

1785

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William A. Campbell, 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 Atlanta-New Orleans Motor Freight Company.

Witness my hand this 7th day of April, 1952.

W. J. Vance
Clerk.

COMPLAINT

ATLANTA-NEW ORLEANS MOTOR
FREIGHT COMPANY,

Plaintiff,

vs.

WILLIAM A. CAMPBELL,

Defendant.


Ø
Ø
Ø
Ø
Ø
Ø
Ø

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

COUNT ONE:

The Plaintiff claims of the Defendant the sum of One Thousand Dollars (\$1,000.00) as damages for that, whereas, on to-wit, January 22, 1952, at about 3:00 o'clock P.M., at a point approximately six miles East of the city limits of Bay Minette, Alabama, on United States Highway #31, in Baldwin County, Alabama, an automobile truck owned by the Plaintiff was being driven Eastwardly along such highway and while the Defendant was driving his automobile Eastward along such highway and after the driver of the truck owned by the Plaintiff had blown his horn signaling that he was about to pass the Defendant, the Defendant negligently drove his automobile across the center line of such highway and directly in front of the truck owned by the Plaintiff causing the same to collide with the truck owned by such Plaintiff and as a proximate result and consequence of the negligence of the Defendant the automobile truck owned by the Plaintiff was damaged in this: its left front fender was badly bent;

its bumper was bent; a spring was broken and two tires were ruined and it was otherwise damaged and the Plaintiff was caused to lose the use of such truck for two days, which said truck was then being used in the business of the Plaintiff as a commercial vehicle, all to the damage of the Plaintiff in the sum aforementioned.


Attorneys for the Plaintiff.

Received in Sheriff's Office
this 7 day of Apr 1952
TAYLOR WILKINS, Sheriff

red in office this 8 day

of April 1952

M. C. Meredith
Sheriff

COVINGTON COUNTY, ALA.

Executed the within

Complaint
by serving a copy thereof on

William A. Campbell

This 8 day of April 19

M. C. Meredith Sheriff

H. S. Wilson Dist.

Covington County, Alabama.

We the Jury find
for the Plaintiff
and assess damages
at \$425 00

R. P. Steigenswald
Foreman

RECORDED

no 1785

SUMMONS AND COMPLAINT

ATLANTA-NEW ORLEANS MOTOR
FREIGHT COMPANY,

Plaintiff,

vs.

WILLIAM A. CAMPBELL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

Filed: April 7, 1952

Archie W. Stone
Clerk.

LAW OFFICES

HYBART, CHASON & STONE

BAY MINETTE, ALABAMA

ATLANTA-NEW ORLEANS MOTOR
FREIGHT COMPANY,

Plaintiff,

vs.

WILLIAM A. CAMPBELL,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO THE
DEFENDANT

1. Please state your name, age and address.

(a) Were you driving a 1949 Buick automobile, with Alabama License #23D 1306, along United States Highway #31, at a point about six miles East of Bay Minette, Alabama, on January 22, 1952, at about 3:00 o'clock P. M?

(b) If you state that you were, was this automobile involved in an accident with a truck?

(c) Were you the owner of such Buick automobile at the time of the accident?

(d) Were you traveling Eastward along such highway immediately before the accident?

(e) At what speed were you traveling?

(f) Please give the name and address of any person or persons who were in such automobile with you.

2. Please state whether you had been drinking any intoxicating liquors on the day of such accident.

(a) If you state that you had been drinking intoxicating liquors that day, please state what you had been drinking and the number of drinks you had taken that day.

(b) Is it not a fact that you had in such automobile at the time of the accident one or more bottles of whiskey, a part of which had been consumed and that you also had coca colas?

(c) Is it not a fact that immediately after the accident occurred that you carried such whiskey across the road and placed it in the woods near the highway?

(d) Immediately before the accident were you driving on your right side or the South side of such highway and did you not drive or allow your automobile to go across the center line onto

the North side of such highway where you were struck by a truck?

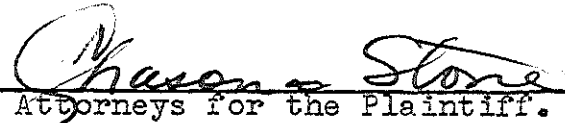
(e) In what direction did your automobile go after it was struck by the truck?

(f) Did your automobile turn over after colliding with the truck?

(g) Is it not a fact that at the time of the collision your automobile was almost completely on the North side of United States Highway #31.

3. For the purpose of qualifying the Jury, please state whether you carry property damage insurance covering said collision.

(a) If your answer is yes, please give the name and address of your Insurance Company.


Attorneys for the Plaintiff.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, a Notary Public, in and for said State and County, personally appeared John Chason, who is one of the attorneys for the Plaintiff in the above styled cause and who, after being by me first duly and legally sworn deposes and says that if the answers to the Interrogatories propounded to the Defendant are well and truly made, they will be material evidence for the Plaintiff on the trial of this cause.

Sworn to and subscribed before
me this 7th day of April, 1952.


Notary Public, Baldwin County, Alabama.

Defendants Address:
River Falls, Alabama.

Received in Sheriff's Office
this 7 day of Apr., 1952
TAYLOR WILSON, Sheriff

Received in office this 8 day
of April 1952
M. C. Meredith
Sheriff,
COVINGTON COUNTY, ALA.

Executed the within
Interrogatories
by serving a copy thereof on
William A. Campbell as

This 8 day of April 1952
M. C. Meredith Sheriff
H. L. Wilson D. S.
Covington County, Alabama.

m **RECORDED**

INTERROGATORIES PROPOUNDED BY
THE PLAINTIFF TO THE DEFENDANT

ATLANTA-NEW ORLEANS MOTOR
FREIGHT COMPANY,

Plaintiff,

vs.

WILLIAM A. CAMPBELL,

Defendant.

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

Filed: April 7th, 1952.

David J. Renshaw
Clerk.

LAW OFFICES
~~HUBBARD~~ HUBBARD, CHASON & STONE
BAY MINETTE, ALABAMA

ATLANTA*NEW ORLEANS MOTOR
FREIGHT COMPANY

PLAINTIFF

VS.

WILLIAM A. CAMPBELL

DEFENDANT

*

*

*

*

*

*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Now comes the defendant and for answer to plaintiff's interrogatories, in the order propounded, says as follows:

1. William A. Campbell, 29, River Falls, Alabama.

(a) Yes.

(b) Yes.

(c) Yes.

(d) Am not acquainted with directions at that point.

(e) At what point and when? Just before collision was making about 60 miles per hour.

(f) Mary Littles, Andalusia, Alabama, Maxine Williamson, Route 8, Andalusia, Alabama.

2. Yes.

(a) Whiskey - 2 drinks before lunch.

(b) No.

(c) The passengers in my car had a bottle of whiskey; another bottle was near the car on the highway. Someone said the truck driver threw out the bottle on the highway and said all of the whiskey should be put aside as evidence for the partolmen.

(d) No.

(e) The direction of my automobile was reversed.

(f) No.

(g) My car was on my right hand side of highway at time of impact.

3. Have no insurance.

William A. Campbell
Defendant

Sworn to and subscribed before me this 28 day of May, 1952.

Helen Gault
Notary Public

7-7-52

Filed 6-17-52
Miss J. Leach
Clark

ATLANTA-NEW ORLEANS MOTOR
FREIGHT COMPANY

PLAINTIFF

VS.

WILLIAM A. CAMPBELL

DEFENDANT

*

*

*

*

*

*

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA

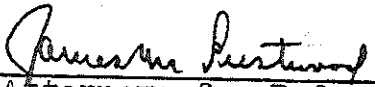
AT LAW

NO. 1785


Now comes the defendant and demurs to plaintiff's complaint heretofore filed assigning the following grounds:

1. Said complaint states no cause of action.
2. Said complaint is vague, uncertain and indefinite in that it refers to plaintiff's vehicle as an automobile truck.
3. For aught that appears plaintiff was following defendant too closely.
4. For that it appears from said complaint that plaintiff is guilty of contributory negligence.
5. For that the complaint is silent as to how long after the signal was given before plaintiff's truck attempted to pass the defendant's vehicle.

PRESTWOOD & PRESTWOOD


Attorneys for Defendant

Defendant Demands a Trial By Jury.



Prestwood & Prestwood
Attorneys At Law
Andalusia, Alabama

No. 1785

RECORDED

ATLANTA-NEW ORLEANS MOTOR
FREIGHT COMPANY

PLAINTIFF

VS.

WILLIAM A. CAMPBELL

DEFENDANT

DEMURRER

*Filed 5-7-52
A. J. French
Clerk*

1795
 Civil Jury List

No.	Name	Occupation	Address
1.	ROSS FREEMAN,	Plumber,	Robertsdale
2.	CLYDE BURT,	Laborer,	Bay Minette P7
3.	HAROLD SAYS,	Farmer,	Loxley W7
4.	MAXWELL JEWELL,	Merchant,	Foley W8
5.	CLARENCE SCHRAM,	Newport,	Bay Minette W2
6.	J. C. GRIMES,	Produce Man,	Loxley
7.	CALVIN HILL,	Farmer,	Belforest
8.	E. J. VERDONSCHEP,	Flower Grower,	Foley P3
9.	LEONARD TRIONE,	Real Estate,	Daphne W6
10.	CURTIS CAPPS,	Ice Cream Parlor,	Bay Minette W5
11.	GEORGE HERTEL,	Farmer,	Elberta
12.	GILBERT COOPER,	Farmer,	Rosinton
13.	BROOKS BUSH, SR.,	School Bus Driver,	Crossroads
14.	WILLIAM S. ALEXANDER,	Newport,	Bay Minette W4
15.	MARVIN BEVERLY,	Laborer,	Robertsdale W6
16.	J. E. BEATY,	Mechanic,	Fairhope P5
17.	GRADY FAIRCLOTH,	Merchant,	Magnolia Springs
18.	ANGELO LAZZARI,	Farmer,	Belforest
19.	RODNEY FELL,	Butcher,	Foley
20.	M. A. LOVELL, JR.,	Farmer,	Loxley P2
21.	ELDO LEE,	Carpenter,	Loxley
22.	A. E. COWLING,	Retired Navy,	Semihole P4
23.	Y. A. COX, JR.,	Store Work,	Stockton
24.	J. A. MOTHERSHED,	Farmer,	Lottie
25.	H. R. HALL,	Store Owner,	Fairhope P1
26.	CLYDE PERKINS,	Newport,	Bay Minette W3
27.	ROBERT STEIGERWALD,	Cleaning,	Foley
28.	HANNIS HEAD,	Ship Yard,	Stapleton
29.	WILLIAM S. ALEXANDER,	Newport,	Bay Minette
30.	WILLIAM S. ALEXANDER,	Newport,	Bay Minette W1

XXXX X

XXXX X