

LEE WEEKLEY

Plaintiff

VS

CLARENCE HARRIS

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA


AT LAW

CASE NO. 3328

.....

Comes now Plaintiff and says to Defendant's pleas:

1. To Defendant's pleas one and two <sup>✓</sup> takes issue.
2. To Defendant's plea number three Plaintiff says Not Guilty.

  
Attorney for Plaintiff

*Filed 3-12-54  
Clarence Harris  
Clerk*

LEE WEEKLEY

PLAINTIFF

VS

CLARENCE HARRIS

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 3328

Comes now the Defendant in the above styled cause and for answer to the Plaintiff's complaint and to each and every count thereof separately and severally says:

1.

Not guilty.

2.

That on the occasion complained of by the Plaintiff, the Plaintiff and defendant were engaged in a difficulty; that the Defendant was without fault in bringing on the difficulty; and that acting on and under the bona fide belief that he was in danger of serious bodily harm from the Plaintiff, the Defendant attempted to repel or prevent an attack on him then being made by the Plaintiff, using no more force than was reasonably necessary therefor, and unless this is wrong, the Defendant says that he is not guilty of the wrongs and grievances alleged.

3.

The Defendant as a defense to the action of the Plaintiff says that at the time said action was commenced the Plaintiff was indebted to him in the amount of TWO HUNDRED FIFTY (\$250.00) DOLLARS ad damages for that on the occasion complained of the Plaintiff committed assault and battery on the Defendant, said occasion being on the 15th day of December, 1956, and the Defendant offers to recoup his said damages against the Plaintiff's demand and asks judgment against the Plaintiff for the excess.

Wilters & Brantley

BY:

*Albert M. Brantley*  
Attorneys for the Defendant

LEE WEEKLEY

Plaintiff

VS

CLARENCE HARRIS

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 3328


Comes now Plaintiff in the above styled cause and amends his complaint to read as follows:

I

The Plaintiff claims of the Defendant FIFTEEN-THOUSAND (\$15,000) DOLLARS, damages for assault and battery committed by the Defendant on the Plaintiff, by cutting him on the arm, shoulder and back with a knife causing Plaintiff to expend large sums of money for medical treatment and medicines and causing him to suffer extreme pain, causing him to lose large amounts of blood and endangering his life and health, on the 15th day of December 1956.

II

The Plaintiff claims of the Defendant FIFTEEN-THOUSAND (\$15,000) DOLLARS, damages for assault and battery committed by the Defendant on the Plaintiff, viz: on the 15th day of December 1956.

  
Attorney for Plaintiff

DEMURRER

LEE WICKLEY

PLAINTIFF

VS

CLARENCE HARRIS

DEFENDANT

IN THE CIRCUIT COURT OF

DALEHIN COUNTY, ALABAMA

AT LAW

Case No. 3320

Comes now the Defendant in the above styled cause and demurrs to the Plaintiff's Complaint and each and every grounds thereof separately and severally:

1.

The Plaintiff fails to state a cause of action.

2.

The Plaintiff fails to show that the damages alleged are the proximate result of the Defendant's assault and battery.

3.

The Plaintiff fails to show where the assault and battery took place.

4.

The Plaintiff's Complaint is ambiguous.

5.

The Plaintiff fails to state the date on which the assault and battery occurred.

Winters & Brantley

BY:

Robert M Brantley

STATE OF ALABAMA  
COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Clarence Harris 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 thereto answer the complaint of Lee Weekley.

Witness my hand, this the 30 day of Aug, 1957.

Alice J. Duck  
CLERK

LEE WEEKLEY

Plaintiff

VS

CLARENCE HARRIS

Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: \_\_\_\_\_

I

The Plaintiff claims of the Defendant FIFTEEN-THOUSAND (\$15,000) DOLLARS, damages for assault and battery committed by the Defendant on the Plaintiff by cutting him on the arm, shoulder and back with a knife causing Plaintiff to expend large sums of money for medical treatment and medicines and causing him to suffer extreme pain, causing him to lose large amounts of blood and endangering his life and health on the 15th day of December 1956.

II

The Plaintiff claims of the Defendant FIFTEEN-THOUSAND (\$15,000) DOLLARS, damages for assault and battery committed by the Defendant on the Plaintiff, viz: on the 15th day of December 1956.

W. L. Hayer  
Attorney for Plaintiff

Plaintiff demands trial by jury.

30<sup>TH</sup> day of August, 1957

W. L. Hayer

FILED  
AUG 30 1957  
ALICE J. DUCK, Register