

STATE OF ALABAMA }  
BALDWIN COUNTY }

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon TOMMIE H. SCOTT, Individually, and also operating under the name and style of Scott Produce Company, and ROY EDWARD McDONALD, 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 OSCAR J. HAUGE.

Witness my hand this the 9 day of May, 1960.

*[Signature]*  
Clerk, Circuit Court, Baldwin County,  
Alabama.

OSCAR J. HAUGE,  
Plaintiff,

vs

TOMMIE H. SCOTT, Individually, and also operating under the name and style of Scott Produce Company, and ROY EDWARD McDONALD, Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. *44-118*

FIRST

The Plaintiff claims of the Defendant, Roy Edward McDonald, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: February 29th, 1960, Plaintiff's automobile was lawfully parked just off State Highway No. 59, (Milwaukee Street), at the intersection of St. Paul Street, in the Town of Robertsdale, in Baldwin County, Alabama, and that while said automobile was so parked the Defendant, Roy Edward McDonald, who was at said time and place operating a truck on said State Highway No. 59, and did so negligently operate or control the movement of said truck, that as a proximate result of such negligence it was caused to collide or bump into the Plaintiff's automobile damaging said automobile in the following manner: Frame bent and warped, left quarter panel smashed, back bumper bent, trunk and trunk floor smashed and chrome bent and smashed, and

that the said damages suffered by the Plaintiff, as aforesaid, was a direct and proximate consequence of the negligence of the said Defendant, Roy Edward McDonald, in the operation of said truck at the time and place; all to the damage of the Plaintiff, as aforesaid.

## SECOND

The Plaintiff claims of the Defendants, Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, and Roy Edward McDonald, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: February 29th, 1960, Plaintiff's automobile was lawfully parked just off State Highway No. 59, (Milwaukee Street), at the intersection of St. Paul Street, in the Town of Robertsedale, in Baldwin County, Alabama, and that while said automobile was so parked, the Defendant, Roy Edward McDonald, who was then and there an agent, servant or employee of the Defendant, Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, acting within the line and scope of his authority as such agent, servant and/or employee, and who was at said time and place operating a truck on said State Highway No. 59, and did so negligently operate or control the movement of said truck, that as a proximate result of such negligence it was caused to collide with or bump into the Plaintiff's automobile damaging said automobile in the following manner: Frame bent and warped, left quarter panel smashed, back bumper bent, trunk and trunk floor smashed and chrome bent and smashed, which said damages were the proximate result of the negligence of Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, Defendants' agent, servant or employee, while acting within the line and scope of his authority as such, all of which caused the Plaintiff to suffer the damages, as aforesaid.

  
Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me Antwude M. Banister, in and for said County, personally appeared John P. Beebe, who, being duly sworn on oath says: that he is the attorney of record for the Plaintiff in the cause entitled: Oscar J. Hauge, Plaintiff vs. Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company and Roy Edward McDonald, Defendants, in the Circuit Court of Baldwin County, Alabama, and that the said Defendants Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, and Roy Edward McDonald, are non-residents of the State of Alabama, whose present Post Office addresses are as follows:

Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, Highway No. 9, Corpus Christi, Texas; and

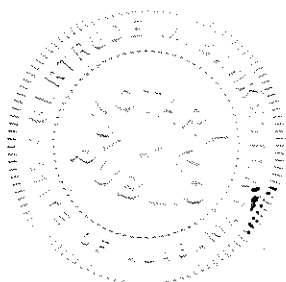
Roy Edward McDonald, 212 McIntyre Street, Taft, Texas.

The affiant further says that the said Defendants are over the age of twenty one years.

John P. Beebe  
Affiant

Sworn to and subscribed before me on this the 6<sup>th</sup> day of May, 1960.

