FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Defendant.

PLEAS.

Now comes the Defendant in the above entitled cause and for pleas to Counts 1 and 2 of the Complaint separately and severally says as follows:

- That she is not guilty of the matters and things therein alleged.
- 2. For further plea in her behalf to each count of the complaint separately and severally, Defendant says that the driver of Plaintiff's car was herself guilty of negligence which proximately contributed to the injuries or damage to the Plaintiff's automobile in this, the driver of the Plaintiff's automobile on the date and at the time and place set out in the complaint, negligently operated the said vehicle along the said highway, which is a highway of sufficient width, on the said driver's left half thereof, and thereby proximately contributed to the injuries complained of.
- 3. For further plea in her behalf to each count of the complaint, separately and severally, defendant says that the driver of the plaintiff's car who was the Plaintiff's agent, servant or employee, while acting within the line and scope of her authority, was herself guilty of negligence which proximately contributed to the injuries or damage to the plaintiff's automobile in this, the driver of the plaintiff's automobile on the date and at the time and place set out in the complaint, negligently drove plaintiff's said automobile across the center line of said highway and into, on or against the Defendant's automobile and thereby proximately contributed to the injuries complained of.
- 4. Defendant further says that at the time said action was commenced the Plaintiff was indebted to the Defendant in the sum

of Six Hundred Dollars which Defendant hereby claims of the Plaintiff as damages for that heretofore on the date and at the place specified in the complaint the agent or servent of plaintiff, who was then and there acting within the line and scope of her employment, negligently ran or drove Plaintiff's automobile which she was then and there driving, into, or against the automobile of the Defendant, and as a proximate result of said negligence, the automobile of the Defendant was damaged as follows, to-wit: front axle, front wheels and stearing system were bent, knocked out of line, left front spring was bent frame bent, body bent, radiator shell bent and left front fender and running board destroyed, all to the damage of the Defendant; WHERE-FORE, this plea by way of recoupment. And Defendant avers that the damage to the Defendant's automobile was the proximate result of the negligence of the agent or servant of the Plaintiff while so acting within the line and scope of her authority or agency in the operation of the automobile that she was then and there driving or operating.

Attorney for Defendant.

(Original)

ECOKDED PLEAS.

FRANCES CRAWFOED,

Plaintiff,

VS.

DELLA RAYFORD,

•

Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

Filed Runch 2, 1536
R.S. Church, Clerk
By-Mullise Floury Som,
By-Mullise Floury Clerk

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Defendant.

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:

- l. That it does not state facts sufficient to constitute a cause of action against 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 upon 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
- 5. 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 casual 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.

- ll. Because, for aught that appears the Plaintiff, by the exercise of reasonable care, could have avoided her injury.
- 12. No facts are alleged to show that the alleged negligence of the Defendant proximately contributed to the alleged injury.
- $\sqrt{13}$. Because the averment "the automobile of the plaintiff was demolished" is but the conclusion of the pleader and no facts are averred to sustain such conclusion.
- 14. Because the averment "the automobile of the plaintiff was seriously damaged" is but the conclusion of the pleader and no facts are averred to sustain such conclusion.
- 15. Because said count fails to aver in what manner plaintiff's automobile, or what portions thereof, was damaged with sufficient definiteness to inform the defendant as to what she is called upon to defend.
- 16. Because there are no facts everred showing that the damages complained of were the proximate result of any negligence on the part of the defendant.
- 17. Because said count fails to aver that the Defendant negligently committed any act or did anything, the proximate result of which damaged the Plaintiff.

Attorney for Defendant.

Defendant demands a trial of this cause by jury.

ttorney for Defendant.

DEMURRER.

FRANCES CRAWFORD,

VS,

Plaintiff,

DELLA RAYFORD,

Defendent.

