORANDUM

TO: Sheriff of Montgomery County, Alabama
FROM: Secretary of State
SUBJECT: Process of Service

Juan G. Trevino, Sr VS Juan Hernandez
Juan G. Trevino, Jr., a minor VS Same

I regret that I am unable to accept service of process in the above-styled cause until the following condition is met as required by Title 7, Section 199(1), Code of Alabama 1940:

Affidavits corrected stating which section of the 1940 Code of Alabama is applicable.

Bettye Frink

2967

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

SUITE 622 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
WM. BREVARD HAND
VIVIAN G. JOHNSTON, JR.
PAUL W. BROCK
ALEX F. LANKFORD, III
EDMUND R. CANNON, JR.
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
W. C. BOONE, JR.
DONALD F. PIERCE

MAILING ADDRESS:
P. O. BOX 123
CABLE ADDRESS:
HAB
TELEPHONE:
HEMLOCK 2-5514

September 4, 1959

Circuit Court
Baldwin County,
Alabama

Attention: Alice Duck, Clerk

Re: Juan G. Trevino, Jr., a minor suing by and through his father and next friend, Juan G. Trevino, Sr. v. Juan Hernandez; and Juan G. Trevino, Sr. v. Juan Hernandez.

Dear Madam:

Enclosed are two original complaints, with two copies of each, which I would appreciate your filing for me. Service of Process will have to be perfected through the Secretary of State, under Title 7, Section 199. I have therefore enclosed two checks for \$3.00 each, payable to the Secretary of State, to cover the cost of same. If these amounts are not sufficient, please advise and I shall send you the additional money necessary.

If you would be so kind as to acknowledge receipt of these complaints on the enclosed copy of this letter, I would greatly appreciate it.

Many thanks for your constant cooperation.

Yours very truly,

W.C. Boone, Jr.
For the Firm

WCB:edp

enc:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

SUITE 622 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
WM. BREVARD HAND
VIVIAN G. JOHNSTON, JR.
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EDMUND R. CANNON, JR.
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
W. C. BOONE, JR.
DONALD F. PIERCE

MAILING ADDRESS:
P. O. BOX 123

CABLE ADDRESS:
HAB

TELEPHONE:
HEMLOCK 2-5514

December 4, 1959

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

Re: Juan G. Trevino, Jr., a minor, v. Juan Hernandez,
Case No. 3967
Juan G. Trevino, Sr. v. Juan Hernandez,
Case No. 3968
In the Circuit Court of Baldwin County, Alabama.

Dear Miss Duck:

On September 10, 1959, the Secretary of State sent registered notices, together with copies of the summons and complaints to Juan Hernandez, the defendant in the above styled causes. This service was perfected pursuant to Title 7, Sec. 199, the Non-Resident Motorist Statute.

Since that time, I have learned that service should have been perfected on Juan Hernandez pursuant to Title 7, Sec. 199(1), in the pocket part. Accordingly, enclosed are the original and four copies of the required affidavit for each case. Also enclosed are four additional copies of the complaints in each case.

I would greatly appreciate your forwarding the original writ or process and three copies thereof, together with three copies of the complaints with affidavit attached, to the Sheriff of Montgomery County for service on the Secretary of State, in accordance with Title 7, Sec. 199(1).

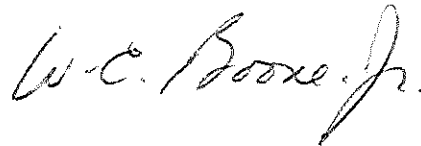
Enclosed is our check for \$6.00 to cover the fee for this service. If this amount is incorrect, please advise

Hon. Alice J. Duck, Clerk
December 4, 1959
Page Two

and we will correct accordingly.

Many thanks for your assistance.

Yours very truly,

A handwritten signature in cursive script that reads "W.C. Boone Jr.".

For the Firm

WCB.cmb
Encs.

the said JUAN HERNANDEZ was doing work and/or performing
 being unknown to Plaintiff; that on, to-wit, June 6, 1959,
 a resident citizen of Texas, his exact address at said time
 HERNANDEZ, was a non-resident of the State of Alabama and
 to-wit, June 6, 1959, the defendant in said cause, JUAN
 the time of the accident referred to in the complaint,
 and based upon such information and belief both ever that at
 Plaintiff further avers that he is informed and believes
 pending in the Circuit Court of Baldwin County, Alabama,
 Jr., Plaintiff in the above styled cause, which is now
 That he is the attorney of record for JUAN G. TRAVINO,

deposes and says:
 in the above cause, who, first being duly sworn, on oath
 BOONE, Jr., the attorney of record for JUAN G. TRAVINO, Jr.
 said county, in said state, personally appeared N. C.
 Before me, the undersigned Notary Public in and for

COUNTY OF MOBILE:
 STATE OF ALABAMA:

A F F I D A V I T

:
 : Defendant,
 : JUAN HERNANDEZ,
 : CASE NO. 3967
 : AT LAW
 :
 : Plaintiff,
 : ALABAMA
 :
 : SR.,
 : and next friend, JUAN G. TRAVINO,
 : BALDWIN COUNTY,
 : IN THE CIRCUIT COURT OF

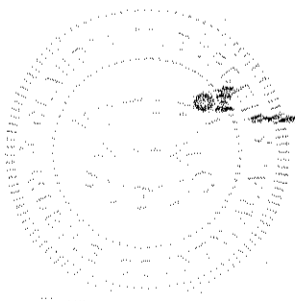
services in the State of Alabama and was not qualified under the Constitution and laws of the State of Alabama as to doing business herein; that at said time, he was working on the "Weeks Farm" at or near Magnolia Springs, Baldwin County, Alabama, driving a truck carrying potato pickers to and from the fields on said farm; and that he was engaged in other work at said place, the nature of which is unknown to affiant.

Affiant further states that he is informed and believes and based upon such information and belief doth aver that the said JUAN HERNANDEZ was involved in the accident which caused the injuries to JUAN G. TREVIÑO, JR., as alleged in the bill of complaint in the above styled cause; that JUAN HERNANDEZ is not a resident of the State of Alabama, but that he is a resident of the State of Texas, his last known address being Flaska Rural Station, Memphis, Texas.

W. C. Boone, Jr.
Affiant

Subscribed and sworn to before me this 4th day
of December, 1959.

Charles M. Burdick
Notary Public, Mobile County, Alabama.



JUAN G. TREVINO, JR., a minor	:	IN THE CIRCUIT COURT OF
suing by and through his father	:	
and next friend, JUAN G. TREVINO,	:	BALDWIN COUNTY,
SR.,	:	
	:	ALABAMA
Plaintiff,	:	
	:	AT LAW
Vs.	:	
	:	CASE NO. 3967
JUAN HERNANDEZ,	:	
	:	
Defendant.	:	

A F F I D A V I T

STATE OF ALABAMA:
COUNTY OF MOBILE:

Before me, the undersigned Notary Public in and for said county, in said state, personally appeared W. C. BOONE, JR., the attorney of record for JUAN G. TREVINO, JR. in the above cause, who, first being duly sworn, on oath deposes and says:

That he is the attorney of record for JUAN G. TREVINO, JR., plaintiff in the above styled cause, which is now pending in the Circuit Court of Baldwin County, Alabama.

Affiant further avers that he is informed and believes and based upon such information and belief doth aver that at the time of the accident referred to in the complaint, to-wit, June 6, 1959, the defendant in said cause, JUAN HERNANDEZ, was a non-resident of the State of Alabama and a resident citizen of Texas, his exact address at said time being unknown to affiant; that on, to-wit, June 6, 1959, the said JUAN HERNANDEZ was doing work and/or performing services in the State of Alabama and was not qualified under the

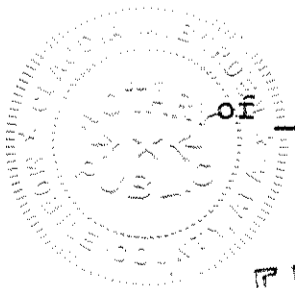
Constitution and laws of the State of Alabama as to doing business herein; that at said time, he was working on the "Weeks Farm" at or near Magnolia Springs, Baldwin County, Alabama, driving a truck carrying potato pickers to and from the fields on said farm; and that he was engaged in other work at said place, the nature of which is unknown to affiant.

