

EMMETT L. ROGERS,

Plaintiff,

-vs-

L. DICK OWEN, JR.,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW NO. 6008

COUNT ONE

Plaintiff claims of the Defendant the sum of One Thousand Five Hundred and No/100 (\$1500.00) Dollars as damages, for that heretofore and on, to-wit, May 3, 1964, the Defendant did so negligently operate his motor vehicle on U. S. Highway No. 31 at a point, to-wit, 32 1/2 feet South of Alabama Power pole #12/406, said highway at said point being a public highway in Baldwin County, Alabama, as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a direct and proximate result of the negligence of the Defendant the Plaintiff's automobile was badly bent, broken and smashed; all as a direct and proximate result of the negligence of the Defendant as aforesaid, hence this suit.

McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

By 
Attorneys for Plaintiff

The Defendant, L. Dick Owen,
may be served in the Probate
Court of Baldwin County,
Alabama.

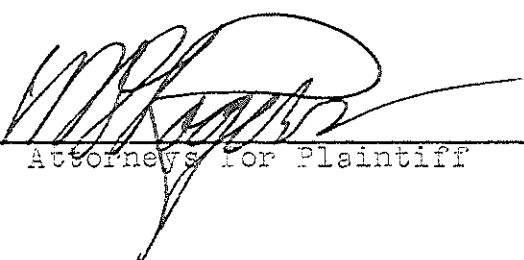
EMMETT L. ROGERS,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA,
-vs-	)	
L. DICK OWEN, JR.,	)	AT LAW NO. <u>6924</u>
Defendant.	)	

COUNT ONE

Plaintiff claims of the Defendant the sum of One Thousand Five Hundred and No/100 (\$1500.00) Dollars as damages, for that heretofore and on, to-wit, May 3, 1964, the Defendant did so negligently operate his motor vehicle on U. S. Highway No. 31 at a point, to-wit, 324 feet South of Alabama Power pole #12/406, said highway at said point being a public highway in Baldwin County, Alabama, as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a direct and proximate result of the negligence of the Defendant the Plaintiff's automobile was badly bent, broken and smashed; all as a direct and proximate result of the negligence of the Defendant as aforesaid, hence this suit.

McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

By


Attorneys for Plaintiff

The Defendant, L. Dick Owen,
may be served in the Probate
Court of Baldwin County,
Alabama.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 6228

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon L. D. Owen, Jr

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-----

L. D. Owen, Jr

-----, Defendant-----

by Emmett L. Rogers

-----, Plaintiff-----

Witness my hand this 8 day of October 19 64

Alvin J. Smith, Clerk

No. 6228

Page

The State of Alabama

Baldwin County

CIRCUIT COURT

EMMETT L. ROGERS

Plaintiffs

vs.

L. D. OWEN, Jr

Defendants

Summons and Complaint

Filed 10-8-64 19

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

10/8/64 19

, Sheriff

I have executed this summons

this 9 Oct 1964

by leaving a copy with

L. D. Owen Jr

Joyles Wilkins Sheriff

W. O. Garner Deputy Sheriff

O m

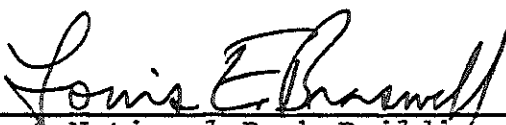
EMMETT L. ROGERS, : IN THE CIRCUIT COURT OF
Plaintiff : BALDWIN COUNTY, ALABAMA,
vs. : AT LAW
L. DICK OWEN, JR., :
Defendant. : Case No. 6228

A N S W E R

Comes now the defendant in the above-styled cause and for answer to each count of the complaint filed herein assigns the following separate and several pleas, separately and severally:

1. The material allegations thereof are untrue.
2. Not guilty.

3. At the time and place described in the complaint the plaintiff so negligently operated a motor vehicle as to contribute proximately and directly to the injuries and damages complained of; hence, plaintiff ought not recover.


