

459

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon R. LEON JONES MOTOR COMPANY, INC., a Corporation, 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 the same, then and there to answer the complaint of W. E. GRIFFIN, Administrator of the Estate of Rose Griffin, deceased.

WITNESS my hand this 28 day of June, 1938.

P. R. Duct
Clerk.

W. E. GRIFFIN, ^{ad} Administrator of
the Estate of Rose Griffin, de-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY,
INC., a Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

ONE: The Plaintiff claims of the Defendant TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages, for that heretofore, on to-wit, June 13th, 1938, Plaintiff's intestate was a guest in an automobile riding along a public highway, commonly known as the Montgomery-Mobile Highway, at a point approximately twelve miles North of Bay Minette, in Baldwin County, Alabama; Plaintiff avers that Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, so negligently operated an automobile truck or wrecker and equipment, on said highway, as to block or obstruct said highway at said point; Plaintiff further avers that in an effort on the part of the driver of said automobile ^{then and there} to avoid running upon, against or into said automobile truck or wrecker and equipment and thus greatly endangering the lives of the Plaintiff's intestate and the other occupants of the said automobile, the said automobile was wrecked or turned over and Plaintiff's intestate was thrown therefrom to the ground with great force, doing her great and serious bodily harm; that as a proximate consequence of said injuries, Plaintiff's intestate died;

Plaintiff avers that said injuries to Plaintiff's intestate were proximately caused by the negligence of the Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, in so operating an automobile truck or wrecker and equipment as to block or obstruct the passage along said highway at said point.

TWO: The Plaintiff claims of the Defendant TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages, for that heretofore, on to-wit, June 13th, 1938, Plaintiff's intestate was a guest in an automobile riding along a public highway, commonly known as the Montgomery-Mobile Highway, at a point approximately twelve miles North of Bay Minette, in Baldwin County, Alabama; Plaintiff avers that Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, so negligently operated an automobile truck or wrecker and equipment, on said highway, as to block or obstruct said highway at said point; Plaintiff further avers that in an effort on the part of the driver of said automobile ^{then and there} to avoid running upon, against or into said automobile truck or wrecker and equipment and thus greatly endangering the lives of the Plaintiff's intestate and the other occupants of the said automobile, the said automobile was wrecked or turned over and Plaintiff's intestate was thrown therefrom to the ground with great force, doing her great and serious bodily harm; that as a proximate consequence of said injuries, Plaintiff's intestate died;

Plaintiff avers that Plaintiff's intestate's injuries and damages were proximately caused by the negligence of the Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, in that it so negligently operated an automobile truck or wrecker and equipment as to block or obstruct said highway at said point and negligently failed to have and maintain proper signals or other warnings that said highway was so blocked or obstructed at said point, and as a proximate consequence of said negligence, the said automobile in which the Plaintiff's intestate was riding as a guest as aforesaid was wrecked or turned over, and Plaintiff's intestate injured, and as a proximate result thereof died, hence this suit.

THREE: Plaintiff claims of the Defendant TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages, for that heretofore, on to-wit, June 13th, 1938, Plaintiff's intestate was a guest in an automobile riding along a public highway, commonly

known as the Montgomery-Mobile Highway, at a point approximately twelve miles North of Bay Minette, in Baldwin County, Alabama; Plaintiff avers that Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, so negligently and unlawfully parked or left an automobile truck or wrecker on said highway at said point, in such manner that less than fifteen feet of the main traveled portion of the highway opposite the said parked or standing automobile truck or wrecker and equipment was left for the free passage of other vehicles; that in an effort on the part of the driver of said automobile ^{then and there} to avoid running upon, against or into said automobile truck or wrecker and equipment and thus greatly endangering the lives of the Plaintiff's intestate and the other occupants of the said automobile, the said automobile was wrecked or turned over and Plaintiff's intestate was thrown therefrom to the ground with great force, doing her great and serious bodily harm, and as a proximate result of said injuries she died;

Plaintiff avers that said injuries to Plaintiff's intestate were proximately caused by the negligence of the Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, so negligently and unlawfully parked or left standing the said automobile truck or wrecker and equipment, in such manner that less than fifteen feet of the main traveled portion of the highway opposite the said parked or standing automobile truck or wrecker and equipment was left for the free passage of other vehicles, and as a proximate consequence of said negligence, the said automobile in which the Plaintiff's intestate was riding as a guest, as aforesaid, was wrecked or turned over and Plaintiff's intestate was injured, and as a result thereof died, hence this suit.

FOUR: Plaintiff claims of the Defendant TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages, for that heretofore, on to-wit, June 13th, 1938, Plaintiff's intestate was a guest in an automobile riding along a public highway, commonly known as the Montgomery-Mobile Highway, at a point approximately twelve miles North of Bay Minette, in Baldwin County, Alabama; Plaintiff avers that Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, negligently and unlawfully parked or left standing an automobile truck or wrecker and equipment, on said highway, at said point, so as to block or obstruct passage along said highway; Plaintiff further avers that

in an effort on the part of the driver of said automobile, ^{then and there} to avoid running upon, against or into said automobile truck or wrecker and equipment and thus greatly endangering the lives of the Plaintiff's intestate and the other occupants of the said automobile, the said automobile was wrecked or turned over and Plaintiff's intestate was thrown therefrom to the ground with great force, doing her great and serious bodily harm, and that as a proximate consequence of said injuries, Plaintiff's intestate died;

Plaintiff avers that Plaintiff's intestate's injuries and damages were proximately caused by the negligence of the Defendant, acting by and through its agents or servants, who were then and there acting within the line and scope of their employment, in parking or leaving standing the said automobile truck or wrecker and equipment, so as to block or obstruct passage along said highway at said place and negligently failed to have and maintain proper signals or other warnings that said highway was so blocked or obstructed at said point, and as a proximate consequence of said negligence, the said automobile in which the Plaintiff's intestate was riding as a guest, as aforesaid, was wrecked or turned over, and Plaintiff's intestate injured, and as a proximate result thereof, died, hence this suit.

Becher & Becher
Attorneys for Plaintiff.

Plaintiff demands a trial by Jury.

Becher & Becher
Attorneys for Plaintiff.

*The Spring for the
 Plaintiff's case
 damages at \$2000.00
 8/11/38*

Due
RECORDED 8.559

SUMMONS AND COMPLAINT

W. E. GRIFFIN, Administrator of
 the Estate of Rose Griffin, de-
 ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY,
 INC., a Corporation,

Defendant.