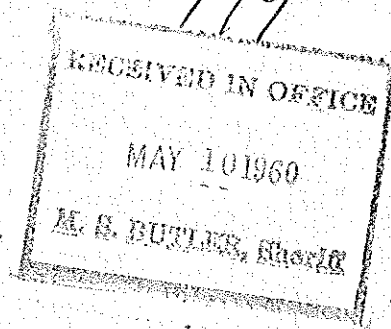
Antwude M. Banister  
Notary Public, State of Alabama,  
at large.



**FILED**

MAY 9 1960

ALICE I. DUCK, CLERK  
REGISTER



Executed by serving 6 copies of  
the within on Betty Frank,  
Secretary of State of The State of  
Alabama.

This the 12 day of May 1960

Sheriff of Montgomery County,  
M. S. Butler,

By [Signature] D. S.

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

72-42-48

RECORDED

OSCAR J. HAUGE,  
Plaintiff,

VS

TOMMIE H. SCOTT,  
Individually, and also  
operating under the name  
and style of Scott  
Produce Company, and  
ROY EDWARD McDONALD,  
Defendants.

Summons and Complaint

JOHN P. BEEBE  
ATTORNEY AT LAW  
ROBERTSDALE, ALABAMA

|                                 |   |                          |
|---------------------------------|---|--------------------------|
| OSCAR J. HAUGE,                 | ) | IN THE CIRCUIT COURT OF  |
|                                 | ) |                          |
| Plaintiff,                      | ) |                          |
|                                 | ) | BALDWIN COUNTY, ALABAMA. |
| vs.                             | ) |                          |
|                                 | ) |                          |
| TOMMIE H. SCOTT, individually   | ) | AT LAW                   |
| and also operating under the    | ) |                          |
| name and style of Scott Produce | ) |                          |
| Company, and ROY EDWARD         | ) |                          |
| McDONALD,                       | ) |                          |
|                                 | ) |                          |
| Defendants.                     | ) | CASE NO. 4248            |

INTERROGATORIES TO THE PLAINTIFF

Comes now each of the following defendants, separately and severally, Tommie H. Scott and Roy Edward McDonald, and desiring the testimony of the plaintiff, propounds to the plaintiff the following interrogatories, as is provided under Section 477, et seq., of Title 7 of the CODE OF ALABAMA of 1940, to-wit:

1. State your correct name, age, residence address and business address.

2. Describe completely and in detail the vehicle involved in, and occupied, driven by or owned by you on the occasion of the accident made the basis of this suit, stating in your answer the make, year, model and body style of the same. (a) State the name and address of the owner of said motor vehicle on the date of said accident. (b) State the name and address of the driver of said vehicle on said occasion. (c) State by whom said motor vehicle had been purchased prior to said accident, and give the date of the purchase. (d) How much was paid for said motor vehicle at the time of said purchase? (e) Give the name and address of any other person who had any interest of any nature whatsoever in said motor vehicle at the time of said accident and describe that interest.

3. Describe completely and in detail every item of damage sustained by said motor vehicle on the occasion of said accident. State in your opinion the fair reasonable market value of said motor vehicle immediately prior to said accident and also immediately after said accident, before it was repaired. (a) Give the amount of each repair estimate obtained as to said damage, and give the name and address of the person or company making said repair estimate. (b) State whether or not any of said damage was repaired, and, if so, give the amount of the repair bill and the name and address of the person, firm or corporation that made said repairs. (c) State who paid for said repairs. (d) State how long the motor vehicle was in the repair shop. (e) State whether or not you have made any sworn statement as to the amount of the damage to said motor vehicle. (f) If so, give the name and address of the person or company to whom said sworn statement was made, when it was made and the amount that was stated in same. (g) State whether or not said motor vehicle has been sold subsequently to the date of the accident made the basis of this suit, and, if so, for what amount, and state the name and address of the person, firm or corporation to which said vehicle was sold. (h) Give the mileage reading of said motor vehicle at the time of the accident made the basis of this suit. (i) Give the mileage reading of said motor vehicle at the time of answering these interrogatories. (j) Describe the condition of the brakes, signal device, steering apparatus, tires and lighting equipment on said motor vehicle, separately, at the time of the accident made the basis of this suit.