BALDWIN COUNTY, ALABAMA. IN THE CIRCUIT COURT OF

Filed on this the Zeday of January, 1979, R. S. Duck Clerk by Muller Hormson, Degety

BAY MINETTE, ALABAMA J. . BLACKBURN ATTORNEY AT LAW

Oranford Roughous

Jury List, First Week, April 8, 1940

	7 ₁₋	Dennis F. Thompson, Farmer, Stockton.
7	2.	Ludie N. Scarborough, Farmer, Bay Minette.
	. 3.	Julius Hilary Brown, Cobbler, Bay Minette.
19 V		Ira-V. Guess, Carpenter, Bay Minette:
f.	5.	Robert L. Godwin, Water Company, Bay Minette.
_ <i>∤ಿ</i> ಇ	€ 60m	Virgil V-Rhodes, Farmer, Bay Minette.
P.C.		Ort H. Ertzinger, Insurance, Bay Minette.
	8.	Charles A. Bodden, Mgr. Ala. Power Co., Bay Minette.
<i>~</i> ح	9.	John E. Quinley, Laborer, Bay Minette.
~ 9	10:	William S. McMillan, Clerk, Bay-Minette.
% / e	11-	Wilton J. Stapleton, Farmer, Bay Minette.
	12_	John B. Stuart, Contractor, Bay Minette.
70	13.	J. Floyd Bryars, Pressing Club, Bay Minette.
D 11	14.	Wilbur W. Quinley, Farmer, Bay Winette
To B	15	Iames D_Morris, Jr., Farmer, Gateswood
10 /	16.	Thomas L. Baggett, Farmer, Gateswood.
· n wh	_~ 17.	John W. Pittman, Farmer, Gateswood.
PA	 18	Jack R. Downer, Farmer, Gateswood
27	19.	John H. Shumate, Mechanic, Robertsdale.
/ 13 30	20.	C. Red Anderson, Farmer, Silverhill
And w	21	Nathan O. Smith, Farmer, Foley.
0-	22.	Alex V. Lazari, Farmer, Daphne.
	23_	Charles X. Guarisco; Failor; Daphne.
10-4	24.	Augustine X. Guarisco, Farmer, Daphne.
,	25.	Connie A. Gaston, Editor, Fairhope
~O 3-	- 26-	Charles M. Guthrie, Farmer, Fairhope.
	27	J. Ernest Duck, Mechanie, Bay Minette.
ظ کر	28	Claude S. Woodson, Furniture, Bay Minette.
سرهم کھ	- 2 9. -	Paul E. Teter, Abstracts, Bay Minette.
10 V	-30.	Thomas J. Davidsor, Butcher, Bay Minette
P (9)	~31_	Virgil O. McMillan, Turpentine Operator, Bay Minette.
1	√32.	
	3	Clyde N. Little, Mechanic, Bay Minette
	34.	J. Frank Knowles, Newport, Bay Minette.
S 11	35.	Clinton L. White, Cashier, Bay Minette.
مه و رو	″ -36 <u>-</u>	P. Grey Cane, Oil Agent, Bay Minette
10 >	37.	Edward J. Lemerise, Tar Plant Operator, Bay Minette.
1 2	38	George F. Stevenson, Oil Agent, Bay Minette
	1000	Walter D. White, Merchant, Bay Minette.
	40	S.S. Baggett, Naval Stores, Bay Minette
	41.	Sidney K. Smith, Merchant, Bay Minette.

P 16 638343072318311115 D 1221261481929103614 FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

Defendant.

INTERROGATORIES TO BE PROPOUNDED TO FRANCES CRAWFORD UNDER SECTION 7764 OF THE 1923 CODE OF ALABAMA.

- 1. State your name and residence.
- 2. State what make and modellautomobile you owned on November 19, 1938, which was in the collision complained of in your complaint?
 - 3. Give the serial number and type of automobile.
- 4. When, where and from whom did you buy the said automobile and what did you pay for it?
- 5. How far had this automobile been driven prior to the date of said accident?
 - 6. Do you still own this car?
- 7. If not, state if you sold it, to whom and for what crice?
- 8. If you did not sell the car, did you trade it in on another car, and, if so, how much were you allowed for same?
- 9. Did you have your car repaired and if so, who repaired it and what was the cost of the repairs? Attach to your answers an itemized statement of such repairs.

torney for Defendant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority 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 attorney 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. TS. TSlacklum

SWORN to and subscribed before me on this the Zee day of July, 1959.

