

1593

BEN SUTTON,

Plaintiff,

vs.

JOE BILLY ROBERSON,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE.

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and each and every count thereof, separately and severally and assigns the following separate and several grounds, viz:

1. Said Complaint does not state a cause of action.
2. That said Complaint does not allege whether the accident occurred in the daytime or nighttime.
3. That said Complaint does not allege the time of day or time of night that said accident occurred.
4. Said Complaint does not allege who was driving Plaintiff's automobile at the time said accident occurred.
5. That said Complaint does not allege at what point on the Old Daphne Road said accident occurred.
6. That said Complaint does not allege that the Defendant negligently injured the Plaintiff.
7. That the allegations that the Plaintiff's automobile was damaged and demolished, is but a conclusion of the pleader.
8. That said Complaint is vague and indefinite.
9. That said Complaint does not allege that the Defendant willfully or wantonly injured the Plaintiff.
10. That said Complaint does not allege that the Defendant's willful or wanton negligence was the proximate result of Plaintiff's injuries.

Pherson & Stone
Attorneys for Defendant.

DEMURRER

BEN SUTTON,

Plaintiff,

vs.

JOE BILLY ROBERSON,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE.

Filed January 10th, 1951

Wesley J. Black
Clerk.

LAW OFFICES
WESLEY J. CHASON & STONE
BAY MINETTE, ALABAMA

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1592.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOE BILLY ROBERSON

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 _____

JOE BILLY ROBERSON, Defendant

by BEN SUTTON, Plaintiff.....

Witness my hand this 21st day of December 19 50

George J. Smith, Clerk

BEN SUTTON,

Plaintiff,

vs.

JOE BILLY ROBERSON,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE. No. 1593.

Comes the Defendant in the above styled cause and moves the court to dismiss such suit and as grounds for said motion says:

1. That this court sustained the demurrer filed by the Defendant to the Complaint filed by the Plaintiff in said cause which said demurrer was sustained on February 13, 1951 and said Complaint has not been amended.


Attorneys for Defendant.

RECORDED

MOTION TO DISMISS SUIT

BEN SUTTON,
Plaintiff,

vs.

JOE BILLY ROBERSON,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
LAW SIDE.

Filed: June 1st, 1951.

Alvin J. Smith
Clerk.

BEN SUTTON

PLAINTIFF

VS

JOE BILLY ROBERSON

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

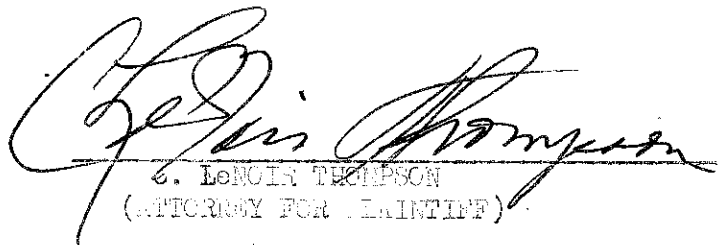
AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant the sum of THREE HUNDRED (\$300.00) DOLLARS as damages, for that heretofore, on, to-wit, October 1, 1950, Plaintiff's automobile was lawfully being driven along a Public Highway, to-wit: Old Daphne road within the corporate limits of the town of Bay Minette, in Baldwin County, Alabama, and that then and there the Defendant negligently ran an automobile into, upon or against Plaintiff's automobile, as a proximate consequence whereof, Plaintiff's automobile was damaged and demolished, a front fender being demolished, lights and head lights being demolished, grill moulding and radiator being demolished and other parts and portion of said automobile being damaged, destroyed and rendered less valuable, all to his great damage as aforesaid; said damage being the consequence of the negligence of Defendant, hence this suit.

COUNT TWO:

Plaintiff claims of the Defendants the sum of THREE HUNDRED (\$300.00) DOLLARS as damages, for that heretofore, on to-wit, October 1, 1950, Plaintiff's automobile was lawfully being driven along a Public Highway, to-wit: Old Daphne road within the corporate limits of the town of Bay Minette, in Baldwin County, Alabama, and that then and there the Defendant, willfully or wantonly ran an automobile into, upon or against Plaintiff's automobile and damaged the Plaintiff's automobile, as a proximate consequence whereof, Plaintiff's automobile was damaged and demolished, all to his great damage as aforesaid; hence this suit.


E. LENOIR THOMPSON
(ATTORNEY FOR PLAINTIFF)

RECORDED

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NO 1598

STATE
VS
JOHN WILLIAM
DANFORTH

FILE OF COMPLAINT

From the law offices of
C. Melvin Thompson
Dayton, Ohio

FILED
DEC 21 1950
ALICE J. DICK, Clerk

Received in Sheriff's Office
this 23 day of Dec, 1950
TAYLOR WILKINS, Sheriff

Executed 12-24-50
By serving copy of the
Writ upon Joe Billy
Robertson

Taylor Wilkins Sheriff
147 Hall D.S.