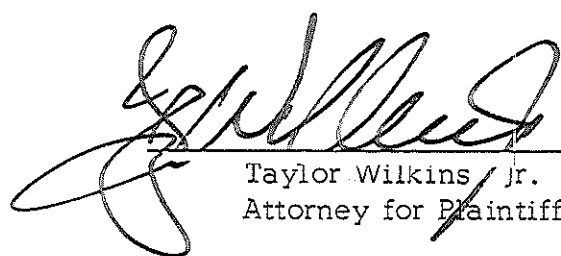


P. W. CHASTANG	X	IN THE CIRCUIT COURT OF
PLAINTIFF	X	BALDWIN COUNTY, ALABAMA
VS	X	AT LAW
GEORGE EALUM & ROBERT D. DAY jointly and severally,	X	
DEFENDANTS	X	CASE NO: 10,425

I.

Plaintiff claims of the Defendants, jointly and severally, the sum of FIVE HUNDRED (\$500.00) DOLLARS as damages for that heretofore and on, to-wit, June 1, 1971, the Defendant, Robert D. Day, while acting as an agent, servant or employee of Defendant, George Ealum, and who was then and there acting within the line and scope of his authority as such, so negligently operated an automobile on the Bromley Road, a public road in the County of Baldwin, State of Alabama, at a point approximately, to-wit, three (3) miles East of U. S. Highway 31, a public road in said County and said State, that the said automobile was run into, upon or against the Plaintiff's automobile, at said time and said place, and as a proximate result of the negligence of the Defendant as aforesaid, Plaintiff's automobile was damages, all to the loss of the Plaintiff; hence this suit.


Taylor Wilkins Jr.
Attorney for Plaintiff

FILED

MAY 29 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon George Ealum and Robert D. Day

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint

filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against.....

George Ealum and Robert D. Day, Defendant.....

by P. W. Chastang

Plaintiff.....

witness my hand this 29 day of May 1922

Ernest B. Blackman Clerk

No. 10,425 Page.....

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

P. W. CHASTANG

Plaintiffs

VS.

GEORGE EALUM AND

Defendants

SUMMONS AND COMPLAINT

Filed May 29 1972

Ernie J. Blackmon, Clerk

MAY 31 1972

TAYLOR WILKINS
SHERIFF

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

George Ealum

Robert D. Day

Defendant lives at

906 Pleasant Ave.
Bay Minette, Alabama

Received In Office

MAY 31 1972

19.....

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this 21 May 1972

by leaving a copy with

George Ealum
Robert D. Day

Sheriff claims 00 miles at

Ten Cents per mile Total \$ 0.00

TAYLOR WILKINS, Sheriff

BY

C. W. Sadhue
DEPUTY SHERIFF

Taylor Wilkins Sheriff

C. W. Sadhue Deputy Sheriff

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS
THOMAS M. GALLOWAY
M. THOMAS MURPHY (1924-1956)
ROBERT H. SMITH
WILSON M. HAWKINS, JR.

June 29, 1972

P. O. BOX 4492
TELEPHONE
432-0568
AREA CODE 205

Mrs. Eunice B. Blackmon
Clerk, Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: P.W. Chastang
Vs: George Ealum & Robert D. Day
Case No. 10425

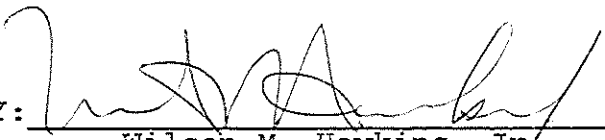
Dear Mrs. Blackmon:

Please file the enclosed "Pleas" in the above referenced matter and indicate that you have done so by returning the enclosed carbon copy of this letter. Also, please find enclosed a self-addressed, stamped envelope for your convenience.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY: 
Wilson M. Hawkins, Jr.

WMHJr/jkl
Enclosures

P.W. CHASTANG, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS: : AT LAW
GEORGE EALUM & :
ROBERT D. DAY, :
jointly and severally, :
Defendants. : CASE NO. 10425

PLEAS

Comes now the Defendants, George Ealum and Robert D. Day, and for answer to the Plaintiff's complaint in the above styled cause, sets down the following separate and several pleas:

1. Not guilty.
2. The material allegations of the complaint are untrue.
3. For at the time and place complained of in the complaint the Plaintiff was himself guilty of negligence in the operation of his automobile, and said negligence proximately caused the damages complained of, hence the Plaintiff cannot recover of these Defendants.

4. For at the time and place complained of in the complaint the Plaintiff allowed a minor who did not have a drivers license to operate the Plaintiff's automobile; the Plaintiff at said time knowing that the said minor lacked the necessary skills to properly operate the automobile, but nevertheless the Plaintiff negligently entrusted the said minor with custody of the automobile, and as a proximate result of this negligent entrustment the Plaintiff contributed to the damages complained of and ought not recover of these Defendants.

FILED

JUN 30 1972

COLLINS, GALLOWAY & MURPHY

BY: 

Fred G. Collins

BY: 

Wilson M. Hawkins, Jr.
ATTORNEYS FOR DEFENDANTS

EUNICE B. BLACKMON CIRCUIT
CLERK

PLAINTIFF'S ATTORNEY:

Hon. Taylor Wilkins, Jr.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 29th
day of June, 1972, served a copy of
the foregoing pleading on counsel for all
parties to this proceeding by mailing the
same by United States Mail, properly ad-
dressed, and first class postage prepaid.