Affiant is informed and believes and based upon such information and belief doth aver that Title 7, Sec. 199(1) 1940 CODE OF ALABAMA, as amended, is applicable to the case at bar.

Affiant further states that he is informed and believes and based upon such information and belief doth aver that the said JUAN HERNANDEZ was involved in the accident which caused the injuries to JUAN G. TREVINO, JR., as alleged in the bill of complaint in the above styled cause; that JUAN HERNANDEZ is not a resident of the State of Alabama, but that he is a resident of the State of Texas, his last known address being Plaska Rural Station, Memphis, Texas.

W. C. Boone, Jr.
Affiant

Subscribed and sworn to before me this 14th day
of December, 1959.



Claudia M. Burk
Notary Public, Mobile County, Alabama.

FILED
DEC 16 1959
ALICE J. DUCK, CLERK
REGISTERS

JUAN G. TREVINO, JR., a minor,	:	IN THE CIRCUIT COURT OF
suing by and through his father	:	
and next friend, JUAN G. TREVINO,	:	BALDWIN COUNTY,
SR.,	:	
	:	ALABAMA
Plaintiff,	:	
	:	
Vs.	:	AT LAW
	:	
JUAN HERNANDEZ,	:	CASE NO. 3967
	:	
Defendant.	:	
	:	

A F F I D A V I T

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned Notary Public in and for said county, in said state, personally appeared W. C. BOONE, JR., the attorney of record for JUAN G. TREVINO, JR. in the above cause, who, first being duly sworn, on oath deposes and says:

That he is the attorney of record for JUAN G. TREVINO, JR., plaintiff in the above styled cause, which is now pending in the Circuit Court of Baldwin County, Alabama.

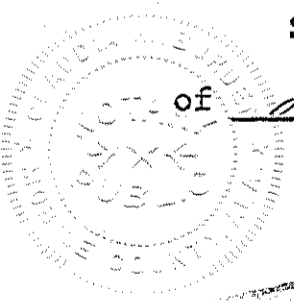
Affiant further avers that he is informed and believes and based upon such information and belief doth aver that at the time of the accident referred to in the complaint, to-wit, June 6, 1959, the defendant in said cause, JUAN HERNANDEZ, was a non-resident of the State of Alabama and a resident citizen of Texas, his exact address at said time being unknown to affiant; that on, to-wit, June 6, 1959, the said JUAN HERNANDEZ was doing work and/or performing

services in the State of Alabama and was not qualified under the Constitution and laws of the State of Alabama as to doing business herein; that at said time, he was working on the "Weeks Farm" at or near Magnolia Springs, Baldwin County, Alabama, driving a truck carrying potato pickers to and from the fields on said farm; and that he was engaged in other work at said place, the nature of which is unknown to affiant.

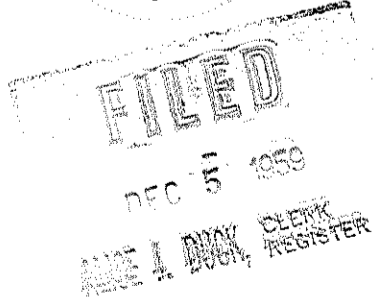
Affiant further states that he is informed and believes and based upon such information and belief doth aver that the said JUAN HERNANDEZ was involved in the accident which caused the injuries to JUAN G. TREVINO, JR., as alleged in the bill of complaint in the above styled cause; that JUAN HERNANDEZ is not a resident of the State of Alabama, but that he is a resident of the State of Texas, his last known address being Plaska Rural Station, Memphis, Texas.

W. C. Boone, Jr.
Affiant

Subscribed and sworn to before me this 4th day
of December, 1959.



