

SUMMONS AND COMPLAINT

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETINGS:

You are hereby commanded to summons Ruby Hadley Long 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 James Edward Woods.

Witness my hand this 12th day of June, 1965.

Alice J. Luck
CLERK

C O M P L A I N T

JAMES EDWARD WOODS,
PLAINTIFF,

VS.

RUBY HADLEY LONG,
DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.
CASE NO. 6546.

COUNT ONE: The Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), as damages for that heretofore on to-wit: June 13, 1964, at approximately 11:10 P.M. the Defendant was operating a motor vehicle on a public highway in Baldwin County, Alabama, to-wit: Alabama Highway #59, to-wit; one mile south of Stapleton, Baldwin County, Alabama, and the Plaintiff was then and there a guest of the Defendant, riding in the said motor vehicle being then and there operated by Defendant, and Plaintiff avers that on said occasion the Defendant wantonly injured Plaintiff by wantonly causing or allowing the said motor vehicle Defendant was operating to run off the said public highway and hit a pine tree, and thereby and as a proximate consequence thereof, the Plaintiff received severe and permanent injuries in this, to-wit: he was bruised and contused, he suffered severe internal injuries and he was permanent injured; that he suffered severe back, head and leg injuries, and he was permanent injured; he suffered a severe head trauma. That he was caused to expend

considerable sums for medical and hospital care, nurses, and medicine in and about the treatment of his injury. He was rendered physically unable to work and is still physically unable to work, he suffered and continues to suffer great pain and mental anguish, all to the damage of the Plaintiff as aforesaid. Hence this suit.

COUNT TWO: The Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) as damages for that on, to-wit, June 13, 1964, at approximately 11:10 P. M., the Defendant with reckless indifference to consequences willfully and wantonly operated a motor vehicle on and along a public highway in Baldwin County, Alabama, to-wit: Alabama Highway #59, to-wit; one mile south of Stapleton, Baldwin County, Alabama, at said time and place being conscious that her conduct in so doing it would probably result in disaster and with the knowledge that she would very likely or probably cause injury to or death to a human being, caused said motor vehicle to run off the said highway and hit a pine tree at said time and place and the Plaintiff was then and there a guest of Defendant riding in said motor vehicle being then and there operated by Defendant and as a proximate result and consequence of said willful or wanton conduct the Plaintiff was willfully and wantonly injured; the Plaintiff received severe and permanent injuries, he was bruised and contused, he suffered severe internal injuries; that he suffered severe back, head and leg injuries, he suffered a severe head trauma. That he was caused to expend considerable sums for medical and hospital care, nurses and medicine in and about the treatment of his injury. He was rendered physically unable to work and is still physically unable to work, he suffered and continues to suffer great pain and mental anguish, all to the damage of the Plaintiff as aforesaid. Wherefore Plaintiff brings this suit and ask judgment in this amount.

FILED

JUN 12 1965

ALICE I. DUCK, CLERK
REGISTER

Shirley Rozelle
ATTORNEY FOR PLAINTIFF

64-6-18-65

delivered 14 day of June 1965
d on 18 day of June 1965
a copy of the within etc
in Ruby Hadley Long

By service on _____
TAYLOR WILKINS, Sheriff
By W A Zeltner
oni

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
LAW SIDE. NO. 65-46.

JAMES EDWARD WOODS,
PLAINTIFF
VS.
RUBY HADLEY LONG,
DEFENDANT

Bay Minette, Ala.

SUMMONS AND COMPLAINT

FILED **FILED**
JUN 12 1965
ALICE L. DICK, CLERK
CLERK REGISTER

HUGH ROZELLE
ATTORNEY AT LAW
ATMORE, ALABAMA

JAMES EDWARD WOODS, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS: :
RUBY HADLEY LONG, : AT LAW
Defendant. : CASE NO. 6 5 4 6

Comes the Defendant in the above styled matter and
for answer to the complaint and each and every count thereof
separately and severally says as follows:

1. Not guilty.

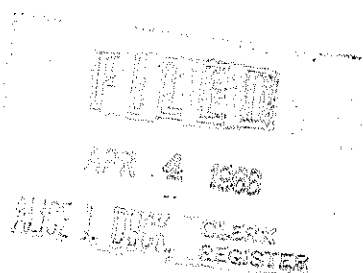
COLLINS, GALLOWAY & MURPHY

By: Thomas M. Galloway
THOMAS M. GALLOWAY
Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 1st
day of Apr, 1966, served a copy of the
foregoing pleading on counsel for all parties to this
proceeding by mailing the same by United States mail,
properly addressed, and first class postage prepaid.

