

C. C. CRAIG,

X

Plaintiff,

X

vs.

X

X

X

RAYBURN E. WALKER,

X

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 7098

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. The damage to Plaintiff's motor vehicle is not sufficiently set out.
3. That the Complaint fails to allege that the Plaintiff used his motor vehicle in his business or employment.

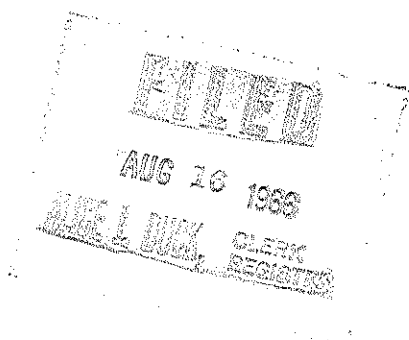
Harry Stone & Hanson
Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 16 day

of July, 1966.

John Gibson



C. C. CRAIG,

Plaintiff,

vs.

RAYBURN E. WALKER,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE NO. 7098

* * * * *

DEMURRER

* * * * *

CHASON, STONE & CHASON

ATTORNEYS AT LAW

P. O. BOX 120

BAY MINETTE, ALABAMA

JOHN CHASON
NORBORNE C. STONE, JR.
JOHN EARLE CHASON

TELEPHONE 937-2191

October 25, 1966

Mrs. Alice J. Duck
Clerk of Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Case No. 7098
Craig vs. Walker

The Plaintiff has amended his complaint in the above styled cause. Will you please re-file the pleas that we filed to the original complaint and the case will then be at issue when Mr. Patton pleads to our plea of recoupment.

With best regards, we are

Yours very truly,

CHASON, STONE & CHASON

By: 

JC:mb

cc: Mr. Walter S. Patton
Attorney at Law
Bay Minette, Alabama

STATE OF ALABAMA)
 (
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon RAYBURN E. WALKER, Orange Beach, Alabama, 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 C. C. CRAIG.

Aug 2 1966

Eric J. Alumbaugh
Clerk.

=====

C. C. CRAIG,)	
Plaintiff,)	IN THE CIRCUIT COURT OF
vs.)	BALDWIN COUNTY, ALABAMA
RAYBURN E. WALKER,)	
Defendant.)	LAW SIDE.
		<i>no 7098</i>

The Plaintiff claims of the Defendant the sum of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) as damages, for on, to-wit, the 24th day of August, 1965, the Defendant so negligently operated a motor vehicle on a public road in Baldwin County, Alabama, to-wit, State of Alabama Highway No. 180, at a point three miles West of the East end of said Highway No. 180, said point being in Orange Beach, Alabama, area, so as to cause, permit or allow said automobile to run into, upon or against Plaintiff's automobile and as a proximate result of the negligence of the Defendant as afore-said, the property of the Plaintiff was damaged as follows: the Plaintiff's motor vehicle was bent, broken, torn and otherwise damaged; the Plaintiff lost the use of said vehicle for a period of four weeks, the market value of said vehicle was permanently depreciated; the Plaintiff was put to the expense of towing his automobile to a garage; all to the damage and injury of the

Plaintiff in the amount aforesaid, hence this suit.

Walter S. Patton

Attorney for Plaintiff.

The Plaintiff respectfully demands
a trial of this cause by Jury.

Walter S. Patton

Attorney for Plaintiff.

FILED

AUG 1 1966

ALICE J. DUCK, CLERK
REGISTER

Executed
Aug 6, 1966
Taylor W. Johnson
J. M. Eastburn
D.S.

371

No. 7098

C. E. Craig

vs.

Rayburn E. Wacker
Orange Beach

FILED

AUG 2 1966

WILLIAM L. DICK, CLERK
REGISTER

Walter Patton
att'y

Orange Beach, Fla

BY Jim Wilkins
TAYLOR WILKINS, Sheriff

Service on Alvora

Received 2 day of August 1966
I on 2 day of August 1966
gave a copy of the within Rayburn E. Wacker

BY Jim Wilkins
TAYLOR WILKINS, Sheriff
120
120

C. C. CRAIG,)	
Plaintiff,)	IN THE CIRCUIT COURT OF
vs.)	BALDWIN COUNTY, ALABAMA
RAYBURN E. WALKER,)	
Defendant.)	LAW SIDE. NO. 7098

Now comes the Plaintiff in the above styled cause and for answer to the Pleas heretofore filed by the Defendant in said cause assigns the following, separately and severally:

1. Not guilty.

2. That at the time and place set forth in the complaint filed by the Plaintiff, the Defendant himself, was guilty of negligence which was the proximate cause of his injuries and damages, hence he cannot recover in this suit.

