

IMOGENE KNOWLES  
Plaintiff

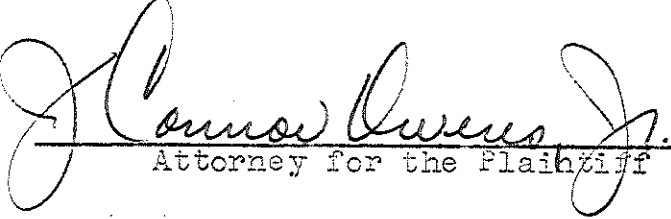
vs.

OTIS JOHNSON  
Defendant

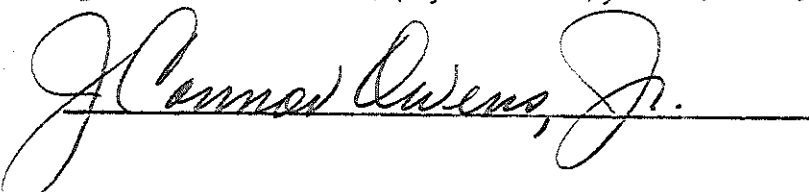
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN LAW NO. 2115

Plaintiff claims of the defendant, Otis Johnson, the sum of ONE THOUSAND DOLLARS (\$1,000) as damages for that heretofore to-wit:

That on the night of October 19, 1953, on U. S. Highway 90 in Baldwin County, Alabama at a point 7,000 feet east of the east end of the Tensaw River Bridge, the plaintiff was riding in an automobile being operated by another person, and the defendant, Otis Johnson, at the same time and at the same place so negligently left parked or standing a 1951 Buick in such a manner that left less than 15 feet of the main-traveled portion of the highway opposite the said car or standing vehicle free for the passing of other vehicles that a third automobile was caused to collide with the automobile in which the plaintiff was a passenger; further that it was practical for the defendant to park said Buick automobile off the paved or main-traveled portion, and as a proximate consequence of the said collision and the defendant's negligence, plaintiff received severe and painful injuries to her neck and to her back and required hospital treatment therefore, and incurred great pain and suffering.

  
Attorney for the Plaintiff

Plaintiff demands a trial by Jury  
pursuant Code 1940, Title 7, Sec. 260.



FILED

10-26-54

ALICE J. DUCK, Clerk

Received in Sheriff's Office  
this 24 day of Oct, 1953  
TAYLOR WILKINS, Sheriff

739 39  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN LAW NO. 2115

\*\*\*\*\*  
IMOGENE KNOWLES

Plaintiff

vs.

OTIS JOHNSON

29/Bray  
Defendant

\*\*\*\*\*  
SUMMONS AND COMPLAINT

\*\*\*\*\*  
FILED 10-26-53

Allice Johnson  
CLERK

\*\*\*\*\*  
J. CONNOR OWENS, JR.

ATTORNEY AT LAW

BAY MINETTE, ALABAMA

354 Blodgood St  
Mobile, Ala

EXECUTED  
This 24 day of Oct, 1953  
By serving a copy of this writ on  
Otis Johnson  
W. H. MOULDER, Sheriff  
Baldwin County, Ala.  
By: B. Bray D.S.

CAFFEY, GALLALEE & CAFFEY

ATTORNEYS AT LAW

715-719 FIRST NATIONAL BANK BUILDING

MOBILE 3, ALABAMA

WILLIAM G. CAFFEY  
JACK C. GALLALEE  
WILLIAM G. CAFFEY, JR.

January 25, 1954

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

Dear Mrs. Duck:-

Enclosed are demurrers in the cases  
of Kenneth G. Knowles v. Otis Johnson, No. 2114 and  
Imogene Knowles v. Otis Johnson, No. 2115.

We will appreciate it if you will  
file the demurrers and call Mr. J. Connor Owens, Jr.'s  
attention to them.

Yours very truly,

CAFFEY, GALLALEE & CAFFEY,

By 

Enc.  
JCG:od

c.c. Mr. J. Connor Owens, Jr.

IMOGENE KNOWLES  
Plaintiff

vs.

OTIS JOHNSON  
Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN LAW NO. \_\_\_\_.

Comes now the Plaintiff, by his attorney, and amends the Complaint heretofore filed in this cause so that the same shall read as follows:

COUNT ONE:

The Plaintiff claims of the defendant, Otis Johnson, the sum of ONE THOUSAND DOLLARS (\$1000) as damages for that heretofore on, to-wit:

That on the night of the 19th, of October 1953, the plaintiff was lawfully riding in an automobile on and along a public highway in Baldwin County, being U. S. Highway 90 at a point proximately one mile east of the east end of the Tensaw River Bridge, and that at said time and said place, the defendant unlawfully and negligently left parked or standing on the paved traveled portion of the said highway, a 1951 Buick automobile without leaving 15 feet of the same free for the passing of other vehicles, it being practical to park off said highway, and that the said unlawful and negligent parking by the defendant of the said automobile at the said time and place thereby caused the automobile in which the plaintiff was riding to collide with, on or against said automobile of the defendant and a third automobile, causing the plaintiff to receive painful injuries to the neck and back and requiring medical treatment and hospital expenses and great physical and mental suffering and that said injuries to the plaintiff were the proximate result of the negligence of the defendant aforesaid, hence this suit.



IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 2116

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IMOGENE KNOWLES

Plaintiff

vs.

OTIS JOHNSON

Defendant

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AMENDED COMPLAINT

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FILED 1-21-54

*Deane J. Owens, Jr.*  
CLERK

\*\*\*\*\*

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

IMOGENE KNOWLES,

Plaintiff,

vs.

