

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

Defendant.

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

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:


1. 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 servant 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 steering 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; WHEREFORE, 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)

RECORDED
PLEAS.

FRANCIS CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Filed November 2, 1935
R.S. Lewis, Clerk
By - Pauline Thompson,
Deputy Clerk

FRANCES CRAWFORD,
Plaintiff,
VS.
DELLA RAYFORD,
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 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.

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 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.

11. 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.

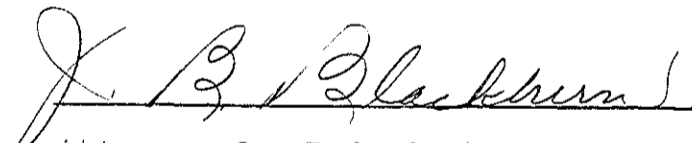
✓ 13. Because the averment "the automobile of the plaintiff was demolished" is but the conclusion of the pleader and no facts are averred to sustain such conclusion.

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.

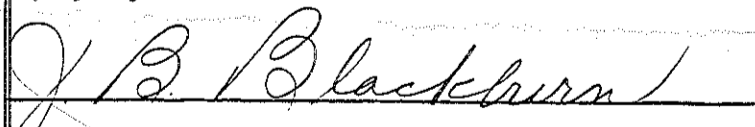
15. Because said count fails to aver in what manner plaintiff's automobile, or what portions thereof, was damaged with sufficient definiteness to inform the defendant as to what she is called upon to defend.

16. Because there are no facts averred 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.


Attorney for Defendant.

RECORDED

DEMURRER.

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Filed on this the 18th day of Jan-
uary, 1939.

P. S. Buck, Clerk
By: Walter Thompson, Deputy

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

Crawford & Rayford

Jury List, First Week, April 8, 1940

- 1. ~~Dennis L. Thompson, Farmer, Stockton.~~
- 2. Ludie N. Scarborough, Farmer, Bay Minette.
- 3. Julius Hilary Brown, Cobbler, Bay Minette.
- 4. ~~Ira V. Guess, Carpenter, Bay Minette.~~
- 5. Robert L. Godwin, Water Company, Bay Minette.
- 6. ~~Virgil V. Rhodes, Farmer, Bay Minette.~~
- 7. ~~Ort H. Ertzinger, Insurance, Bay Minette.~~
- 8. ~~Charles A. Bodden, Mgr. Ala. Power Co., Bay Minette.~~
- 9. John E. Quinley, Laborer, Bay Minette.
- 10. ~~William S. McMillan, Clerk, Bay Minette.~~
- 11. ~~Wilton J. Stapleton, Farmer, Bay Minette.~~
- 12. ~~John B. Stuart, Contractor, Bay Minette.~~
- 13. J. Floyd Bryars, Pressing Club, Bay Minette.
- 14. ~~Wilbur W. Quinley, Farmer, Bay Minette.~~
- 15. ~~James D. Morris, Jr., Farmer, Gateswood.~~
- 16. ~~Thomas L. Baggett, Farmer, Gateswood.~~
- 17. John W. Pittman, Farmer, Gateswood.
- 18. ~~Jack R. Downer, Farmer, Gateswood.~~
- 19. ~~John H. Shumate, Mechanic, Robertsdale.~~
- 20. C. Red Anderson, Farmer, Silverhill.
- 21. ~~Nathan O. Smith, Farmer, Foley.~~
- 22. Alex V. Lazari, Farmer, Daphne.
- 23. ~~Charles X. Guarisco, Tailor, Daphne.~~
- 24. ~~Augustine X. Guarisco, Farmer, Daphne.~~
- 25. ~~Connie A. Gaston, Editor, Fairhope.~~
- 26. ~~Charles M. Guthrie, Farmer, Fairhope.~~
- 27. ~~J. Ernest Duck, Mechanic, Bay Minette.~~
- 28. ~~Claude S. Woodson, Furniture, Bay Minette.~~
- 29. ~~Paul E. Teter, Abstracts, Bay Minette.~~
- 30. ~~Thomas J. Davidson, Butcher, Bay Minette.~~
- 31. ~~Virgil O. McMillan, Turpentine Operator, Bay Minette.~~
- 32. ~~Hunter H. Mixon, Hardware, Bay Minette.~~
- 33. ~~Clyde N. Little, Mechanic, Bay Minette.~~
- 34. J. Frank Knowles, Newport, Bay Minette.
- 35. Clinton L. White, Cashier, Bay Minette.
- 36. ~~P. Grey Cane, Oil Agent, Bay Minette.~~
- 37. Edward J. Lemerise, Tar Plant Operator, Bay Minette.
- 38. ~~George F. Stevenson, Oil Agent, Bay Minette.~~
- 39. ~~Walter D. White, Merchant, Bay Minette.~~
- 40. ~~S. S. Baggett, Naval Stores, Bay Minette.~~
- 41. Sidney K. Smith, Merchant, Bay Minette.