Ora Lirmon

Notary Public, Baldwin County, Alabama.

Service accepted the July of Butter

INTERROGATORIES TO BE PROPOUNDED TO FRANCES CRANFORD UNDER SECTION 7764 OF THE 1925 CODE OF ALABAMA.

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

7 iled July 7 1939 R.S. Duck Ourk Ry-Santin Dangon, Dynx

The State of Alabama, }

CIRCUIT COURT. (LAW)

March Term, 1940

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STATE OF ALABAMA,
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are commanded to summon DELLA RAYFORD 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 FRANCES CRAWFORD.

WITNESS my hand this _ // day of December, 1938.

		R. S. DUCK	
		Clerk. clerk, - register	_
	•	By Naudles Thomas Beputy	
_		Beputy	

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

damages, for that heretofore, on to-wit, November 19th, 1938, the Plaintiff's automobile was being driven along the Daphne-Fairhope Highway, a public highway in Baldwin County, Alabema, at a point near Fly Creek; that on said date and at said place,
the Defendant negligently ran or drove an automobile, which she was then and there
driving, into or against the automobile of the Plaintiff, and as a proximate result
automobile of the Plaintiff was demolished; all to the damage
of the Plaintiff;

That the damage to the Plaintiff's automobile was the proximate result of the negligence of the Defendant in the operation of the automobile that she was then and there driving or operating.

2. The Flaintiff claims of the Defendant SIX HUNDRED (\$600.00) DOLLARS damages, for that heretofore, on to-wit, November 19th, 1938, the Defendant so negligently operated an automobile, which she was driving on or along the Daphne-Fairhope Highway, a public highway in Baldwin County, Alabama, at a point just North of Fly Creek, that she drove or ran said automobile into or against the automobile of the Plaintiff, which was then and there upon said highway, and as a proximate result of the negligence of the Defendant in and about the operation of the automobile, which she was then and there driving, the automobile of the Plaintiff was seriously

damaged; to-wil: wheely braken, body bent, frame bent, funders bent and damped, Radisto forcen, Hood bent, glaccas broken, aspect of pung, Knee gation broken, and the said damage to the automobile of the Blaintiff me the marinet

That the said damage to the automobile of the Plaintiff was the proximate result of the negligence of the Defendant in and about the operation or driving of the automobile which she was then and there driving or operating.

Ruledge Bule Attorneys for Plaintiff. RECORDED

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

Defendant.

BALDWIN COUNTY, ALABAMA, IN THE CIRCUIT COURT OF

AT LAW.

The Becombine 1935 B. S. DUOK.

Procuted Dee 23. 24 199 & by serving copy of within Summons and Complaint on M. 94. Wilking Sheriff Ey (B. H. Flueur, Deputy Shorn

1) Ampro gr

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	S.D. Page No.	CIRCUIT	COURT COURT
BALDWIN COUNTY	Case No. 490	Spring	Term, 1940
To any Sheriff of the State of Alabama, GREE	A Company of the Comp	Lee, Mrs. Berth	na Simmons
Wenzel, Mrs. Henry Crawford,	Jr., Lee Parker,	Herbert Forste	er, J. E. Gaston,
(Fairhope) A. P. Pruitt (Bay	y Minette)		
to be and appear before the honorable, the Judge by 8:30 o'clock of the forenoon, on the and from day to day and term to term of said C	e of the Circuit Court of 9th day of	Baldwin County, at the April, 1940	Court House thereof,
say, in a certain cause pending, whereinFI	RANCES CRAWFORD		Plaintiss
andDELLA RAYFORD	Defe	endant.	
Herein fail not and have you then and the Given under my hand and seal, this 27th	re this Writ.		193
		R,5.Du	

Plaintiff

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 (S.D. Pag	ge No CIRCUIT COURT
BALDWIN COUNTY Scase No.	490 Spring, 1940 Term, 193
To any Sheriff of the State of Alabama, GREETING:	
You are hereby commanded to summon W. H. I	Driver, Pat Brock, Joe Allegri,
Andrew Grass, Walter Hall, S. W. Pic	kens-, John R. Campbell, Emmett
goodrich	
to be and appear before the honorable, the Judge of the Circulty. 8:39 o'clock of the forenoon, on the 9th day and from day to day and term to term of said Court until discussey, in a certain cause pending, wherein Frances Cr	of April, 1940 1931 April, hen and there to testify, and the truth to
and Della Rayford	
Herein fail not and have you then and there this Writ.	
Given under my hand and seal, this 27th day of	March, 1940 193
	R.S. Duch 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 S.D. Page No. CIRCUIT COURT Case No. 490 Fall Term, 193 9 **BALDWIN COUNTY** To any Sheriff of the State of Alabama, GREETING: You are hereby commanded to summon W. W. Druice Pat Brock, Jol allegrie Andrew Grass, Walter Hall, S. W. Pickens, Ben Wolff, John R. Campbell, Emmett Grodrich 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 13 day of Systember 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 Flances Gramfurd Plaintiff and Lilla Rayford Defendant. Herein fail not and have you then and there this Writ. Given under my hand and seal, this 3/ day of ag

Naublice Stronger

	Dephre Jantope
	Qui Da to
Received in office this 3/12 day of	ORIGINAL
JUJ 1939	No. 49 6 Page
Sheriff.	THE STATE OF ALABAMA BALDWIN COUNTY
I have executed this writ WH, Dresley	CIRCUIT COURT
Pat Brook	
Joe Allegri n andrew Gross 1	Frances Crampond,
Wetter Hall ? S.W. Peerins	Plaintiff VS.
John R. Campbell	Dela Rayford,
Emmit Goodrich	Defendant
	CIVIL SUBPOENA
	Issued thisday of
	R. S. DUCK
WR Stuart Sheriff.	clerk, - regisser Clerk.
B.K	Deputy

	<u> </u>	Balde	
CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to or within five days after adjournment of Court, else he will be	charge for attendance, he see barred.	shall produce to the Clerk	in term this Subpoena Mobile—Re-Order No. 720
and the state of t	D. Page Nose No. 490	CIRCUIT	
To any Sheriff of the State of Alabama, GREETING:			Term, 193. 2
Now Henry Crawfood Jr. Lu Par	the Lee, Mrs.,	Bertha Simm	nons Wenze
a. P. Pinitt, J. E. Daston	ken, Herbert	Forster, J.	a Yeen
if to be found in your County, at the instance of the	Plantiff		
to be and appear before the honorable, the Judge of the by \$\int \frac{\gamma}{3}\textit{0}\ \text{o'clock of the forenoon, on the }\frac{\beta}{3}\)	Circuit Court of Pald	win County, at the C	ourt House thereof,
and from day to day and term to term of said Court unti	il discharged by law, tl	nen and there to testif	y, and the truth to
ay, in a certain cause pending, wherein Tranco	,	the state of the s	Plaintiff
Herein fail not and have you then and there this W		t. 1 (12) - (2) - (3)	
Given under my hand and seal, this 3/ day o			193
	Parameter 2	S. DUCK	giotorClerk.
	Ву	Nauflier Thurse	

Dupine - James

The state of the s	Peldum
Received in office this 3/61 day of	ORIGINAL
aug_ 1939	No. 490 Page
Sheriff.	THE STATE OF ALABAMA BALDWIN COUNTY
I have executed this writ	CIRCUIT COURT
Elizabeth Lee M	
Mrs Birtha Semmon Wingel Mothenry Crawford Jv	Frances Crampan Q
Kerlurt Faster	Plaintiff VS.
T.a. yeard Officity	Della Rayford
	Defendant
	CIVIL SUBPOENA
	Issued this day of
	193
Wh Shariff.	Clerk.
B-1	A Company of the Comp

