

STATE OF ALABAMA) BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ROBERT CECIL WEEKS to appear within thirty (30) 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 answer the complaint of ROBERT L. HEN-DERSON.

WITNESS my hand on this the 31st day of August, 1950.

Clerk of the Circuit Court.

The Defendant resides at 167 Primrose Street, Mobile, Alabama.

COMPLAINT

ROBERT L. HENDERSON.

VS.

Plaintiff.

ROBERT CECIL WEEKS.

Defendant.

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

The Plaintiff claims of the Defendant the sum of Five Thousand Dollars (\$5,000.00) damages for that heretofore on, to-wit, the 16th day of July, 1950, at the intersection of United States Highway Number 90 and Alabama Highway Number 3 about onehalf mile North of Robertsdale in Baldwin County, Alabama, which said roads or highways were used and traveled over by the public and over which the Plaintiff and the public had a right to travel, the Defendant negligently drove the automobile which he was operating into Plaintiff's motor truck and as a proximate result of the said negligence on the part of the Defendant, the Plaintiff was ser iously and permanently injured, caused to suffer great pain, his back was bruised and injured, both legs were bruised, one shoulder was bruised, he incurred large expenses by way of doctor bills and

medicine and was caused to lose time from his work or business, all to his damage as aforesaid.

2. The Plaintiff claims of the Defendant the sum of Five Thousand Dollars (\$5,000.00) for that on, to-wit, July 16, 1950 the Defendant negligently drove an automobile into the Plaintiff's motor truck at the intersection of United States Highway Number 90 and Alabama Highway Number 3 at a point about one-half mile North of Robertsdale in Baldwin County, Alabama and as a proximate result of the said negligence on the part of the Defendant, the Plaintiff's 1950 Dodge truck was demolished, the load of produce which was being carried thereon was damaged, all to his damage as aforesaid.

Attorney for Plaintiff.

Plaintiff demands a trial of said cause by jury.

Attorney for Plaintiff.

Received in Shoriff's Office this / day of April 1950
TAYLOR WILKINS, Sheriff

Received to Day of All 1950 and on To Day of All 1950 is served a copy of the within 500 West on W. H. HOLCOMBE, Sheriff W. H. HOLCOMBE, Sheriff

Summons and Complaint

ROBERT L. HENDERSON, RECORDED

Plaintiff,

ROBERT CECIL WEEKS, X8 M

Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

AUG 31 1950 AUG 31 1950 AUG J. DUCK, Glock

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

ROBERT L. HENDERSON,

Plaintiff,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA.

ROBERT CECIL WEEKS,

AT LAW.

Defendant.

Comes the defendant in the above entitled cause and demurs to each Count, separately and severally, of the Complaint exhibited against him on the following separate and several grounds:

- 1. Because said Count fails to allege facts which show a duty owing by the defendant to the plaintiff.
- 2. Because no facts are alleged showing a duty by the defendant to the plaintiff not to negligently injure the plaintiff.
- 3. Because said Count fails to aver that the plaintiff was operating his motor truck on a public highway at the time of the collision complained of.
- 4. Because from aught appearing, the plaintiff was a trespasser and the defendant owed him no duty not to negligent-ly injure him.
- 5. Because said Count fails to aver that the collision complained of occurred on a public highway.

Attorneys for the Defendant

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OCT 6 1950 OCT 6 1950 ALICE J. WUCK, Clerk

J, B. BLACKBURN ATTORNEY AT LAW BAY MINETTE, ALABAMA

> August 31 Ī950

Mrs. Alice J. Duck Clerk of Circuit Court Bay Minette, Alabama

Dear Mrs. Duck:

The Plaintiff in the case of Robert L. Henderson vs. Robert Cecil Weeks, which was filed today, being a non-resident of the State of Alabama, I am handing you herewith my check for \$35.00 as a deposit on the court costs to be incurred in this proceeding.

Very truly yours,

B. BLACKBURN.

JBB:MLB Encl.

NO 1553

Robert L. Hendersond 15. Robert Cecil Weeks

Damages
Filed 6-31-50

J.B. Bluckburn