	1	2	3	4	5	6	7	8	9	10	11
P	16	6	38	24	30	7	23	18	31	11	15
D	12	21	26	14	8	19	29	10	36	14	

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

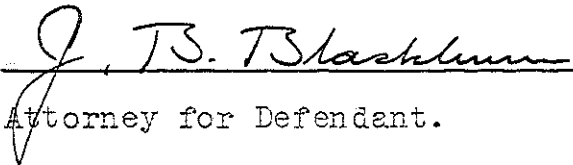
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

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 model automobile 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 price?
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.


Attorney 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. T. Blackburn

SWORN to and subscribed before me on this the 7th day of July, 1959.

Ora Simon

Notary Public, Baldwin County, Alabama.

Service accepted this July 7, 1959
Berkeley B. B. B.
att. for Plaintiff

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

FRANCIS CRAWFORD,

Plaintiff,

VS.

DELIA RAYFORD,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

Filed July 7, 1939
R.S. Davis, Clerk
Reg. - Baldwin & Livingston, Deputy

No. 490

Page

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

Francis Cransford

vs. Plaintiff

Della Rypard

Defendant

CIVIL COST BILL

March Term, 19*40*

Fee Book, Page

Bude & Hall

Plaintiff's Attorney.

P.A. Blackburn

Defendant's Attorney.

Moore Printing Co., Bay Minette, Ala.

Clerk Circuit Court, Baldwin County, Ala.

ATTEST:

Clerk Circuit Court, Baldwin County, Ala.

ATTEST:

H.S. Burt

Received payment this _____ day of _____ 19*4*

I certify that the within is a true and correct Bill of Costs in the within styled cause.

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 16 day of December, 1938.

R. S. DUCK

Clerk, clerk, - register

By Pauline Hamman
Deputy

FRANCES CRAWFORD,
Plaintiff,
VS.
DELLA RAYFORD,
Defendant.

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

1. The Plaintiff claims of the Defendant SIX HUNDRED (\$600.00) DOLLARS 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, Alabama, 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 *damages, to-wit: wheels broken, body bent, engine bent, radiator bent and damaged, Radiator broken, glass bent, glass broken, tires sprung, rear axle bent, and other damage* of said negligence, the 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 Plaintiff 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-wit: wheels broken, body bent, frame bent, fenders bent and damaged, radiator broken, hood bent, glasses broken, pipes sprung, knee action broken, and other damage.

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.

Richard D. ...
Attorneys for Plaintiff.

SUMMONS AND COMPLAINT

Done

RECORDED

FRANCES CRAWFORD,

Plaintiff,

VS.

DELLA RAYFORD,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Subd. Decemb 16, 1935

R. S. DUCK

clerk, - register

By *Lawrence S. ...* Deputy

Presented *Dec 23rd 1935*
by serving copy of within Summons and
Complaint on

Della Rayford

M. H. Wilkins Sheriff

B. J. Fucena Deputy Sheriff

*We the jury find
in favor of the
defendant.*

*To remain
J. F. Bruger Jr*

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. 490

Spring Term, 1940

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Miss Elizabeth Lee, Mrs. Bertha Simmons

Wenzel, Mrs. Henry Crawford, Jr., Lee Parker, Herbert Forster, J. E. Gaston,
(Fairhope) A. P. Pruitt (Bay Minette)

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 27th day of April, 1940 193

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 FRANCES CRAWFORD Plaintiff

and DELLA RAYFORD Defendant.

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.

Received in office this ¹¹ 28th day of

March

1940

W. R. Stuart

Sheriff.

(m.c.h.)

I have executed this writ

Lee, Parker - P.K.

