

FORREST J. REYNOLDS,

Plaintiff,

vs.

EUGENE BOSBY,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA, AT LAW.

NO.

1613

COUNT ONE

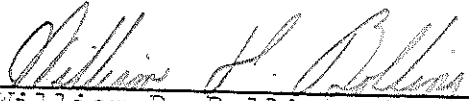
Plaintiff claims of the Defendant the sum of Two Hundred Fifty and no/hundredths (\$250.00) Dollars as damages, for that, heretofore, on, to-wit, the 30th day of September, 1950, the Defendant so negligently operated a motor vehicle on and along U. S. Highway 31, in or near the City of Atmore, Alabama, which said highway at said place is a public highway in Escambia County, Alabama, as to cause or allow the same to run into, upon, over or against the motor vehicle of the Plaintiff, which was then and there being operated on U. S. Highway 31, and as a proximate result of said negligence of Defendant, the motor vehicle of the Plaintiff was badly bent, broken, injured and damaged, hence this suit.

Plaintiff alleges that Defendant has within the State of Alabama a permanent residence in the County of Baldwin, in the City of Fairhope, Alabama.

COUNT TWO

Plaintiff claims of the Defendant the sum of Two Hundred Fifty and no/hundredths (\$250.00) Dollars as damages, for that, heretofore, on, to-wit, the 30th day of September, 1950, the Defendant operated a motor vehicle on and along U. S. Highway 31, in or near the City of Atmore, Alabama, which said highway at said place is a public highway in Escambia County, Alabama, as to wilfully or wantonly bend, break, injure or damage the motor vehicle of the Plaintiff by wilfully or wantonly driving the motor vehicle that was being operated at said time and place by Defendant into, upon, over or against the motor vehicle of the Plaintiff, which was then and there being operated by Plaintiff on said highway; and as a proximate result of said wilfulness or wantonness on the part of Defendant, at said time and place, the automobile of the Plaintiff was badly bent, broken, injured and damaged, hence this suit.

Plaintiff alleges that Defendant has within the State of Alabama a permanent residence in the County of Baldwin, in the City of Fairhope, Alabama.


William D. Bolling, Attorney for
Plaintiff,
409 Graystone Building,
Mobile, Alabama.

Defendant's Address:

Eugene Bosby,
employee of City of Fairhope,
Fairhope, Baldwin County, Alabama.
License No.: Chevrolet Truck, 1950 - 5H2-1279

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1613

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon EUGENE BOSBY

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

EUGENE BOSBY, Defendant

by FORREST J. REYNOLDS

Plaintiff

Witness my hand this 13 day of Feb. 1951

Alice J. Smith, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

FORREST J. REYNOLDS

Plaintiffs

vs.

EUGENE BOSBY

Defendants

SUMMONS and COMPLAINT

Filed 2- 13, 19 51.

W. J. French, Clerk

RECORDED

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

Feb. 13, 19 *51*

Taylor Walpin Sheriff

I have executed this summons

this *2-14*, 19 *51*

by leaving a copy with

Eugene Bosby

Taylor Walpin Sheriff

George Hart Deputy Sheriff

WILLIAM D. BOLLING

ATTORNEY-AT-LAW
409 GRAYSTONE BUILDING
P. O. Box 671
MOBILE, ALABAMA

February 12th, 1951.

The Clerk,
Circuit Court of Baldwin County,
Bay Minette, Alabama.

Re: ~~Forrest J. Reynolds v. Eugene Bosby,~~
Property Damage to Automobile,
No. _____.

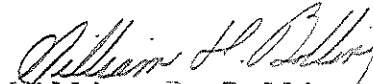
Dear Sir:

As attorney for Plaintiff, who is a resident of Mobile, Alabama, I inclose herewith Complaint in duplicate.

Will you kindly enter my name and address as indicated hereon as Attorney of Record for Plaintiff, so that I may receive notice of subsequent pleadings and settings.

Thanking you, I am,

Very truly yours,


William D. Bolling

Inclosure:
Complaint (dup.)

MS L6 175

Forrest J. Reynolds

VS.

Eugene Bosby

Damages

Filed 2-13-51

William H. Ballings

FORREST J. REYNOLDS

PLAINTIFF

VS

EUGENE BOSEY

DEFENDANT

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

Now comes the Defendant and for answer to the Plaintiff's Complaint and each count thereof separately and severally says:

1.

That he is not guilty.

2.

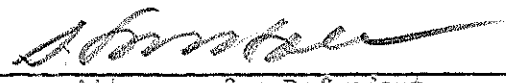
That the facts therein alleged are untrue.

3.

That the Plaintiff was guilty of negligence which proximately contributed to the damages complained of.

4.

That there was a bona fide dispute between the Plaintiff and the Defendant as to who was guilty of negligence which caused the damages complained of and as to the amount of the Plaintiff damages; that the Defendant prior to the filing of the suit paid to the Plaintiff on the date of the acts complained of the sum of TWENTY FIVE (\$25.00) DOLLARS, and on the Monday following paid to the Plaintiff the sum of TWENTY FIVE (\$25.00) DOLLARS, making a total of FIFTY (\$50.00) DOLLARS, in cash; that the Plaintiff accepted said payment of said sum in full satisfaction and discharge of said claim; wherefore the Plaintiff ought not to maintain this action.


Attorney for Defendant

RECORDED

Filed
3-24-54
A. J. [unclear]
Clerk

FOREST J. REYNOLDS
PLAINTIFF
VS
EUGENE ROSEY
DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 1613

Now comes the Defendant and demurs to the Plaintiff's complaint and to each count thereof, separately and severally, and for grounds thereof says:

1.

That said count does not state a cause of action.

2.

That said count sets out no facts showing the duty owed by the Defendant to the Plaintiff.


Attorney for the Defendant

The Defendant demands a trial by jury.


Attorney for the Defendant

FOREST J. REYNOLDS

PLAINTIFF

VS

EUGENE BOSBY

DEFENDANT

RECORDED

DEMURRERS

FILED

FEB 23 1951

ALICE J. DICK, Clerk

1613