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

age No	CIRC	UIT COURT	
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iver (Loxley) Yet Br	och (La	rely)
mars (c/o/	Elm	natur C	7 Kun
ens (Dans		F. 5.1	
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uit Court of Baldwi	n County, at t	the Court Hous	e thereof.
y of Ocari	L		193 8
scharged by law, the	n and there to	testify and the	truth to
	and the second s		* .
Defendant.	,		Plaintiff
	The state of the s		:
aguil		193 %	
T2. 6	A TOTACIE	e Xeer	
-E-01.9 A	clork.	, register	Clerk.
By .			
	iner Cookly Grass (C) Cookly Grass (C) Cookly Coo	iner (Locky) Fat Be Grass (C/O Klungy) ens (Darkne) Lo uit Court of Baldwin County, at to y of Quil charged by law, then and there to Defendant. R. S. DUGI clerk.	iner (Josep) Let Brach (La Grass (Cya Klunyy) Mater Course (Laphne) Bun Ellowing Country at the Court House y of Quil Charged by law, then and there to testify, and the Gramparel

	- decembranta
Received in office this 26 day of	ORIGINAL
March 193	No. 490 Page
Sheriff.	THE STATE OF ALABAMA BALDWIN COUNTY
I have executed this writ $ \lim_{n \to \infty} \frac{1}{2^n} \left(\frac{1}{2^n} - \frac{1}{2^n} \right) = \frac{1}{2^n} \left(\frac{1}{2^n} - \frac{1}{2^n} \right) $	CIRCUIT COURT
	France Crawyord
	Plaintiff VS.
	v3.
	Della Rayford
	Defendant
	CIVIL SUBPOENA
	Issued this day of
	97. 193. 9
WR-Stwart Sheriff.	Marthie Horry Clerk.
B Figure DS	Support of any of a

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 S.D. Page No BALDWIN COUNTY Case No. #-9	
To any Sheriff of the State of Alabama, GREETING:	O
You are hereby commanded to summon miss Elizabeth Wingel, Mrs. Kenny Crawford, gr (7 Kgr) Lee Par J.a. Yund (4 Kope) g. C. Hastan (4 Kyr) a.	be (7' Loge) Merhent Forsten (7')
Ja yund (Flore) g. c. Gastan (Flore) a.	9 Pruitt (Bm) Brocken Brolle (R'dale)
if to be found in your County, at the instance of the fautiff	·
to be and appear before the honorable, the Judge of the Circuit Court	
by 8:30 o'clock of the forenoon, on the 14 day of	
and from day to day and term to term of said Court until discharged l	•
say, in a certain cause pending, wherein Frances Crowy	
and Dilla Royford I	Defendant.
Herein fail not and have you then and there this Writ.	
Given under my hand and seal, this 16 day of Maxe	<u>193 q</u>
	R. S. DUCK. clerk, register Clerk.
	By Janklice Throngs

Received in office this /6 day of	ORIGINAL
Zzanch 193 9	No. 490 Page
Sheriff.	THE STATE OF ALABAMA BALDWIN COUNTY
I have executed this writ Her Suntan 3-16-39	CIRCUIT COURT
Brothe Bradly 4-5-39 A. P. Epinth. Bertha Semmer Dungl. Mrs. Elizabeth Lee Mrs. Henry Crawford Jr. Lee Parker Ja Jend. Mellet Sweeter	Frances Crawford Plaintiff VS. Defendant
	CIVIL SUBPOENA
, D H	Issued this / 6 7 day of Mach 193 9 R. S. DUCK
Sheriff.	clerk, register 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.

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

THE STATE OF ALABAMA S.D. Page No	CIRCUIT COURT Spring Term, 193
To any Sheriff of the State of Alabama, GREETING: You are hereby commanded to summon Gohn K Emmett Svalrich (1 ' ha	\mathcal{O}
	7 #
to be and appear before the honorable, the Judge of the Circuit Court	of Paldwin County, at the Court House thereof,
and from day to day and term to term of said Court until discharged b	y law, then and there to testify, and the truth to
say, in a certain cause pending, wherein trancle and Della Rayford D	Carryona Plaintiff Defendant.
Herein fail not and have you then and there this Writ. Given under my hand and seal, this 13th day of the day	1 -
	1. S. Duck Clerk.

Clark 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.

