

PENSACOLA MOTOR COMPANY, INC.

Plaintiff,

vs.

CHARLES L. BISHOP,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE

No. 1763.

Comes the Plaintiff in the above styled cause and demurs to the answer and ~~cross bill~~ *Plea & recoupment* filed by the defendant in said cause and to each and every paragraph thereof, separately and severally and assigns the following separate and several grounds, viz:

1. That plea 3 does not state a defense to the cause of action.
2. That plea 3 is vague and indefinite.
3. That plea 2 is not a defense to this cause of action.
4. That paragraph 4 does not state a cause of action against the Plaintiff and in favor of the Defendant.

Lawrence Stone
Attorneys for Plaintiff.

FILED

11-23-52

ALICE J. DUCK, Register

DEMURRER TO ANSWER &
~~CROSS-BILL~~ *Recoupment*
Plea 7

PENSACOLA MOTOR COMPANY, INC.,

Plaintiff,
vs.

CHARLES L. BISHOP,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

No. 1763.

Filed: April *23rd*, 1952.

Alvin J. French
Clerk.

PENSACOLAMOTOR COMPANY INC.

PLAINTIFF

VS

CHARLES L. BISHOP

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 1763

Now comes the Defendant and for answer to the Plaintiff's complaint says:

1.

That he is not guilty.

2.

That the facts alleged therein are untrue.

3.

That the Plaintiff's servant, agent or employee, while acting within the line and scope of her employment guilty of contributory negligence which proximately caused the damages complained of.

4.

The Defendant, Charles L. Bishop claims of the Plaintiff ONE THOUSAND (\$1000.00) DOLLARS as damages, by way of recoupment, for that heretofore on to-wit, January 30, 1952, at about 9 o'clock A.M. at a point approximately 2.8 miles South of Fairhope, Baldwin County, Alabama, on U. S. Highway No. 89, in Baldwin County, Alabama, and at the same time and place referred to in the Plaintiff's complaint, the said Plaintiff, acting by and through its servant, agent or employee, who was then and there acting within the line and scope of her employment negligently drove an automobile into, upon or against an automobile truck of the Defendant, and as a proximate consequence of said negligence said automobile truck was damaged as follows: Steering gear was damaged; fenders were bent; springs were broken; cab was broken; door was bent and broken; wheels were bent and broken; the body was knocked out of line; and the said truck was otherwise damaged; and the market value thereof was permanently depreciated; that the Plaintiff at said time was using his truck in his business and as a result of said damages he was caused to lose the use of his said truck for a period of to-wit, two weeks,

all to the damage of the Defendant.

J. L. Lall
Attorney for Defendant

The Defendant demands a trial by jury.

J. L. Lall
Attorney for Defendant

FILED

3-11-52

ALICE J. DUCK, Register

1763

DEMISACOLA MOTOR COMPANY INC.

PLAINTIFF

VS

CHARLES L. BISHOP

DEFENDANT

ANSWER AND CROSS BILL

FILED

Mar 11 1952

ALICE J. DUCK, Register

STATE OF ALABAMA)
BALDWIN COUNTY)

BOOK 302 PAGE 90

IN THE CIRCUIT COURT - LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Charles L. Bishop 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 same, then and there to answer the complaint of Pensacola Motor Company, Inc.

Witness my hand this 14th day of February, 1952.

Alice J. Duck
Clerk.

COMPLAINT:

PENSACOLA MOTOR COMPANY, INC.,	¶	IN THE CIRCUIT COURT OF
Plaintiff,	¶	BALDWIN COUNTY, ALABAMA
vs.	¶	LAW SIDE.
CHARLES L. BISHOP,	¶	
Defendant.	¶	

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Seven Hundred Fifty Dollars (\$750.00) as damages for that, whereas, on to-wit, January 30, 1952, at about 9:00 o'clock A. M., at a point about 2.8 miles South of Fairhope, Alabama, on Alabama Highway #89 in Baldwin County, Alabama, an automobile belonging to the Plaintiff was being driven Southward along such highway and while the Defendant was driving his automobile truck Southward along such highway the Defendant negligently drove his automobile truck into or against the automobile belonging to such Plaintiff at such time and place and as a proximate result and consequence of such negligence, the automobile belonging to the Plaintiff was damaged in this: its right fender and right side of the body was badly bent; its radiator and grill was damaged, its wheels were knocked out of line and it was otherwise damaged, all to the damage of the Plaintiff in the sum aforementioned.

CHASON & STONE

FILED

2-14-52

ALICE J. DUCK, Register

By: *John H. Chason*
Attorneys for the Plaintiff.

Received in Sheriff's Office
this 14 day of Feb 1952
TAYLOR WILKINS, Sheriff

Executed 2-26-52
by serving copy of within Summons and
Complaint on

Charles L. Bishop

Taylor Wilkins Sheriff
H. F. Hall Deputy Sheriff

SUMMONS AND COMPLAINT

#1763

PENSACOLA MOTOR COMPANY, INC.,
Plaintiff,

vs.

CHARLES L. BISHOP,
Defendant.

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

Filed: February 14, 1952

Alvin J. Duck
Clerk.

LAW OFFICES
~~W. H. H. H.~~ CHASON & STONE
BAY MINETTE, ALABAMA