(k) When had the brakes, signal device, steering apparatus, lights and tires on said motor vehicle, separately, last been inspected prior to said accident, and by whom?

4. State the number of persons occupying the motor vehicle in or on which you also were riding or which you were driving at the time of the accident made the basis of this suit, and state specifically how and in what manner said occupants were located in or on said vehicle on said occasion. Give their names and addresses.

5. State where the motor vehicle allegedly operated by or on behalf of the defendant (hereinafter sometimes called defendant's motor vehicle) was located with reference to the point of impact in the accident made the basis of this suit when you first observed same immediately prior to said accident.

(a) Did you see the defendant's motor vehicle before the actual collision? (b) How many feet was the defendant's motor vehicle from the place of the impact when you first observed same?

(c) How many feet were you from the place of impact when you first observed the defendant's motor vehicle? (d) Where was the defendant's motor vehicle when you first entered the intersection with reference to the place of impact? (e) Where was the defendant's motor vehicle with reference to the intersection when you first entered same? (f) Describe the condition of all automatic traffic signal lights located in the intersection at the time each of said motor vehicles entered same on the occasion of the accident made the basis of this suit, stating the condition, if you know, of the color of the light which was

facing the approaching driver. (g) Where did the impact occur with reference to the center line of the street on which defendant's motor vehicle was traveling? (h) Where did the impact occur with reference to the right edge of the street on which defendant's motor vehicle was traveling? (i) How far distant were you from the nearest intersection when the impact occurred?

6. State specifically and in detail exactly how the accident made the basis of this suit occurred and describe chronologically the events that occurred leading up to the same as seen by you. (a) If you were a passenger in a vehicle involved in this accident, describe each and everything done by the operator of the said vehicle in which you were riding to avoid said accident. (b) Describe each and every thing which the driver of the defendant's motor vehicle failed to do to avoid said accident. (c) Describe each and every thing done by the driver of defendant's motor vehicle immediately prior to and at the time of said accident. (d) State each and every thing done by you immediately prior to said accident.

7. State whether or not any of the operators of any of the vehicles involved in the accident made the basis of this suit were intoxicated, in your opinion, or were drinking intoxicating beverages at the time of the said accident. (a) Give the name and address of each of said operators who was drinking or who was intoxicated. (b) State what each of said persons was or had been drinking, where he or she had obtained same, the quantity or amount consumed and the time and place where same was drunk.



8. State, according to your best judgment, the speed of the defendant's motor vehicle at the following points: (a) When you first observed same prior to the accident made the basis of this suit. (b) At a point 300 feet from the place where the impact occurred. (c) At a point 200 feet from the place where the impact occurred. (d) At a point 100 feet from the place where the impact occurred. (e) At a point 50 feet from the place where the impact occurred. (f) At a point 25 feet from the place where the impact occurred. (g) At a point 10 feet from the place where the impact occurred. (h) At the time of impact. (i) Immediately after the impact.

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

BY: Paul W. Brock  
Attorneys for Defendants

STATE OF ALABAMA: ~~AT LARGE~~  
~~COUNTY OF MOBILE:~~

Before me, the undersigned authority in and for said county in said state, this day personally appeared Paul W. Brock who is known to me, and who, being by me first duly sworn, upon oath deposes and says that he is one of the attorneys for said specified defendants in the above entitled cause, and as such is authorized to make this affidavit; that the answers of the plaintiff to the foregoing interrogatories, when well and truly made and filed, will be material testimony for said defendants on the trial of this cause.

Paul W. Brock

Subscribed and sworn to before  
me on this 31 day of May,  
1960.