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA.

Filed this 28 day of June, 1938
R. S. A. Smith
 Clerk-Register

*Entered By Serving
 copy of writ on
 O E Davis as
 Agent for R Leon
 Jones Motor Co
 July 6 1938*

*JR O'Boyle
 Sheriff
 By W W Wise
 J.S.*

Griffin, & B. Leon Jones case

Jury List, First Week, Sept. 11th, 1939

- ~~1. Hines, B. Bradley, Farmer, Blacksher~~
- (2) R. Hines Hall, Farmer, Tensaw
- ~~3. J. H. Moseley, Farmer, Stockton~~
- (4) Julius Lee Bryant, Merchant, Stockton
- ~~5. John W. Pittman, Farmer, Gateswood~~
- (6) Samuel J. Lewis, Farmer, Gateswood
- ~~7. [unclear], [unclear], [unclear]~~
- ~~8. Charles R. Wootley, Naval Stores, Paradise~~
- (9) Shelby Folmar, Farmer, Bay Minette
- ~~10. [unclear], Naval Stores, Bay Minette~~
- ~~11. [unclear], Mechanic, Bay Minette~~
- (12) E. Velpo Thomas, Farmer, Loxley
- ~~13. Conner Hobbs, Mill Man, Loxley~~
- (14) John Canaan, Merchant, Loxley
- ~~15. [unclear], Farmer, Styx~~
- ~~16. Robert C. Henley, Bookkeeper, Foley~~
- (17) Homer G. Russell, Clerk, Foley
- ~~18. George Shoemaker, [unclear], Foley~~
- ~~19. [unclear], Farmer, Elberta~~
- (20) William Miller, Oysterman, Bon Secour
- ~~21. [unclear], Farmer, Bon Secour~~
- (22) Sim Parker, Fisherman, Bon Secour
- ~~23. [unclear], Farmer, Daphne~~
- ~~24. [unclear], Theatre Operator, Fairhope~~
- (25) Roy W. Rockwell, Farmer, Fairhope
- ~~26. [unclear], [unclear], [unclear]~~
- ~~27. [unclear], [unclear], [unclear]~~
- ~~28. [unclear], [unclear], [unclear]~~
- ~~29. [unclear], [unclear], [unclear]~~
- ~~30. [unclear], [unclear], [unclear]~~
- ~~31. [unclear], [unclear], [unclear]~~
- ~~32. [unclear], [unclear], [unclear]~~
- (33) Leonard J. Hooper
- ~~34. [unclear], [unclear], [unclear]~~
- ~~35. [unclear], [unclear], [unclear]~~
- (36) Dirvon Hammond
- ~~37. [unclear], [unclear], [unclear]~~
- (38) L. J. Jordan
- ~~39. [unclear], [unclear], [unclear]~~
- ~~40. [unclear], [unclear], [unclear]~~



1701

W.E. Guffin, administrator
of the Estate of Rose Guffin,
Deceased Plaintiff

vs
R. Leon Jones Motor Com-
pany, Inc., a Corp
Defendant

In the Circuit
Court
Jackson Co
Ala
at Doer

And now comes W.E. Guffin, and for answer
to interrogatories heretofore filed
says:

1. W.E. Guffin, 39 - Mechanic - Houston at
present, formerly at Stapleton
2. Husband of Rose Guffin
3. Ed. Giles - Willie Giles
4. Ford - 1939 Model - Dont Know
Serial Number
5. Front seat and Rear seat
Three adults baby on front seat
two in rear seat -
Willie Giles - Rose Guffin, Ella Giles
Louise Guffin on front seat
W.E. Guffin and Earl Guffin in rear
seat
6. Willie Giles driving - Rose Guffin on
middle - Ella Giles on right

7. on front seat

8. Millie Greer

9. see next page

10. Not more than 25 miles

11. Monroeville to Hephata

12. 1929 Model - Brakes in good Condition

13. yes - Marlott, Ala - about month before accident - Brakes had been adjusted day of accident

14. W. E. Griffie

14. Brakes applied before - Car turned and Rose Griffie thrown through top.

W E Griffie

Sworn to & subscribed
before me this the
12 day of Sept 1937

P Beebe
JP P. Beebe

Myanelli



Highway
#21

Road to Paradise

Almore

THE STATE OF ALABAMA
BALDWIN COUNTY

No. 459

CIRCUIT COURT

Judgment

Term, 193⁹

VS.

DEAR SIR: At the

Term, 1937, of the Circuit Court of said County,

recovered a judgment against

for the sum of Five Thousand + 421.00 (\$5,421.00) Dollars

besides _____ Dollars, cost of suit, and execution
was duly issued thereon, commanding any Sheriff of the State that he cause to be made of the goods and chattels, land and tene-
ments of said _____ P. Son James Robert B. A. B. C. -

the amount of the judgment and costs, and the Sheriff has returned said exception indorsed, "No Property Found," and the costs have never been paid. In order to save you the additional expense of an execution against you, I herewith inclose an itemized statement of the costs which have accrued in said cause, and respectfully request that you will, on receipt of this, remit the amount. If I do not hear from you in a few days I will forward the execution to the Sheriff of your County for collection.

