

FRANK PEACOCK

Plaintiff

vs

R. M. RABON

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW, No. 666

INTERROGATORIES PROPOUNDED BY PLAINTIFF TO DEFENDANT:

1. What is your full name?
2. What is your address?
3. Were you operating an automobile on or along highway 90, Baldwin County, Alabama, at or near Spanish Fort, on or about March 22, 1941?
4. In which direction were you traveling?
5. Was it in the day time or night time?
6. Did you have a collision with a truck operated by Mr. R. A. Burnett?
7. In which direction was he driving?
8. (a) Were there any passengers in your automobile? (b) If so what were their names and addresses?
9. On what side of the road were you driving?
10. How fast was your automobile being operated?
11. After the collision, where were the cars located, with reference to the center of the road and in what direction was each car facing?
12. Is there a curve in the road near the point where the accident happened?
13. How far is the curve from the scene of the accident?
14. When did you first see the other automobile involved in the accident?
15. What part of the other car was struck by your car?

Winston F. Groom
ATTORNEY FOR PLAINTIFF

STATE OF ALABAMA
COUNTY OF MOBILE

Personally appeared before me, the undersigned authority in and for said State and County, *Winston F. Groom*, who being by me first duly sworn doth depose and say that he

Winston F. Green
D. C. Pritchard

19th

L. R. Fitchard
Notary Public

Serve on
Hubert M. Hall
Attorney for
INTERROGATORIES TO BE
PROPOUNDED BY PLAINTIFF
TO DEFENDANT. *Defendant*

Executed by serving a copy
of the following Interrogatori
on Hubert M. Hall, Attorney for
the defendant R.M. Rabon.
This 21st day of July 1941

W. R. Stuart, Sheriff
By *O. P. Smith* Deputy
Sheriff

Filed July 21, 1941
R. S. Duck, Clerk

THE STATE OF ALABAMA,
Baldwin County.

No. 666

CIRCUIT COURT

May, 1941.

-195-

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon R. M. RABON

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

R. M. RABON, Defendant by FRANK PEACOCK,

Plaintiff . . .

Witness my hand this 27th day of May, 1941.

R. L. Durb

Clerk.

COMPLAINT

FRANK PEACOCK,

R. M. RABON

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

WINSTON F. GROOM

Plaintiff's Attorney.

FRANK PEACOCK

Plaintiff

vs.

R. M. RABON

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Plaintiff claims of the Defendant Five Thousand Dollars (\$5,000.00) for that on to-wit: March 22nd., 1941, the Defendant so negligently operated an automobile on or along highway ³¹ Baldwin County, Alabama, at or near Spanish Fort, that said automobile ran into, on, or against an automobile owned by the Plaintiff, and in which the plaintiff was then and there riding, and as a proximate result, of said negligence, the plaintiff was seriously and permanently injured about the face, head, left ear, and left leg, and caused to suffer great pain and to permanently have a large scar, knot, or bump on his face; that he was caused to lose a great deal of time from his work; that his truck was damaged in this, that the right front fender, bumper, axle, and frame, radiator, engine, pump, and other parts of the same were broken, bent or washed, all to plaintiff's damage as aforesaid.

W. F. Groom
Winston F. Groom
ATTORNEYS FOR PLAINTIFF

Plaintiff demands a trial by jury.

Winston F. Groom
atty for Ptf.

Received in Sheriff's Office
this 27 day of May, 1941
W. R. STUART, Sheriff

Executed 5-31 1941
by serving copy of within Summons and
Complaint on

R. M. Rabon

W. R. Stuart

Sheriff

By M. B. Hamilton Deputy Sheriff

RECORDED Civil No. 666

FRANK PEACOCK,
Plaintiff

Vs.

R. M. RABON,
Defendant.

SUMMONS & COMPLAINT.

Filed this 27 day of May, 1941

R. S. Duck

Clerk-Register

CIRCUIT COURT. (LAW)

Oct.

- Term, 194 2

~~666, Frank Peacock~~

No. 666 VS.

R M Rabon.

BILL OF COSTS

[illegible]

FRANK PRACOCK, PLAINTIFF,

VS.

R. M. RABON, DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

No. 666.

And now comes the Defendant and for answer to the Interrogatories heretofore propounded by the Plaintiff, says:

1.

My name is Robert M. Rabon;

2.

My address is Bay Minette, Alabama;

3.

I did operate an automobile on or along Highway 90, Baldwin County, Alabama, at or near Spanish Fort on or about March 22, 1941;

4.

I was traveling North;

5.

It was night time;

6.

I did not have a collision with a truck operated by Mr. R. A. Burnett, however, Mr. Burnett did drive an automobile truck into or against my automobile;

7.

I was driving Northwardly

8.

There were no passengers with me;

9.

I was on the right side of the road;

10.

I was not traveling over six or seven miles per hour at the time the said R. A. Burnett ran into me;

11.

Near the center of the road. The impact of the Burnett car striking my car near the left front fender drove it over to the center of the road. My car was facing North and the other car South after the accident;

12.

There is no curve at the scene of the accident;

13.

There is a curve about two hundred yards distant;

14.

I was traveling Easterly. The other car Westerly. Just prior to the time the other car ran into my car, a car passed me going Easterly and the Burnett car turned out to allow the other car to pass and immediately it passed, turned his car directly toward mine and drove into or against my car;

15.

My car did not strike the other car. The other car struck mine.

P. M. Rabon

Sworn to and subscribed before me on this the 27th day of September, 1941.

Kurt Lane
Notary Public, Baldwin County, Alabama.

FRANK PEACOCK,
Plaintiff,

VS.

R. M. RABON,
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

No. 666

And now comes the Defendant and demurs to the Plaintiff's
complaint and for grounds thereof says:

1.

Said Complaint does not state a cause of action.

2.

Said Complaint shows no duty owed by the Defendant to the
Plaintiff.

3.

Said Complaint does not sufficiently describe the injuries
and damages complained of.

4.

Said Complaint joins, in the same count, a claim for property
damages and a claim for personal injuries.

B. H. RABON
G. H. RABON
Attorneys for Defendant.

666
RECORDED

FRANK PEACOCK, Plaintiff,

VS.

R. M. RABON, Defendant.

DEMURRER

Filed June 12, 1941
R. J. Duck, Register
Clush

FRANK PEACOCK, Plaintiff,

VS.

R. M. RABON, Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Now comes the Defendant and for answer to the Plaintiff's complaint
says:

1.

That the Defendant pleads, in short, by consent, the general issue
with the right to introduce in evidence such facts and matters as would be
admissible, if well pleaded.

BEEBE & HALL

By: H. M. Hall
Attorney for Defendant.

6666

FRANK PEACOCK, Plaintiff,

VS.

R. M. RABON, Defendant.

PLEA

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Beebe & Hall, Lawyers,
Bay Minette, Alabama

Filed Feb. 1946 ✓
Dr. J. J. Hall
Clerk