Olav E. Smith  
NOTARY PUBLIC

FILED

JUN 1 1960

ALICE J. DUCK, CLERK  
REGISTER

W. 4248

Oscar J. Sarge

VS

Tommy H. Scott

BY:

Attorneys for Defendant

WILLIAM W. WENDT, MRS. J. C. GEEVARS & JOHN W. J. JONES

FILED

JUN 1 1960

ALICE L. DUCK, CLERK  
REGISTER

20 be Respected  
Hon. John P. Bullock

1960.  
Appointed and sworn to before

NOTARY PUBLIC

Chief of this case.  
and relief, will be necessary testimony for said defendant on the  
case to the foregoing information. When well and truly sworn  
associated to make this affidavit. When the members of the jury  
associated defendant in the above entitled case, and as each is  
offly deposes and says that he is one of the attorneys for said  
who is known to me, and who, being a lawfully sworn, when  
in said state, said lawfully sworn, and as each is  
before me, the undersigned and sworn to before

COMMISSIONER  
STATE OF ALABAMA

Received 1 day of June 1960  
and on 2 day of June 1960  
I served a copy of the within  
on John P. Bullock

By service on

TAYLOR WILKINS, Sheriff  
By W. O. Lainer, D.A.S.  
R. Dale

Sheriff claims 50 miles at  
Ten Cents per mile Total \$ 5.00  
TAYLOR WILKINS, Sheriff  
BY Daniel, DEPUTY SHERIFF

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

June 14, 1960

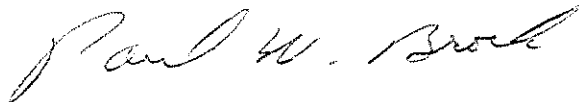
Miss Alice Duck, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Re: Oscar Hauge, v. Tommie Scott, individually  
and d/b/a Scott Produce Company and Roy  
Edward McDonald - Case No. 4248, At Law

Dear Miss Duck:

Please issue a subpoena duces tecum to Oscar J. Hauge, Box 246, Robertsedale, Alabama, to appear in the offices of Hand, Arendall, Bedsole, Greaves & Johnston, 622 First National Bank Building, Mobile, Alabama, at 3 o'clock P. M. on the afternoon of Tuesday, July 5, 1960, to then and there have his deposition on oral examination taken in connection with the above case under the provisions of Title 7, Section 474, as amended, and to bring with him the originals and all copies of any and all repair estimates made on his automobile following the accident of February 29, 1960, described in the complaint in the above case.

Very truly yours,



For the Firm

PWB.1t

*Hand  
6-14-60*

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON  
LAWYERS

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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DONALD F. PIERCE

SUITE 622 FIRST NATIONAL BANK BUILDING  
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June 14, 1960

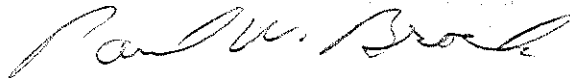
Miss Alice Duck, Clerk  
Circuit Court of Baldwin County  
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Re: Oscar Hauge, v. Tommie Scott, individually  
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Very truly yours,



For the Firm

FWB.lt

May 24, 1960

OSCAR J. HAUGE, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA AT LAW

VS

TOMMIE H. SCOTT, et al, Defendants

CASE NO. 4248

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

I, Bettye Frink, Secretary of State, hereby certify that on May 10, 1960  
I sent by registered mail in an envelope addressed as follows:

"Tommye-H. Scott  
c/o Scott Produce Company  
Highway No. 9  
Corpus Christi, Texas"

"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:

"Tommye H. Scott  
c/o Scott Produce Company  
Highway No. 9  
Corpus Christi, Texas"

You will take notice that on May 10, 1960 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: OSCAR J. HAUGE, Plaintiff VS TOMMIE H. SCOTT, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW  
Case No. 4248 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 10  
day of May 1960

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 May 16, 1960 I received the return card, showing receipt by the designated addressee of the aforementioned matter at \_\_\_\_\_risti, Texas on 5-14-60

WITNESS MY HAND and the Great Seal of the State of Alabama this the 24 day  
of May 1960

*Bettye Frink*  
Bettye Frink  
Secretary of State

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

cc: Honorable John P. Beebe  
Attorney at Law  
108 Hoyle Ave.  
Bay Minette, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon TOMMIE H. SCOTT, Individually, and also operating under the name and style of Scott Produce Company, and ROY EDWARD McDONALD, 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 OSCAR J. HAUGE.

