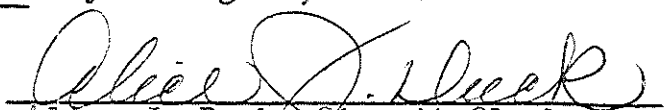


STATE OF ALABAMA     )  
                              ) To any sheriff of the State of Alabama  
BALDWIN COUNTY     )

You are hereby commanded to summon William Arnold Clark to appear within 30 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 James Harold Ewing.

Witness my hand, this 6<sup>th</sup> day of August, 1969.

  
Alice J. Duck, Circuit Clerk

\*\*\*\*\*

JAMES HAROLD EWING,	)	IN THE CIRCUIT COURT OF
	)	
PLAINTIFF	)	BALDWIN COUNTY, ALABAMA
	)	
VS	)	AT LAW       CASE NO. <u>8835</u>
	)	
WILLIAM ARNOLD CLARK,	)	
	)	
DEFENDANT	)	

COMPLAINT

The Plaintiff claims of the Defendant the sum of Fifteen Thousand Dollars (\$15,000.00) as damages for that heretofore on, to-wit: the 14th day of February, 1969 at or around 3:20 P.M., the Plaintiff was driving his motor vehicle in a westernly direction on U. S. Highway 90, the Mobile Causeway, at a point approximately 2.5 miles East of the city limits of the City of Mobile, Alabama, where he had a right to be, and the Defendant so negligently operated his motor vehicle at the aforesaid place and time, that he ran into, upon and against the Plaintiff's motor vehicle and as a proximate consequence of the aforesaid negligence, of the Defendant, on the aforesaid date and time, the Plaintiff was injured and damaged in the aforesaid collision as follows, to-wit: the Plaintiff received lacerations on his head and face and he also suffered injuries to his head, body and limbs; he was caused to lose a great deal of time from his work; his capacity to work and earn money has been permanently impaired; he has been made to incur considerable medical expenses in and about his efforts to heal and cure himself; he was caused to suffer physical pain and mental anguish and will be made to

suffer in the future; and his motor vehicle was greatly damaged, all to the great damage of the Plaintiff in the aforesaid sum and all to his detriment for which he claims.

  
Attorney for Plaintiff

Plaintiff respectfully demands a trial by jury.

  
Attorney for Plaintiff

FILED

AUG 6 1969

ALICE J. BOOK CLERK  
REGISTER

Defendant may be served at Route 1, Daphne, Alabama.

R.T. 1 Daphne

#4. Caisson ~~Trace~~  
Sp. Fort

Received 6 day of Aug 1967  
and on 3 day of Sept 1967  
I served a copy of the within Sp. Fort  
on William Arnold Clark

By service on \_\_\_\_\_

Sheriff claims 44 miles at  
Ten Cents per mile Total \$ 4.40  
TAYLOR WILKINS, Sheriff  
BY Randall  
DEPUTY SHERIFF

TAYLOR WILKINS Sheriff  
By Randall D.S.  
Sp. Fort

CECIL G. CHASON  
ATTORNEY AT LAW  
FOLEY, ALABAMA

8835  
Original

COMPLAINT

James Harold Ewing

-VS-

William Arnold Clark

CECIL G. CHASON

*Attorney at Law*

CHARLES H. SIMS III  
ASSOCIATE

August 4, 1969

P. O. DRAWER 458  
216 W. LAUREL AVENUE  
FOLEY, ALABAMA 36535  
PHONE 205/943-3171

Mrs. Alice J. Duck  
Circuit Clerk  
Baldwin County  
Bay Minette, Alabama

8835

RE: James Harold Ewing Vs.  
William Arnold Clark

Dear Mrs. Duck:

Enclosed please find the original and 1 copy of the  
Summons and Complaint in the above style cause. Please  
forward to the sheriff so that service can be perfected.

Yours very truly,

  
C. G. Chason

CGC:ec  
encs:

JAMES HAROLD EWING,	)	IN THE CIRCUIT COURT OF
PLAINTIFF	)	BALDWIN COUNTY, ALABAMA
VS	)	AT LAW CASE NO. _____
WILLIAM ARNOLD CLARK,	)	
DEFENDANT	)	

