

ALBERT S. TOWLE,

Plaintiff,

VS.

LUTHER LASHMIT,

Defendant.

BALDWIN COUNTY, ALABAMA,

AT LAW.

Now comes the Defendant and pleads the general issue and contributory negligence with leave to give in support thereof any evidence that might be shown if the same was well pleaded, the Plaintiff to have the right to give any evidence in rebuttal as if well pleaded.

Attorneys for Defendant.

ALBERT S. TOWLE,

IN THE CIRCUIT COURT OF

Plaintiff

BALDWIN COUNTY, ALABAMA

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AT LAW

LUTHER LASHMIT,

Defendant

Comes the defendant in the above styled cause and demurs to the complaint filed therein by the plaintiff, and as separate and several grounds of said demurrer, says:

- 1. Said count attempts to aver the quo modo of the alleged negligence, and the facts averred are not sufficient to constitute negligence as a matter of law.
- 2. For aught that appears from said complaint the alleged damages of the plaintiff were not a proximate consequence
 of any negligence on the part of the defendant.
- 5. The allegation of said count that the defendant brought his automobile "to an abrupt stop without warning, thereby causing plaintiff's automobile to collide therewith" is a conclusion of the pleader and is not supported by the facts alleged.
- 4. For aught that appears from said count the negligence of the plaintiff himself was the sole proximate cause
 of said accident.

Attorneys for Defendant

ALBERT S. TOWLE,

Plaintiff : IN THE CIRCUIT COURT OF

v. : BALDWIN COUNTY, ALABAMA.

LUTHER LASHMIT, : AT LAW.

Defendant :

Comes the Defendant in the above styled cause and files this his appearance therein, expressly reserving the right to demur, plead specially, and answer said complaint.

Attorneys for Defendant

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STATE OF ALABAMA, BALDWIN COUNTY.

TO ANY SHEELFF OF THE STATE OF ALABAMA, GREETING:

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 same, then and there to shower the complaint of Albert S. Towle.

Witness my hand this Sth day of July, 1942.

Circuit Clerk.

ALBERT S. TOWLE,

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Plaintiff,

VS.

LUTABA LASHMIT,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

(1). The Plaintiff claims of the Defendant the sum of Five Hundred Dollars as damages for that heretofore on, to-wit, June 21, 1942 the defendant was operating his automobile on United States Highway Number Ninety in Baldwin County, Alabama at a point about one mile east of Tensas River at which time and place the defendant so negligently operated his said automobile that he brought it to an abrupt stop without warning, thereby causing plaintiff's automobile to collide therewith, greatly damaging plaintiff's automobile in that its frame, radiator, grill, bumper, hood and front fenders were bent and damaged beyond repair; and plaintiff avers that his said damage was caused by reason and as a proximate consequence of the said negligence of the defendant.

Plaintiff demands a trial said cause by jury.

7. D. Blackbur

torney for Plaintiff.

SUMMONS AND COMPLAINT (COPY)

ALBERT S. TOWLE,

Plaintiff,

LUTHER LASHMIT,

IN THE CIRCUIT COURT OF

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Command 9,000lill.

BALDWIN COUNTY, ALABAMA.

J.B.BLACKBURN ATTORNEY AT LAW