Witness my hand this the 9 day of May, 1960.

Chief Clerk  
Clerk, Circuit Court, Baldwin County,  
Alabama.

OSCAR J. HAUGE,  
Plaintiff,

vs

TOMMIE H. SCOTT, Individually, and also operating under the name and style of Scott Produce Company, and ROY EDWARD McDONALD, Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 4448

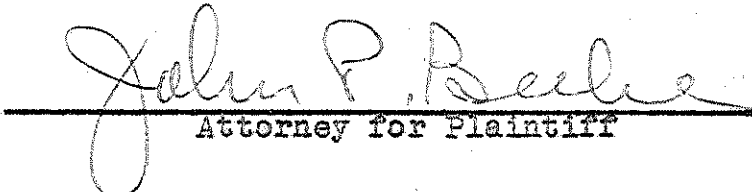
FIRST

The Plaintiff claims of the Defendant, Roy Edward McDonald, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: February 29th, 1960, Plaintiff's automobile was lawfully parked just off State Highway No. 59, (Milwaukee Street), at the intersection of St. Paul Street, in the Town of Robertsedale, in Baldwin County, Alabama, and that while said automobile was so parked the Defendant, Roy Edward McDonald, who was at said time and place operating a truck on said State Highway No. 59, and did so negligently operate or control the movement of said truck, that as a proximate result of such negligence it was caused to collide or bump into the Plaintiff's automobile damaging said automobile in the following manner: Frame bent and warped, left quarter panel smashed, back bumper bent, trunk and trunk floor smashed and chrome bent and smashed, and

that the said damages suffered by the Plaintiff, as aforesaid, was a direct and proximate consequence of the negligence of the said Defendant, Roy Edward McDonald, in the operation of said truck at the time and place, all to the damage of the Plaintiff, as aforesaid.

SECOND

The Plaintiff claims of the Defendants, Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, and Roy Edward McDonald, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: February 29th, 1960, Plaintiff's automobile was lawfully parked just off State Highway No. 59, (Milwaukee Street), at the intersection of St. Paul Street, in the Town of Robertsdale, in Baldwin County, Alabama, and that while said automobile was so parked, the Defendant, Roy Edward McDonald, who was then and there an agent, servant or employee of the Defendant, Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, acting within the line and scope of his authority as such agent, servant or employee, and who was at said time and place operating a truck on said State Highway No. 59, and did so negligently operate or control the movement of said truck, that as a proximate result of such negligence it was caused to collide with or bump into the Plaintiff's automobile damaging said automobile in the following manner: Frame bent and warped, left quarter panel smashed, back bumper bent, trunk and trunk floor smashed and chrome bent and smashed, which said damages were the proximate result of the negligence of Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, Defendants' agent, servant or employee, while acting within the line and scope of his authority as such, all of which caused the Plaintiff to suffer the damages, as aforesaid.

  
Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Bertrude M. Bankster, in and for said County, personally appeared John P. Beebe, who, being duly sworn on oath says: that he is the attorney of record for the Plaintiff, in the cause entitled: Oscar J. Hauge, Plaintiff vs. Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, and Roy Edward McDonald, Defendants, in the Circuit Court of Baldwin County, Alabama, and that the said Defendants, Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, and Roy Edward McDonald, are non-residents of the State of Alabama, whose present Post Office addresses are as follows:

Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, Highway No. 9, Corpus Christi, Texas; and