Thomas M. Galloway



JAMES EDWARD WOODS, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA

VS: :
RUBY HADLEY LONG, : AT LAW

Defendant. : CASE NO. 6 5 4 6

Comes the Defendant in the above styled matter and
demurs to the complaint heretofore filed and each and every
Count thereof separately and severally, upon the following
separate and several grounds:

1. The same fails to state a cause of action against
the Defendant.

2. The allegation of injuries as set out in Count One
of the complaint are not shown to be wantonly caused.

3. Count One of the complaint attempts to allege
wanton conduct on the part of the Defendant but fails to allege
that the injuries received were wantonly caused by the Defendant.

4. Count Two of the complaint attempts to allege
willful conduct on the part of the Defendant but the allegations
of said complaint do not constitute willful conduct.

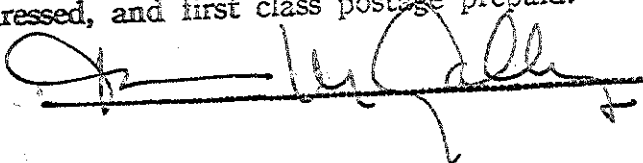
COLLINS, GALLOWAY & MURPHY

By: 

THOMAS M. GALLOWAY
Attorneys for Defendant

CERTIFICATE OF SERVICE ²

I do hereby certify that I have on this 2
day of July, 1966, served a copy of the
foregoing pleading on counsel for all parties to this
proceeding by mailing the same by United States mail,
properly addressed, and first class postage prepaid.



FILED

COLLINS, GALLOWAY & MURPHY
ATTORNEYS AT LAW
958 DAUPHIN STREET
MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1986)

JAMES H. LACKEY

September 21, 1966

P. O. BOX 4492
TELEPHONE
432-0568
AREA CODE 205

Hugh Rozelle, Esq.
Attorney at Law
Atmore, Alabama 36502

Tolbert M. Brantley, Esq.
Wilters and Brantley
Attorneys at Law
Post Office Box 327
Bay Minette, Alabama

Inre: James Edward Wood
vs: Ruby Hadley Long

Dear Hugh & Tolbert:

I have received authority to settle this matter for \$6250.00 and since Hugh is apparently nearer to Mr. Woods I am enclosing herewith the releases in his letter. The release also includes a release to Farm Bureau for any amount that they may become involved under the medical payment part of the policy. I advised the Company that this was a settlement of everything but since they had apparently had some difficulty somewhere about this they wanted it specifically included.

Hugh if you will get the releases signed and return to me I am this date writing for a draft payable to both of you and Mr. Wood. Tolbert would you please ask Mrs. Duck to dismiss the case and send the Court cost bill to me.

Did you get your office furniture? I looked at some ads relative to this upon return and if you didn't can spot a place or two for you next time you come.

Best of regards to both of you.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

By: 

Thomas M. Galloway

TMG/fs
Encls:

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

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

JAMES H. LACKEY

July 2, 1965

P. O. BOX 4492
TELEPHONE
432-0568
AREA CODE 205

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

In re: James Edward Woods
vs: Ruby Hadley Long
Case No. 6546

Dear Mrs. Duck:

I enclose herewith demurrer to be filed in this matter.
Would you please note on bottom of letter that the same has
been filed and return in enclosed envelop.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

By: 

Thomas M. Galloway

TMG/fs
Encls:

JAMES EDWARD WOODS, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS: :
RUBY HADLEY LONG, : AT LAW
Defendant. : CASE NO. 6 5 4 6

Comes the Defendant in the above styled matter and demurs to the complaint heretofore filed and each and every Count thereof separately and severally, upon the following separate and several grounds:

1. The same fails to state a cause of action against the Defendant.

2. The allegation of injuries as set out in Count One of the complaint are not shown to be wantonly caused.

3. Count One of the complaint attempts to allege wanton conduct on the part of the Defendant but fails to allege that the injuries received were wantonly caused by the Defendant.


4. Count Two of the complaint attempts to allege willful conduct on the part of the Defendant but the allegations of said complaint do not constitute willful conduct.

FILED

JUL 8 1965

COLLINS, GALLOWAY & MURPHY

By:



THOMAS M. GALLOWAY
Attorneys for Defendant

JAMES EDWARD WOODS, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS: : AT LAW
RUBY HADLEY LONG, :
Defendant. : CASE NO. 6 5 4 6

Comes the Defendant in the above styled matter and
for answer to the complaint and each and every count thereof
separately and severally says as follows:

1. Not guilty.

COLLINS, GALLOWAY & MURPHY

By: 
THOMAS M. GALLOWAY
Attorneys for Defendant

COLLINS, GALLOWAY & MURPHY
ATTORNEYS AT LAW
958 DAUPHIN STREET
MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
JAMES H. LACKEY

April 1, 1966

P. O. BOX 4492
TELEPHONE
432-0568
AREA CODE 205

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

In re: James Edward Woods
vs: Ruby Hadley Long
Case No. 6546

Dear Mrs. Duck:

Would you please file the enclosed answer in this
matter.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

By: 

Thomas M. Galloway

TMG/fs
Encl: