

9098

JURY LIST - SPECIAL CIVIL TERM - NOVEMBER 30, 1970

1. Bergman, Albert W. III; Farmer, Foley, Ala.
 2. Booker, Lester H.; Station Oper., Foley, Ala.
 3. Boone, Alvin R.; Painter, Foley, Ala.
 4. Brown, Jim; Carpenter, Foley, Ala.
 5. Bryans, Ewing E.; Reserve Fleet, Bay Minette, Ala.
 6. Burt, Calvin C.; Mechanic, Bay Minette, Ala.
 7. Byrne, Charles; Merchant, Foley, Ala.
 8. Chafin, Sally; Housewife, Perdido, Ala.
 9. Cicaveland, Fred L.; Maintenance Foreman, Foley, Ala.
 10. Cleverdon, William S.; Farmer, Foley, Ala.
 11. Cole, Frank H.; Bowling Alley Manager, Foley, Ala.
 12. Cometti, Carrell E.; Businessman, Spanish Fort, Ala.
 13. Cowles, Robert T.; Printer, Fairhope, Ala.
 14. Cox, John; Laborer, Bay Minette, Ala.
 15. Cox, M. Douglas; Farmer, Stockton, Ala.
 16. Crosby, James W.; Bookkeeper, Foley, Ala.
 17. Cebel, Ernest W. Jr.; Farmer, Fairhope, Ala.
 18. Gibson, Mrs. Leon; Housewife, Bay Minette, Ala.
 19. Guenther, Paul O.; Civil Service, Foley, Ala.
 20. Hamburg, Elroy; Clerk, Foley, Ala.
 21. Hancock, W. H.; Farmer, Foley, Ala.
 22. Harbison, J. C.; International Paper Co., Fairhope, Ala.
 23. Hayes, Howard; Farmer, Foley, Ala.
 24. Hall, Roy D.; Clerk, Foley, Ala.
 25. Harding, Robert C., Jr.; Motel Oper., Foley, Ala.
 26. Helms, John R.; Civil Service, Elberta, Ala.
 27. Helman, George I.; Teller, Foley, Ala.
 28. Lucke, Teddy; Salesman, Robertsdale, Ala.
 29. Marks, Adree E.; Cook, Fairhope, Ala.
 30. Marsh, George R.; Forester, Bay Minette, Ala.
 31. McGrory, Naomi B.; Office Worker, Belforest, Ala.
 32. McCall, Hermine B.; Housewife, Fairhope, Ala.
 33. Moreale, Hugo S.; Farmer, Foley, Ala.
 34. Nixon, Juanita; Housewife, Fairhope, Ala.
 35. Osborne, James C.; Carpenter, Foley, Ala.
 36. Quates, John W.; Carpenter, Foley, Ala.
 37. Roley, Willie; Carpenter, Bay Minette, Ala.
 38. Rucher, Golden J.; Farmer, Spanish Fort, Ala.
 39. Smith, Clinton; Defense Worker, Bay Minette, Ala.
 40. Swindie, Bessie; Housewife, Spanish Fort, Ala.
 41. Totsen, Kenneth L.; Carpenter, Foley, Ala.

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P XXXX XXXXX XM

D XXXX XXXXX XM

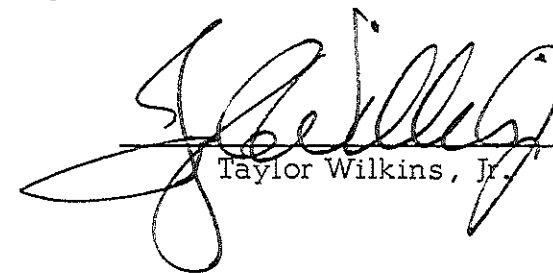
BETTY JOE WOLFF : IN THE CIRCUIT COURT OF
PLAINTIFF : BALDWIN COUNTY, ALABAMA
VS : AT LAW
RICHARD T. ANDERSON :
DEFENDANT : CASE NO. 9098

PLEA

Comes now the defendant, Richard T. Anderson, and files this additional plea and includes it among the pleas heretofore pleaded in this cause:

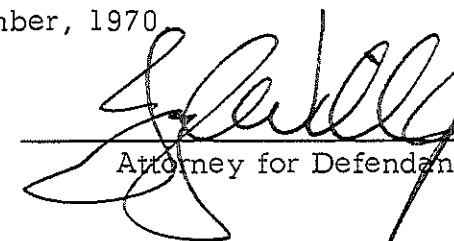
I

The defendant, Richard T. Anderson, claims of the plaintiff the sum of THREE HUNDRED THIRTY AND NO/100 (\$330.00) DOLLARS damages that heretofore on, to-wit, May 25, 1969, on Fairhope Avenue at the intersection with Greeno Road in the City of Fairhope, Alabama, the plaintiff, Betty Joe Wolff, did so negligently operate her automobile as to cause the defendant's automobile to collide with it and as a proximate consequence of said negligence the defendant's automobile was damaged by being bent, smashed, broken and the market value thereof was permanently depreciated for all of which the defendant claims damages by way of recoupment.


Taylor Wilkins, Jr.

I, the undersigned, Taylor Wilkins, Jr., do hereby certify that I have on this the 3rd day of December, 1970, forwarded a true and exact copy of the foregoing plea to Mr. Lloyd E. Taylor, attorney of record for the plaintiff, by personally handing him a copy.

Done this the 3rd day of December, 1970


Attorney for Defendant

Filed
12-3-70
Lloyd E. Taylor
clerk

BETTY JOE WOLFF, : IN THE CIRCUIT COURT OF
PLAINTIFF, : BALDWIN COUNTY, ALABAMA
VS. : AT LAW
RICHARD T. ANDERSON, :
DEFENDANT. : CASE NO: 9098

PLEA

Comes now the Defendant, Richard T. Anderson, and files the following pleas to the Plaintiff's complaint:

I

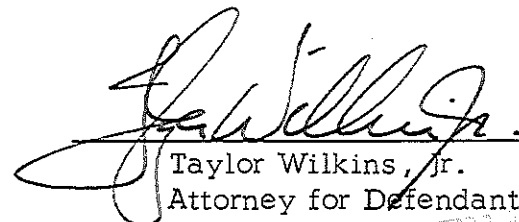
Defendant pleads not guilty.

II

Defendant denies each and every allegation of the Plaintiff's complaint and demands strict proof thereof.

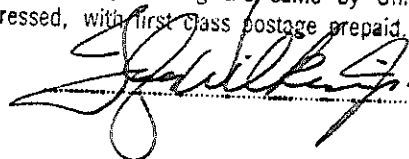
III

At the time and place alleged in the complaint, to-wit: May 25, 1969, on Fairhope Avenue at the intersection with Greeno Road, in the City of Fairhope, Alabama, the Plaintiff, Betty Joe Wolff, did so negligently operate an automobile on said street so as to cause or allow the same to collide with the vehicle operated by the Defendant, being operated at that time and place on said street, and as a proximate result thereof, Plaintiff was guilty of negligence in and about the operation of her automobile which proximately contributed to the accident resulting therefrom, and to here alleged injuries and damages; therefore, the Plaintiff ought not recover.


Taylor Wilkins, Jr.
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 24 day of November, 1970 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.



FILED

NOV 24 1970

CLERK OF COURT
BALDWIN COUNTY, ALABAMA

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III

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IV

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V

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VI

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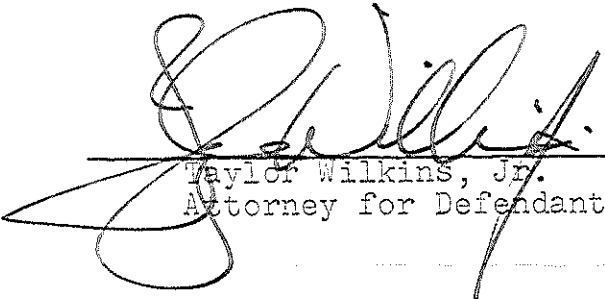
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BETTY JOE WOLFF, : IN THE CIRCUIT COURT OF
PLAINTIFF, : BALDWIN COUNTY, ALABAMA
VS. : AT LAW
RICHARD T. ANDERSON, :
DEFENDANT. : CASE NO: 9098

DEMURRER

Comes now Richard T. Anderson, and files this demurrer to the plaintiff's complaint and sets down and assigns the following grounds separately and severally.

1. The plaintiff has alleged negligent damages to the plaintiff but has failed in her complaint to allege any negligent conduct for which the defendant is guilty.


Taylor Wilkins, Jr.
Attorney for Defendant

Defendant respectfully demands a trial of this cause by jury.


Taylor Wilkins, Jr.
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 17 day of Feb, 1970 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.


FILED

FEB 20 1970

ALICE J. FULTON

General, on 10/10/19, I received your letter of the 10th and
was glad to hear from you. I am sure you are well and
hope you are enjoying your trip. I am sure you will have
a very successful one. I am sure you will have a very
enjoyable trip.

9098

Handwritten signature

SUMMONS AND COMPLAINT

STATE OF ALABAMA
COUNTY OF BALDWIN

)
)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CASE NO: _____

TO ANY SHERIFF OF THE STATE OF ALABAMA: GREETINGS:

YOU ARE HEREBY COMMANDED TO SUMMON RICHARD T. ANDERSON, OF FAIRHOPE, ALABAMA, TO APPEAR AND PLEAD, ANSWER OR DEMUR, WITHIN THIRTY (30) DAYS FROM THE SERVICE HEREOF, TO THE COMPLAINT FILED IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT BAY MINETTE, AGAINST RICHARD T. ANDERSON, DEFENDANT, BY BETTY JOE WOLFF, THE PLAINTIFF.

WITNESS MY HAND THIS 28 DAY OF Jan, 1970.

Allice J. Luck
REGISTRAR

BETTY JOE WOLFF,

)

PLAINTIFF

)

IN THE CIRCUIT COURT OF

VS

)

BALDWIN COUNTY, ALABAMA

RICHARD T. ANDERSON,

)

AT LAW

DEFENDANT

)

CASE NO: 9098

THE PLAINTIFF CLAIMS OF THE DEFENDANT THE SUM OF TO-WIT, SIX HUNDRED DOLLARS (\$600.00) AS DAMAGES FOR THAT HERETOFORE, ON TO-WIT, MAY 25, 1969, THE PLAINTIFF'S AUTOMOBILE WAS BEING OPERATED ALONG AND UPON A PUBLIC STREET IN THE CITY OF FAIRHOPE, ALABAMA, ON, TO-WIT, FAIRHOPE AVENUE AT THE INTERSECTION WITH GREENO ROAD, WHERE SHE HAD A RIGHT TO BE, AND WHILE SAID AUTOMOBILE WAS BEING OPERATED AND DRIVEN ALONG SAID FAIRHOPE AVENUE AN AUTOMOBILE WHICH WAS BEING DRIVEN BY THE DEFENDANT RAN UPON, OVER OR AGAINST THE AUTOMOBILE OF THE PLAINTIFF, CAUSING GREAT DAMAGES AND INJURIES TO THE PLAINTIFF'S AUTOMOBILE; THE TOP, FRONT AXLE, LEFT FRONT WHEEL, FRONT BUMPER, FRONT TIRE AND TUBE, LEFT FENDER AND OTHER PARTS OF PLAINTIFF'S AUTOMOBILE WERE BROKEN, BENT, SMASHED, OR OTHERWISE DAMAGED AND INJURED, ALL TO THE DAMAGE OF THE PLAINTIFF AS AFORESAID. THE PLAINTIFF ALLEGES THAT HER SAID DAMAGES TO HER SAID

AUTOMOBILE WERE PROXIMATELY CAUSED BY THE NEGLIGENCE OF THE DEFENDANT, IN THAT HE NEGLIGENTLY CAUSED, ALLOWED OR PERMITTED SAID AUTOMOBILE TO RUN UPON, OVER OR AGAINST THE AUTOMOBILE OF THE PLAINTIFF AND AS A PROXIMATE CONSEQUENCE THEREOF, THE PLAINTIFF'S AUTOMOBILE WAS DAMAGED AND INJURED AS AFORESAID.

BAILEY & TAYLOR

By

Ronald E. Taylor
ATTORNEYS FOR THE PLAINTIFF

FILED

JAN 28 1970

ALICE J. DUCK CLERK
REGISTER

(2)

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VOL

65 PAGE 478

We the jury find in favor
of the plaintiff in the
amount of \$500.00

Wm H. Lewis
foreman

SUMMONS & COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO: 9098

BETTY JOE WOLFF,

PLAINTIFF

VS

RICHARD T. ANDERSON,

DEFENDANT

Sheriff claims 70 miles at
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff
BY W. C. VAC DEPUTY SHERIFF

Received 28 day of January 1970
and on 2 day of FEB 1970

I served a copy of the within DEC
on Richard T. Anderson

By service on Richard T. Anderson

TAYLOR WILKINS Sheriff
By W. C. VAC AD. S.

10 F. Hope