Respectfully yours,

_____, Clerk.

CLERK'S FEES		@	Amount	SHERIFF'S FEES		@	Amount
1	Issuing Summons and Complaint,	\$1.25	125	1	Levying Attachment,	\$3.00	
2	Issuing copies thereof,	30	30	2	Entering and returning Attachment,	25	
3	Making every copy thereof, when over 200 words, per 100 words	15	20	3	Summoning garnishee and return,	1.50	150
4	Entering Sheriff's return or copy thereof	20	20	4	Serving Summons and Return,	1.50	
5	Docketing cause, to be charged but once,	25	25	5	Serving Subpoenas,	65	39 00
6	Entering Appearance	20	20	6	Impaneling jury,	75	75
7	Filing pleas, demurrer and other pleadings, for each,	10	10	7	Making deed,	2.50	75
8	Every trial, with or without jury, and its incidents, not including judgments by default, or nil dicit,	75	75	8	Serving Summons, forcible entry, etc.,	1.50	
9	Entering Continuance, (each)	10	10	9	Executing writ of restitution or possession,	5.00	
10	Entering Judgment, (each)	30	30	10	Collecting, execution for cost	1.50	
11	Entering any other order of Court (each)	30	30	11	Serving Sci. Fa. notices, etc.,	1.50	
12	Issuing Scire Facias, or notice in the nature thereof, (each)	75	75	12	Serving any summons not provided for and return,	1.50	150
13	Issuing Execution or copy thereof; (each)	50	50	13	Serving attachment for contempt,	1.50	
14	Entering return, or copy thereof, for each 100 words, 15 cents; but in no case less than	20	20	14	Taking and approving bond,	1.00	
15	Recording award of arbitrators, referees, auditors, etc., for each 100 words,	15	15	15	Seizing personal property in detinue,	3.00	
16	Issuing execution or attachment thereon, and entering return,	1.00		16	Collecting money under execution, 5% first \$200.00; 4% to \$500.00; 3% all over \$500.00,		
17	Taking bond for certiorari supersedeas, or appeal, or copy thereof and filing same,	75	75	17	Selling property attached, same for selling under execution,		
18	Issuing Subpoenas for Witness, (each)	30	30	18	Former Sheriff's fees,		4275
19	Administering an oath, not relating to a trial pending and certifying the same,	25					
20	Issuing Attachment and taking bond, (ea.)	1.00					
21	Filing papers in attachment, (each)	10					
22	Issuing Summons for garnishee, (each)	50					
23	Swearing and taking examination for Garnishee and recording same, for each 100 words 15 cts; but not less than	50					
24	Order to advertise, or order of survey, or copy thereof,	50					
25	Certificate of Judgment,	50					
26	Recording each surveyor and surveyor's report or copy thereof, each 100 words 15 cts; but not less than,	25					
27	Issuing Commission to take depositions, or copy thereof,	75					
28	Making copy of interrogatories accompanying commission,	50					
29	Or for each 100 words,	15					
30	Filing packages of depositions, (each)	10					
31	Indorsing package of deposition, opened (each),	10					
32	Issuing writ of ad quod damnum or writ in the nature thereof,	75					
33	Recording the return and inquest thereon,	50					
34	Or for each 100 words,	15					
35	Issuing Writ of certiorari, prohibition, mandamus, or writ in the nature thereof,	75					
36	Filing the same and entering return,	15					
37	Making a complete record of a cause or copy thereof, for each 100 words,	15					
38	Making copy of any paper not herein provided for, for each 100 words,	15					
39	Making each certificate requiring the seal of office, and affixing seal,	50					
40	Taking any bond not otherwise provided for,	75					
41	Making necessary certificates not otherwise provided for, (each witness),	25					
42	For certifying abstract, in lieu of fees for transcript under section 2351 of the Code,	5.00					
43	Record for Supreme Court, for each 100 words	15					
44	Each additional copy thereof, each 100 words	05					
45	Collecting money on judgments wherein said judgment has not been paid within 30 days after rendition, one half the per cent allowed sheriffs for same services for collecting money on executions,						
Total Clerk's Fees,				Total Sheriff's Fees,			
4065				4275			
				RECAPITULATION			
				4065			
				4275			
				3260			
				300			
				219 00			
				500 00			
				719 80			
				Grand Total,			

W. E. GRIFFIN, Administrator
of the Estate of Rose Griffin,
deceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

DEMURRER.

Comes the Defendant in the above entitled cause and demurs to each count of the Complaint filed herein, separately and severally, and for grounds of demurrer sets down and assigns separately and severally, the following:

1. That it does not state facts sufficient to constitute a cause of action against the defendant.

2. For that negligence is therein alleged merely as a conclusion of the pleader.

3. For that it is vague, indefinite and uncertain, in that it does not apprise this defendant with sufficient certainty against what act or acts of negligence defendant is called on to defend.

4. For that it does not appear with sufficient certainty what duty, if any, defendant may have owed to the plaintiff.

5. For that it does not appear with sufficient certainty wherein defendant violated any duty it may have owed to the Plaintiff.

6. For that it does not sufficiently appear that the Defendant owed any duty to the Plaintiff which Defendant negligently failed to perform.

7. For that the averments set up, if true, do not show any liability on the part of the Defendant herein.

8. For that the pleader sets out in what said negligence consisted, and the facts so set out do not show negligence.

9. For that there does not appear sufficient causal connection between Defendant's said breach of duty and Plaintiff's injuries and damages.

10. It affirmatively appears that the alleged negligence on the part of the Defendant was not the proximate cause of the injury.

11. It affirmatively appears that there was an intervening, direct and efficient cause with which the Defendant was not connected that produced the injury.

12. It affirmatively appears that the Deceased was charged with notice of the situation and condition of Defendant's wrecker in time to have avoided the collision by the exercise of reasonable care or precaution.

13. For aught that appears the Deceased ascertained the dangerous condition of Defendant's wrecker in ample time to have avoided the accident but failed to exercise reasonable care or precaution to avoid same.

14. For aught that appears the Deceased continued to be guilty of negligence after discovering her peril or danger and such subsequent negligence was the proximate cause of her injury and death.

15. Because, for aught that appears the Deceased, by the exercise of reasonable care, could have avoided her injury and death.

16. No facts are alleged to show that the alleged negligence of the Defendant proximately contributed to the alleged injury and death.

17. Because the averment "that said injuries to Plaintiff's intestate were proximately caused by the negligence of the defendant" is but the conclusion of the pleader and no facts are averred to sustain such conclusion.

18. No sufficient facts are alleged to show that Defendant or his agents, servants or employees were guilty of any

negligence which proximately contributed to the alleged injury and death.

Richard H. Muritt

J. B. Blackburn

Attorneys for Defendant.

8-261

DEMURRER.

W. E. GRIFFIN, Administrator
of the Estate of Rose Griffin,
deceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

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

Filed Aug 5/35
J. B. Blackburn
clerk

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

W. E. GRIFFIN, Administrator of
the Estate of Rose Griffin, De-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

And now comes the Plaintiff in the above styled cause and for demurrer
to the Pleas 2, 3, 4, 5, 6, 7, 8, and to each, separately and severally, says:

1. That said plea sets out no facts which constitute a defense to
the Plaintiff's cause of action.
2. That said plea attempts to charge the decedent with the negligence
of the driver of the automobile without setting out any grounds therefor.
3. That said plea attempts to impute the negligence of the driver of
the automobile to the decedent without showing a sufficient relationship between
the decedent and the driver of the car.
4. That said plea fails to aver or show that the decedent negligently
did or omitted to do anything.
5. That the said plea fails to aver that the decedent had any control
over the automobile in which she was riding.
6. That said plea fails to allege or aver that the decedent had any con-
trol over the driver of the automobile in which she was riding.
7. That said plea fails to show that the decedent had charge or control
of the operation of the automobile in which she was riding.
8. That said plea alleges negligence as a mere conclusion without sett-
ing up facts to support the averment.
9. That the facts set out in said plea are the conclusion of the pleader
and do not of themselves constitute a defense to the Plaintiff's cause of action.
10. That the said plea fails to allege or aver that the decedent knew and
appreciated the danger set out in said plea and voluntarily put herself in the way
of it.
11. That said plea fails to allege that the decedent appreciated or was
conscious of the danger that might result from the acts or conditions set out in
said plea.
12. That said plea fails to aver that the decedent appreciated the danger
under the surrounding conditions and circumstances and did not exercise reasonable

care in the premises and with such knowledge and appreciation put herself into the way of danger.

Bertha Lacey Beck
Atty for Plaintiff

Record 8: 418

DEMURRERS:

W. E. GRIFFIN, Administrator
of the Estate of Rose Griffin,
Deceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY,
INC., a Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Filed this 9/8/38.

J. W. Ware

Judge.

*Reported by [unclear]
9/8/38 J. W. Ware*

[Signature]

W. E. GRIFFIN, Administrator of
the Estate of Rose Griffin, de-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

INTERROGATORIES PROPOUNDED TO THE DEFENDANT UNDER ARTICLE 10,
CHAPTER 290, OF THE 1923 CODE OF THE STATE OF ALABAMA:

1. Please state the name, address, and where incorporated.
2. Please state whether or not you sent a wrecker and equipment to
a point on the Montgomery-Mobile Highway, about twelve miles North of Bay Minette
and near Perdido, in Baldwin County, Alabama, to rescue a wrecked automobile, on
the afternoon of June 13th, 1938.
3. If you state that you did so send wrecker, please state who was in
charge of the wrecker and the rescuing of said wrecked automobile.
4. Please state the type of equipment used in rescuing the said wrecked
automobile.

Robert Hall Beebe
Attorneys for Plaintiff.

STATE OF ALABAMA,)

BALDWIN COUNTY.)

Before me, the undersigned authority, in and for said County, in said State,
personally appeared HUBERT M. HALL, who is known to me and who having been first
duly sworn, deposes and says, that he is attorney of record for the Plaintiff in the
above styled cause; that true answers to the above and foregoing interrogatories
will be material testimony for the Plaintiff in said cause.

Hubert M. Hall

Sworn to and subscribed before
me this 28th day of June, 1938.

O'Bron Jones
Notary Public, Baldwin County, Ala.

Wine
Civil Record
RECORDED 8- 418-19

INTERROGATORIES:

W. E. GRIFFIN, Administrator
of the Estate of Rose Griffin,
Deceased,

Plaintiff,

VS.

R. LYON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

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

Filed this 28 day January 1938

A. S. Davidson
Clerk-Register

Entered by Lewis copy of writ and \$ Bond
as agent for R. Lyon Jones motor co
Jury 6-1938
J.R. Rely
s. Thrush
Jury in the case
485

Executed By Serving copy of writ on d & Davis
agent for R Leon Jones motor Co
July 6 1938

JR Roby
By W W Wise
SS

RECORDED 5-418-19

INTERROGATORIES:

W. E. GRIFFIN, Administrator
of the Estate of Rose Griffin,
Deceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Filed this 28 day December 1938

R. E. Davidson,
Clerk-Registrar

W. E. GRIFFIN, Administrator of
the Estate of Rose Griffin, de-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

AMENDED PLEAS.

Now comes the Defendant in the above cause, and for
amended pleas to counts 1, 2, 3 and 4 of the Complaint, each separ-
ately and severally says as follows:

1. Not guilty.

2. The Defendant says that the said Rose Griffin, de-
ceased, at the time and place of the alleged accident, was guilty of
negligence which proximately contributed to her alleged injury in that
she knew, or by the exercise of ordinary care could have known in ample
time to have warned the driver, that the Ford Coupe in which she was
riding was overloaded and that it was being operated over a public
highway with brakes that were inadequate to control the movement of
and to stop and hold such vehicle and without two separate means of
applying the said brakes to at least two wheels and was not so con-
structed that no part which was liable to failure should be common
to two, and notwithstanding the knowledge thereof on the part of the
said Rose Griffin, she negligently failed to give any warning to the
driver of said vehicle of the said carelessness on his part.

3. The Defendant says that the said Rose Griffin,
Deceased, at the time and place of the alleged accident, was guilty
of negligence which proximately contributed to her alleged injuries
in that she knew that the Ford Coupe in which she was riding was
loaded with five or more people; that it was being driven with de-
fective brakes and at a speed which greatly exceeded fifteen miles
per hour at a highway intersection where the driver's view was ob-

structed and that notwithstanding the knowledge thereof on the part of the said Rose Griffin, she negligently failed to give any warning to the driver of said vehicle of the said carelessness on his part although she had ample time to do so after she knew or by the exercise of reasonable care and diligence could have known, that an accident was imminent.

4. The Defendant says that the said Rose Griffin, Deceased, at the time and place of the alleged accident, was guilty of negligence which proximately contributed to her alleged injuries in that she knew in ample time to have warned the driver and saw that the Ford Coupé in which she was riding contained five or more people; that its brakes were defective and that its driver was driving at an excessive rate of speed and negligently failed to give any warning to the driver of said vehicle of the said carelessness on his part.

5. The said Rose Griffin, Deceased, at the time and place of the alleged accident, was guilty of negligence which proximately contributed to her alleged injuries in that in ample time to warn the driver she knew and saw that the driver of the car in which she was riding was driving at a speed which exceeded fifteen miles per hour when approaching within fifty feet of an intersection of the paved Perdido Highway with U. S. Highway Number 31 where said accident occurred, when the said driver's view was obstructed and she negligently failed to give any warning to the driver of said vehicle of the said carelessness on his part or of the apparent dangers.

6. The Defendant says that the said Rose Griffin, Deceased, voluntarily assumed the risks of the injuries which she received in this, to-wit: That the deceased, her brother, her husband, and two or more other persons, on the afternoon on which the said deceased was injured, went together in a Ford Coupe automobile driven by a brother of the deceased, to attend the funeral of the deceased's grandmother and were returning therefrom; that the said automobile had only one main seat and one rumble seat, and that the driver and

at least two other persons were seated upon the said main seat, and that the said deceased at the time and place of the said accident voluntarily rode in the said car with knowledge that it was overloaded as aforesaid; and that it had defective brakes and she continued to ride in it while it was in such condition and while it was being driven at a reckless, dangerous and excessive speed which resulted in the alleged injuries to the deceased. Defendant avers that the said deceased, with knowledge that the said car was loaded above its capacity, that it was being operated with defective brakes and at an excessive rate of speed, and with knowledge that the highway over which the car was being driven was frequently used by automobiles, other vehicles and pedestrians, willingly and voluntarily rode in such car at the time and place of the said accident under such conditions and with the said knowledge without complaint or warning to the driver of same and thereby assumed such risks which proximately contributed to the injuries complained of.

7. The Defendant says that the said Rose Griffin, Deceased, at the time and place of the said accident, voluntarily assumed the risks of the injuries which she received in this: That she knew in ample time to warn the driver of said vehicle and saw, or by the exercise of ordinary care could have known and seen that the driver of the car in which she was riding was driving at a speed which exceeded fifteen miles an hour when approaching within fifty feet of and in traversing the intersection of the paved Perdido Highway with U. S. Highway 31 where the alleged accident occurred when the said driver's view was obstructed and she failed to exercise such care by not doing anything toward stopping the car or making the driver of the car in which she was riding slow down to a speed of fifteen miles an hour or to remove herself from such danger and willingly and voluntarily rode in such car at the time and place of the said accident under such conditions and with the knowledge thereby assumed such risks which proximately contributed to the alleged injuries complained of.

8. The Defendant says that the said Rose Griffin,

Deceased, voluntarily assumed the risks of the injuries which she received in this: That she knew in ample time to warn the driver or take other action to protect herself, and saw, or by the exercise of ordinary care could have known and seen that at the time and place of the alleged accident the car in which she was riding was being operated over a public highway with brakes that were inadequate to control the movement of and to stop and hold the said vehicle and without separate means of applying said brakes to at least two wheels and was not so constructed that no part which was liable to failure should be common to two, and failed to exercise such care by not doing anything toward removing herself from such position of danger, and willingly and voluntarily rode in such car without complaint at the time and place of the alleged accident under such conditions and with such knowledge thereby assumed such risks, which proximately contributed to the injuries complained of.

J. B. Blackburn

H. H. Meritt

Attorneys for Defendant.

Corrected Record
RECORDED 6-7-17

AMENDED PLEAS.

W. E. GRIFFIN, Administrator of
the Estate of Rose Griffin, de-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Filed Sept 8th, 1938
J. W. Hare
Judge

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

W. E. GRIFFIN, Administrator of
the Estate of Rose Griffin, de-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

INTERROGATORIES TO BE PROPOUNDED TO W. E. GRIFFIN,
ADMINISTRATOR OF THE ESTATE OF ROSE GRIFFIN, DECEASED,
UNDER SECTION 7764 OF THE 1923 CODE OF ALABAMA.

1. State your name, age, occupation and residence.
2. State the relationship, if any, by marriage or other-
wise, at the time of the accident complained of and at the time of
her death, to you individually, *of said Rose Griffin*
3. State in whose automobile the said Rose Griffin was
riding at the time of the alleged accident and who was driving it?
4. Give the make, model and serial number of said auto-
mobile.
5. Did the said automobile have one or two seats and
how many persons were riding in same at the time of said alleged
accident, and give the names, ages and relationship to you, if any,
of all of said persons.
6. State in detail how and in what part of the said
automobile each and all of said persons were sitting and riding at the
time of said alleged accident.
7. Was the said Rose Griffin on a front or back seat at
said time?
8. State who was the driver of the said automobile at
the time and place of said alleged accident.
9. Attach to your answers to these interrogatories a
diagram showing the location of roads, the location of the car in
which Rose Griffin was riding, the location of the automobile truck
or wrecker and equipment of defendant, and the intervening distance
or distances at the time of said alleged accident.

10. At what rate of speed was the car in which Rose Griffin was riding traveling at the time of the alleged accident and what was the occasion or purpose of the trip?

11. Where did you leave from and where were you going at the time the alleged accident occurred?

12. What was the age of the car in which you were then riding and what was the condition of its brakes?

13. Had said car been repaired prior to the said accident and if so who did the last work or repairs thereon? Give the address of the person making such repairs.

14. Explain in detail how or in what manner the said Rose Griffin was thrown from the automobile in which she was riding at the time and place complained of.

Richard H. Merritt

J. B. Blackburn
Attorneys for Defendant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Ora Sirmon, a Notary Public, within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is one of the attorneys for the Defendant in the above entitled cause and that the answers to the foregoing interrogatories, if well and truly made, will be material testimony for the Defendant in the said cause.

J. B. Blackburn
Sworn to and subscribed before me on
this the 7th day of July, 1939.

Ora Sirmon
Notary Public, Baldwin County, Alabama.

Service accepted this July 7th 1939
Beckwith & Beckwith
Atty for Plaintiff

RECORDED Vice Trial Record
8-419-20

INTERROGATORIES TO BE PROPOUNDED
TO W. E. GRIFFIN, ADMINISTRATOR
OF THE ESTATE OF ROSE GRIFFIN,
DECEASED, UNDER SECTION 7764 OF
THE 1923 CODE OF ALABAMA.

W. E. GRIFFIN, ADMINISTRATOR OF
THE ESTATE OF ROSE GRIFFIN, DE-
CEASED,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
A CORPORATION,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

(Attorneys at Law)

Filed July 7, 1934
R. S. Clark, Clerk
By: Pauline Thompson, Deputy

W. E. GRIFFIN, Administrator of
the Estate of Rose Griffin, de-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

ANSWERS TO INTERROGATORIES.

1. The name of the Defendant company is R. Leon Jones Motor Company, Incorporated. Its address is Atmore, Alabama, and it is incorporated in the State of Alabama.

