

MARLON E. RODGERS  
Plaintiff  
vs  
HENRY MOORE  
Defendant

X  
X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

6587

Comes the defendant in the above styled cause and demurs to the complaint in said cause and to each phase of each count thereof separately and severally, as follows:

-1-

Said complaint fails to allege that plaintiff is the owner of said automobile involved in the accident alleged.

-2-

Said complaint fails to allege that plaintiff is the driver of said automobile involved in the accident alleged.

-3-

Said complaint fails to allege that said plaintiff was operating his said automobile where he had a right to be.

-4-

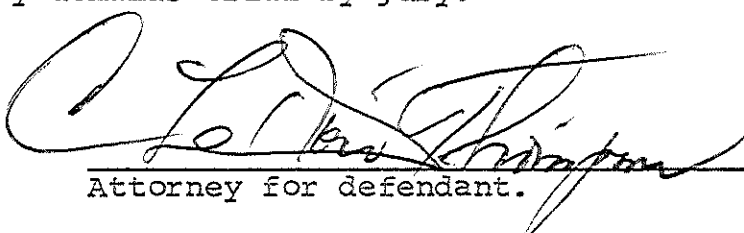
Said complaint fails to allege whether his said automobile was stopped on said highway or was in motion on the occasion complained of.

-5-

Said complaint fails to allege whether the alleged damages were caused at the first impact or second impact between said motor vehicles.

  
Attorney for defendant

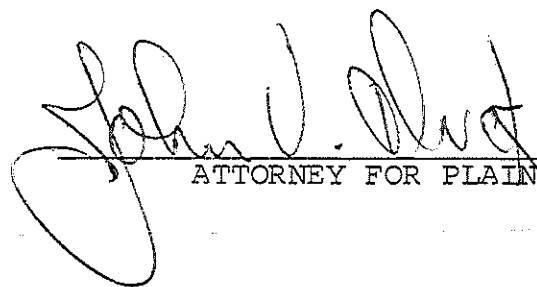
Defendant respectfully demands trial by jury.

  
Attorney for defendant.

FILED  
JUL 26 1965  
ALICE L. DICK, CLERK  
REGISTER

MARLON E. RODGERS,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW
HENRY MOORE,	)	<i>W. 6587</i>
Defendant.	)	

Plaintiff claims of the Defendant the sum of TWO HUNDRED SIXTY-THREE AND 35/100 (\$263.35) DOLLARS as damages, for that heretofore, and on, to-wit: the 29th day of August, 1964, the Defendant so negligently operated a motor vehicle along and upon Highway No. U. S. 31 at a point thereof one (1) mile southwest of Bay Minette at the south approach to the Viaduct of the L & N Railway Company which was then and there a public highway in Baldwin County, Alabama, so as to allow his said motor vehicle to run into, upon or against the vehicle of the said Plaintiff, and as a proximate cause of the negligence of the Defendant as aforesaid, Plaintiff's said automobile was damaged in that the back end of Plaintiff's said automobile was bent, smashed, torn and otherwise damaged; that the trunk lid was bent, smashed and torn and rendered a total loss; that the left quarter molding was torn away from the said automobile; that the rear bumper was destroyed and had to be replaced; that all of the rear panels were smashed and torn and had to be replaced, all as a result of the negligence of the Defendant as aforesaid, hence this suit.

  
 ATTORNEY FOR PLAINTIFF

FILED

JUL 12 1965

AUDIE J. DICK, CLERK  
 REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 6587

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon HENRY MOORE

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.....

HENRY MOORE....., Defendant.....

by MARLON E. RODGERS.....

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

Witness my hand this.....12.....day of.....July.....1965..

Arthur J. French....., Clerk

Executed  
July 20, 1965  
Taylor Wilkins Jr  
W A Folbert DS

480

No. 6587

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MARLON E. RODGERS

Plaintiffs

vs.

HENRY MOORE

Defendants

SUMMONS AND COMPLAINT

Filed July 12 1965

ALICE J. DUCK, CLERK  
REGISTERED

Clerk

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Rt. 1, Box 99

Bay Minette, Alabama

Received In Office

July 12 1965

Sheriff

I have executed this summons

this July 20 1965  
by leaving a copy with

Henry Moore

Sheriff claims 4 miles at  
Ten Cents per mile Total \$ 40

BY TAYLOR WILKINS, Sheriff  
W A Gilbert  
DEPUTY SHERIFF

Taylor Wilkins Sheriff  
W A Gilbert Deputy Sheriff

D-Valp

# Mattie L. Rhodes Hospital

POST OFFICE BOX 910

BAY MINETTE • ALABAMA 36507

March 12, 1970.

Circuit Court,  
Baldwin County,  
Bay Minette, Ala.

*John V. Duck*

Attention Mrs. Alice J. Duck, Clerk

RE: Case No. 6587½ Garnishment  
Marlon E. Rogers Vs Henry Moore

Dear Mrs. Duck:-

We have been served garnishment papers in above named case. Henry Moore is presently in our employ and we shall deduct 25% from each pay check and remit to you until the full amount is paid, or for as long as he remains in our employ.