J. Boston 4/3/40 P.H.C.

Herbert Foster 4/3/40 P.H.C.

Mr. Henry Crawford Jr. P.L.

Miss Elizabeth Lee 4/3/40 P.H.C.

Mrs. Bertha Semmons Wingo 4/3 P.H.C.

A. P. Pruitt

April 3-1940

W. R. Stuart
A. P. Pruitt

Sheriff.

Plaintiff

ORIGINAL

No. 490

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

FRANCES, CRAWFORD

Plaintiff

VS.

DELLARAYFORD

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

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. 490

Spring, 1940 Term, 193.....

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon W. H. Driver, Pat Brock, Joe Allegri,
Andrew Grass, Walter Hall, S. W. Pickens, John R. Campbell, Emmett
goodrich

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 9th day of April, 1940 193.....
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 Frances Crawford Plaintiff
and Della Rayford Defendant.

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. Dush Clerk.

Received in office this.....th 28.....day of

March

1940

W.R. Stuart

Sheriff.

I have executed this writ

Walter Hill 4/3/40 P-H

D.W. Pizarro 4/3/40 P-H

Andrew Mass 4/3/40 P-H

Ernest Goodrich 4/3/40 P-H

Jer. Alupia 4/3/40 P-H

Pat Cross 4/3/40

W.H. Drisk 4/3/40 word

John R. Campbell - 4/9/40

W.R. Stuart

Sheriff.

By M.B.H.

Defendant

ORIGINAL

No. 490

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

FRANCES CRAWFORD

Plaintiff

VS.

DELLA RAYFORD

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

Clerk.

Defendants

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. *490*

CIRCUIT COURT
Fall Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *W. H. Duvier, Pat Brock, Joe Allegri, Andrew Grass, Walter Hall, S. W. Pichens, Ben Wolff, John R. Campbell, Emmett Goodrich*

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 *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 *Frances Crawford* Plaintiff and *Lella Rayford* Defendant.

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

Given under my hand and seal, this *31* day of *Aug* 193*9*.

R. S. DUCK
Clerk.

W. Aubrey Thompson
County

Received in office this 5/16 day of

Aug 1937

W.R. Stuart
Sheriff.

I have executed this writ

W.H. Drexler

Pat Brock

Joe Allegri

Andrew Gross

Walter Hall

S.W. Perkins

Ben Wolf

John R. Campbell

Emmet Goodrich

W.R. Stuart
Sheriff.

B.K.

Daphne Jankovic

Deputy

ORIGINAL

No. 490 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Frances Crawford,

Plaintiff

VS.

Della Rayford,

Defendant

CIVIL SUBPOENA

Issued this _____ day of

1937

R. S. DUCK

clerk, - regional Clerk.

By

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

THE STATE OF ALABAMA }
BALDWIN COUNTY }

S.D. Page No.
Case No. 490

CIRCUIT COURT
Fall Term, 1932

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Elizabeth Lee, Mrs. Bertha Simmons Wenzel, Mrs. Henry Crawford, jr., Lee Parker, Herbert Forster, J. A. Green, A. P. Pruitt, J. E. Gaston

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 13 day of September 1932

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 Frances Crawford Plaintiff and Della Rayford Defendant.

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

Given under my hand and seal, this 31 day of Aug 1932

R. S. DUCK
clerk, register Clerk.

By Clifford J. Hunter
Deputy

Deponer - James

Baldwin

Received in office this 31st day of

Aug 1939

W.R. Stuart
Sheriff.

I have executed this writ

- J. Gaston ✓
- Elizabeth Lee ✓
- Mrs Bertha Simmons King ✓
- Mr Henry Crawford Jr ✓
- Lee Parker ✓
- Herbert Foster ✓
- T.A. Grand ✓
- A. Pruitt ✓

W.R. Stuart Sheriff.

B-K

ORIGINAL

No. 490 Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Frances Crawford

Plaintiff

VS.

Della Rayford

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

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.

Case No. 490

CIRCUIT COURT

Spring Term, 1939.

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon W. H. Driver (Loddy) Pat Brock (Loddy)
Joe Allegre (PelForest) Andrew Grass (c/o Klumpp Motor Co. 7' Hope)
Walter Hall (7' Hope) S. W. Pickens (Daphne) Ben Wolff
(Daphne)

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

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 14 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 Frances Crawford Plaintiff

and Della Rayford Defendant.

