

JOEL B. DOWNEY

X

Plaintiff

X

IN THE CIRCUIT COURT OF

vs

X

BALDWIN COUNTY, ALABAMA

TOMMY BABB

X

AT LAW

NO. 6274

Defendant

X

-1-

Plaintiff claims of the defendant the sum of One Thousand (\$1,000.00) Dollars as damages for that heretofore on to-wit, September 1, 1964, about 5:00 P.M., said plaintiff was operating an automobile on a public highway in Baldwin County, Alabama, on Highway U. S. numbered 31 about seven miles South of the City of Bay Minette, Alabama, where he had a right to be and the defendant, Tommy Babb, so negligently operated the motor vehicle which he was operating so as to run over, upon or against said automobile which the plaintiff was then and there operating and plaintiff avers that as a proximate consequence thereof his said 1960 Ford 2 Dr. Sedan was damaged about the front end, so as to constitute a totally damaged vehicle all of which damages were proximately caused by the negligence of the said defendant in the negligent operation of said automobile at the time and place and on the occasion complained of.

-2-

Plaintiff claims of the defendant the sum of Five Thousand (\$5,000.00) Dollars as damages for that heretofore on to-wit, September 1, 1964, the plaintiff was operating an automobile on a public highway, U. S. Highway numbered 31 approximately seven miles South of the City of Bay Minette in Baldwin County, Alabama, where he had a right to be and the defendant, Tommy Babb, so negligently operated his motor vehicle, to-wit, an automobile, then and there, as to cause said motor vehicle, to-wit, an automobile, which he was operating to run over, upon or against the automobile in which the plaintiff was then and there operating; and plaintiff avers that as a proximate consequence thereof, he

was severely injured about the legs, body and face suffering bruises and contusions and injuries to his face and to his nose whereby he was disabled and unable to perform his duties as a carpenter and unable to do gainful employment, and being permanently scarred in his face and on his nose, all to his damage, in the sum aforesaid; and plaintiff avers that all of said injuries were proximately caused by the said negligence of the said defendant, Tommy Babb, in the negligent operation of the said motor vehicle at the time and place and on the occasion aforesaid.

-3-

Plaintiff claims of the defendant the sum of Five Thousand (\$5,000.00) Dollars as damages for that heretofore on to-wit, September 1, 1964, about 5:00 P.M., said plaintiff was operating an automobile on a public highway in Baldwin County, Alabama, on Highway U. S. numbered 31 about seven miles South of the City of Bay Minette, Alabama, where he had a right to be and the defendant, Tommy Babb, so wilfully and wantonly operated the motor vehicle which he was operating so as to run over, upon or against said automobile which the plaintiff was then and there operating and plaintiff avers that as a proximate consequence thereof his said 1960 Ford 2 Dr. Sedan was damaged about the front end, so as to constitute a totally damaged vehicle all of which damages were proximately caused by the wilful and wanton action of the said defendant in the wilful and wanton operation of said automobile at the time and place and on the occasion complained of.

-4-

Plaintiff claims of the defendant the sum of Five Thousand (\$5,000.00) dollars as damages for that heretofore on to-wit, September 1, 1964, the plaintiff was operating an automobile on a public highway, U. S. Highway numbered 31 approximately seven miles South of the City of Bay Minette in Baldwin County, Alabama, where he had a right to be and the defendant, Tommy Babb, so

wilfully and wantonly operated his motor vehicle, to-wit, an automobile, then and there, as to cause said motor vehicle, to-wit, an automobile, which he was operating to run over, upon or against the automobile which the plaintiff was then and there operating; and plaintiff avers that as a proximate consequence thereof, he was severely injured about the legs, body and face suffering bruises and contusions and injuries to his face and to his nose whereby he was disabled and unable to perform his duties as a carpenter and unable to do gainful employment, and being permanently scarred in his face and on his nose, all to his damage, in the sum aforesaid; and plaintiff avers that all of said injuries were proximately caused by the said wilful and wanton action of the said defendant, Tommy Babb, in the wilful and wanton operation of the said motor vehicle at the time and place and on the occasion aforesaid.

