

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON, et al,

Defendants.

1887  
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

Comes now the Plaintiff, by her attorneys, and amends the  
Complaint heretofore filed in the above styled cause so that the  
same shall read as follows:

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Fifteen  
Thousand Dollars (\$15,000.00) as damages for that on to-wit, the  
25th day of October, 1952, the Defendant Willie C. Davison so neg-  
ligently operated a motor vehicle on U. S. Highway #31, at a point  
to-wit, approximately 400 feet South of the Southernmost City  
Limits of Bay Minette, Alabama, in Baldwin County, Alabama, as to  
cause or allow said motor vehicle to run against, over and upon the  
Plaintiff's intestate, Jessie L. Cox, who was then and there walk-  
ing along the Eastern shoulder of said highway in a Southerly dir-  
ection, as a proximate result of which negligence Plaintiff's in-  
testate suffered injuries from which he died, all to the damage of  
the Plaintiff as aforesaid, wherefore Plaintiff brings this suit  
and asks judgment in the above amount.



COUNT TWO:

The Plaintiff claims of the Defendant the sum of Fifteen  
Thousand Dollars (\$15,000.00) as damages for that on to-wit, the  
25th day of October, 1952, the said Willie C. Davison wantonly  
injured Plaintiff's intestate, Jessie L. Cox, Deceased, on U. S.  
Highway #31, at a point to-wit, approximately 400 feet South of the

Southernmost City Limits of Bay Minette, Alabama, in Baldwin County, Alabama, by then and there wantonly driving a motor vehicle over, upon and against the Plaintiff's intestate, who was then and there walking along the Eastern shoulder of said highway in a Southerly direction, as a proximate result of which wantonness, the Plaintiff's intestate suffered injuries from which he died; wherefore, Plaintiff brings this suit and asks judgment in the above amount.

CHASON & STONE

BY:

   
Attorneys for the Plaintiff.

RECORDED

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON,

Defendant.

\*\*\*\*\*

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

\*\*\*\*\*

AMENDED COMPLAINT

\*\*\*\*\*

FILED

AUG 10 1953

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

We The Jury  
find for the  
Plaintiff and  
set the damage  
at Five thousand  
\$5000<sup>00</sup> Dollars  
H. M. Shuch  
Shuch

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 Willie C. Davison and W. W. Davison 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 Artensie Cox, as Administratrix of the Estate of Jessie L. Cox, Deceased.

Witness my hand this 17<sup>th</sup> day of November, 1952.

*Artensie Cox*  
Clerk.

COMPLAINT

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON AND W. W.  
DAVISON,

Defendants.

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

COUNT ONE:

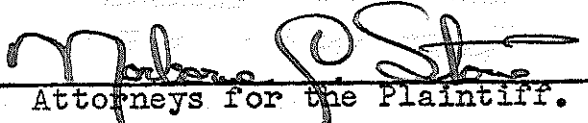
The Plaintiff claims of the Defendants the sum of Fifteen Thousand Dollars (\$15,000.00) as damages for that on to-wit, the 25th day of October, 1952, the Defendant Willie C. Davison, who was then and there a servant or agent of the Defendant W. W. Davison, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle on U. S. Highway #31, at a point to-wit, approximately 400 feet South of the Southernmost City Limits of Bay Minette, Alabama, in Baldwin County, Alabama, as to cause or allow said motor vehicle to run against, over and upon the Plaintiff's intestate, Jessie L. Cox, who was then and there walking along the Eastern shoulder of said highway in a Southerly direction, as a proximate result of which negligence Plaintiff's intestate suffered injuries from which he died, all to the damage of the Plaintiff as aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.

COUNT TWO:

The Plaintiff claims of the Defendants the sum of Fifteen Thousand Dollars (\$15,000.00) as damages for that on to-wit, the 25th day of October, 1952, the said Willie C. Davison, who was then and there a servant or agent of the Defendant W. W. Davison, while acting within the line and scope of his employment as such wantonly injured Plaintiff's intestate, Jessie L. Cox, Deceased, on U. S. Highway #31, at a point to-wit, approximately 400 feet South of the Southernmost City Limits of Bay Minette, Alabama, in Baldwin County, Alabama, by then and there wantonly driving a motor vehicle over, upon and against the Plaintiff's intestate, who was then and there walking along the Eastern shoulder of said highway in a Southerly direction, as a proximate result of which wantonness, the Plaintiff's intestate suffered injuries from which he died; wherefore, Plaintiff brings this suit and asks judgment in the above amount.

CHASON AND STONE

BY:

  
Attorneys for the Plaintiff.

Plaintiff demands a trial of  
this cause by Jury.

CHASON AND STONE

BY:

  
Attorneys for the Plaintiff.

day of 11, 1952  
TAYLOR WILKINS, Sheriff

Presented

by serving copy of within Summons and  
Complaint on

W. W. Davison 11-18-52

Willie C. Davison 11-24-52

Taylor Wilkins Sheriff

By J. F. Hall Deputy Sheriff

**SUMMONS AND COMPLAINT**

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON AND W. W.  
DAVISON,

Defendants,

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

FILED

NOV 17 1952

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs

WILLIE C. DAVISON AND W. W.  
DAVISON,

DEFENDANT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

Comes Willie C. Davison, Defendant in said cause and demurs  
to the complaint filed in the above entitled cause and to each and  
every count and in separate and severally by filing and submitting  
the following separate and several demurrers.

1.

That said complaint fails to aver in which county or state the  
alleged accident occurred.

2.

That said complaint fails to aver that said accident occurred  
on a public highway.

3.

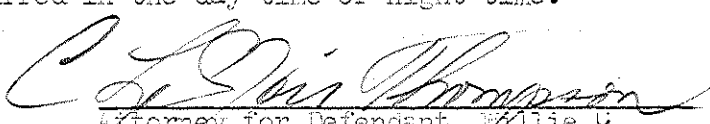
Defendant especially demurs to count one of said complaint in that  
the allegation that the Defendant "negligently operated a motor vehicle ...  
so as to cause or allow said motor vehicle to run against, over or upon  
the Plaintiff's intestate," is a mere conclusion of the pleader and is  
not supported by any facts.

4.

Defendant especially demurs to Count Two of said complaint in that  
the allegation that the Defendant "wantonly injured Plaintiff's  
intestate....by then and there wantonly driving a motor vehicle over,  
upon and against the Plaintiff's intestate," is a mere conclusion of  
the pleader and is not support by any facts.

5.

That said complaint fails to aver whether the alleged accident,  
basis of said complaint, occurred in the day time or night time.

  
Attorney for Defendant, Willie C.  
Davison.

RECORDED

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased.

PLAINTIFF

VS.

WILLIE C. DAVISON AND W. W.  
DAVISON

DEFENDANT

DEMURRERS

From the Law Offices of  
C. L. Noir Thompson  
Attorney At Law  
Bay Minette, Alabama

FILED

DEC 13 1952

JOHN L. BUCK, Notary



ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased.

PLAINTIFF

VS

WILLIE C. DAVISON AND W. W.  
DAVISON

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

Comes Defendant, W. W. Davison, in said cause and amends his  
demurrer heretofore filed in said complaint, in the above entitled  
cause and to each and every count, separately and severally thereof,  
by filing and submitting the seperate and several demurrers.

1.

That there is a misjoinder of causes of action in that causes of  
action alleged against the party's Defendant are separate distinct  
causes of action.

2.

That Defendant especially demurs to said complaint and says to  
this party in that it does not appear from the Defendant that the  
Defendants are jointly liable.

  
Attorney for Defendant, W. W. Davison

RECORDED

ARTENSIE COX, <sup>As</sup> Administratrix  
of the Estate of JESSIE L. COX,  
Deceased.