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

Given under my hand and seal, this 4 day of April 1939.

R. S. DUCK

clerk, register

Clerk.

By Pauline Thompson
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

BALDWIN COUNTY

S.D. Page No.

Case No. 490

CIRCUIT COURT

Spring Term, 1939

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Miss Elizabeth Lee (7'copy), Mrs. Bertha Simmons (7'copy), Wenzel, Mrs. Lemmy Crawford, jr. (7'copy), Lee Parker (7'copy), Herbert Forster (7'copy), J.A. Yund (7'copy), J.C. Gaston (7'copy), A.P. Pruitt (Om.), Proctor Bradley (R'dale)

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 14 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 Frances Crawford Plaintiff

and Della Rappold 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. DUCK

clerk - register

Clerk.

By Samuel Thompson
Deputy

Fairhage

Received in office this 16th day of

March 1939

W.R. Stuart
Sheriff.

I have executed this writ

3-16-39
Proctor Bradley 4-5-39
A.P. Smith
Bertha Summerhugel
3-16-39 *Miss Elizabeth Lee*
Mrs Henry Crawford Jr
Lee Parker La Jend
Herbert Lovester

W.R. Stuart
Sheriff.

ORIGINAL

No. 490 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Frances Crawford

Plaintiff

VS.

Della Rayford

Defendant

CIVIL SUBPOENA

Issued this 16th 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.

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

THE STATE OF ALABAMA }
BALDWIN COUNTY }

S.D. Page No.....

Case No. *490*

CIRCUIT COURT

Spring Term, 193*9*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

Jahor R. Campbell (7' Hope),
Emmett Goodrich (7' Hope) #

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 *14th* 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 *Frances Crawford* Plaintiff

and *Della Rayford* Defendant.

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

Given under my hand and seal, this *13th* day of *April* 193*9*

R. 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.

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

THE STATE OF ALABAMA
BALDWIN COUNTY

S.D. Page No.....

CIRCUIT COURT

Case No. *490*

Fall Term, 193*7*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon *Proctor Bradley*

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 *13* day of *September* 193*7*

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 *Frances Crawford* Plaintiff

and *Della Rayford* Defendant.

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

Given under my hand and seal, this *31* day of *Aug* 193*7*.

R. S. DUCK Clerk.

By Nellie Thompson
Deputy

Received in office this 31st day of

Aug 1939

W.P. Stewart

Sheriff.

I have executed this writ

Doctor Brodley 9-1-39

W.P. Stewart
Sheriff.

Clarke County
plaintiffs'

ORIGINAL

No. 490

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Francis Crawford

Plaintiff

VS.

Della Rayford

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

R. S. DUCK

clerk - register

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.....

Case No. 490

CIRCUIT COURT

Spring -1940 Term, 193.....

To any Sheriff of the State of Alabama, GREETING:

Proctor Bradley

You are hereby commanded to summon.....

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 9th day of April, 1940 193.....

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 Frances Crawford Plaintiff

and Della Rayford Defendant.

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. Dush Clerk.

Received in office this.....th 28.....day of

March

1940

~~W.R. Stuart~~

Sheriff.

(MCH.)

I have executed this writ

M. Howard

Sheriff.

Plaintiff

ORIGINAL

No. 490

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Frances Crawford,

Plaintiff

VS.

Della Rayford

Defendant

CIVIL SUBPOENA

Issued this.....day of

193.....

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.

Given
J. W. [unclear]
[unclear]

11. 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.

Given
F. M. Hare
Judge

We the Jury find the defendant
as charged in the indictment and
fine her

We the Jury find no charge against
the defendant.

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.

Given
J. M. Hare
Judge

1
We the Jury find the defendant ^{in favor of the} ~~guilty~~,
~~as charged in the indictment and~~
~~the ~~Prison~~ ~~of~~ ~~Prison~~ demands~~

Foreman

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 damages were sustained as a proximate result of such negligence.

Given
J.W. Hase
Judge

We the jury find the incidents in this
case as unavoidable accident,

J. Foreman

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.

Given
J. W. Ware
Judge

We the jury find in
favor the Plaintiff's cause
and award to the Plaintiff
the sum of \$1000.00
plus costs

1000

1000

1000