

MARLER L. BENNETT, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS: :
WILLIAM E. SCRUGGS, : AT LAW
Defendant. : CASE NO. 6148

COUNT ONE

The Plaintiff claims of the Defendant FOUR HUNDRED DOLLARS (\$400.00) for this, that heretofore and on to-wit the 30th day of May, 1964 the Plaintiff was operating his motor vehicle on Alabama Highway 59 just south of Scruggs Spur Service Station in Gulf Shores, Alabama, said Alabama Highway 59 being then and there a public highway in Baldwin County, Alabama, and at the time and place aforesaid the Defendant himself did so negligently operate a motor vehicle so as to cause or allow the same to run into, on and against the motor vehicle of the Plaintiff and as a good and proximate consequence thereof the motor vehicle of the Plaintiff was greatly bent, smashed, and broken, all to his damage in the amount aforesaid, hence this suit.

COLLINS, GALLOWAY & MURPHY
817 First Natl. Bank Bldg., Mobile, Ala.

BY: Thomas M. Galloway

Thomas M. Galloway
ATTORNEYS FOR PLAINTIFF

Address of Defendant:

Gulf Shores, Alabama

FILED
AUG 14 1964

AUG 14 1964
CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 6148

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon William E. Scruggs

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

William E. Scruggs Defendant

by Marler L. Bennett

Plaintiff

Witness my hand this 14th day of August 1964

Alice D. Duck Clerk

Kenneth S. Stalio
No. 6148 Page.....

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

MARLER L. BENNETT

Plaintiffs

vs.

WILLIAM E. SCRUGGS

Defendants

SUMMONS AND COMPLAINT

Filed August 14, 1964

Alice J. Duck Clerk

Collins, Galloway & Murphy
817 First National Bank Bldg.
Mobile, Alabama

Defendant's Attorney

Defendant lives at

Gulf Shores, Alabama

Received In Office

8/17 1964

Taylor Wilkins Sheriff
have executed this summons

this 8-28 1964
by leaving a copy with

William E. Scruggs

Shorst claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY

J. C.
DEPUTY SHERIFF

Taylor Wilkins Sheriff

Jim Eastland Deputy Sheriff
R. Dale, Ala.

MARLER L. BENNETT,

Plaintiff,

vs.

WILLIAM E. SCRUGGS,

Defendant.

: IN THE CIRCUIT COURT OF

: BALDWIN COUNTY, ALABAMA

: AT LAW

: CASE NO: 6148

:

Comes the Defendant in the above styled cause and for answer to the Plaintiff's complaint, files the following separate and several pleas:

1. Not guilty.

2. At the time and place complained of in the Plaintiff's complaint, he himself was guilty of negligence which proximately contributed to his injury and damages, therefore he ought not recover in this suit.

Sam M. Johnston, Jr.
JOHNSTON, JOHNSTON & NETTLES
Attorneys for Defendant.

Defendant demands a trial by jury.

BY

Sam M. Johnston, Jr.
Sam M. Johnston, Jr.

Sam M. Johnston, Jr.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the above styled cause with a copy of this pleading by registered mail to the U.S. District Court, and a copy of same in a properly addressed envelope with adequate postage thereon.

This 8th day of September, 1964

Sam M. Johnston, Jr.
Attorney for Defendant.

FILED

SEP 10 1964

ALICE L. DUCK, CLERK
REGISTER

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW
817 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA 36602
432-0568

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
H. GERRARD CLAY

August 13, 1964

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

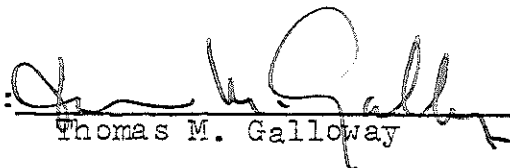
Dear Mrs. Duck:

I enclose herewith a complaint which I will
appreciate if you will please file in the Court.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY:


Thomas M. Galloway

TMG/brm

Encl.

CHASON, STONE & CHASON

ATTORNEYS AT LAW

P. O. BOX 120

BAY MINETTE, ALABAMA

JOHN CHASON
NORBORNE C. STONE, JR.
JOHN EARLE CHASON

TELEPHONE 937-2191

May 3, 1965

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

Dear Mrs. Duck:

Re: Bennett vs. Scruggs
Case No. 6148

Would you please enter the appearance of this
firm as attorneys for the Defendant in the above case.

Thanking you for your attention to this request,
we are

Yours very truly,

CHASON, STONE & CHASON

By: 

NCS: mb

cc: Honorable Sam M. Johnston, Jr.
Johnston, Johnston & Nettles
Lawyers
P. O. Box 550
Mobile, Alabama

FILED

MAY 10 1965

Johnston, Johnston & Nettles
Lawyers

Eighty Floor First National Bank Annex

Mobile, Alabama 36601

Telephone 432-1811

September 9, 1964

Samuel A. Johnston
William F. Johnston
Samuel A. Johnston, Jr.
Bert S. Nettles

Mailing Address
P. O. Box 550
Mobile, Alabama

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

Re: Marler L. Bennett vs.
William E. Scruggs

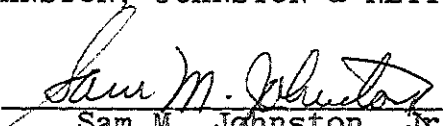
Dear Mrs. Duck:

I am enclosing herein pleas filed by me on behalf of the defendant in the above styled case. I have sent a copy of said pleadings to Mr. Thomas Galloway of this city.

Yours very truly,

JOHNSTON, JOHNSTON & NETTLES

BY


Sam M. Johnston, Jr.

SMJ, JR:see
enclosure