AMENDED COMPLAINT

The Plaintiff claims of the Defendant the sum of Fifteen Thousand Dollars (\$15,000.00) as damages for that heretofore on, to-wit: the 14th day of February, 1969 at or around 3:20 P. M., the Plaintiff was driving his motor vehicle in a westernly direction on U. S. Highway 90, the Mobile Causeway, at a point approximately 2.5 miles East of the city limits of the City of Mobile, Alabama, in Baldwin County, Alabama, where he had a right to be, and the Defendant so negligently operated his motor vehicle at the aforesaid place and time, that he ran into, upon and against the Plaintiff's motor vehicle and as a proximate consequence of the aforesaid negligence of the Defendant, on the aforesaid date and time, the Plaintiff was injured and damaged in the aforesaid collision as follows, to-wit: the Plaintiff received lacerations on his head and face and he also suffered injuries to his head, body and limbs; he was caused to lose a great deal of time from his work; his capacity to work and earn money has been permanently impaired; he has been made to incur considerable medical expenses in and about his efforts to heal and cure himself; he was caused to suffer physical pain and mental anguish and will be made to suffer in the future; and his motor vehicle was greatly damaged, all to the great damage of the Plaintiff in the aforesaid sum and all to his detriment for which he claims

  
Attorney for Plaintiff

Plaintiff respectfully demands a trial by jury.

  
Attorney for Plaintiff

I do hereby certify that I have on this 26th day of September, 1969, 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.

  
Attorney for Plaintiff

FILED

SEP 26 1969

ALICE J. DUCK

CLERK  
REGISTER

JAMES HAROLD EWING, : IN THE CIRCUIT COURT  
Plaintiff, : OF BALDWIN COUNTY,  
-vs- : ALABAMA  
WILLIAM ARNOLD CLARK, : AT LAW  
Defendant, : CASE NO. 8835

DEMURRER

Comes now the Defendant in the above styled cause and  
refiles its demurrer as previously filed now to the Plaintiff's  
complaint as last amended.

  
JOHN A. COURTNEY  
Attorney for Defendat

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 10...  
day of Dec..., 1969..., 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

DEC 12 1969

ALICE J. DUCK

CLERK  
REGISTER

JAMES HAROLD EWING, : IN THE CIRCUIT COURT  
Plaintiff, : OF BALDWIN COUNTY,  
-vs- : ALABAMA  
WILLIAM ARNOLD CLARK, : AT LAW  
Defendant, : CASE NO. 8835

DEMURRER

Comes now the Defendant in the above styled cause and demurs to the Plaintiff's complaint assigning as grounds for said demurrer the following separately and severally, to-wit:

1) For ought appearing from the Plaintiff's complaint this Court has no jurisdiction over the matters complained of.

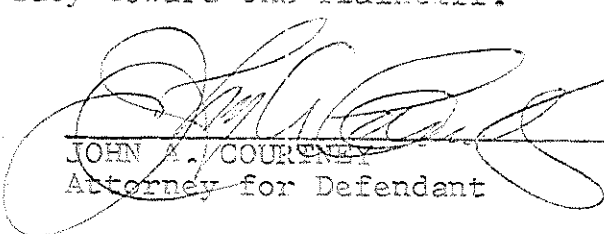
2) In the allegation of the Plaintiff that he was traveling on a road where he had the right to be is but a conclusion of the Plaintiff.

3) The Plaintiff's complaint does not state a cause of action upon which relief can be granted against this Defendant.

4) For ought appearing from the Plaintiff's complaint this action did not arise in Baldwin County, Alabama and within the jurisdiction of this Court.

5) For ought appearing from the Plaintiff's complaint there was no duty on the part of this Defendant not to injure this Plaintiff.

6) For ought appearing from the Plaintiff's complaint this Defendant breach no duty toward the Plaintiff.

  
JOHN A. COURNEY  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

I do hereby certify that I have on this Sept 9  
day of Sept, 1969, 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**

SEP 10 1969

  
ALICE J. BECK CLERK  
REGISTER

CECIL G. CHASON

*Attorney at Law*

P. O. DRAWER 458  
216 W. LAUREL AVENUE  
FOLEY, ALABAMA 36535  
PHONE 205/943-3171

June 19, 1970

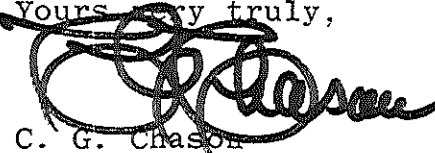
Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama 36507

Re: Ewing vs. Clark  
Case No. 8835

Dear Mrs. Duck:

The Judge has indicated on the Docket Sheet that this case is continued for settlement. The Defendant is to pay the costs of court. Please send a cost bill to Mr. John A. Courtney, Attorney at Law, P. O. Box 253, Mobile, Alabama 36601.

Yours very truly,



C. G. Chason

CGC:jc

cc: Mr. John A. Courtney

*Done  
6-22-70*