622 First National Bank Building
Mobile, Alabama
Attorney for Defendant

Of Counsel:

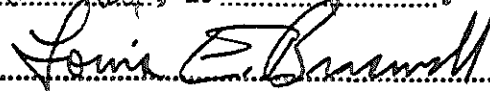
HAND, ARENDALL, BEDSOLE,
GREAVES & JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing pleading to C. M. A. Rogers

....., Esq., Attorney for Plaintiff
by depositing a copy of same in the United States mail,
postage prepaid, addressed to said attorney at his office
in Mobile, Alabama on this, the 3rd day of

November, 19 64



FILED

NOV

ALICE L. DUCK, CLERK
REGISTER

MCCORVEY, TURNER, JOHNSTONE, ADAMS & MAY
ATTORNEYS AT LAW

NINTH FLOOR MERCHANTS NATIONAL BANK BUILDING
PHONE 433-5561 P. O. BOX 1070
MOBILE, ALABAMA 36601

GESSNER T. MCCORVEY (1882-1965)
BEN D. TURNER
C. A. L. JOHNSTONE, JR.
R. F. ADAMS, SR.
JAMES L. MAY, JR.
ALEX T. HOWARD, JR.
J. JEPHTHA HILL
CHARLES B. BAILEY, JR.
C. M. A. ROGERS, III
BROCK B. GORDON
BEN H. HARRIS, JR.

December 21, 1965

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

Re: Emmett L. Rogers vs. L. Dick Owen, Jr.
At Law Case No. 6228

Dear Mrs. Duck:

The above case having been settled, I will very much appreciate it if you will cause an order of dismissal to be entered. Please send the bill for court costs to Mr. Louis E. Braswell, 622 First National Bank Building, Mobile, Alabama.

Mr. Braswell is very anxious to close his file at the earliest possible opportunity and I will personally appreciate any assistance that you might be able to give him which will permit him to do so.

With my very best regards, and my particular wishes for a very Merry Christmas and Happy New Year, I am,

Very truly yours,



C. M. A. Rogers

CMAR:dk

cc: Mr. Louis E. Braswell
Attorney at Law
622 First National Bank Building
Mobile, Alabama

COPY

McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

ATTORNEYS AT LAW

NINTH FLOOR MERCHANTS NATIONAL BANK BUILDING

433-5561 - AREA CODE 205 P. O. BOX 1070

MOBILE, ALABAMA 36601

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ALEX T. HOWARD, JR.
J. JEPHTHA HILL
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C. M. A. ROGERS, III
BROCK B. GORDON

November 13, 1964

Honorable Telfair Mashburn, Judge
Circuit Court of Baldwin County
Bay Minette, Alabama

Re: Emmett L. Rogers, Plaintiff
vs.
L. Dick Owen, Jr., Defendant
Case No. 6228

Dear Judge Mashburn:

In compliance with the order made by you under date of November 3, 1964, the above captioned non-jury case will be called on your law docket this coming Thursday. I have discussed it this morning with Mr. Braswell, and he and I are in agreement that the matter should be continued generally. I hope that you will be able to enter such an order.

Thanking you for your attention to the above, and with my best personal regards, I am,

Very truly yours,



C. M. A. Rogers

CMAR:dk

cc: Mrs. Alice J. Duck, Clerk
Bay Minette, Alabama
cc: Mr. Louis Braswell, Attorney
Mobile, Alabama

MCCORVEY, TURNER, JOHNSTONE, ADAMS & MAY
ATTORNEYS AT LAW

NINTH FLOOR MERCHANTS NATIONAL BANK BUILDING
PHONE 433-5561 P. O. BOX 1070
MOBILE, ALABAMA 36601

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ALEX T. HOWARD, JR.
J. JEPHTHA HILL
CHARLES B. BAILEY, JR.

C. M. A. ROGERS, III
BROCK B. GORDON
BEN H. HARRIS, JR.

October 7, 1964

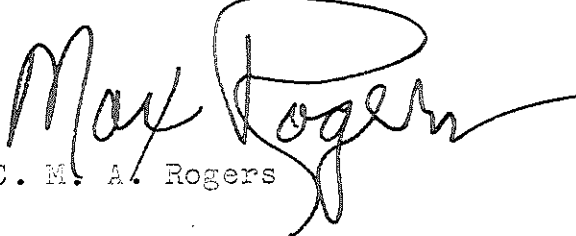
Mrs. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith please find the complaint in
a suit styled Emmett L. Rogers vs. L. Dick Owen, Jr.
which I shall appreciate your filing.

Thanking you for your attention to the above,
I am,

Very truly yours,


C. M. A. Rogers

CMAR: dk
Enclosure