

LYONS, PIPES & COOK

ATTORNEYS AT LAW

25TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

JOSEPH H. LYONS (1900-1957)
SAM W. PIPES, III
WALTER M. COOK
GORDON B. KAHN
IRWIN W. COLEMAN, JR.
G. SAGE LYONS
WILLIAM F. HORSLEY
AUGUSTINE MEAHER, III

AREA CODE 205
TEL. 432-4483
P. O. DRAWER 79

November 28, 1966

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

Re: Steven Mason vs. Suzanne Walker, et al Case No: 7168

Dear Mrs. Duck:

We enclose herein the amended complaint in the above matter and ask that same be filed in your Court. Thank you for your co-operation.

Yours very truly,

LYONS, PIPES AND COOK

Augustine Meaher III

Augustine Meaher, III

AM/bn

Enclosure

LYONS, PIPES & COOK

ATTORNEYS AT LAW

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AREA CODE 205

TEL. 432-4483

P. O. DRAWER 79

September 6, 1966

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

Re: Steven Mason vs. Suzanne Walker, et al

Dear Mrs. Duck:

We enclose herein the Complaint and Summons in the above styled matter. Please advise us when the Sheriff has made his return in this matter.

Yours very truly,

LYONS, PIPES AND COOK

Augustine Meaher III

Augustine Meaher, III

AM/lak

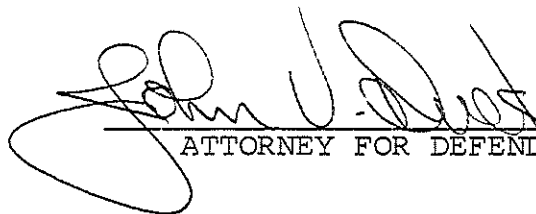
Enclosure

STEVEN W. MASON,	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
Plaintiff,)	
vs.)	
SUZANNE V. WALKER, and)	
JIMMY C. WALKER, separately)	
and severally,)	
Defendants.	)	CASE NO. 7168

DEMURRER

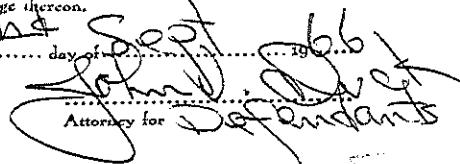
Comes Now the Defendants in the above styled cause, and demurs to the Bill of Complaint filed herein, and for grounds thereof assigns the following separately and severally:

1. That the said Bill of Complaint fails to state a cause of action.
2. That the said Bill of Complaint fails to allege with sufficient certainty the place of the alleged accident.
3. That the said Bill of Complaint fails to allege with sufficient certainty how the said Plaintiff's automobile was damaged.
4. From aught that appears, the alleged accident was the proximate result of the negligence of both Defendants.


 ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 22nd day of Sept 1966

 Attorney for Defendants

FILED
 SEP 26 1966
 CLERK
 REGISTER

STEVEN W. MASON,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.)	
SUZANNE V. WALKER, and)	
JIMMY C. WALKER, separately)	
and severally,)	
Defendants.	)	CASE NO: 7,168

AMENDED COMPLAINT

COUNT ONE - A

Plaintiff claims of the defendants, separately and severally, the sum of, to-wit, EIGHT HUNDRED AND NO/100 (\$800.00) DOLLARS as damages for that heretofore and on, to-wit, March 20, 1966, defendant Suzanne V. Walker, while acting as an agent, servant, or employee of defendant Jimmy C. Walker, and who was then and there acting within the line and scope of her authority as such, so negligently operated an automobile on Fels Avenue, a public street in the City of Fairhope, County of Baldwin, State of Alabama, at or near the intersection of said street with Church Street, a public street in said City, said County, and said State, that the said automobile then and there collided with the plaintiff's automobile which was then and there being operated on said Church Street at said time and place, and as a proximate result of the negligence of the defendants as aforesaid, the plaintiff's automobile was damaged as follows, to-wit: The front fenders, the front bumper and the hood were smashed, the frame and chassis were knocked out of line, the front end was otherwise damaged, and the plaintiff's automobile was bent, smashed, broken, and otherwise rendered permanently less valuable and plaintiff was deprived of the use thereof for a period of time, all to plaintiff's damages as aforesaid and for all of which plaintiff brings this suit.

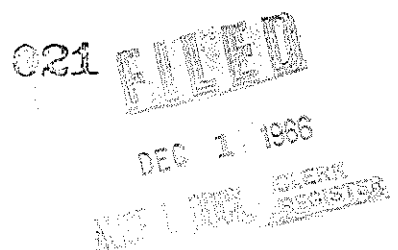
LYONS, PIPES AND COOK
Attorneys for Plaintiff

By: Augustine Meaher III
Augustine Meaher, III

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 30 day of Nov., 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.

Augustine Meaher III



STEVEN W. MASON	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
VS.,)	
SUZANNE V. WALKER, and)	
JIMMY C. WALKER, Separately)	
and severally,)	
Defendants.	)	CASE NO. <u>7168</u>

COMPLAINT

COUNT ONE

Plaintiff claims of the defendants, separately and severally, the sum of, to-wit, EIGHT HUNDRED AND NO/100 (\$800.00) DOLLARS as damages for that heretofore and on, to-wit, March 20, 1966, defendant Suzanne V. Walker, while acting as an agent, servant, or employee of defendant Jimmy C. Walker, and who was then and there acting within the line and scope of her authority as such, so negligently operated an automobile on Fels Avenue, a public street in the City of Fairhope, County of Baldwin, State of Alabama, at or near the intersection of said street with Church street, a public street in said City, said County and said State, that the said automobile then and there collided with the plaintiff's automobile which was then and there being operated on said Church Street at said time and place, and as a proximate result of the negligence of the defendants as aforesaid, the plaintiff's automobile was bent, broken, smashed, and otherwise rendered permanently less valuable and plaintiff was deprived of the use thereof for a period of time, all to plaintiff's damages as aforesaid; and for all of which

plaintiff brings this suit.

LYONS, PIPES AND COOK
Attorneys for Plaintiff

By: Augustine Meaher III
Augustine Meaher, III

Defendants may be served as follows:

106 Fels Avenue
Fairhope, Alabama

FILED

SEP 7 1928

ALICE I. DICK, CLERK
REGISTER

No. 7168

Steven W. Mason

vs

Suzanne J. Walker

Jimmy Walker

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7168

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Suzanne V. Walker and Jimmy C. Walker separately and severally

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

Suzanne V. Walker and Jimmy C. Walker, separately and severally, Defendant

by Steven W. Mason

Plaintiff

Witness my hand this 7 day of Sept 19 66

Executed
9-9-66

Clerk

Trailer Court
No. 7168

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

STEVEN W. MASON

Plaintiffs

vs.

SUZANNE V. WALKER and

JIMMY C. WALKER

Defendants

SUMMONS AND COMPLAINT

Filed 9-7- 19 66

Alice J. Duck Clerk

Lyons, Pipes & Cook

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office

SEP 8 1966

19.....

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this Sept 9- 19 66

by leaving a copy with

Suzanne V. Walker
Jimmy Walker
L. H. Hays

140

14.00

Roy Randall
DEPUTY SHERIFF

Layla Wilkins Sheriff

Roy Randall Deputy Sheriff

STEVEN W. MASON,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW, CASE NO. 7168
SUZANNE V. WALKER and)	
JIMMY C. WALKER, separately)	
and severly,)	
Defendants.)	

Comes now the Defendants in the above styled cause, and files this their pleas, separately and severally, to the Complaint filed by the Plaintiff in said cause and say:

1. Not Guilty.

2. That at the time and place complained of in the Complaint, the Plaintiff, acting by and through his agent, servant or employee 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 damages, hence he cannot recover in this suit.

3. The Defendants, by way of recoupment, claims of the Plaintiff the sum of THREE HUNDRED (\$300.00) DOLLARS as damages for that, on, to-wit: the 20th day of March, 1966 at the intersection of Fels Avenue and Church Street, which was then and there a public street in the City of Fairhope, County of Baldwin, State of Alabama, the Plaintiff, acting by and through his agent, servant or employee who was then and there acting within the line and scope of his authority as such, so negligently operated his automobile on such highway at said time and place and as a proximate result of the negligence of such Plaintiff, the Defendant was damaged in that the left rear door was bent and smashed, the left rear bumper was smashed and torn, all to the damage of the Defendant in the sum above mentioned.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 17 day of May 1967

John V. DeLoach
Attorney for Defendants

John V. DeLoach
ATTORNEY FOR DEFENDANTS

Filed 5-18-67
022 Alice J. Neusch
clerk.