PLAINTIFF

VS

WILLIE C. DAVISON AND W. W.  
DAVISON

DEFENDANT

Amended Demurrers

From the Law Offices of  
C. LeNoir Thompson  
Bay Minette, Alabama

FILED

JAN 23

ALICE I. DUCK, Clerk

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased.

PLAINTIFF

VS

WILLIE C. DAVISON AND W. W.  
DAVISON

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

Comes Defendant, Willie C. Davison, and for answer to Count One to  
said complaint says:

1.

Not guilty.

2.

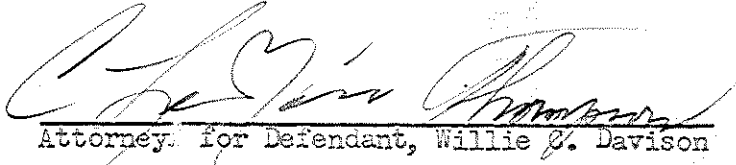
For answer to Count Two of said Complaint, not guilty.

3.

As to Count One and for further answer to said Count this Defendant  
says that the Plaintiff ought not to recover in this case for that on the  
occasion complained of the Plaintiff's intestate was himself guilty of  
negligence proximately contributing to said Plaintiff's intestate's  
injuries or death in this that the said Plaintiff's intestate fails to  
exercise due diligence on said occasion which proximately contribute  
to Plaintiff's intestate's injuries and death, hence Plaintiff ought  
not to recover in said suit.

4.

As to Count Two and for further answer to said Count this Defendant  
says that the Plaintiff ought not to recover in this case for that on the  
occasion complained of the Plaintiff's intestate was himself guilty of  
negligence proximately contributing to said Plaintiff's intestate's  
injuries or death in this that the said Plaintiff's intestate fails to  
exercise due diligence on said occasion which proximately contribute to  
Plaintiff's intestate's injuries and death, hence Plaintiff ought  
not to recover in said suit.

  
Attorney for Defendant, Willie C. Davison

1887

RECORDED

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased.

PLAINTIFF

VS

WILLIE C. DAVISON AND W. W.  
DAVISON

Answer

From the Law Offices of  
C. LeNoir Thompson  
Bay Minette, Alabama

FILED

JAN 23

ALICE J. BUCK, Clerk

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
DECEASED.

PLAINTIFF

VS

WILLIE C. DAVISON AND W. W.  
DAVISON.

DEFENDANT

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

Comes Defendant, W. W. Davison, and for answer to Count One to said

Complaint says:

1.

Not guilty.

2.

For answer to Count Two of said complaint, not guilty.

3.

As to Count One and for further plea Defendant says: Plaintiff's intestate was guilty of negligence, which contributed approximately to the death of intestate complained of in complaint, and that on said day and date Plaintiff was walking along U. S. Highway numbered 31 South of Bay Minette, in dark clothes, in the night time and notwithstanding the approach of motor vehicles, Plaintiff's intestate departed from safety along the side of the highway and without taking due precaution negligently undertook to cross said highway and stepped upon the pavement immediately in front of an approaching automobile, thereby contributing approximately to his death, and hence that Plaintiff ought not to recover in this case.

  
Attorney for Defendant, W. W. Davison

**RECORDED**

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

Vs

WILLIE C. DAVISON AND W. W.  
DAVISON.

Defendant.

**FILED**  
4-3-51  
ALICE J. CUCK, Clerk

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON AND W. W.  
DAVISON,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO  
THE DEFENDANT, WILLIE C. DAVISON

Comes now the Plaintiff, Artensie Cox, as Administratrix of the Estate of Jessie L. Cox, Deceased, by her attorneys, and affidavit having been made by Norborne C. Stone, Jr., one of the Attorneys of Record for the Plaintiff, and propounds the following Interrogatories to the Defendant Willie C. Davison:

