

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

30TH FLOOR-FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

MAILING ADDRESS:

P O DRAWER C
OR P O BOX 123

CABLE ADDRESS:

HAB

TELEPHONE:

432-5511

AREA CODE 205

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
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
DONALD F. PIERCE
LOUIS E. BRASWELL
HAROLD D. PARKMAN
G. PORTER BROCK, JR.
HARWELL E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. MEDDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
C. WAYNE LOUDERMILCH
A. CLAY RANKIN, III
ALAN E. RIFFLE

January 25, 1968

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

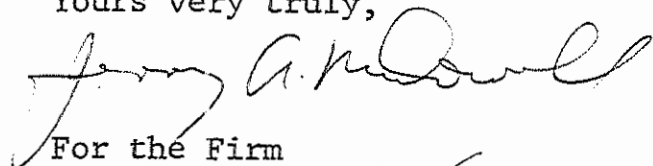
Re: Carl Loven v. D. L. Vickery
and Poole Truck Line
Case Number 7641

Dear Mrs. Duck:

Enclosed please find an answer which we would appreciate your filing on behalf of the defendant D. L. Vickery. Would you please indicate on the carbon copy of this letter the date of filing, and return the same to my office so that I will be able to note in my file the date of filing.

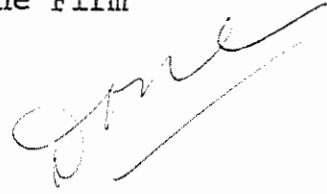
Your consideration is appreciated.

Yours very truly,


For the Firm

JAMcD.cch

Enc.



INGE, TWITTY, DUFFY & PRINCE

LAWYERS

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

36602

THOS. E. TWITTY
FRANCIS H. INGE (1902-1959)
RICHARD H. INGE
THOS. E. TWITTY, JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III

MAILING ADDRESS:

P. O. BOX 1109
MOBILE, ALA.
36601

CABLE ADDRESS:

TWINING
TELEPHONE
433-5441

November 9, 1967


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

Re: Case No. 7641
Carl Loven Vs. D.L. Vickery &
Poole Truck Lines

Dear Mrs. Duck:

Enclosed please find demurrer in the above captioned matter. On behalf of defendant, Poole Truck Lines please file the demurrer and mark the copy filed and return to us in the enclosed envelope.

Cordially yours,



Sydney R. Prince, III
For the Firm

SRP, III:bo
Encls.

CARL LOVEN,)
 Plaintiff,)
 VS.)
 D.L. VICKERY and)
 POOLE TRUCK LINE S,)
 Defendants.)

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 AT LAW
 CASE NO. 7641

DEMURRER

Comes now the Defendant, Poole Truck Lines, and demurs to the complaint and each and every count thereof, separately and severally, and as grounds of said demurrer sets down and assigns the following separate and several grounds;

1. Said count fails to state a cause of action.
2. For that it affirmatively appears that there is a misjoinder of causes of action.
3. For that Count One attempts to state a cause of action against Defendant, D.L. Vickery, solely and Count Two attempts to state a cause of action against both of said Defendants.
4. For that both Counts of the complaint are not directed to both of the Defendants therein.
5. For that the allegations therein that the said D.L. Vickery was acting within the line and scope of his said employment is a mere conclusion of the pleader unsupported by sufficient averment of fact.

INGE, TWITTY, DUFFY & PRINCE

By *A. James S. Prince III*
 Attorney for Defendant,
 Poole Truck Lines

CERTIFICATE OF SERVICE

I certify a copy of the foregoing pleadings presented to the above counsel for a party to this proceeding, by mailing them by first class United States Registered Mail and postage prepaid on this _____ day of _____ 1967.