2. Yes.

3. Hugo Esneul, Jr.

4. Ford V-8 one and one-half ton truck with regular chain derrick lift.

R. LEON JONES MOTOR COMPANY, INC.,

By Hugo Esneul, Jr.

As its Secretary and Treasurer.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared Hugo Esneul, Jr., who, after being by me first duly and legally sworn, deposes and says: That he is Secretary and Treasurer of the R. Leon Jones Motor Company, Inc., a Corporation; that he has personal knowledge of the answers to the foregoing interrogatories; that he is authorized to make them as an officer of the said corporation and that the same are true.

Sworn to and subscribed be-
fore me on this the 11th day of April, 1939.

Oscar L. Linn
Notary Public, Baldwin County, Alabama.

RECORDED

civil trial 230

ANSWERS TO INTERROGATORIES.

W. E. GRIFFIN, Administrator of
the Estate of Rose Griffin, de-
ceased,

Plaintiff,

VS.

R. LEON JONES MOTOR COMPANY, INC.,
a Corporation,

Defendant.

Filed September 12, 1929

R.S. Deal, Clerk

By - Arthur Hargrove, Deputy

J. B. BLACKBURN

ATTORNEY AT LAW

BAY MINETTE, ALABAMA

CIVIL SUBPOENA---ORIGINAL---In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred
Moore Printing Co. Bay Minette, Ala.

The State of Alabama,
Baldwin County

S. D. Page No. _____

Case No. 459

CIRCUIT COURT

Sept

Term, 1938

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

W. C. Miles, Ella M. Miles, Clyde

Little, Wilma White, Thomas Coleman, J. A. McKezie,

H. L. Clark, Herbert D. McEwen

if to be found in your County, at the instance of the

plaintiff

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 15 day of Sept 1938, and from day to

day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain

cause pending, wherein

W. E. Druppin, am -

Plaintiff

and R. Leon Jones Motor Co. Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this

5

day of

September

, 1938

R. S. DUCK

clerk, register

CLERK.

By Pauline Thompson
Deputy

Received in office this _____ day of

193_____

SHERIFF

I have executed this writ

In full this 13th
of sept 38

[Handwritten signature]

M. W. Delaine

SHERIFF

O. R. D. S.

Sordias V
Baldwin County

ORIGINAL

No. *459*

Page _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

W. E. Driggins, Adm -

Plaintiff

VS.

R. Lee Jones Motor
Co.

Defendant

CIVIL SUBPOENA

Issued this *5* day of

Sept

193*8*

R. S. DUCK

clerk, - register

By

Stanley Thompson

Clerk.

Deputy

CIVIL SUBPOENA--ORIGINAL--In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred
Moore Printing Co. Bay Minette, Ala.

The State of Alabama,
Baldwin County

S. D. Page No. _____

CIRCUIT COURT

Case No. 439

Sept. Term, 1938

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Dr. J. O. Linsley

if to be found in your County, at the instance of the

plaintiff

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 16 day of Sept 1938, and from day to

day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain

cause pending, wherein

W. E. Huggins,

Plaintiff

and R. Low Jones Motor Co - Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this

5

day of

September

, 1938

R. S. DUCK

clerk, - register

CLERK.

By

Arthur Thompson
Deputy

Received in office this _____ day of

193_____

SHERIFF

I have executed this writ

By serving serving
copy on Dr
J. D. Lescuyer

9/7/38

SHERIFF

Escambia County

ORIGINAL

No. 459

Page (29)

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

W. E. Griffin

Plaintiff

VS.

R. L. Jones Motor
Co.

Defendant

CIVIL SUBPOENA

Issued this 5 day of

Egt
R. S. DUCK
clerk, - register

1938

By Hattie Thompson
Deputy Clerk.

CIVIL SUBPOENA--ORIGINAL--In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred
Moore Printing Co. Bay Minette, Ala.

The State of Alabama,
Baldwin County

S. D. Page No. _____

Case No. 459

CIRCUIT COURT

Sept Term, 1938

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

H. M. Busby, J. F. Taylor,

~~David A. H. H.~~ H. L. Clark

if to be found in your County, at the instance of the Deft
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,
by 8:30 o'clock of the forenoon, on the 15 day of Sept 1938, and from day to
day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain
cause pending, wherein W. E. Driffin, Adm. Plaintiff
and R. L. Jones Motor Co. Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this 9 day of Sept 1938

R. S. DUCK

clerk, register

By Samuel Thompson
Deputy

Received in office this _____ day of

193_____

SHERIFF

9-10-38
I have executed this writ

*to serve in
Hall*

[Signature]

M. H. Wilkins
B. J. Kinson
SHERIFF
[Signature]

Depts

Baldwin

ORIGINAL

No. 459

Page 31

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

W. E. Griffin, Adm.

Plaintiff

VS.

R. Lee James, notes

vs.

Defendant

CIVIL SUBPOENA

Issued this 9 day of

Sept
1938

R. S. DUCK

clerk, - register

By *Santhia Thompson* Clerk.
Deputy

Exhibit
CIVIL SUBPOENA--ORIGINAL--In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred
Moore Printing Co. Bay Minette, Ala.

The State of Alabama,
Baldwin County

S. D. Page No. _____

CIRCUIT COURT

Case No. 459

Free Term, 1938

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

B. J. Barron, Jr. Jones Motor Co., Almore,
L. O. Buelsch, Almore; Frank Bryan, Jr. & H.
Earnest, Jr. Jones Motor Co., Almore - Bayl. McMill.

if to be found in your County, at the instance of the Plt.

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 15 day of September 1938, and from day to

day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain

cause pending, wherein

W. C. Driffin, Adm.

Plaintiff

and

R. Leon Jones, Motor Co.

Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this 9 day of Sept

1938

R. E. DUCK

clerk, - register
CLERK.

By Samuel H. Thompson
Deputy

Received in office this _____ day of

193_____

SHERIFF

I have executed this writ

In full
9/1/38

[Signature]

J. R. Brady
W. H. Brown

SHERIFF

Escambia Co.
D. L.

Escambia

Dyke

ORIGINAL

No. *459*

Page *(30)*

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

W. E. Griffin, Adm.

Plaintiff

VS.

R. Leon Jones

Martin Co.

Defendant

CIVIL SUBPOENA

Issued this *9*

day of

Sept

193 *8*

R. S. DUCK

clerk, register

Clerk.