OTIS JOHNSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2115

PLEAS

Comes now the Defendant, Otis Johnson, in the above styled cause and for answer to the Complaint heretofore filed against him, and to each count thereof separately and severally, says as follows:

1. Not guilty.

Respectfully submitted,

CHASON & STONE

FILED

8-17-54

ALICE J. DUCK, Clerk

By:

Malcolm P. Stone  
Attorneys for Defendant.

IMOGENE KNOWLES,

Plaintiff,

vs.

OTIS JOHNSON,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2115

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FILED

\*\*\*\*\* AUG 17 1954 \*\*\*\*\*

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA



IMOGENE KNOWLES, : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY, ALABAMA.  
Versus : AT LAW - No. 2115.  
OTIS JOHNSON, :  
Defendant. :

Now comes the defendant and demurs to the complaint heretofore filed in the above entitled cause, and for grounds of demurrer assigns, separately and severally, the following grounds:-

1. Said complaint is vague, indefinite and uncertain.

2. Said complaint is vague, indefinite and uncertain in not sufficiently identifying the various automobiles mentioned therein.

3. No facts are alleged in said complaint to show a causal connection between the alleged negligence of the defendant and the damage to plaintiff.

4. No facts are alleged therein to show a causal connection between the defendant's alleged acts and the collision between the plaintiff's automobile and a third automobile.

5. It appears on the face of the complaint that the plaintiff's injuries and damages were caused by a collision between the plaintiff's automobile and some third vehicle with which the defendant had no connection.

6. It appears on the face of the complaint that the plaintiff's injuries and damages did not result from any acts of the defendant, but from an intervening cause.

7. For aught that appears the place where the accident occurred may be a business or residence district.

8. For aught that appears it was not practicable for the defendant to park his automobile off the paved or main travelled portion of the highway.

9. The complaint is vague, indefinite and uncertain in not alleging which of the plaintiff's damages and injuries were caused by the defendant's alleged negligence and which were caused by the collision described in the complaint.

10. For aught that appears the plaintiff's damages and injuries were not the proximate result of any negligent act of the defendant.

CAFFEY, GALLALEE & CAFFEY,

By 

Attorneys for Defendant.

Defendant demands a trial by jury of the above entitled cause.

CAFFEY, GALLALEE & CAFFEY,

By 

Attorneys for Defendant.

FILED

11-17-53

ALICE J. DUCK, Clerk

2115'

FILED  
NOV 17 1953  
ALICE A. DICK, Clerk

IMOGENE KNOWLES, : IN THE CIRCUIT COURT OF  
 Plaintiff, : BALDWIN COUNTY, ALABAMA.  
 Versus : AT LAW - NO. 2115.  
 OTIS JOHNSON, :  
 Defendant. :

Now comes the defendant and demurs to count 1 of the amended complaint, heretofore filed in the above styled cause, and for grounds of demurrer thereto assigns separately and severally the following grounds:

1. Said complaint is vague, indefinite and uncertain.

2. Said complaint is vague, indefinite and uncertain in not sufficiently identifying the various automobiles mentioned therein.

3. No facts are alleged in said complaint to show that the alleged negligence of the defendant was the proximate cause of plaintiff's damage.

4. No facts are alleged therein to show that the defendant's alleged acts were the proximate cause of the collision between the automobile in which plaintiff was riding and a third automobile.

5. Said complaint is vague, indefinite and uncertain in that it does not allege where the alleged collision between the automobile in which the plaintiff was riding and any other automobiles mentioned in said complaint took place.

6. For aught that appears the place where the accident occurred may be a business or residence district.

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7. For aught that appears it was not practicable for the defendant to park his automobile off the paved or main travelled portion of the highway.

8. For aught that appears the plaintiff's damage and injuries were not the proximate result of any negligent act of the defendant.

9. No facts are alleged to show any duty owing to the plaintiff on the part of the defendant.

10. No facts are alleged to show any duty on the part of the defendant regarding the 1951 Buick mentioned in said complaint.

11. No facts are alleged in the complaint to show any duty on the part of the defendant to move the 1951 Buick mentioned therein from the place where it is alleged to have been parked or standing.

And the defendant demurs to count 2 of the amended complaint heretofore filed in the above styled cause and for grounds of demurrer assigns separately and severally the following grounds:

For grounds 1 through 11 defendant assigns 1 through 11 of the grounds of demurrer to count 1 of the said amended complaint as though such grounds were here set out in full.

12. It appears on the face of the complaint that the plaintiff's injuries and damages were caused by a collision between the automobile in which plaintiff was riding and some third vehicle, with which the defendant had no connection.

13. It appears on the face of the complaint that the plaintiff's injuries and damages did not result from any acts of the defendant, but from an intervening cause.

-3-

14. The complaint is vague, indefinite and uncertain in not alleging which of the plaintiff's injuries and damages were caused by the defendant's alleged negligence and which were caused by the collision described in the complaint.

CAFFEY, GALLALEE & CAFFEY,

By Jack E. Ballala  
Attorneys for Defendant.

FILED

1-28-54

ALICE J. DUCK, Clerk

2115 -

FILED  
JAN 28 1954  
ALICE J. GUCK, Clerk

STATE OF ALABAMA  
BALDWIN COUNTY

IN THE CIRCUIT COURT - IN LAW

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Otis Johnson to appear  
withint thirty (30) 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 Imogene  
Knowles.

Witness my hand, this the 26<sup>th</sup> day of October, 1953.

*Reverend J. L. Smith*

CLERK  
V



Bay Minette, Ala., *Oct. 27*, 195*3*

To the Sheriff of *Mobile* County,  
*Mobile*, Alabama.

I enclose herewith

*354* *for shipping papers*  
*354* *for shipping papers*

Please serve and return as early as possible.

*James E. Eddins*  
Sheriff Baldwin County Alabama.

(If not found in your county please advise promptly giving information as to present location if possible)