A. James S. Prince III
 Attorney for

FILED

NOV 10 1967

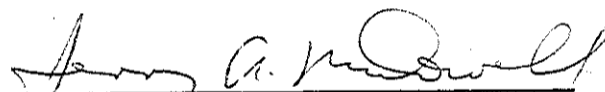
WELLS FARGO BANK

| | | |
|-------------------|---|-------------------------|
| CARL LOVEN, | : | IN THE CIRCUIT COURT OF |
| Plaintiff | : | BALDWIN COUNTY, |
| v. | : | ALABAMA |
| D. L. VICKERY and | : | AT LAW |
| POOLE TRUCK LINE, | : | |
| Defendants. | : | CASE NO. 7641 |

A N S W E R

Comes now the defendant D. L. Vickery and for answer to the plaintiff's complaint, and each count thereof, separately and severally, sets down and assigns the following separate and several pleas:

1. Not guilty.
2. The material allegations of the complaint are untrue.

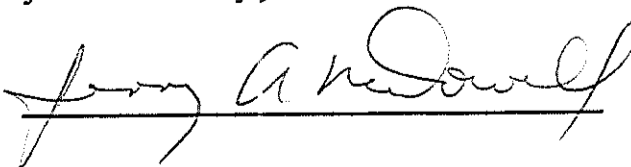

James A. McDowell
 Trial Attorney for Defendant
 D. L. Vickery
 First National Bank Building
 Mobile, Alabama

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing pleading to James R. Owen, Esquire, Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Bay Minette, Alabama on this, the 25th day of January, 1968.


James A. McDowell

FILED

JAN 26 1968

ALICE J. DUBOY CLERK REGISTER

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You are hereby commanded to summon D. L. Vickery and Poole Truck Line 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 Carl Loven.

WITNESS my hand this 24th day of July, 1967.

Alice J. Dick
Clerk

The defendants' address is Evergreen, Alabama.

* * * * *

| | | |
|-------------------------------|---|-------------------------|
| CARL LOVEN, |) | |
| |) | |
| Plaintiff, |) | IN THE CIRCUIT COURT OF |
| |) | BALDWIN COUNTY, ALABAMA |
| VS. |) | |
| |) | AT LAW |
| D. L. VICKERY and POOLE TRUCK |) | 7641 |
| LINE, |) | |
| |) | |
| Defendants. |) | |

C O M P L A I N T

COUNT ONE

The plaintiff claims of the defendant, D. L. Vickery, Ten Thousand Dollars (\$10,000.00) damages for an assault and battery committed by the defendant on the plaintiff, viz.: on the 18th day of May, 1967.

COUNT TWO

The plaintiff claims of the defendants, D. L. Vickery and Poole Truck Line, Ten Thousand Dollars (\$10,000.00) damages for an assault and battery committed on or about the 18th day of May, 1967 on plaintiff by the said D. L. Vickery, an agent or employee of the said defendant, Poole Truck Line, and while the said D. L. Vickery was acting within the line and scope of his said employment.

[Signature]
Attorney for Plaintiff

Plaintiff demands a trial by jury of said cause.

[Signature]
Attorney for Plaintiff 54 E4.7-27-67

FILED

JUL 24 1967

CLERK REGISTER
ALICE J. DICK

RECEIVED

JUL 24 1967

TAYLOR WILKINS

SHERIFF

REC'D SHERIFF DEPT.
MOBILE ALABAMA
AUG 2 9 23 AM '67

Executed this the 20 day of July, by serving a copy of the within on Walter Poole, Pool Truck Line.

James M. Brock, Sheriff

BY C. W. Kuck D.S.

D.L. Vickery Not found in this County. He is working with Pool Truck Line on Grover Street, in Mobile, Alabama and lives in Pensacola, Fla.

James M. Brock, Sheriff

By C. W. Kuck D.S.

7641 CASE NO. 7641

4295

CARL LOVEN,

Plaintiff,

vs:

D. L. VICKERY & POOLE TRUCK LINE,

96 Parkway
Mobile, Ala.
33647

Defendants.

SUMMONS & COMPLAINT

31

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

JUL 24 1967

ALICE J. DUCK

CLERK REGISTER

JAMES R. OWEN, Atty.

EXHIBITED
this 3 day of Aug, 1967
by serving a copy of the within of
re L. Vickery
TAYLOR WILKINS, Sheriff
By L. Hopkins D.S.

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 100

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

September 22, 1967

Honorable Telfair Mashburn
Judge of Circuit Court
Bay Minette, Alabama 36507

Re: Gatlin Lumber Company, Inc.
Vs: Glen Stewart
Case No. 7642

Dear Judge Mashburn:

Enclosed is a promissory waive note in this case.
Kindly issue a judgment on a promissory waive note in
the principal amount of \$1,181.59, plus \$55.00 interest,
plus \$200.00 reasonable attorney's fee, for a total of
\$1,436.59,

Cordially yours,



FOREST A. CHRISTIAN