

965

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, -- GREETING:

You are hereby commanded to summon WILLIE B. LEGER 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 Frank Goode.

And you are hereby commanded to execute this process instanter and make return as required by law.

WITNESS my hand, this the 4th day of May, 1946.

R. R. R.

CLERK

FRANK GOODE,

Plaintiff,

vs.

WILLIE B. LEGER,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

COUNT ONE: Plaintiff claims of the Defendant the sum of ONE THOUSAND DOLLARS damages for that on, to-wit, the 13th day of November, 1945, the Defendant so negligently operated a motor truck at a point on a public highway in Baldwin County, Alabama, at, to-wit, the approach to what is known as the Bay Bridge Road, just West of the Spanish Fort, that he ran the same into and against a truck of the Plaintiff, which the Plaintiff was then and there driving on said highway, as

a result whereof the said truck was badly wrecked and almost completely demolished, so that it was beyond repair and a load of freight and household goods, produce, etc., was lost or ruined, all to his damage in the sum of, to-wit, \$1,000.00;
WHEREFORE this suit.



ATTORNEY FOR PLAINTIFF

Plaintiff demands a trial by jury.



ATTORNEY FOR PLAINTIFF

Defendant's address:

604 N. College Street,
Dothan, Alabama.

Received in Sheriff's Office
this 18 day of April, 1947
TAYLOR WILKINS, Sheriff

466
Received in Sheriff's Office
this _____ day of _____, 194
TAYLOR WILKINS, Sheriff

AT LAW

RECORDED

FRANK GOODE

VS.

WILLIE B. LEGER

SUMMONS & COMPLAINT

FILED

MAY 4 1946

A. S. DUCK, CLERK

Executed By Serving a
copy on the Willie Willie B.
Leger April 18 1947

Taylor Wilkins Sheriff
Willie B. Griffen W. S.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds viz:-

ONE:

That said Complaint does not state a cause of
action.

TWO:

That said Complaint is vague and indefinite.

THREE:

That said Complaint fails to allege what highway the wreck was supposed to have occurred on.

FOUR:

That said Complaint fails to properly allege that the Plaintiff was the owner of the truck that was damaged.

FIVE:

That said Complaint fails to properly state that the damages of the Plaintiff was the proximate result of the Defendants negligence.

SIX:

That said Complaint fails to state which truck was badly wrecked.

SEVEN:

That said Complaint fails to state that the Plaintiff was the owner of the freight, household goods and produce that was lost or ruined or that he was responsible for the same.

EIGHT:

For aught appearing from the Complaint a part of the freight, household goods and produce referred to therein belonged to some third person who was present at the time, in charge of and

responsible for such freight, household goods and produce.

Am. B. & O. Ry. Co.
Attorneys for Defendant.

RECORDED

DEMURRER

FRANK GOODE,

Plaintiff,

-vs-

WILLIE B. LEGER,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Filed May 14, 1947

FILED

MAY 14 1947

ALICE J. DUCK, Clerk