THOMPSON & WHITE

FILED

OCT 27 1964

BY:

*C. B. Thompson*  
Attorneys for plaintiff.

ALICE J. DICK, CLERK  
REGISTER

Plaintiff respectfully requests trial by jury.

*LeRoy B. Maydon*  
Attorney for plaintiff

JOEL B. DOWNEY

Plaintiff

vs.

TOMMY BABB

Defendant

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\*

\*

\*

\*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 6274

Comes the plaintiff in the above styled cause and propounds the following interrogatories to the defendant, Tommy Babb:

1. State your correct name.
2. State your correct address.
3. Were you operating a motor vehicle on a public highway in Baldwin County, Alabama, on September 1, 1964, at about 5:00 P.M. in the afternoon?
4. If your answer to the foregoing question is "yes", were you involved in an automobile accident at about the time and place noted in a foregoing question herein?
5. If your answer to the immediate foregoing question is "yes", do you know the name of the party operating the automobile with which you collided?
6. If so, state his name.
7. Was the collision on your left side of the road?
8. If so, state how you came to be on the left side of the road.
9. Did the collision occur in the vicinity of a "no passing" zone?
10. If your answer to the foregoing question is "yes", did the collision occur while you were operating your motor vehicle on the left side of the road in a "no passing" zone?
11. Did the collision occur while you were operating your vehicle on the left side of the road under a hill?

THOMPSON & WHITE

BY: 

Attorneys for plaintiff

FILED  
OCT 13 1964


ALICE L. DUCK, CLERK  
REGISTER

STATE OF ALABAMA


BALDWIN COUNTY

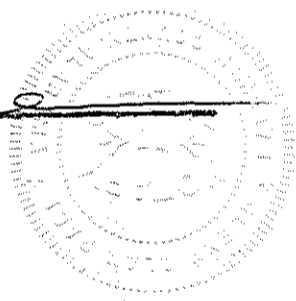
Before me, the undersigned Notary Public, in and for said State and County, personally appeared C. Lenoir Thompson, who being by me first duly sworn, deposes on oath and says as follows:

My name is C. Lenoir Thompson and I am one of the Attorneys of Record for the plaintiff in the above entitled cause, and as such, I am authorized to make this affidavit. I further state that the answer of the defendant to the foregoing interrogatories, will, if truthfully made, be material evidence for the plaintiff on the trial of said cause.

  
C. Lenoir Thompson

Subscribed and sworn to before me by the said C. Lenoir Thompson on this 28<sup>th</sup> day of October, 1964.

  
Notary Public



FILED  
OCT 28 1964

CLERK  
REGISTER

JOEL B. DOWNEY

\*

Plaintiff

\*

IN THE CIRCUIT COURT OF

vs.

\*

BALDWIN COUNTY, ALABAMA

TOMMY BABB

\*

AT LAW

NO. 6274

Defendant

\*

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11. Did the collision occur while you were operating your vehicle on the left side of the road under a hill?

THOMPSON & WHITE

BY: 

Attorneys for plaintiff

FILED  
OCT 10 1964

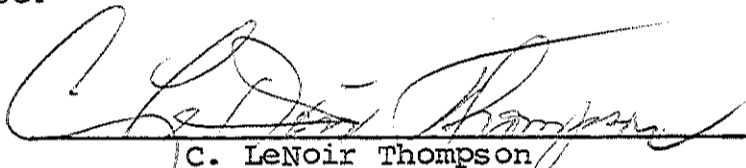
ALICE L. DICK, CLERK  
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

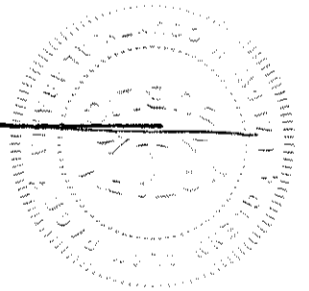
Before me, the undersigned Notary Public, in and for said State and County, personally appeared C. LeNoir Thompson, who being by me first duly sworn, deposes on oath and says as follows:

My name is C. LeNoir Thompson and I am one of the Attorneys of Record for the plaintiff in the above entitled cause, and as such, I am authorized to make this affidavit. I further state that the answer of the defendant to the foregoing interrogatories, will, if truthfully made, be material evidence for the plaintiff on the trial of said cause.

