

Sam Stewart

Charles McKenney Hall

700 1311

JURY LIST - DECEMBER 4, 1967 TERM - BALDWIN COUNTY

1. Anderson, Evar, Civil Service, Elberta
2. Aylin, E. Mack, International Paper, Bay Minette
3. Booth, Robert E., Laborer, Fairhope
4. Cowline, W. B., Farmer, Robertsdale
5. Dwork, Joseph, Jr., Salesman, Belforest
6. Dyer, Ted, Mechanic, Fairhope
7. Ellison, W. V., Farmer, Robertsdale
8. Fackler, Paul W., Mechanic, Loxley
9. Frank, George, Farmer, Elberta
10. Gibbs, Floyd, Grocery Store, Bay Minette
11. Godwin, Dewey C., Mechanic, Bay Minette
12. Good, John, Jr., Farmer, Elberta
13. Hawkins, Ernest B., Public Accountant, Foley
14. Hodges, Willie Lee, Sawmill, Bay Minette
15. Hoffman, Winfred C., Gov't Emp., Bay Minette
16. Kelly, W. Marvin, Bank, Bay Minette
17. King, Vernon, Farmer, Robertsdale
18. Lager, J. E., Salesman, Foley
19. Lehman, Harold, Farmer, Summerdale
20. Lindsey, Walter M., Abstractor, Bay Minette
21. Lipscomb, Wilmer, Farmer, Magnolia Springs
22. Manning, Wesley W., Civil Service, Foley
23. Meszaros, Michael A., Retired, Elberta
24. Morse, Wilson W., Civil Service, Foley
25. Oswell, Charles, Timber & Oil, Spanish Fort - Daphne
26. Palmer, James J., Farmer, Robertsdale
27. Peterson, Morris Sidney, Farmer, Gateswood
28. Roberts, Howard, Civil Service, Stapleton
29. Salac, Tommy, Farmer, Robertsdale
30. Schroeder, Walter, Painter, Elberta
31. Smith, Orrie, Sr., Brookley Field, Daphne
32. Steele, Clyde Madison, Merchant, Bay Minette
33. Stephens, W. Henry, Millman, Stockton
34. Survant, Ray H., Civil Service, Lillian
35. Trawick, Emma D., Stapleton
36. Williamson, Huston, Civil Service, Elberta
37. Wright, Justice D., Forester, Stapleton

37
25
12
23

P XXXXX XXXXX X

D XXXXX XXXXX X

Received 18 day of May 1967

and on 19 day of May 1967

I served a copy of the within Cross Comp.

to Kenneth Cooper

By service on _____

TAYLOR WILKINS, Sheriff

By W. C. Zelber

NO. 7311

Sam E. Stewart

vs.

Charles McKinley Hall

SAM E. STEWART
PLAINTIFF
VS
CHARLES MCKINLEY HALL
DEFENDANT

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA
AT LAW
CASE NO. 7311

.....
DEMURRER

Comes now Defendant and demurs to Plaintiff's complaint and assigns the following demurrer separately and severally to each count separately and severally.

I

The complaint does not state a cause of action.

II

The complaint claims damages for which Plaintiff may not recover.

III

It affirmatively appears that Plaintiff may not recover the damages claimed in his complaint.

IV

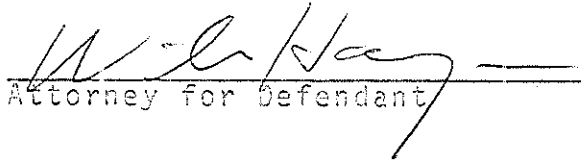
The complaint is vague, indefinite and uncertain.

V

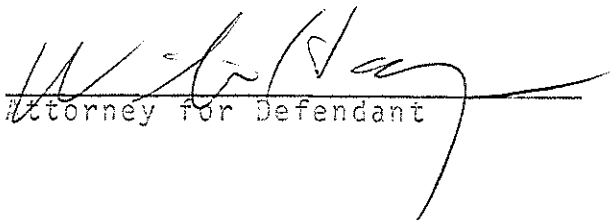
It does not appear with certainty where the alleged injury occurred.

VI

It does not appear that Plaintiff's alleged injuries were the proximate result of any act or omission of Defendant.


Attorney for Defendant

Defendant demands trial
by Jury this 16 day
of February, 1967.


Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 6 day of Feb
1967 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, with first class postage prepaid.

FILED

FEB 17 1967

ALICE J. DUCK, CLERK
REGISTER

Sam E. Stewart

vs

Baldwin County
Circuit Court

Charles McKinley Hall

7311

Comes now Defendant
and amends his answer
by adding the following:

II

Not Guilty.

W. Lee Hays
Att'y for Defendant

Filed 12-6-67

Deering, Madison
Judge

SUMMONS AND COMPLAINT

STATE OF ALABAMA
COUNTY OF BALDWIN

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

NO. _____

_____ TERM, 1966

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Charles M^cKinley Hall, of Bay Minette, 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 Charles M^cKinley Hall, Defendant, by Sam E. Stewart, Plaintiff.

Witness my hand this 10 day of Dec, 1966.

Alvin J. Smith, CLERK.

SAM E. STEWART,

Plaintiff,

Vs.

CHARLES M^cKINLEY HALL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 7311

COUNT ONE:

The Plaintiff, Sam E. Stewart, claims of the Defendant, Two Thousand Six Hundred Ninety (\$2,690.00) Dollars, for that on, to-wit, 27 May, 1966, the Defendant negligently drove an automobile, to-wit, a 1965 Chevrolet Pick-Up Truck, into an automobile in which the Plaintiff was riding, at a point on the Rabun Road in front of Nathan Lamberts house, which point is approximately seven (7) miles Northeast of Bay Minette, in Baldwin County, Alabama, which said Road is a public road, and as a proximate result of such negligence on the part of the Defendant, the Plaintiff was seriously injured, and caused to suffer great pain, in that he suffered a ruptured spleen, and also the Defendant ran his automobile into, upon and against the automobile driven by the Plaintiff, and that the Defendant incurred large expenses by way of doctor bills and medicine bills as well as repair charges upon his said automobile, and was

caused to lose a great deal of time from his business or work, all to his damage as aforesaid.

COUNT TWO:

The Plaintiff claims of the Defendant Forty Thousand (\$40,000.00) Dollars, for that on, to-wit, 27 May, 1966, while the Plaintiff was operating his automobile, to-wit, a 1956 Ford automobile, upon a subject road in Baldwin County, Alabama, to-wit, the Rabun Road, and then and there the Defendant willfully or wantonly drove his automobile, to-wit, a 1965 Chevrolet Pick-Up Truck, into, upon, over or against the Plaintiff's automobile, and by reason thereof and as a proximate consequence and result thereof the Plaintiff received severe personal injuries in this, to-wit, a ruptured spleen, he was made sick, sore and lame, he was bruised and lacerated, he suffered and continued to suffer great mental anguish and physical pain, for all of which he claims damages as aforesaid; hence this suit.

Kenneth Cooper
ATTORNEY FOR PLAINTIFF

EX-1-17-67

FILED

DEC 10 1966

ALICE I. DUCK, CLERK
REGISTERED