Claudia M. Buder
Notary Public, Mobile County, Alabama.



JUAN G. TREVINO, JR., a)	IN THE CIRCUIT COURT OF
minor, suing by and through)	
his father and next friend,)	BALDWIN COUNTY,
JUAN G. TREVINO, SR.,)	
)	ALABAMA
Plaintiff,)	
)	AT LAW
Vs.)	
)	CASE NO. <u>3967</u>
JUAN HERNANDEZ,)	
)	
Defendant.)	

COUNT ONE

The plaintiff claims of the defendant TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) as damages, for that heretofore, on, to-wit, June 6, 1959, the defendant did so negligently operate a motor truck across and over, to-wit, a dirt road which ran through a field on the "Weeks Farm" at or near, to-wit; Magnolia Springs, Baldwin County, Alabama, so as to cause the rear wheels of said motor truck to run over and upon the plaintiff who was riding in said motor truck, with his father. Plaintiff further avers that his father had been employed by the defendant's employer to pick potatoes on the "Weeks Farm", and that the plaintiff had been accompanying his father and assisting him in his work, with the knowledge and consent of the defendant; that immediately prior to said accident the plaintiff had himself been picking potatoes for the defendant's employer, and had been assisting his father and assisting the defendant in and about their work on the "Weeks Farm"; and plaintiff avers that by virtue of the above, his transportation in said motor truck at said time and place tended to promote the mutual interests of both the plaintiff, the defendant and the plaintiff's father; and that his carriage in said motor truck thereby conferred a benefit on the defendant.

Plaintiff further avers that as a direct and proximate result and consequence of said negligence of the defendant, he was permanently injured in that: He was made sick and sore; he suffered and continues to suffer severe physical pain and mental anguish; he suffered diaphragmatic splinting of the chest; his abdomen became distended and tense; his bladder became distended; he suffered peristalsis of the abdomen, he suffered a fracture of the right ilium; he suffered a fracture of the conjoined ramus; he suffered a separation of the symphysis pubis; he suffered a separation of the right sacro-iliac joint; he was otherwise permanently injured; and his earning capacity after age twenty-one (21) was thereby diminished. Hence this suit.

COUNT TWO

Plaintiff claims of the defendant TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) as damages, for that heretofore on, to-wit, June 6, 1959, the defendant wantonly injured the plaintiff by wantonly operating a motor truck across and over, to-wit, a dirt road which ran through a field on the "Weeks Farm", at or near, to-wit, Magnolia Springs, Baldwin County, Alabama, so as to cause the rear wheels of said motor truck to run over and upon the plaintiff, and as a direct and proximate result and consequence of said wantonness, the plaintiff was permanently injured in that: He was made sick and sore; he suffered and continues to suffer severe physical pain and mental anguish; he suffered diaphragmatic splinting of the chest; his abdomen became distended and tense; his bladder became distended; he suffered peristalsis of the abdomen; he suffered a fracture of the right ilium;

he suffered a fracture of the conjoined ramus; he suffered a separation of the symphysis pubis; he suffered a separation of the right sacro-iliac joint; he was otherwise permanently injured; and his earning capacity after age twenty-one (21) was thereby diminished. Hence this suit.

By W. C. Boone, Jr.
Attorney for Plaintiff

Plaintiff demands a trial by jury.

W. C. Boone, Jr.

OF COUNSEL:

HAND, ARENDALL, BEDSOLE,
GREAVES & JOHNSTON

Defendant may be served by service on the Secretary of State under the provisions of Title 7, Section 199, 1940 Code of Alabama.

Defendant's address is:

Highway 44, General Delivery,
Robstown, Texas

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No. 3967

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JUAN HERNANDEZ

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.....

JUAN HERNANDEZ....., Defendant.....

by JUAN G. TREVINO, JR., a minor, suing by and through his father and next friend, JUAN G. TREVINO, SR......, Plaintiff.....