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

THE STATE OF ALABAMA	S.D. Page No.		Γ COURT
BALDWIN COUNTY)	Case No. 770	_Fai	Term, 193.Z.
Γο any Sheriff of the State of Alabama, GREETI	NG:		
		<i>Oa</i>	47) 1.
You are hereby commanded to summon	Proclar Rha	lley	<u></u>
			<u>/</u>
o be and appear before the honorable, the Judge of the forenoon, on the and from day to day and term to term of said Court	day ofrt until discharged by	Sytunder law, then and there to te	193.Z stify, and the truth to
say, in a certain cause pending, wherein France	De		Plaintiff
Herein fail not and have you then and there	this Writ.	# √ :	
Given under my hand and seal, this3/	day of Res	9	193
		R.S. DUC	•
		By Mausline He	Denty .

	plantiffs
Received in office this	ORIGINAL
Ocen 1939 No. 49	O Page
Sheriff.	TATE OF ALABAMA BALDWIN COUNTY
ve executed this writ	IRCUIT COURT
tien de la companyation de la co	nes Crampard
	Plaintiff VS.
Della	Rayford
	Defendant
CIV	IL SUBPOENA
Issued	this day of
	193

Clarke County

	GINAL—In case witness shall er adjournment of Court, else h	wish to charge for attendance, he ne will be barred.	shall produce to the Clerk in ter Gill Ptg. & Sta. Co., Mobile-	
	OF ALABAMA N COUNTY		CIRCUIT COU Spring -1940	
•	State of Alabama, GREE	TING: Proctor E	Bradley	
· ·		the plaintiff of the Circuit Court of Bal	•	House thereof,
by 8:30 o'clock o	f the forenoon, on the	9th day of	April, 1940	193
		ourt until discharged by law, Frances Crawford		nd the truth to
and	Della Rayford	Defenda	int.	
Herein fail not an	d have you then and there	e this Writ.		
Given under my h	and and seal, this 27th	day of March, 19		
		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	R.S. Duch	Cler!

*

	Plaintiff
Received in office this 28 day of	ORIGINAL
march 1940	No. 490 Fage
(mass) Sheriff.	THE STATE OF ALABAMA BALDWIN COUNTY
I have executed this writ	CIRCUIT COURT
	Frances Crawford,
A HISTORY	Plaintiff VS.
00/19/	Della Rayford
711	Defendant
	CIVIL SUBPOENA
	Issued thisday of
	193
Sheriff.	Clerk.

Clerk.

3. The Court charges the Jury that negligence on the part of the Defendant is not to be conclusively presumed because of the mere fact that this accident occurred and that the Plaintiff's automobile sustained damages, and before the Plaintiff can recover she must reasonably satisfy you by a preponderance of the evidence that the Defendant was guilty of negligence in the operation of her automobile and that Plaintiff's damages were sustained as a proximate result of such negligence.

view 1977aceganz ll. The Court charges the Jury that if you find from the evidence in this case that the driver of the Plaintiff's automobile was guilty of contributory negligence which proximately contributed to the Plaintiff's damages as alleged in the Complaint, then you cannot find for the Plaintiff.

Brien Frage Judge

worth Jun fink the define to Guly as shonger in seh ende timent fine her

Il defedenit o

We the July find no charge against

13. I charge you Gentlemen, that negligence is the omission to do something which a reasonably prudent man guided by those considerations which ordinarily regulate the conduct of human affairs would do, or the doing of something which a prudent and reasonable man would not do.

Grien Hare Judge Tere the Jury find the defendealt

6. The Court charges the Jury that under the law there is no presumption of negligence on the part of the Defendant and before the Plaintiff can recover, the burden of proof is on the Plaintiff to reasonably satisfy you by a preponderance of the evidence that the Defendant was guilty of negligence in the operation of her automobile and that the Plaintiff's demages were sustained as a proximate result of such negligence.

Sirier Judge We the jury find the micedants in This case so un associable as sident,

J. Domin

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14. I charge you Gentlemen, that actionable negligence consists in the neglect of the use of ordinary care and skill toward a person whom the Defendant owes the duty of observing care and skill by which the Plaintiff has suffered damages.

Dirie

2. W. Hare

Me Thy My