1. Please state your correct name.
2. Are you a son of W. W. Davison, one of the Defendants in this case?
3. What is your age and residence?
4. How long had you been driving an automobile on October 25, 1952?
5. Were you operating a 1950 Ford Coach, Motor #BOMP 154653, Alabama License Tag 1951 #5C 3182 on October 25, 1952, at about 11:00 o'clock P. M. at a point approximately 400 feet South of the City Limits of Bay Minette, Alabama, on United States Highway #31?
6. If you state that you were operating said automobile at said time and place would you please state who the owner of the automobile was on that date, time and place and attach a copy of the Bill of Sale to said owner to your answers hereto.
7. If your answer to Interrogatory #5 was in the affirmative, please state who else, if anyone, was riding in said automobile with you at the time and place.

CHASON & STONE

BY:

Norborne C. Stone, Jr.  
Attorneys for the Plaintiff.


STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice L. Miller, a Notary Public, in and for said County in said State, personally appeared Norborne C. Stone, Jr., who is known to me, and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is Norborne C. Stone, Jr., and that he is one of the Attorneys of Record for Artensie Cox, as Administratrix of the Estate of Jessie L. Cox, Deceased, who is the Plaintiff in that certain action now pending in the Circuit Court of Baldwin County, Alabama, wherein Willie C. Davison and W. W. Davison are the Defendants. That the answers to the Interrogatories propounded above will be material testimony and evidence for the Plaintiff in the said cause.

Dated this 23rd day of January, 1953.



Sworn to and subscribed before  
me this 23rd day of January, 1953.

  
Notary Public, Baldwin County, Ala.



7-4-1953  
TAYLOR WILKINS, Sheriff

Received \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

and on 24 day of Jan 1953

I served a copy of the within \_\_\_\_\_

on \_\_\_\_\_

By service on C. L. Thompson

TAYLOR WILKINS, Sheriff

By W. B. Sullivan D.S.

RECORDED  
INTERROGATORIES PROPOUNDED BY  
THE PLAINTIFF TO THE DEFENDANT,  
WILLIE C. DAVISON

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON AND W. W.  
DAVISON,

Defendants.

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

FILED

JAN 23 1953

ALICE J. DUCK, Clerk

LAW OFFICES

HYBART, CHASON & STONE

BAY MINETTE, ALABAMA

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON AND W. W.  
DAVISON,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1887

DEMURRER

Comes now the Plaintiff, by her Attorneys, and demurs to Pleas "3." and "4." heretofore filed by the Defendant, Willie C. Davison, to Counts One and Two of the Complaint and assigns the following separate and several grounds in support thereof:

(1) Plea "3." is insufficient.

(2) Plea "4." is insufficient.

(3) That the allegation of Plea "3." that "the Plaintiff's intestate was himself guilty of negligence proximately contributing to said Plaintiff's intestate's injuries or death" is a mere conclusion of the pleader, for that sufficient facts are not set out to show the acts, omissions, conduct or behavior relied on as constituting contributory negligence.

(4) For that Plea "3." fails to allege sufficient facts to show in what the negligence of the Plaintiff consisted.

(5) For that the allegation of Plea "4." that "the Plaintiff's intestate was himself guilty of negligence proximately contributing to said Plaintiff's intestate's injuries or death" is a mere conclusion of the Pleader, for that sufficient facts are not set out therein to show the acts, omissions, conduct or behavior relied on as constituting contributory negligence.

(6) For that Plea "4." fails to allege sufficient facts to show in what the negligence of Plaintiff's intestate consisted.

(7) That Plea "3." fails to allege a duty owing by the Plaintiff's intestate to the Defendant and a breach thereof proximately causing the injuries complained of.

(8) That Plea "4." does not constitute a defense to Count  
Two of the Complaint.

Respectfully submitted,

CHASON & STONE

BY:

Marlene S. Stone

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON AND W. W.  
DAVISON,

Defendants.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1887

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DEMURRER

\*\*\*\*\*

FILED  
JUN 12 1953  
ALICE J. BUCK, Clerk

LAW OFFICES  
CHASON & STONE  
BAY MINETTE, ALABAMA

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff, I

vs. I

WILLIE C. DAVISON AND W. W.  
DAVISON, I

Defendants. I

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1887

DEMURRER

Comes now the Plaintiff, by her attorneys, and demurs to  
Plea "3." heretofore filed by the Defendant, W. W. Davison and  
assigns the following separate and several grounds in support  
thereof:

(1) That said Plea is insufficient.

(2) That said Plea fails to allege a duty owing by Plaintiff's  
Intestate's to the Defendant, W. W. Davison and a breach thereof pro-  
ximately contributing to the death of Plaintiff's Intestate.

(3) That the allegation of said plea "3." that the Plaintiff's  
Intestate was guilty of negligence is a mere conclusion of the  
Pleader.

Respectfully submitted,

CHASON & STONE

BY:

Marbome S. Stone

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON AND W. W.  
DAVISON,

Defendants.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1887

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DEMURRER

\*\*\*\*\*

FILED  
JUN 12 1953  
ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

AMENDED ANSWER AND PLEA

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased.

PLAINTIFF,

VS

WILLIE C. DAVISON AND W. W.  
DAVISON,

DEFENDANTS.

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

Comes Defendant, Willie C. Davison, and for answer to Complaint says:

1.

As to Count One; not guilty.

2.

For answer to Count Two of said complaint, not guilty.

3.

As to Count One and for further answer to said Count this Defendant says: Plaintiff's intestate said Jessie L. Cox, failed to exercise due diligence and was guilty of negligence, which contributed proximately to the death of Jessie L. Cox, deceased complained of in complaint, and that on said day and date Plaintiff was walking along U. S. Highway numbered 31 South of Bay Minette, in dark clothes, in the night time, and not withstanding the approach of motor vehicles, said Jessie L. Cox, deceased, departed from safety along the side of the highway where he was walking, and without taking due precaution negligently stepped upon the pavement immediately in front of an approaching automobile, thereby contributing proximately to his death, and hence that Plaintiff ought not to recover in this case.

4.

As to Count Two and for further answer to said Count this Defendant says: Plaintiff's intestate said Jessie L. Cox, failed to exercise due diligence and was guilty of negligence, which contributed proximately to the death of Jessie L. Cox, deceased complained of in complaint, and that on said day and date Plaintiff was walking along U. S. Highway numbered 31 South of Bay Minette, in dark clothes, in the night time, and not withstanding the approach of motor vehicles, said Jessie L. Cox, deceased, departed from safety along the side of the highway where he was walking, and without taking due precaution negligently stepped upon the pavement immediately in front of an approaching automobile, thereby contributing proximately to his death, and hence that Plaintiff ought not to recover in this case.

Attorney for Defendant, Willie C. Davison.

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased.

**RECORDED**  
Plaintiff

vs

WILLIE C. DAVISON, AND W. W.  
DAVISON.

Defendant.

Amended Answer and Plea

From the Law Offices of  
C. LeNoir Thompson  
Bay Minette, Alabama

**FILED**  
JUL 6 1953  
ALICE J. DUCK, Clerk



AMENDED ANSWER AND PLEA

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
DECEASED.

PLAINTIFF,

VS

WILLIE C. DAVISON AND W. W.  
DAVISON.

DEFENDANTS

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

Comes Defendant, W. W. Davison, and for answer to said complaint says:

1.

As to Count One; Not guilty.

2.

For answer to Count Two of said complaint; not guilty.

3.

As to County One and for further plea Defendant says: Plaintiff's intestate said Jessie L. Cox, failed to exercise due diligence and was guilty of negligence, which contributed proximately to the death of Jessie L. Cox, deceased complained of in complaint, and that on said day and date Plaintiff was walking along U. S. Highway numbered 31 South of Bay Minette, in dark clothes, in the night time, and notwithstanding the approach of motor vehicles, said Jessie L. Cox, deceased, departed from safety along the side of the highway where he was walking, and without taking due precaution negligently stepped upon the pavement immediately in front of an approaching automobile, thereby contributing proximately to his death, and hence that Plaintiff ought not to recover in this cause.



