

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Bulk Transport, Inc., a corporation, and Oscar L. Watkins 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 same, then and there to answer the Complaint of Essie E. Davison.

Witness my hand this 6 day of April, 1966.

*Rebecca J. Smith*  
Clerk

ESSIE E. DAVISON,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

BULK TRANSPORT, INC.,  
a corporation, and  
OSCAR L. WATKINS,

X

LAW SIDE

X

*No. 6928*

Defendants.

X

COUNT ONE:

The Plaintiff claims of the Defendants the sum of Fifteen Thousand Dollars (\$15,000.00) as damages for that, on to-wit: December 14, 1965, the Plaintiff was driving her automobile on U. S. Highway 31 at the intersection of Marcell Avenue, at a point about 1.8 miles Northeast of Spanish Fort Post Office in Baldwin County, Alabama, and at said time and place the Defendant, Bulk Transport, Inc., a corporation, acting by and through its agent, servant or employee, Oscar L. Watkins, who was then and there acting within the line and scope of his authority

as such agent, servant or employee, negligently drove a motor vehicle into or against the Plaintiff's automobile and as a proximate result of the negligence of such Defendants the Plaintiff was injured in this: Her neck and back were seriously injured, she was bruised and made sore, she was caused to suffer severe pain and mental anguish and still suffers such pain and anguish, she was caused to incur large medical and hospital expenses and she is permanently injured, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

COUNT TWO:

The Plaintiff claims of the Defendants the sum of One Thousand Dollars (\$1,000.00) as damages for that, on to-wit: December 14, 1965, the Plaintiff was driving her automobile on U. S. Highway 31 at the intersection of Marcell Avenue, at a point about 1.8 miles Northeast of Spanish Fort Post Office in Baldwin County, Alabama, and at said time and place the Defendant, Bulk Transport, Inc., a corporation, acting by and through its agent, servant or employee, Oscar L. Watkins, who was then and there acting within the line and scope of his authority as such agent, servant or employee, negligently drove a motor vehicle into or against the Plaintiff's automobile and as a proximate result of the negligence of such Defendants the Plaintiff was injured in this: Her automobile was almost completely demolished, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

Plaintiff demands a trial of this cause by a jury.

Attorneys for Plaintiff

Defendants' addresses: Bulk Transport, Inc., Bay Bridge Cut Off, Mobile, Alabama; Oscar L. Watkins, Fruitdale in Washington County, Alabama.

RECEIVED

APR 6 1966

TAYLOR WILKINS  
SHERIFF

Received 7 Day of April 19 66  
and on 7 Day of April 19 66  
I served a Copy of the within  
on Bulk Transport, Inc.

by service on Mrs. Young, Gen.  
Manager.

RAY D. BRIDGES, Sheriff

By B. B. Smith D. S.

CHASON, STONE & CHASON  
ATTORNEYS AT LAW  
P. O. BOX 120  
BAY MINETTE, ALABAMA

ESSIE E. DAVISON,  
Plaintiff,

vs.

BULK TRANSPORT, INC.,  
a corporation, and  
OSCAR L. WATKINS,

Defendants.

SUMMONS AND COMPLAINT

RECEIVED IN OFFICE  
This 15 day of April 19 66  
C. J. (Judson) SULLIVAN, Sheriff  
Washington County, Ala.  
Reid Singleton D. S.

EXECUTED

This 16 day of April 19 66  
by serving a copy of the within  
on OSCAR L. WATKINS,  
C. J. (Judson) SULLIVAN, Sheriff  
Washington County, Ala.  
Reid Singleton D. S.

EXECUTED

By Serving a Copy of the Within  
C & S \$ 1.50  
50 Miles @ .10 \$ 5.00  
Total \$ 6.50  
Signed: C. J. SULLIVAN, Sheriff  
By Reid Singleton  
Washington County, Ala.

ESSIE E. DAVISON,	¶	IN THE CIRCUIT COURT OF
Plaintiff,	¶	
=vs=	¶	BALDWIN COUNTY, ALABAMA
BULK TRANSPORT, INC.,	¶	LAW SIDE
a corporation, and	¶	
OSCAR L. WATKINS,	¶	
Defendants.	¶	CASE NO. 6928

D E M U R R E R

Come now the Defendants in the above entitled cause and demur to the Plaintiff's complaint and to each count thereof, separately and severally, and as grounds for said demurrer assign the following, separately and severally:

1. For that said complaint fails to state a cause of action against the Defendants, or either of them.
2. Because said complaint does not show that the Defendants owed to the Plaintiff a duty and that there was a breach of this duty proximately causing the injuries and damages complained of by the Plaintiff.
3. For that the allegations of the complaint are not sufficient to apprise the Defendants of the nature of the damages complained of by the Plaintiff.
4. For that each count of said complaint fails to state a cause of action against both Defendants, and it therefore affirmatively appears therefrom that there is a misjoinder of said counts.

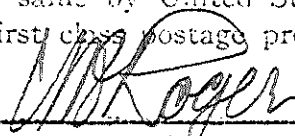
McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

**FILED**  
APR 29 1966  
CLERK  
REGISTER

By   
Attorneys for Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 28 day of April, 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.



ESSIE E. DAVISON,  
Plaintiff,

=vs=

BULK TRANSPORT, INC.,  
a Corporation, and  
OSCAR L. WATKINS,  
Defendants.

I IN THE CIRCUIT COURT OF  
I BALDWIN COUNTY, ALABAMA  
I LAW SIDE  
I CASE NO. 6928  
I  
I

A N S W E R

Come now the Defendants in the above entitled cause and for answer to the Plaintiff's complaint and to each count thereof, separately and severally, assign the following separate and several pleas:

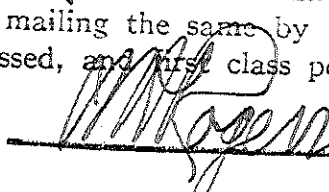
1. Not guilty.
2. The allegations of the complaint are untrue.
3. For that at the time and place complained of the Plaintiff was herself guilty of negligence, which said negligence proximately contributed to the injuries and damages complained of, wherefore, the Plaintiff cannot recover in this cause.

McCORVEY, TURNER, JOHNSTONE, ADAMS & MAY

By   
Attorneys for the Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 7  
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  
JUL 8-66  
CLERK OF COURT  
REGISTER