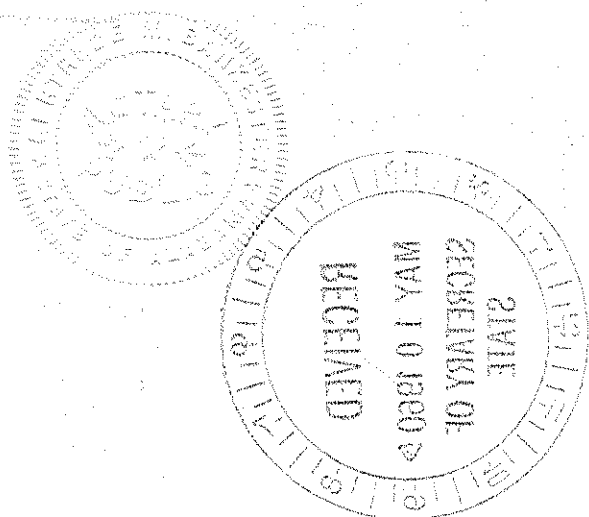
Roy Edward McDonald, 212 McIntyre Street, Taft, Texas.

The affiant further says that the said Defendants are over the age of twenty one years.

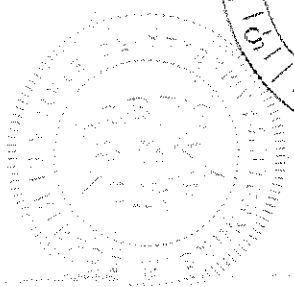
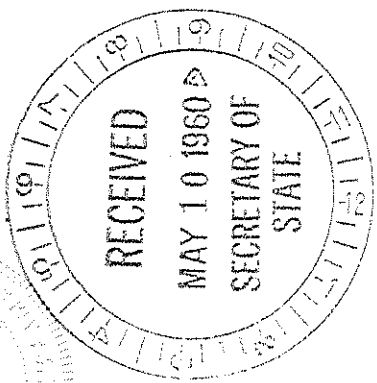
John P. Beebe  
Affiant

Sworn to and subscribed before me on this the 6<sup>th</sup> day of May, 1960.

Bertrude M. Bankster  
Notary Public, State of Alabama,  
at large.







as to the  
HONORABLE BARTLETT, SECRETARY OF AGRICULTURE

*[Handwritten signature]*

SMOKE SO AND APPROVED BEFORE ME ON THIS THE 10th DAY OF MAY 1960

*[Handwritten signature]*

THE STATE OF MICHIGAN AND AUSTIN

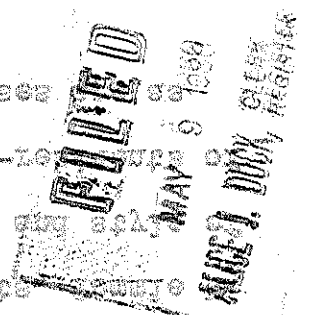
THE ATTORNEY GENERAL AND THE STATE DEFENDERS THE STATE  
DEFENDERS

HONORABLE BARTLETT, SECRETARY OF AGRICULTURE

HONORABLE BARTLETT, SECRETARY OF AGRICULTURE  
HONORABLE BARTLETT, SECRETARY OF AGRICULTURE  
HONORABLE BARTLETT, SECRETARY OF AGRICULTURE

NOTES:

THE STATE OF AGRICULTURE, HONORABLE BARTLETT, SECRETARY OF AGRICULTURE  
HONORABLE BARTLETT, SECRETARY OF AGRICULTURE  
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HONORABLE BARTLETT, SECRETARY OF AGRICULTURE  
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HONORABLE BARTLETT, SECRETARY OF AGRICULTURE  
HONORABLE BARTLETT, SECRETARY OF AGRICULTURE

BEFORE ME: *[Handwritten signature]* IN THE

HONORABLE BARTLETT

SECRETARY OF AGRICULTURE

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.  
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EDMUND R. CANNON, JR.  
LYMAN F. HOLLAND, JR.  
J. THOMAS HINES, JR.  
W. C. BOONE, JR.  
DONALD F. PIERCE

May 31, 1960

MAILING ADDRESS:  
P. O. BOX 123

CABLE ADDRESS:  
HAB

TELEPHONE:  
HEMLOCK 2-5514

Miss Alice Duck, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Re: Oscar Hauge, vs. Tommie Scott, individually  
and d/b/a Scott Produce Company and Roy  
Edward McDonald - Case No. 4248, At Law

Dear Miss Duck:

Enclosed are two sets of demurrers and interrogatories  
which I would appreciate your filing on behalf of the defendants  
in the above case.

If you would sign the enclosed receipt and return it to me  
for my file, I will know that the papers arrived in good order.

With best regards,

Yours very truly,



For the Firm

PB/js

CC: John P. Beebe, Esq.

for file  
#248

JOHN P. BEEBE  
ATTORNEY AT LAW  
ROBERTSDALE, ALABAMA

May 6th, 1960

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

Re: Hauge vs. Scott, et al.

Dear Mrs. Duck:


I enclose original and six copies of summons and complaint in the matter of Oscar J. Hauge, plaintiff, vs. Tommie H. Scott, individually, and also operating under the name and style of Scott Produce Company, and Roy Edward McDonald, defendants.

There is attached to each complaint an affidavit that the defendants are non-residents of the state and are over the age of twenty one years.

I also enclose my check made payable to you in the sum of \$6.00 cost to the Secretary of State to effect service on these two defendants.

Thanking you, I am

Sincerely yours,

A handwritten signature in cursive script, reading "John P. Beebe". The signature is written in dark ink and is positioned below the typed name "John P. Beebe".

JOHN P. BEEBE  
ATTORNEY AT LAW  
ROBERTSDALE, ALABAMA

June 24th, 1960

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

Re: Oscar J. Hauge vs. Tommie H. Scott,  
et al., Case No. 4248

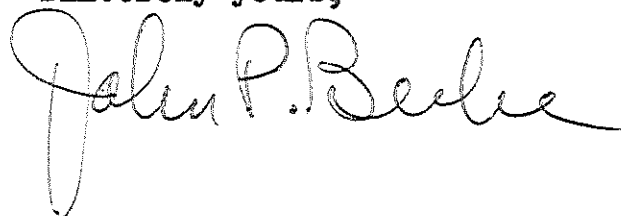
Dear Mrs. Duck:

This is to advise that the above pending proceeding has been settled between the parties and the matter should be dismissed and the cost taxed against the defendants.

In view of this fact please have the Court enter on the docket a dismissal of this case and the cost taxed against the defendants, mailing to Mr. Paul W. Brock, attorney for the defendants, at 622 First National Bank Building, Mobile, Alabama, cost bill, which should also reflect the amount deposited into the Court by the plaintiff to effect service of process on the defendants.

Thanking you, I am

Sincerely yours,

A handwritten signature in cursive script, reading "John P. Beebe". The signature is written in dark ink and is positioned below the typed name "John P. Beebe".

|                                 |   |                          |
|---------------------------------|---|--------------------------|
| OSCAR J. HAUGE,                 | ) | IN THE CIRCUIT COURT OF  |
| Plaintiff,                      | ) |                          |
| VS.                             | ) | BALDWIN COUNTY, ALABAMA. |
| TOMMIE H. SCOTT, individually ) |   | AT LAW                   |
| and also operating under the )  |   |                          |
| name and style of Scott Pro- )  |   |                          |
| duce Company, and ROY EDWARD )  |   |                          |
| McDONALD,                       | ) |                          |
| Defendants.                     | ) | CASE NO. 4248            |

D E M U R R E R

Comes now each of the following defendants, separately and severally, Tommie H. Scott, individually and operating under the name and style of Scott Produce Company, and Roy Edward McDonald, and demurs to the complaint as a whole and to each count of said complaint, separately and severally, and, for separate and several grounds of demurrer, sets down and assigns, separately and severally, the following:

- 1) For that it does not state facts sufficient to constitute a cause of action against this defendant.
- 2) For that it does not appear with sufficient certainty what duty, if any, this defendant may have owed to the plaintiff.
- 3) For that it does not appear with sufficient certainty wherein this defendant violated any duty owed by defendant to the plaintiff.
- 4) For that it does not sufficiently appear that this defendant owed any duty to the plaintiff which defendant negligently failed to perform.

