


HERMAN OVERSTREET, : IN THE CIRCUIT COURT OF
Plaintiff, :
VS: BALDWIN COUNTY, ALABAMA
WILLIAM EARL MALONE, SR., and : AT LAW
WILLIAM EARL MALONE, JR., :
Defendants. : CASE NO. 7 3 7 7

Comes the Defendants in the above styled matter and
for answer to the complaint heretofore filed and to each and
every Count thereof separately and severally, says as follows:

1. Not guilty.

COLLINS, GALLOWAY & MURPHY

By:


THOMAS M. GALLOWAY
ATTORNEYS FOR DEFENDANTS

FILED

MAY 1 1967

AUGUST DICK, CLERK
REGISTER

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William Earl Malone, Sr., and William Earl Malone, Jr., to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, at the place of holding the same, then and there to answer the complaint of Herman Overstreet.

WITNESS my hand on this the 14 day of February, 1967.

Oliver J. Luck
Clerk

The address of the defendants is
Route 1, Box 23, Satsuma, Alabama.

* * * * *

HERMAN OVERSTREET,)	
Plaintiff,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
WILLIAM EARL MALONE, SR., and)	AT LAW
WILLIAM EARL MALONE, JR.,)	7377
Defendants.)	

C O M P L A I N T
COUNT ONE


The plaintiff claims of the defendant, William Earl Malone, Jr., Twenty-five Thousand Dollars (\$25,000.00) damages, for that heretofore on to-wit, the 19th day of June, 1966, the said William Earl Malone, Jr., so negligently operated a motor vehicle in a Westerly direction on Alabama Highway 180 at a point approximately 4.4 miles West of the Western city limits of the City of Gulf Shores, said highway being then and there a public highway in Baldwin County, Alabama, so as to cause or allow the said motor vehicle to run into, upon or against a motor vehicle in which the plaintiff was a passenger, which said motor vehicle was also headed in an Easterly direction on Alabama Highway 180 at said time and place and as a proximate result of the negligence of the defendant,

as aforesaid, the plaintiff was injured and damaged as follows: his head, neck, shoulders and back were thrown violently forward; the muscles in his neck, shoulders and back were severely stretched; he received a whiplash injury to his neck and shoulders; he received injuries about his neck, shoulders and back; he has suffered headaches and nausea; he has suffered extreme physical pain and extreme mental anguish and anxiety; he has suffered loss of time from his employment and has been caused to incur expenses for doctors, medicines, drugs, X-rays, examinations and expenses of transportation to and from his doctors; he has been required to take sedatives and drugs for his pain and suffering. Plaintiff avers that all of his injuries and damages were the proximate result of the negligence of the defendant, William Earl Malone, Jr., at said time and place, hence this suit.


COUNT TWO

The plaintiff claims of the defendants the sum of Twenty-five Thousand Dollars (\$25,000.00) as damages for that heretofore on to-wit, the 19th day of June, 1966, William Earl Malone, Jr., while acting as the agent, servant or employee of William Earl Malone, Sr., so negligently operated a motor vehicle in an Easterly direction on Alabama Highway 180 at a point approximately 4.4 miles West of the Western city limits of the City of Gulf Shores, said highway being then and there a public highway in Baldwin County, Alabama, so as to cause or allow said motor vehicle to run into, upon or against a motor vehicle in which the plaintiff was a passenger, which said motor vehicle was also headed in an Easterly direction on Alabama Highway 180 at said time and place and as a proximate result of the negligence as aforesaid, the plaintiff was injured and damaged as follows: his head, neck, shoulders and back were thrown violently forward; the muscles in his neck, shoulders and back were severely stretched; he received a whiplash injury to his neck and shoulders; he received injuries about his neck, shoulders and back; he has suffered headaches and nausea; he has suffered extreme physical pain and extreme mental anguish and anxiety; he has suffered loss of time from his employment and has been caused to incur expenses for doctors, medicines, drugs, X-rays, examination

and expenses of transportation to and from his doctors; he has been required to take sedatives and drugs for his pain and suffering. Plaintiff avers that all of his injuries and damages were suffered as the proximate result of the negligence of the defendant, William Earl Malone, Jr., as aforesaid, while acting as the agent, servant or employee of the defendant, William Earl Malone, Sr., within the line and scope of his authority as such agent, servant or employee at said time and place, hence this suit.


Attorney for Plaintiff

Plaintiff demands a trial
by jury of said cause.


Attorney for Plaintiff

FILED
FEB 14 1967

RECEIVED
FEB 14 1967

64-3-29-67
+ 5-3-67

CASE NO. 7377
Hap Grey

HERMAN OVERSTREET,

#052
7132

Plaintiff,

vs.

201/101
WILLIAM EARL MALONE, SR. and
WILLIAM EARL MALONE, JR., *3/1/67*

Defendants

SUMMONS & COMPLAINT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED
FEB 14 1967
ALICE J. DUCK, CLERK
REGISTER

James R. Owen, Atty.

RECEIVED

FEB 15 1967

TAYLOR WILKINS
SHERIFF
EXECUTED

This *29* day of *Mar*, 19 *67*

by serving a copy of the within on
William Earl Malone, Jr.
RAY D. BRIDGES, Sheriff

By *J. Dry* D. S.
EXECUTED

This *3* day of *May*, 19 *67*

by serving a copy of the within on
William Earl Malone, Jr.
RAY D. BRIDGES, Sheriff

By *L. Hapkins* D. S.

RETURNED *2-27-67*

Not found in my County after diligent search and inquiry.
RAY D. BRIDGES, Sheriff

By *Y. Jackson* D. S.

REC'D SHERIFF
MOBILE COUNTY
MAR 29 5 18 PM '67

REC'D SHERIFF DEPT.
MOBILE COUNTY, ALA.
FEB 16 8 57 AM '67