Attorney for Defendant, W. W. Davison.

**RECORDED**

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX  
Deceased.

Plaintiff

vs

WILLIE C. DAVISON AND W. W.  
DAVISON

Defendant

Amended Answer and Plea

From the Law Offices of  
C. LeNoir Thompson  
Attorney At Law  
Bay Minette, Alabama

**FILED**

JUL 6 1953

ALICE J. DUCK, Clerk

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON, et al,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

Comes now defendant Willie C. Davison, by his attorney, and amends  
his plea and answer filed in the above styled cause so that same shall  
read as follows:

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE.

Comes Defendant, Willie C. Davison, and for answer to Complaint says:

1.

As to Count One; not guilty.

2.

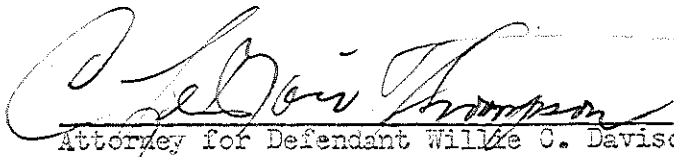
For answer to Count Two of said complaint, not guilty.

3.

As to Count One and for further answer to said Count this Defendant  
says: Plaintiff's intestate, said Jessie L. Cox, failed to exercise due  
diligence and was guilty of negligence, which contributed proximately to  
the death of Jessie L. Cox, deceased complained of in complaint, and that  
on said day and date Plaintiff was walking along U. S. Highway Number 31  
South of Bay Minette, in dark clothes, in the night time, and notwithstand-  
ing the approach of motor vehicles, said Jessie L. Cox, deceased, departed  
from safety along the side of the highway where he was walking, and without  
taking due precaution negligently stepped upon the pavement immediately  
in front of an approaching automobile, thereby contributing proximately to  
his death, and hence that Plaintiff ought not to recover in this case.

4.

As to Count Two and for further answer to said Count, this Defendant says: Plaintiff's intestate, said Jessie L. Cox, failed to exercise due diligence and was guilty of negligence, which contributed proximately to the death of Jessie L. Cox, deceased complained of in complaint, and that on said day and date Plaintiff was walking along U. S. Highway Number 31 South of Bay Minette, in dark clothes, in the night time, and notwithstanding the approach of motor vehicles, said Jessie L. Cox, deceased, departed from safety along the side of the highway where he was walking, and without taking due precaution negligently stepped upon the pavement immediately in front of an approaching automobile, thereby contributing proximately to his death, and hence that Plaintiff ought not to recover in this case.

  
Attorney for Defendant Willie C. Davison

1887

RECORDED

ARTENSIE Cox, ad Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON,

Defendant.

AMENDED ANSWER AND PLEA

FILED

AUG 12 1953

ALICE L. DUCK, Clerk

From the Law Office of  
C. LENOIR THOMPSON,  
Attorney at Law.

BY: Attorneys for the Plaintiff.

**RECORDED**

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON,

Defendant.

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

DEMURRER

\*\*\*\*\*  
18 1953  
J. DUCK, Clerk

LAW OFFICES  
**CHASON & STONE**  
BAY MINETTE, ALABAMA

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX  
Deceased

PLAINTIFF

VS

WILLIE C. DAVISON AND W. W.  
DAVISON

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW.

ANSWER TO INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO  
THE DEFENDANT, WILLIE C. DAVISON

Comes now Defendant, Willie C. Davison in reply to interrogatories propounded  
by the Plaintiff and answer said interrogatories as follows:

1.

Willie C. Davison.

2.

Yes.

3.

Twenty-three, residence Bay Minette, Alabama.

4.

Seven Years.

5.

I operated 1950 Ford Motor number BOMP 154653, tag number 503182 on  
October 25, 1952, I traveled on U. S. 31 but kept no account of the time.

6.

I was the owner of the automobile I was driving and have attached hereto  
a copy of the bill of sale as owned.

7.

I had with me that evening two boys one by the name of Windham and one  
by the name of Byrd.

Willie C. Davison  
Willie C. Davison, Defendant

Before me the undersigned authority personally appeared Willie C. Davison  
who being duly sworn deposes and says that the foregoing facts are true and correct  
to the best of his knowledge and belief.

[Signature]  
Notary Public



CAR INVOICE

J. E. STILL MOTOR COMPANY  
SALES SERVICE  
Phone 2961  
BAY MINETTE, ALABAMA

No. 1104

SOLD TO: WILLIE C. DAVISON  
ADDRESS: CAMP STEWART, GA.

DATE: December 30, 1950  
SALESMAN: Foster

One 1950 Ford Tudor Custom	Motor No. BME-154653	Amount:
Equip. with Heater, Radio, Overdrive & P. Seat Covers		1995.00
Cash on delivery		118.50
Allowance on trade-in		
Make F. L. Chev. Type.	Motor No. FAA-472652	750.00

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FILED

3-24-53

ALICE J. DUCK, Clerk

RECORDED

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

PLAINTIFF,

VS

WILLIE C. DAVISON AND W. W.  
DAVISON.

DEFENDANT

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

Comes W. W. Davison, Defendant in said cause and demurs to the  
complaint filed in the above entitled cause and to each and every count  
and in separately and severally by filing and submitting the following  
separate and several demurrers:

1.

That said complaint fails to aver in which county or state the  
alleged accident occurred.

2.

That said complaint fails to aver that said accident occurred  
on a public highway.

3.

Defendant especially demurs to count one of said complaint in that  
the allegation that the Defendant "negligently operated a motor vehicle...  
so as to cause or allow said motor vehicle to run against, over or upon  
the Plaintiff's intestate," is a mere conclusion of the pleader and is  
not supported by any facts.

4.

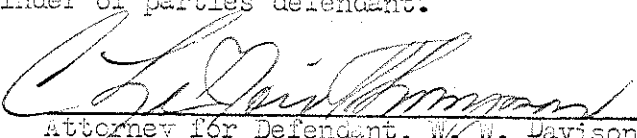
Defendant especially demurs to Count Two of said complaint in that  
the allegation that the Defendant "wantonly injured Plaintiff's intestate...  
by then and there wantonly driving a motor vehicle over, upon and against  
the Plaintiff's intestate," is a mere conclusion of the pleader and is  
not support by any facts.

5.

That said complaint fails to aver whether the alleged accident, basis  
of said complaint, occurred in the day time or night time.

6.

Defendant especially demurs to said complaint and says to this Honor-  
able Court that there is a misjoinder of parties defendant.

  
Attorney for Defendant, W. W. Davison.

RECORDED

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX  
Deceased.

PLAINTIFF

VS

WILLIE C. DAVISON AND W. W.  
DAVISON.

DEFENDANTS

Demurrers

From the Law Offices of  
C. LeNoir Thompson  
Attorney At Law  
Bay Minette, Alabama

FILED

DEC 13 1952

ALICE L. BUCK, CLERK

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON, et al,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

Comes now defendant Willie C. Davison, by his attorney, and amends his plea  
and answer filed in the above styled cause so that same shall read as follows:

ARTENSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased,

Plaintiff,

vs.

WILLIE C. DAVISON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

Comes defendant, Willie C. Davison, and for answer to complaint says:

1.

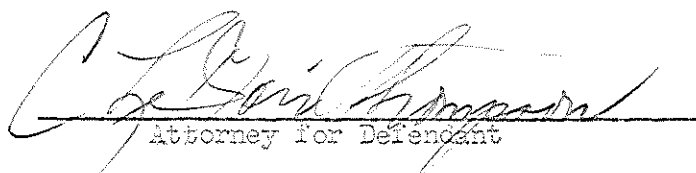
As to Count One, not guilty.

2.

For answer to Count Two of said complaint, not guilty.

3.

As to Count One and for further answer to said Count, this defendant says:  
Plaintiff's intestate, said Jessie L. Cox, failed to exercise due diligence and  
was guilty of negligence, which contributed proximately to the death of Jessie  
L. Cox, deceased, complained of in complaint, in that on said day and date, said  
deceased was walking along U. S. Highway Number 31 South of Bay Minette, in dark  
clothes, in the night time, and as your defendant, while operating his automobile  
on said highway at said time and place, was passing an automobile, and notwith-  
standing the approach of motor vehicles, said Jessie L. Cox, deceased, departed  
from safety along the side of the highway where he was walking, and without taking  
due precaution negligently stepped upon the pavement immediately in front of an  
approaching automobile operated by said defendant, thereby contributing proximately  
to his death, and hence that plaintiff ought not to recover in this case.

  
Attorney for Defendant

RECORDED 1887  
JESSIE COX, as Administratrix  
of the Estate of JESSIE L. COX,  
Deceased, Plaintiff,

vs.

WILLIE C. DAVISON, Defendant

AMENDED ANSWER

FILED

AUG 25 1953

ALICE J. DICK, Clerk

From the Law Office of  
C. LENOIR THOMPSON  
Attorney at Law

Copy vs. Davidson  
88

NAME	OCCUPATION	RESIDENSE
1. Fulton E. Duck	Brookley Field	Bay Minette
2. Max Lawrence Sa.	Merchant	Foley
3. Capt. W. P. Mason	Fleet Worker	Bay Minette
4. R. C. Morgan	Farmer	Robertsdale
5. Holt A. Stuart	Farmer	Bay Minette
6. J. Leon Palmer	Foley	Robertsdale
7. Julia Certe	Farmer	Belforest
8. Floyd A. Racine	Truck Driver	Robertsdale
9. Fred Gass	Clerk	Foley
10. Charles Fell	Brookley Field	Fairhope
11. David Barnhill	Farmer	Loxley
12. John Blecht	Farmer	Foley
13. Clarence Harrison	Fisherman	Robertsdale
14. Andy McDaniel	Farmer	Bon Secour
15. Floyd Emmons	Florist	Bay Minette
16. Homer Flowers	Farmer	Bon Secour
17. Joseph Sopr	Farmer	Silverhill
18. John A. Sute	Farmer	Foley
19. Reese McGill	Brookley Field	Perdido
20. Louis Davis Moore	Farmer	Summerdale
21. J. A. Hurst	Bank Cashier	Bay Minette
22. Walter Quinley	City Employee	Bay Minette
23. C. H. Gilland	Electrician	Bay Minette
24. Jesse M. Smith	Real Estate	Bay Minette
25. Billy Bogone	Grocery Business	Bay Minette
26. James Lindsay	Real Estate	Bay Minette
27. Lloyd C. Langham	Butcher	Bay Minette
28. Jack Page	Clerk	Bay Minette
29. C. H. Griffin	Saw Mill	Bay Minette
30. J. Commer Hammond	Cleaner	Bay Minette
31. Chester Euhanks	Jeweler	Bay Minette
32. Woodrow Booth	P. M. A. Office	Bay Minette
33. Oliver Johnson	Road Dept.	Bay Minette
34. Albert M. Thompson	Merchant	Bay Minette
35. Bernie Little	Mechanic	Bay Minette
36. Frank Turner	County Agent	Bay Minette
37. Robert Miller	Drug Clerk	Bay Minette
38. Joe Stuckey	Saw Mill	Bay Minette
39. Harry T. West	Insurance	Bay Minette
40. George Noonan	Sign Painter	Bay Minette
41. Isrey Ruple	Insurance	Bay Minette
42. Thos. B. Hall	Newport	Bay Minette

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D. XXX XXXX XXXX