W. H. Brown

Deputy

Baldwin

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.

Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No.

Case No. *459*

CIRCUIT COURT

Fall Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *D. M. Bush, J. T. Taylor, Bayle M. Gill,*
D. L. Clark, Thos. Coleman, Vivian Stanton, Vesta Mae
Jones, John Swartzinger, & Mrs. Vivian Stanton

if to be found in your County, at the instance of the *Defendant*

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by *8:30* o'clock of the forenoon, on the *12* day of *September* 193*9*

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein *W. E. Griffin, Adm.* Plaintiff

and *R. L. Jones Motor Co.* Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this *30* day of *Aug* 193*9*

R. S. DUCK
Clerk, Register

Clerk.

By *Thelma Thompson*
Deputy

Received in office this.....3/1st day of

Aug 1937

W.R. Stuart
Sheriff.

I have executed this writ

G.M. Bush 9-6
J.F. Taylor 9-6
Boyd McGill 9-6
G.L. Clark - 9-6
Thos Coleman ✓ 9-6
Virian Stanton dead
Vista Mae Jones (atm) 9-1-39
John Swatinger 9-6
Mrs Virian Stanton 9-6

W.R. Stuart
Sheriff.

Baldwin
ORIGINAL

No. 459

Page.....

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

W.E. Griffin, Adm

Plaintiff

VS.

Jones Motor Co

Defendant

CIVIL SUBPOENA

Issued this..... day of

193.....

R. S. DUCK
clerk - registrar

By

Clerk.

Escambia

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.

Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No.....

Case No. *459*

CIRCUIT COURT

Fall Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *B. D. Barron, F. A. Bullock, Frank*
Bryson, Jr., H. Emanuel, Jr.,
Atmal

if to be found in your County, at the instance of the *Defendant*
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,
by *8:30* o'clock of the forenoon, on the *12* day of *September* 193*9*
and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to
say, in a certain cause pending, wherein *W E Griffin, Adm* Plaintiff
and *R. L. Jones Motor Co -* Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this *30* day of *Aug* 193*9*

Clerk.

William Thompson

Received in office this 31 day of

Aug 1939
W.R. Stuart
Sheriff.

I have executed this writ

B. J. Barron
J. A. Bullock
Frank Bryant Jr
H. Esmeel Jr

9-5

O. R. Emmons
P. W. Emmons Sheriff.

Exemptions

Defendants'

ORIGINAL

No. 459

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

W. E. Driffin, Adm

Plaintiff

VS.

Genes Motor Co -

Defendant

CIVIL SUBPOENA

Issued this day of

193.

W. A. DUCK

Clerk.

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred. Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA
BALDWIN COUNTY

S.D. Page No.

CIRCUIT COURT

Case No. 459

Fall Term, 1939

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon W. C. Giles, Ella M. Giles, Clyde Little, Hilary White, Thomas Coleman, J. A. McKenzie, G. L. Clark, Herbert D. Mc Blue

if to be found in your County, at the instance of the plaintiffs

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 12 day of September 1939

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein W. E. Griffin, Adm. Plaintiff

and R. Lion Jones Motor Co. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 20 day of Aug 1939

R. S. DUCK

Clerk - register

Clerk.

By Martha Thompson
Deputy

Received in office this 31st day of

Aug 1939

W. R. Stuart
Sheriff.

I have executed this writ

W. C. Giles 9-✓
Ella M. Giles 9-✓
Clyde Little ✓
Hilary White ✓
Thomas Coleman ✓
J. A. M^cKenzie ✓ K
G. L. Clark ✓
Hubert O^c Lee ✓

W. R. Stuart
Sheriff.

Baldwin
ORIGINAL plaintiff's

No. 459

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

W. E. Griggin, Clerk

Plaintiff

VS.

Jones Motor Co.

Defendant

CIVIL SUBPOENA

Issued this _____ day of

1939

R. S. DUCK

clerk, - register

By

Clerk.

Escambia County

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.

Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No.

Case No. 459

CIRCUIT COURT

Spring Term, 1939

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon B. J. Barron, Y. A. Bullock, Frank
Bryars, Jr., H. Camel, Jr., J. Atmore, Ala

if to be found in your County, at the instance of the Defendant

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 11th day of April 1939

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein W. E. Griffin, Adm. Est. Rose Griffin, Deceased Plaintiff

and R. L. Lumsden Motor Co. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 16 day of March 1939.

R. S. DUOK

clerk, - register Clerk.

By Samuel C. Thompson
Deputy

Received in office this 16th day of

March 1939
W.R. Stuart
Sheriff.

I have executed this writ

by serving in full.

3-30

C.R. Emmons
By C.R. Emmons D.S.
Sheriff.

Escambia County

ORIGINAL

No. 459

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

W.E. Druggin, Adm. Est.
Rose Druggin, Deceased

Plaintiff

VS.

R. Leon Jones Motor Co.

Defendant

CIVIL SUBPOENA

Issued this 16 day of

March 1939

R. S. DUCK

clerk, register

Clerk.

R. S. DUCK

Deputy

~~CIVIL SUBPOENA ORIGINAL~~ In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.

Moore Printing Co. Bay Minette, Ala.

The State of Alabama,
Baldwin County

S. D. Page No. _____

Case No. 459

CIRCUIT COURT

Spring

Term, 193 9

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

John Swartzinger (Perdido)

Rev. Vivian Stanton (Perdido)

if to be found in your County, at the instance of the

Defendant

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 11th day of April, 193 9, and from day to

day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain

cause pending, wherein

W. R. Griffin

Plaintiff

and

R. Leon Jones

Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this

8

day of

April

, 193 9

R. S. Duck

CLERK.

Received in office this 4-10 day of

1937

W.R. Stuart

SHERIFF

I have executed this writ

Served full

BK

[Signature]

W.R. Stuart

SHERIFF

ORIGINAL

No. 459

Page _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

W. R. Griffin, et al

Plaintiff

VS.

R. Dean Jones, et al

Defendant

CIVIL SUBPOENA

Issued this 8th day of

April

1937

A. S. Duck

Clerk.

Baldwin County

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.

Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No.