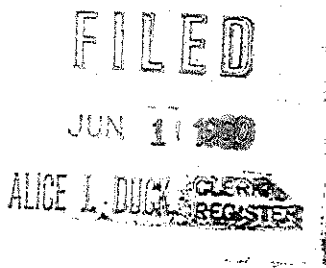
- 5) For that the averments set up, if true, do not show any liability on the part of this defendant.
- 6) No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of this defendant.
- 7) It is not alleged with sufficient certainty where said accident occurred.
- 8) For aught that appears, plaintiff had no right to be where plaintiff was at the time and place of said accident.
- 9) It is not alleged that the negligence complained of proximately caused the accident and the injuries and damages complained of.
- 10) For that said count does not state a good cause of action against both defendants.
- 11) For that said count does not state a good cause of action against all defendants.
- 12) For that said count purports only to state a cause of action against the defendant Roy Edward McDonald.
- 13) For that said count purports only to state a cause of action against defendant Tommie H. Scott.
- 14) For that there is no allegation that the said Roy Edward McDonald operated a motor vehicle on a public highway or street.

15) For aught appearing, the plaintiff was a trespasser as to the defendants at the time and place of the alleged accident.

16) For aught appearing, the plaintiff's automobile was unlawfully parked upon property owned by the defendants at the time and place of said accident.

17) For that the allegation that the plaintiff's automobile was "lawfully parked" constitutes merely the conclusion of the pleader, with insufficient facts being alleged in support thereof.

18) For that the allegation that the plaintiff's automobile was "lawfully parked" constitutes merely the conclusion of the pleader.



HAND, ARENDALL, BEDSOLE,  
GREAVES & JOHNSTON

BY: Paul W. Brock  
Attorneys for Defendants



MA 42 48

RECORDED

Mobile was lawfully seized, contents seized and comparison

10) For that the allegation that the defendant's auto-  
not thereof.

the binder, with instructions being alleged to and  
Mobile was lawfully seized, contents seized and comparison

11) For that the allegation that the defendant's auto-  
time and place of said accident.

allegedly based upon property owned by the defendant at the

10) For such evidence, the defendant's auto-  
evidence.

as to the defendant at the time and place of the alleged acci-

12) For such evidence, the defendant's auto-  
evidence.

RECORDED FOR DEFENDENCE  
BY: [illegible]  
JUL 1 1930  
CLERK & JOURNAL  
JUL 1 1930  
JUL 1 1930

FILED  
JUN 1 1930  
ALICE J. DUCK, CLERK  
REGISTER

OSCAR J. HAUGE VS TOMMIE N. SCOTT, et al,

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee

☐ Show address where delivered

4248

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side

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

*Tommie N. Scott*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

**DELIVER TO ADDRESSEE ONLY**

DATE DELIVERED

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

5-11-60

U.S. DEPARTMENT OF COMMERCE  
BUREAU OF BUSINESS  
WASHINGTON, D.C. 20540

POSTAGE WILL BE PAID BY ADDRESSEE

REGISTERED MAIL

RECEIVED  
MAY 28 1960  
U.S. DEPARTMENT OF COMMERCE  
BUREAU OF BUSINESS  
WASHINGTON, D.C. 20540

INSTRUCTIONS: This form is to be used to register a trademark or service mark. It should be filled out by the owner of the mark and submitted to the Bureau of Business, U.S. Department of Commerce, Washington, D.C. 20540. The form should be filled out in duplicate and the original submitted to the Bureau. The duplicate should be retained by the owner of the mark.

|                |  |
|----------------|--|
| REGISTERED NO. | NAME OF FIRM                           |
| 13809          | SECRETARY OF STATE                     |
| CERTIFIED NO.  | STREET ADDRESS AND CITY, STATE AND ZIP |
|                | ALABAMA                                |
| INSURED NO.    | CITY, ZONE AND STATE                   |
|                |  |

POP. OFF. 38111