Walter S. Patton
Attorney for Plaintiff.

I, the undersigned, Walter S. Patton, the Attorney of Record for the Plaintiff in the foregoing cause, do hereby certify that I have this day forwarded a copy of the foregoing answer to Mr. John Chason, the Attorney of Record for the Defendant, by United States Mail, with postage prepaid, properly addressed, this 26th day of October, 1966.

FILED

OCT 26 1966

ALICE J. DUCK, CLERK
REGISTER

Walter S. Patton

C. C. CRAIG,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
RAYBURN E. WALKER,	X	LAW SIDE NO. 7098
Defendant.	X	

PLEAS

Comes the Defendant, whose correct name is Rabun Earl Walker, and without waiving the demurrer which he has heretofore filed in this cause, files the following separate and several pleas:

1. Not guilty.
2. That at the time and place complained of in the Complaint the Plaintiff himself, acting by and through Charles Norris Craig, who was then and there the agent, servant or employee of the Plaintiff and who was then and there acting within the line and scope of his authority as such, was guilty of negligence which was the proximate cause of his injuries and damages, hence he cannot recover in this suit.
3. By way of recoupment the Defendant claims of the Plaintiff the sum of Five Hundred Dollars (\$500.00) as damages for that on, to-wit, August 24, 1965, the Plaintiff, acting by and through Charles Norris Craig, who was then and there an agent, servant or employee of such Plaintiff, acting within the line and scope of his authority as such, negligently drove an automobile into or against an automobile owned by the Defendant and as the proximate result of such negligence the Defendant's automobile was damaged in this: Its left fenders were bent and damaged, the left side of his automobile was damaged and such automobile was render-

ed less valuable, all to the damage of the Defendant in the sum above mentioned.

Chas. Stone & Chas.
Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class, United States Mail, properly addressed and postage prepaid on this 22 day of Aug, 1966.

John Gibson

FILED

AUG 22 1966

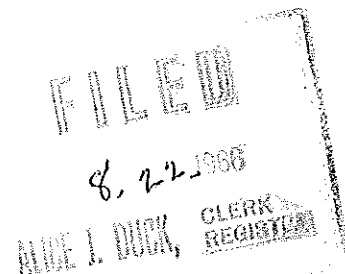
ALICE L. DICK, CLERK
REGISTER

7095
C. C. CRAIG,
Plaintiff,

vs.

RAYBURN E. WALKER,
Defendant.

PLEAS



*Refiled 10-26-66
Anne J. Duck
clerk*

C. C. CRAIG,)	IN THE CIRCUIT COURT OF
Plaintiff,)	
vs.)	BALDWIN COUNTY, ALABAMA
RAYBURN E. WALKER,)	
Defendant.)	LAW SIDE.

AMENDED COMPLAINT

Now comes the Plaintiff in the above styled cause, and amends the complaint heretofore filed in said cause, so that as amended the same shall read as follows:

The Plaintiff claims of the Defendant the sum of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) as damages, for that on, to-wit, the 24th day of August, 1965, the Defendant so negligently operated a motor vehicle on a public road in Baldwin County, Alabama, to-wit, State of Alabama Highway No. 180, at a point three miles West of the East end of said Highway No. 180, said point being in Orange Beach, Alabama, area, so as to cause, permit or allow said automobile to run into, upon or against Plaintiff's automobile and as a proximate result of the negligence of the Defendant as aforesaid, the property of the Plaintiff was damaged as follows: the right front fender, the right front headlight, the front bumper, grill and bumper guards, the radiator support, the front windshield of the Plaintiff's motor vehicle were bent, broken, torn and otherwise damaged and the entire front end of the Plaintiff's motor vehicle was damaged, the market value of said vehicle was permanently depreciated; the Plaintiff was put to the expense of towing his vehicle to a garage; all to the damage and injury of the Plaintiff in the amount aforesaid, hence this suit.

Walter S. Patton
Attorney for Plaintiff.

Plaintiff demands a trial of
this cause by a Jury.

Walter S. Patton
Attorney for Plaintiff.

I, the undersigned, Walter S. Patton, the Attorney of Record for the Plaintiff in the foregoing cause, do hereby certify that I have this day forwarded a copy of the foregoing amended complaint to Mr. John Chason, the Attorney of record for the Defendant, by United States Mail, with postage prepaid, properly address, this 21st day of October, 1966.

Walter S. Patton

FILED
OCT 21 1966
ALICE L. DICK, Clerk
REGISTER