Case No. *459*

CIRCUIT COURT

Spring Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *D. M. Bush (Stapleton)*, *J. F. Taylor (Stapleton)*,
Rayl. M. Dill (Perdido), *G. L. Clark (Perdido)*, *Thomas Coleman (Perdido)*,
William Stanton (Perdido), *Vesta Mae James (Perdido)*, *Hugo Esnell*

if to be found in your County, at the instance of the *Defendant*
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,
by *8:30* o'clock of the forenoon, on the *11th* day of *April*, 193*9*
and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to
say, in a certain cause pending, wherein *W. L. Griffin, Adm. Est. Rose Griffin, &c.* Plaintiff
and *R. Leon Jones, Noter Co., a corp.* Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this *16* day of *March*, 193*9*.

R. S. DUCK

clerk, - register Clerk.

By *Sanctus Thompson*
Deputy

Received in office this 16th day of

March 1939

W.R. Stuart

Sheriff.

I have executed this writ

in full

4-6-39

[Signature]

W.R. Stuart

Sheriff.

B.K.
a.p.p.

Baldwin County

ORIGINAL

No. 429

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

W.E. Griffin, Adm. Est.

Rose Griffin, Decedent

Plaintiff

VS.

R. Lee Jones Motor Co.

a corp.

Defendant

CIVIL SUBPOENA

Issued this 16 day of

March 1939

R.S. DUCK

clerk register

Clerk.

[Signature]

Eacambias
CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena,
or within five days after adjournment of Court, else he will be barred. Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA
BALDWIN COUNTY

S.D. Page No.

Case No. *459*

CIRCUIT COURT

Spring Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *Vita Mae Jones*

if to be found in your County, at the instance of the *Dept*
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,
by *8:30* o'clock of the forenoon, on the *11* day of *April* 193*9*
and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to
say, in a certain cause pending, wherein *W.E. Bruggin, Adm.* Plaintiff
and *Lean Jones Motor Co.* Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this *16* day of *March* 193*9*

R. S. DUCK

clerk

Clerk.

By *Sanctice Thompson*
Deputy

Received in office this 3-16-37 day of

193

W.R. Stuart

Sheriff.

I have executed this writ

April 8
by serving one
Miss Vita Mae Jones

Check

Sheriff.

A.H. Brown

Escambia
ORIGINAL

No. 459

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

W.E. Griffin

Plaintiff

VS.

Leon Jones Motor
Co

Defendant

CIVIL SUBPOENA

Issued this 16 day of

March 1937

R.S. DUCK

clerk - now

By Walter Thompson Clerk.
Deputy

Baldwin

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.

Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA }
BALDWIN COUNTY }

S.D. Page No.

CIRCUIT COURT

Case No. *459*

Spring Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

W. C. Diles, *July* *Elia M. Diles*, *July*
Baymonte *Baymonte* *Perdido* *Baymonte*
Little, *Helwig*, *White*, *Thomas Coleman*, *J. A. M. Kingie*, *Baymonte*
Perdido
Henry, *H. L. Clark*, *Herbert D. M. Lee*

if to be found in your County, at the instance of the *Plaintiff*

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by *8:30* o'clock of the forenoon, on the *11th* day of *April* 193*9*

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein *W. E. Griffin, Adm. est. Rose Griffin, Deceased* Plaintiff

and *R. Leon Jones Motor Co., a corp* Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this *16* day of *March* 193*9*

R. S. DUCK

clerk, - register

Clerk.

By *Handline Thompson*
Deputy

Received in office this 16th day of

March 1939

W.R. Stuart
Sheriff.

I have executed this writ

Hilary White 4/7/29 PTH.

Clyde Lott 4/7/29 PTH.

J.C. McKeen 4/8/29 AMH.

W.C. Gibbs 4/7-29

Ella M. Gibbs

John Coleman

G.L. Clarke

Herbert D. Mc Gee

8

C

W.R. Stuart
Sheriff.

C

Pardido
B.M.

Plaintiff

ORIGINAL

No. 459

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

W.E. Triffin, Adm. Est.

Rose Triffin, Decedent,

Plaintiff

VS.

R. Leon Jones Motor Co.,

a corp.

Defendant

CIVIL SUBPOENA

Issued this 16 day of

March 1939

R. S. DUCK

Clerk, & register

Clerk.

By Hanklin Thompson

Deputy

Cassamatta County

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred. Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA }
BALDWIN COUNTY }

S.D. Page No.....

CIRCUIT COURT

Case No. *459* *Spring* Term, 193*8*...

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *Dr. J. C. Lantry - Atmore, Ala.*

if to be found in your County, at the instance of the *Plaintiff*

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by *8:30* o'clock of the forenoon, on the *11th* day of *April* 193*8*

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein *W. E. Griffin, Alm. Est. Rose Griffin, Deceased* Plaintiff

and *R. Leon Jones Motor Co., a corp.* Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this *16* day of *March* 193*8*.

R. S. DUCK

clerk, registrar Clerk.

By *Samuel Thompson*
Deputy

Received in office this 16th day of

March

1939

W.R. Stuart

Sheriff.

I have executed this writ

by serving in full.

E

3-30

Sheriff.

O.R. Commons

B. T. Commons AS

Columbia County

ORIGINAL

No. 429

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

W. L. Grippin, Adm. Est.

Pose Grippin, Executor

Plaintiff

VS.

R. Leon Jones Motor
Company, a Corp

Defendant

CIVIL SUBPOENA

Issued this 16 day of

March 1939

R. S. DUCK

Clerk.

W. H. Thompson

Deputy

Escambia County

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.
Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA
BALDWIN COUNTY

S.D. Page No.

Case No. 459

CIRCUIT COURT

Fall Term, 1937

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

Dr. J. O. Lisenby
(Attmore)

if to be found in your County, at the instance of the plaintiff

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 8:30 o'clock of the forenoon, on the 12 day of September 1937

and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to

say, in a certain cause pending, wherein W E Driffin, Adm. Plaintiff

and R. Leon Jones Motor Co. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 30 day of Aug 1937

R. S. DUCK

clerk, - register

Clerk.

By

Pauline Thompson
Deputy

Received in office this 21st day of

Aug 1939

W B Stuart
Sheriff.

I have executed this writ

Dr J. D. Lisenley

95

O. R. Emerson
W Emerson D. S. Sheriff.

Prescribed Atmore
ORIGINAL plaintiffs

No. 459

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

W. E. Griffin, Adm

Plaintiff

VS.

James Moten Co

Defendant

CIVIL SUBPOENA

Issued this day of

193

R. S. DUCK

clerk & register

Clerk.