  
C. LeNoir Thompson

Subscribed and sworn to before me by the said C. LeNoir Thompson on this 28<sup>th</sup> day of October 1964.

  
Notary Public



FILED

OCT 28 1964

CLERK

JOEL B. DOWNEY	X	
Plaintiff	X	IN THE CIRCUIT COURT OF
vs	X	BALDWIN COUNTY, ALABAMA
TOMMY BABB	X	AT LAW NO. <u>6274</u>
Defendant	X	

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THOMPSON & WHITE

BY:   
Attorneys for plaintiff.

FILED

OCT 27 1984

ALICE L. DUCK, CLERK  
REGISTER

Plaintiff respectfully requests trial by jury.

  
Attorney for plaintiff.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. ....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

*Tommy Babb*

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.....

*Tommy Babb*

....., Defendant.....

by

*Joel E. Downey*

..... Plaintiff.....

Witness my hand this.....

*27*

day of

*Oct 19 1958*  
*Oliver J. Duck*

Clerk

*Dr* 2492  
No. *274* Page.....

STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

*Joel B. Downey*  
Plaintiffs

vs.

*Tommy Lash*

Defendants

SUMMONS AND COMPLAINT

*Interrogatories*  
**FILED**  
Filed ..... 19.....  
1964

*ALICE J. DICK* CLERK  
REGISTER  
Clerk

RECEIVED

OCT 29 1964

SHERIFF'S OFFICE

*Thompson & White*  
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at  
*658 Grand Blvd*  
*Chickasaw, Ala*

Received In Office

*10/28* 19*64*

..... Sheriff

I have executed this summons

this ..... 19.....

by leaving a copy with

.....  
.....  
.....

Returned *11-9-64*  
Without Action By Order of *P. D. Bridges*  
RAY D. BRIDGES, Sheriff  
By *L. B. Smith* D. S.

.....  
.....  
.....  
.....

..... Sheriff

..... Deputy Sheriff

JOEL B. DOWNEY

Plaintiff

vs

TOMMY BABB

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. \_\_\_\_\_

Comes the plaintiff in the above styled cause and  
moves the Court to dismiss said complaint in said cause.

THOMPSON & WHITE

BY:

*C. L. Thompson*  
Attorneys for plaintiff

*I certify I served a copy  
on the defendant by mailing same  
w/ \$ postage prepaid to his Mobile  
address - 658 Grand Blvd., Chickasaw, Ala.*

*C. L. Thompson*

FILED

NOV 18 1964

ALICE J. DUCK, CLERK  
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

~~and Interrogatories~~

Circuit Court, Baldwin County

STATE OF ALABAMA  
BALDWIN COUNTY

No. 6274

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Tommy Ball

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.....

Tommy Ball

....., Defendant.....

by

J. B. Downey

....., Plaintiff.....

Witness my hand this.....

27

day of

Oct 1964

Alvin J. Duck

Clerk

1.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 2.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 3.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 4.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 5.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 6.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 7.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 8.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 9.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   
 10.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$

CIRCUIT COURT

Joel L. Downey  
Plaintiffs

VS.

Tommy Ball

## Defendants

## SUMMONS AND COMPLAINT

Filed ..... 19.....

..... Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Defendant lives at  
658 Grand Blvd.  
Chickasaw, Ala.

Received In Office

..... 19.....

..... Sheriff

I have executed this summons

this ..... 19.....

by leaving a copy with

[illegible]

..... Sheriff

..... Deputy Sheriff