Witness my hand this 8th day of September 1959

~~Def's Address:~~
~~1400 1/2~~ ~~Gen Del~~
~~Robinson~~ ~~TXAS~~

[Signature], Clerk

Executed by serving 3 copies of the writin on Betty Brink - Sec. State of Ala. This 18th day of Dec. 1959 M.S. Butler - Sher. Montgomery Co. by Romeo D.S.

No. 3967 Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

JUAN G. TREVINO, JR., a minor suing
by and through his father and next
friend, JUAN G. TREVINO, SR.,
Plaintiffs

vs.

JUAN HERNANDEZ
Defendants

Summons and Complaint

Filed September 8, 8, 19 59

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

2080
RECEIVED IN OFFICE 7452
SEP 18 1959
M. S. BUTLER Sheriff
Received in Office, Sheriff

_____, Sheriff
I have executed this summons
by leaving a copy with _____

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

This the 10 day of Sept 1959

Sheriff of Montgomery County

M. S. Butler,

By A. Permon D. S.

The Sheriff claims 2
miles at 10c per mile for a total
of \$.20

M. S. Butler, Sheriff
Montgomery County, Ala.

Deputy Sheriff

JUAN G. TREVINO, JR., a minor, *
Suing by and through *
JUAN G. TREVINO, SR., as his *
father and next friend, *

Plaintiff, *

VS. *

JUAN HERNANDEZ, *

Defendant. *

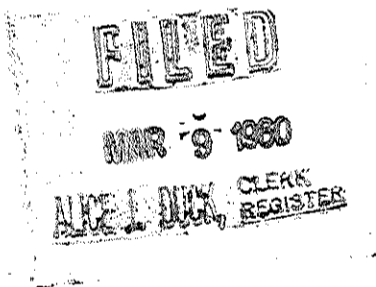
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

No. 3967

Comes the Defendant in the above-styled cause and
for answer to Plaintiff's complaint and to each count thereof,
separately and severally, says as follows, separately and
severally:

1. Not guilty.
2. Defendant denies each and every allegation in
said count.



McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

By *James H. May, Jr.*
Attorneys for Defendant

*Service accepted for Plaintiff this
9th day of March, 1960.*

*W. C. Boone Jr.
Attorney for Plaintiff*

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

}

Circuit Court, Baldwin County

No. 3967

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon JUAN HERNANDEZ

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

JUAN HERNANDEZ, Defendant.

by JUAN G. TREVINO, JR., a Minor suing by and through his father and next friend

JUAN G. TREVINO, SR., Plaintiff.

Witness my hand this 5th day of December 1959

Alice J. Husk, Clerk

No. 3967

Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

JUAN G. TREVINO, JR., A Minor, suing
by and through his father
and next friend JUAN G. TREVINO, SR.

Plaintiffs

vs.

JUAN HERNANDEZ

Defendants

Summons and Complaint

Filed December 5, 19 59

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

JUAN C. BARRALDO, JR., Plaintiff, suing by and through his father vs. JUAN BERNANDEZ

INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY to address Show address where delivered **3967**
(Additional charges incurred for these services)

RETURN RECEIPT

Received the numbered article described on other side.

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

Juan Bernandez

SIGNATURE OF ADDRESSEE'S AGENT (if any)

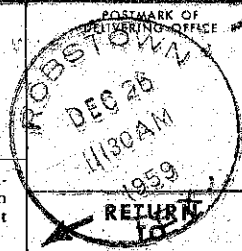
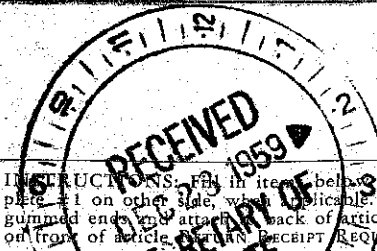
DELIVER TO ADDRESSEE ONLY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested by item)

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends to attach back of article. Print on front of article. RETURN RECEIPT REQUESTED.

POD Form 3811 Jan. 1958

REGISTERED NO.	STREET AND NO.
CERTIFIED NO.	MONTGOMERY, ALABAMA
INSURED NO.	CITY, ZONE AND STATE

CSS-16-71848-4