

P. O. DRAWER A-J

RICHARD C. LACEY

TELEPHONE 928-2373

ATTORNEY AT LAW

FAIRHOPE, ALABAMA 36532

March 15, 1968

Mrs. Alice J. Duck
City Clerk
Circuit Court
Bay Minette, Alabama 36509

RE: Gillard M. Roberson vs.
J. M. Wilson

Dear Mrs. Duck:

Enclosed please find Answer and Cross- Complaint
in subject case.

Sincerely,


RICHARD C. LACEY

RCL/dt

GILLARD M. ROBERSON,) IN THE CIRCUIT COURT OF
Plaintiff,) BALDWIN COUNTY, ALABAMA
vs.) AT LAW
J. M. WILSON,)
Defendant.)

Comes the Defendant, J.M. WILSON, in above styled cause and files this, his answer to said Bill of Complaint, and to each and every count thereof:

1. The Defendant for answer to said complaint, saith that he is not guilty of the matters alleged therein.

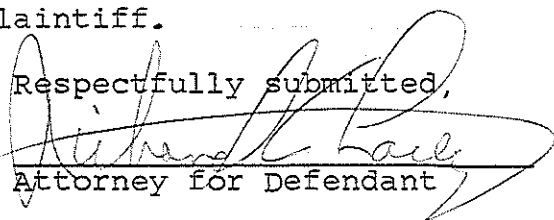
2. The Defendant, as a defense to action of the Plaintiff saith that at the time said action was commenced, the Plaintiff was indebted to him in the amount of ONE THOUSAND DOLLARS (\$1,000.00) as damages for that on, to-wit:

The 4th day of December, 1967, the Plaintiff, Gillard M. Roberson so negligently operated a motor vehicle on U. S. Highway 31 approximately one mile West of Spanish Fort in Baldwin County, Alabama as to cause or allow the same to run into, upon and against a motor vehicle of the Defendant and as a proximate result and consequence of the negligence of the Plaintiff aforesaid, the Defendant's motor vehicle was bent, broken and damaged in this: The right rear fender and rear windshield was bent and broken, the rear bumper was bent and broken, the frame was bent and the motor vehicle was otherwise bent and broken, all to the damage of the Defendant.

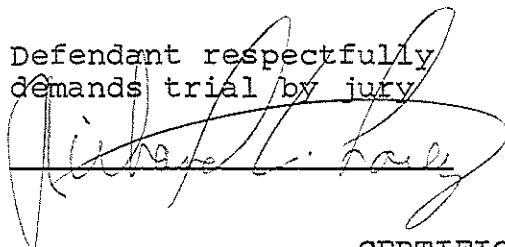
3. For further plea the Defendant says: Plaintiff was guilty of negligence which contributed proximately to the damages complained of in the Complaint, in that the Defendant was making a left turn and he halted his car and signaled his intention to make such a turn and the Plaintiff was traveling at an unsafe rate of speed and failed to heed the signal made by the Defendant and the Plaintiff ran his bechicle onto the halted vechicle of the Defendant, without any necessity for so doing, and without fault on the part of the Defendant, as a consequence of the negligence of the Plaintiff, the Plaintiff ran his vechicle into

that of the Defendant, which said negligence contributed proximately to the injuries of the Plaintiff.

The Defendant having fully answered the Bill of Complaint heretofore filed by the Plaintiff, hereby files his Counterclaim of the Plaintiff in the amount of ONE THOUSAND DOLLARS (\$1,000.00) damages for that on heretofore, to-wit: the 4th day of December, 1967, the Complainant and Cross-Defendant GILLARD M. ROBERSON so negligently operated a motor vehicle on U.S. Highway 31 approximately one mile West of Spanish Fort in Baldwin County, Alabama as to cause or allow the same to run into, upon and against a motor vehicle of the Cross-Plaintiff and as a proximate result and consequence of the negligence of the Cross-Defendant aforesaid, the Cross-Plaintiff's motor vehicle was bent, broken and damaged in this: The right rear fender and rear windshield was bent and broken, the rear bumper was bent and broken, the frame was bent and the motor vehicle was otherwise bent and broken, all to the damage of the Cross-Plaintiff.

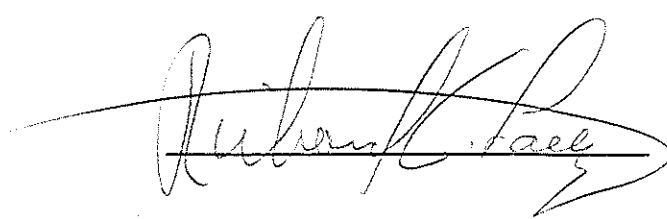
Respectfully submitted,

Attorney for Defendant

Defendant respectfully
demands trial by jury



CERTIFICATE OF SERVICE

I do hereby certify that I have on this 14th day of March, 1968, 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.



FILED

MAR 18 1968

ALICE J. DUCK CLERK
REGISTER

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. M. WILSON 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 there to answer the Complaint of GILLARD M. ROBERSON.

Witness my hand this 22 day of February, 1968.

Alvin L. Duck
Clerk

GILLARD M. ROBERSON,

Plaintiff,

vs.

J. M. WILSON,

Defendant.

X

IN THE CIRCUIT COURT OF

X

X

BALDWIN COUNTY, ALABAMA

X

AT LAW

X

no. 8008

COUNT ONE:


The Plaintiff claims of the Defendant One Thousand Dollars (\$1,000.00) as damages for that on, heretofore, to-wit: The 4th day of December, 1967, the Defendant, J. M. Wilson so negligently operated a motor vehicle on U. S. Highway Number 31 about one mile West of Spanish Fort in Baldwin County, Alabama as to cause or allow the same to run into, upon and against a motor vehicle of the Plaintiff and as a proximate result and consequence of the negligence of the Defendant aforesaid, the Plaintiff's motor vehicle was bent, broken and damaged in this: The left front fender was broken, the left door was bent and broken, the left fender was bent and broken, the windshield was bent and broken

the frame was bent, the hood was bent, the rear of the cab was bent and the motor vehicle was otherwise bent and broken, all to the damage of the Plaintiff wherefore he brings this suit and asks judgment in the above amount.

Respectfully submitted,

CHASON, STONE & CHASON

By:


Attorneys for Plaintiff

FILED

FEB 22 1968

ALICE J. DUCK CLERK
REGISTER

24/
3-4-68

VOL

63 PAGE 446

no. 8008

GILLARD M. ROBERSON,

Plaintiff,

vs.

J. M. WILSON,

Defendant.

Received 22 day of Feb. 1968
on 4 day of Mar. 1968
I served a copy of the within &c
on J. M. Wilson

service on above
Sp. Fort
TAYLOR WILKINS, Sheriff
By Roy Randall D. 3.

Sheriff claims 44 miles at
Ten Cents per mile Total 4.40
TAYLOR WILKINS, Sheriff
By Roy Randall
DEPUTY SHERIFF

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

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SUMMONS AND COMPLAINT

* * * * *

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA