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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

YOU ARE HEREBY COMMANDED TO SUMMON MRS. OLLIE B. JEMISON ,
AND WILLIE EDWARD JEMISON, JR., TO APPEAR AND ANSWER, PLEAD OR
DEMUR, TO THE BILL OF COMPLAINT FILED IN THIS COURT WITHIN THIRTY
DAYS FROM THE SERVICE HEREOF, BY FRANK SWIERZ JR., AS PLAINTIFF,
AGAINST MRS. OLLIE B. JEMISON, AND WILLIE EDWARD JEMISON, JR. AS
DEFENDANTS.

WITNESS My HAND THIS THE 28 DAY OF OCTOBER, 1970.

REGISTRAR

FRANK SWIERZ, JR.

PLAINTIFF

VS

MRS. OLLIE B. JEMISON AND
WILLIE EDWARD JEMISON, JR.

DEFENDANTS

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO: 9525

COUNT ONE:

PLAINTIFF CLAIMS OF THE DEFENDANTS ONE THOUSAND DOLLARS (\$1,000.00) FOR THAT ON, TO-WIT, SEPTEMBER 1, 1970, THE DEFENDANT, WILLIE EDWARD JEMISON, JR., THEN AND THERE ACTING WITHIN THE LINE AND SCOPE OF HIS EMPLOYMENT AS AN AGENT OR SERVANT OF THE DEFENDANT, MRS. OLLIE B. JEMISON, NEGLIGENCELY CAUSED OR ALLOWED A VEHICLE, TO-WIT, A 1966, TWO DOOR CHEVROLET, WHICH HE WAS THEN AND THERE OPERATING TO RUN UPON OR AGAINST THE PLAINTIFF'S AUTOMOBILE ON U.S. HIGHWAY #98, A PUBLIC HIGHWAY, AT THE INTERSECTION OF JOHNSON ROAD, DAPHNE, BALDWIN COUNTY, ALABAMA, AS A PROXIMATE RESULT OF WHICH NEGLIGENCE THE PLAINTIFFS AUTOMOBILE WAS GREATLY DAMAGED; THE LEFT REAR FENDER, AND LEFT DOOR WERE BENT AND BROKEN, AND THE PLAINTIFF MUST SPEND LARGE SUMS IN AND ABOUT THE REPAIR OF THE SAME.

PLAINTIFF FURTHER AVERS THAT ALL OF SAID DAMAGES AND INJURIES WERE AS A PROXIMATE RESULT OF THE NEGLIGENCE OF THE DEFENDANTS FOR ALL OF WHICH HE SUES.

COUNT TWO

PLAINTIFF CLAIMS OF THE DEFENDANTS ONE THOUSAND DOLLARS (\$1,000.00) FOR THAT ON, TO-WIT, SEPTEMBER 1, 1970, THE DEFENDANT, MRS. OLLIE B. JEMISON, DID OWN AND POSSESS AN AUTOMOBILE WHICH SHE DID THEN AND THERE LOAN TO HER SON, WILLIE EDWARD JEMISON, JR., A DEFENDANT, AND DID THEN NEGLIGENTLY PERMIT THE SAID WILLIE EDWARD JEMISON, JR. TO TAKE AND DRIVE THE SAME FOR HIS OWN PERSONAL PLEASURE AND ENTERTAINMENT, AND FOR THE PERSONAL BUSINESS OF THE SAID WILLIE EDWARD JEMISON JR.; AND PLAINTIFF FURTHER AVERS THAT THE SAID WILLIE EDWARD JEMISON, JR., WAS WHOLLY INCOMPETENT AND UNFIT TO DRIVE SAID AUTOMOBILE, AS WAS THEN WELL KNOWN TO THE SAID DEFENDANT, MRS. OLLIE B. JEMISON; AND ON SAID DATE AND ON SAID OCCASION THE SAID WILLIE EDWARD JEMISON, JR. BEING SO POSSESSED OF SAID AUTOMOBILE, AND IN SO CONTROL OF ITS OPERATION DID SO CARELESSLY, NEGLIGENTLY AND IMPROPERLY OPERATE SAID AUTOMOBILE ON U. S. HIGHWAY #98, A PUBLIC HIGHWAY IN THE TOWN OF DAPHNE, COUNTY OF BALDWIN, ALABAMA AT A POINT WHERE SAID U. S. HIGHWAY #98 IS INTERSECTED BY JOHNSON ROAD, DAPHNE, BALDWIN COUNTY, ALABAMA, AS A PROXIMATE RESULT OF WHICH NEGLIGENCE THE PLAINTIFF'S AUTOMOBILE WAS GREATLY DAMAGED, THE LEFT REAR FENDER AND LEFT DOOR WERE BENT AND BROKEN AND THE PLAINTIFF MUST SPEND LARGE SUMS IN AND ABOUT THE REPAIR OF THE SAID AUTOMOBILE; ALL TO THE PLAINTIFF'S DAMAGES AS AFORESAID, HENCE THIS SUIT.

COUNT THREE:

PLAINTIFF CLAIMS OF THE DEFENDANTS ONE THOUSAND DOLLARS (\$1,000.00) FOR THAT ON, TO-WIT, SEPTEMBER 1, 1970, THE DEFENDANT, MRS. OLLIE B. JEMISON, WAS THE OWNER OF A MOTOR CAR OF TREMENDOUS WEIGHT AND GREAT POWER WHICH SHE HAD ALLOWED HER SON, WILLIE

EDWARD JEMISON, JR., A DEFENDANT, TO OPERATE. THE SAID WILLIE EDWARD JEMISON, JR., ON THE DAY AFORESAID WAS, AND LONG HAD BEEN, A CARELESS, INCOMPETENT, INDIFFERENT, HEEDLESS AND RECKLESS DRIVER OF SUCH CAR, SO THAT SAID CAR, IN HIS HANDS WAS A DANGEROUS AND DEADLY AGENCY, OF WHICH SAID FACT, MRS. OLLIE B. JEMISON HAD BEEN DULY INFORMED; YET, WITH FULL INFORMATION OF SUCH FACTS, SHE ALLOWED HER SAID SON TO PROPEL SAID CAR ON AND ALONG U. S. HIGHWAY #98, A PUBLIC HIGHWAY IN THE COUNTY OF BALDWIN, ALABAMA; AT WILL, AND INTRUSTED ITS MANAGEMENT AND OPERATION TO HIM, ON THE DAY AND AT A POINT WHERE SAID ROAD IS INTERSECTED BY JOHNSON ROAD IN DAPHNE, BALDWIN COUNTY, ALABAMA; THE SAID WILLIE EDWARD JEMISON, JR., SO NEGLIGENTLY, HEEDLESSLY, INCOMPETENTLY, RECKLESSLY, WRONGFULLY AND INDIFFERENTLY CONDUCTED HIMSELF WITH RESPECT TO THE OPERATION OF THE SAID CAR THAT HE RAN THE SAME UPON OR AGAINST THE PLAINTIFF'S AUTOMOBILE; AND AS A DIRECT AND PROXIMATE CONSEQUENCE OF THE DEFENDANT'S NEGLIGENCE AFORESAID, PLAINTIFF'S AUTOMOBILE WAS GREATLY DAMAGED IN THAT THE LEFT REAR FENDER AND THE LEFT DOOR WERE BENT AND BROKEN, AND THE PLAINTIFF MUST SPEND LARGE SUMS IN AND ABOUT THE REPAIR OF THE SAME.

PLAINTIFF FURTHER AVERS THAT ALL OF SAID DAMAGES AND INJURIES WERE AS A PROXIMATE RESULT OF THE NEGLIGENCE OF THE DEFENDANTS FOR ALL OF WHICH HE SUES.

BAILEY & TAYLOR

By: *Henry E. Taylor*
ATTORNEY FOR PLAINTIFF

FILED

OCT 28 1970

ALICE J. DUCK CLERK
REGISTER

9525

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Sheriff claims 108 miles at
 Ten Cents per mile Total \$ 10.80
 TAYLOR WILKINS, Sheriff
 BY C. Crook
 DEPUTY SHERIFF

Frank Swierz, Jr.
 Pletz

vs.

Mrs. Ullie B. Jemison
 & Willie Edward Jemison, Jr.
 P.O. Box 422
 Daphne, Ala.

MRS. O. B. Jemison
 928-7397
 Eddie Jemison
 928-7804

FILED

OCT 28 1970

ALICE J. DUCK
 CLERK
 REGISTER

Bailey & Taylor

Received 28 day of Oct 19 70
 and on 10 day of Nov 19 70
 I served a copy of the within etc
 on Mrs. Ullie B. Jemison
Willie Edward Jemison
 By service on H. O. Crook
H. O. Crook
 TAYLOR WILKINS, Sheriff
 BY C. Crook D. S.