However, Mattie L. Rhodes Hospital will cease to exist as such within the next few days with the opening of the new Bay Minette Infirmary. Dr. Halliday will continue the general practice of medicine in this same location, but under another name. Personnel for that operation has not yet been definitely selected, but if Henry Moore remains in his employ, the above agreement will remain in force.

Very respectfully,

MATTIE L. RHODES HOSPITAL

By *GM Halliday* h s

**FILED**

MAR 13 1970

**ALICE J. DUCK** CLERK  
REGISTER

**FILED**

MAR 10 1970

**ALICE J. DUCK** CLERK  
REGISTER

STATE OF ALABAMA

Baldwin County

TO ..... HENRY MOORE ..... Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

..... MARLON E. ROGERS ..... Plaintiff.....

versus ..... HENRY MOORE ..... Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which .....

..... MATTIE RHODES HOSPITAL, Bay Minette, Ala. ....

ha..... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the .....

19 day of Feb, 1970.

.....  
Clerk of the Circuit Court.

to be served on  
Henry Moore.

Received 19 day of February 1970  
and on 18 day of March 1970  
I served a copy of the within Notice  
on Henry Moore

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. A. Telford D.S.

D. Will

H.M.

NO. 6587 1/2  
NO. ~~6587 1/2~~

NOTICE  
TO DEFENDANT OF GARNISHMENT  
BY  
CLERK OF CIRCUIT COURT  
BALDWIN COUNTY, ALABAMA  
TO

Marlon E. Rogers

Plaintiff....

VS.

Henry Moore

J. M. S. Smith  
Defendant....

THE STATE OF ALABAMA  
Baldwin County

6587 1/2  
Circuit Court

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State  
aforesaid ..... JOHN V. DUCK .....

who being duly sworn, on oath says, that a regular ..... August ..... Term  
of the Circuit Court of Baldwin County, to-wit: on the ..... 17th ..... day of ..... August .....  
19...67., ..... MARLON E. ROGERS .....

recovered a judgment against ..... HENRY MOORE .....  
..... for the sum of  
..... TWO HUNDRED THIRTY-EIGHT AND NO/100 (\$238.00) ----- Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that .....  
..... MATTIE RHODES HOSPITAL, Bay Minette, Ala. ....

supposed to be indebted to or have effects of the said ..... HENRY MOORE .....  
in ..... its ..... possession, or under ..... its ..... Control, and that he believes process of  
Garnishment against said ..... MATTIE RHODES HOSPITAL .....  
is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this ..... 19 .....  
day of ..... Feb ..... A. D. 1970 .....  
..... Clerk.

*John V. Duck*



## RELEASE OF GARNISHMENT

CIRCUIT Court of BALDWIN County, Alabama

RE: MARLON E. ROGERS  
vs. Plaintiff.

HENRY MOORE  
Defendant.

To: Mattie Rhodes Hospital  
GARNISHEE

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that in the above styled case, Garnishment has been released and Garnishee has been discharged.

Witness my hand, this the 3rd day of September, 19 70

Alice J. Duck CLERK.

64 SEP 695

**STATE OF ALABAMA**  
**Baldwin County**

CIRCUIT COURT, BALDWIN COUNTY

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

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular AUGUST Term, 19 67, of the Circuit Court of Baldwin County, to-wit: On the 17th day of August, 19 67, being a regular day of said term, MARLON E. ROGERS

recovered judgment against HENRY MOORE

for the sum of TWO HUNDRED THIRTY-EIGHT AND NO/100 -- Dollars, and cost of suit, and affidavit having been made by JOHN V. DUCK that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

MATTIE RHODES HOSPITAL, Bay Minette, Ala.

has or is believed to have in its possession, or under its control money or effects belonging to said defendant HENRY MOORE or that it is, or is believed to be indebted to said defendant ..... or to be liable to them, or to one of them on a contract for the delivery of personal property, or on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon .....

MATTIE RHODES HOSPITAL, Bay Minette, Ala.

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, on the ..... Monday in ..... A. D. 19....., then and there within the three first days of the ..... Monday in ..... A. D. 19..... the service of the garnishment, or at the making its answer, or at any time intervening the time of serving the garnishment, and making the answer it was ..... indebted to said defendant ..... and whether it will not be indebted in future to said defendant ..... by a contract then existing, and whether by a contract then existing it is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its control money or effects belonging to the defendant HENRY MOORE

Herein fail not, and have you then and there this Writ.

Witness, ALICE J. DUCK, Clerk of said Court, this 19 day of Feb, A. D., 19 70Issued 19 day of Feb, A. D., 19 70

ATTEST:

Alice J. Duck Clerk.

Received 19 day of February 1920  
and on 20 day of Feb 1920  
I served a copy of the within writ  
on Rhodes Hospital

By service on Dr. Holladay

TAYLOR WILKINS, Sheriff  
By W. A. Galt D. S.

20 he executed,  
Mattie Rhodes Hospital

79918  
80132  
CIRCUIT COURT, BALDWIN COUNTY

No. 658 1/2

Marlow E. Rogers

VS. } GARNISHMENT ON JUDGMENT

Henry Moore.  
Mattie Rhodes Hospital  
Garnishee

Issued \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Returnable \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Attorney

Moore Printing Co. - Bay Minette, Alabama

1920