

1539

AMENDED COMPLAINT

STATE OF ALABAMA)
BALDWIN COUNTY)

You are hereby commanded to summon Jenkins White and Robert Williams, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, at law, by John A. Lamey Milling Company, an Alabama Corporation of Mobile, Alabama, as Plaintiff, and against Jenkins White and Robert Williams, as Respondents.

WITNESS my hand this ____ day of ____, 1951.

Register

JOHN A. LAMEY MILLING COMPANY,
an Alabama Corporation of Mobile,
Alabama,

Plaintiff

Vs

JENKINS WHITE AND ROBERT WILLIAMS

Defendants

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

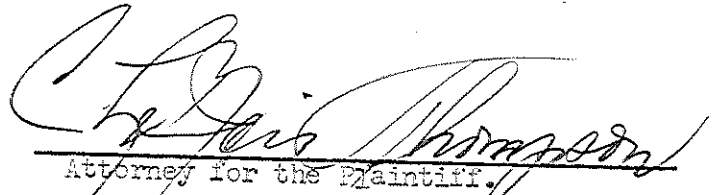
The Plaintiff claims of the Defendants the sum of FIVE HUNDRED (\$500.00) DOLLARS as damages for that heretofore, on to-wit, December 21st, 1949, one Robert Williams, whose name to your Plaintiff is otherwise unknown, an agent, servant or employee of the Defendant, while acting within the line and scope of his authority as such, was operating an automobile truck, upon and along U. S. Number Highway 31, a public road in Baldwin County, Alabama near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette, that at said time and place said servant, agent or employee of the Defendant, while acting within the line and scope of his authority negligently caused or negligently allowed an automobile truck to run upon or against an automobile, property of the Plaintiff, while said automobile was being operated on U. S. Numbered Highway 31, a public highway of Alabama near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette; and by reason thereof and as a proximate result and consequence thereof property of the Plaintiff's automobile was greatly damaged or rendered

less valuable all to Plaintiff's great damage, as said damage to the automobile being to-wit: The said damages being that the right rear fender was bent, and broken; the gravel deflector being broken and damaged; the rear deck panel being broken, bent and twisted; the right fender welt being bent and broken; one bumper guard being bent, twisted, and broken; one hub cap being bent and damaged; the right side of the frame of said automobile being twisted and knocked out of alignment; the right quarter panel being twisted and split; the right floor pan being twisted and broken; the deck lid being bent and knocked out of alignment; the rear bumper being bent and twisted; paint being damaged and other parts of the car being bent, broken, smashed or otherwise damaged, all to the plaintiff great damage as aforesaid, hence this suit.

2.

The Plaintiff claims of the Defendants the sum of FIVE HUNDRED (\$500.00) DOLLARS as damages for that heretofore, on to-wit, December 21st, 1949, one Robert Williams, whose name to your Plaintiff is otherwise unknown, an agent, servant or employee of the Defendant, while acting within the line and scope of his authority as such, was operating an automobile truck, upon and along U. S. Number Highway 31, a public road in Baldwin County, Alabama near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette, that at said time and place said servant, agent or employee of the Defendant, while acting within the line and scope of his authority wantonly caused or wantonly allowed an automobile truck to run upon or against an automobile, property of the Plaintiff, while said automobile was being operated on U. S. Numbered Highway 31, a public highway of Alabama near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette; and by reason thereof and a proximate result and consequence thereof property of the Plaintiff's automobile was greatly damaged or rendered less valuable all to Plaintiff's great damage, as said damage to the automobile being to-wit: The said damages being that the right rear fender was bent, and broken; the gravel deflector being broken and damaged; the rear deck panel being broken, bent and twisted; the right fender welt being bent and broken; one bumper guard being bent, twisted,

and broken; one hub cap being bent and damaged; the right side of the frame of said automobile being twisted and knocked out of alignment; the right quarter panel being twisted and split; the right floor pan being twisted and broken; the deck lid being bent and knocked out of alignment; the rear bumper being bent and twisted; paint being damaged and other parts of the car being bent, broken, smashed or otherwise damaged, all to the plaintiff great damage as aforesaid, hence this suit.


Attorney for the Plaintiff.

153 9

RECORDED

JOHN A. TALLEY MILLING COMPANY,
an Alabama Corporation of Mobile,
Alabama,

Plaintiff

Vs

JENKINS WHITE AND ROBERT WILLIAMS,

Defendants

AMENDED COMPLAINT

From the law offices of
C. LeNoir Thompson
Bay Minette, Alabama

FILED

APR 12 1951

ALICE J. DUCK, Clerk

STATE OF ALABAMA
BALDWIN COUNTY

You are hereby commanded to summon Jenkins White and Robert Williams, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, at law, by John A. Lamey Milling Company, an Alabama Corporation of Mobile, Alabama, as Plaintiff, and against Jenkins White and Robert Williams, as Respondents.

WITNESS my hand this 29th day of July, 1950.

Asish [Signature]
Register

JOHN A. LAMEY MILLING COMPANY,
an Alabama Corporation of Mobile,
Alabama,

Plaintiff

Vs

JENKINS WHITE AND ROBERT WILLIAMS

Defendants

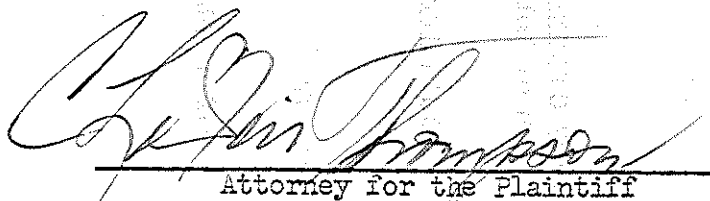
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

1.

The Plaintiff claims of the Defendants the sum of FIVE HUNDRED (\$500.00) DOLLARS as damages for that heretofore, on to-wit, December 21st, 1949, one Robert Williams, whose name to your Plaintiff is otherwise unknown, an agent, servant or employee of the Defendant, while acting within the line and scope of his authority as such, was operating an automobile truck, upon and along a public road in Baldwin County, Alabama near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette, that at said time and place said servant, agent or employee of the Defendant, while acting within the line and scope of his authority negligently caused or negligently allowed an automobile truck to run upon or against an automobile, property of the Plaintiff, while said automobile was being operated on a public highway of Alabama near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette; and by reason thereof and as a proximate result and consequence thereof property of the Plaintiff's automobile was greatly damaged or rendered less valuable all to Plaintiff's great damage, as aforesaid; hence this suit.

2.

The Plaintiff claims of the Defendants the sum of Five Hundred (\$500.00) Dollars as damages for that heretofore, on to-wit, December 21st, 1949, one Robert Williams, whose name to your Plaintiff is otherwise unknown, an agent, servant or employee of the Defendant, Jenkins White, while acting within the line and scope of his authority as such, was operating an automobile truck, upon and along a public road in Baldwin County, Alabama, near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette, that at said time and place said servant, agent or employee of the Defendant, while acting within the line and scope of his authority wantonly caused or wantonly allowed an automobile truck to run upon or against an automobile, property of the Plaintiff, while said automobile was being operated on a public highway of Alabama near the community of Stapleton in Baldwin County approximately eleven miles from the Town of Bay Minette; and by reason thereof and as a proximate result and consequence thereof property of the Plaintiff's automobile was greatly damaged or rendered less valuable all to Plaintiff's great damage, as aforesaid; hence this suit.


Attorney for the Plaintiff

RECORDED 7/15/39

Received in Sheriff's Office
this 31 day of July 1950
TAYLOR WILKINS, Sheriff

Presented Aug 1 1950
by servant copy of within Summons and
Complaint on

Jenkins White
Robert Williams

JOHN A. LAMEY MILLING COMPANY,
an Alabama Corporation of Mobile,
Alabama,

Plaintiff

Vs

JENKINS WHITE and ROBERT
WILLIAMS

Defendants

Taylor Wilkins Sheriff
W. F. Hall Deputy Sheriff

SUMMONS AND COMPLAINT

FILED
JUL 29 1950
ALICE L. DUCK, Clerk

From the law office of
C. LeNoir Thompson
Bay Minette, Alabama

JOHN A. LAMEY MILLING
COMPANY, ALABAMA CORPORATION
OF MOBILE, ALABAMA

PLAINTIFF

VS

JENKIN WHITE and
ROBERT WILLIAMS

DEFENDANT

Q

Q

Q

Q

Q

Q

Q

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 1539

Now comes the Defendant and demurs to the Plaintiff's complaint,
and to each count thereof separately and severally, and as grounds for
said demurrers sets out the following, separately and severally:

1.

That said count does not state a cause of action.

2.

That said count does not set out the damages to the Plaintiff's
automobile.

3.

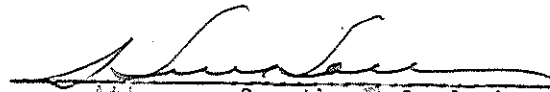
That said count does not specify with particularity the damages to
the Plaintiff's automobile.

4.

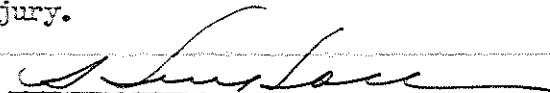
That said count does not set out sufficient particularity the
location of the alleged accident.

5.

That said count charges the act rather than the injuries as being
wantonly done.


Attorney for the Defendants

The Defendants demands a trial by jury.


Attorney for the Defendants

1539
RECORDED

JOHN A LAMEY MILLING
COMPANY, AN ALABAMA
CORPORATION OF MOBILE,
ALABAMA.

PLAINTIFF

VS

JENKIN WHITE AND
ROBERT WILLIAMS

DERENDANTS

FILED
AUG 3rd 1950
ALICE J. DUCK, Clerk