

STATE OF ALABAMA )  
BALDWIN COUNTY )

CIRCUIT COURT OF BALDWIN

ALABAMA, AT LAW NO. 10,486

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to Summon GRACE PORTER LAWRENZ, Box 429, Foley, Alabama, to appear and plead, answer or demur, within thirty days from service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at Bay Minette, against GRACE PORTER LAWRENZ, Defendant by JOHN HENRY TAYLOR, Plaintiff.

Witness my hand this the 12 day of July, 1972.

Eunice B. Blackmon CLERK

\*\*\*\*\*

JOHN HENRY TAYLOR )  
Plaintiff )  
VS. )  
GRACE PORTER LAWRENZ )  
Defendant )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,486

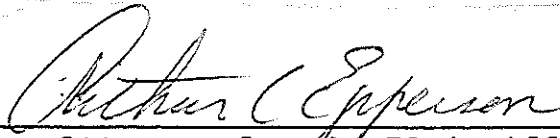
#### COUNT ONE

The Plaintiff JOHN HENRY TAYLOR, claims of the defendant the sum of Eighty-five Thousand Dollars (\$85,000.00) as damages, for that heretofore on to-wit: January 22, 1972, while the plaintiff was riding in an automobile being operated along Alabama State Highway number 42, approximately 225 feet East of the Intersection of said highway with Baldwin County Road number 95 and being a public road in Baldwin County, Alabama, the defendant so negligently operated an automobile or automotive vehicle at said time and place as to cause the same to collide with the said automobile in which the plaintiff was riding at said time and place aforesaid; and as a proximate consequence of the Defendant's said negligence, the plaintiff was injured and damaged as follows; he was caused to suffer severe personal injuries to his entire body; he was caused to suffer severe internal injuries and profuse bleeding; his jaw bone and facial bones were broken and splintered; he was caused to suffer a contusion of the brain; his ribs were broken; he was caused to suffer severe cervical neck sprain or whiplash and back sprain; he was caused to be hospitalized for a long period of time and to seek the care and attention of doctors and nurses and medical treatment for said injuries; he was caused to remain in traction for a long period of time and

to wear a neck and back brace and to change his sleeping habits from sleeping on a soft bed to sleeping on a board; that he was caused to wear a jaw brace and could only eat liquid foods for a long period of time; that he was unconscious for a long period of time and was not expected to live; he was caused to be unable to perform his work and make a living; he was caused to be unable to do or perform his usual and normal activities; he was cause to suffer great physical pain and mental anguish and will in the future continue to suffer much physical paid and mental anguish; he was caused to suffer permanent and partial disability and incapacity to pursue and perform normal occupational and daily activities; he will be caused in the future to continue to seek medical attention and advice and to incur medical expenses for doctors' bills and other medical expenses in and about the care, treatment and medication of his said injuries; and his capacity to earn a living has been materially and appreciably diminished; and he was caused to suffer permanent injuries; for all of which Plaintiff claims damages in the sum of \$85,000.00.

COUNT TWO

Plaintiff claims of the defendant the sum of Six Hundred Dollars (\$600.00) as damages for that heretofore on to-wit: January 22, 1972, plaintiff's automobile was being operated upon a public road in Baldwin County, Alabama, to-wit: Alabama State Highway number 42, approximately 225 feet East of the intersection of said highway with Baldwin County Road number 95, when the defendant negligently caused a vehicle which was then and there being operated by the defendant to collide with plaintiff's automobile and as a proximate consequence of said negligence of the defendant, plaintiff's said automobile was rendered less valuable to the plaintiff to the extent of the amount herein claimed.

  
Attorney for the Plaintiff

FILED

JUL 12 1972

EUNICE B. BLACKMON CIRCUIT CLERK

Received 12-22-72 July 12  
and on 22 day of July 1972  
I served copy of this writ  
on Grace Porter Lawrence

Sheriff's Office 72 miles at  
Ten Cents per mile Total \$ 7.20  
TAYLOR WILKINS, Sheriff  
BY Charles  
DEPUTY SHERIFF

By service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
Charles

Arthur Epperson

RECEIVED  
JUL 12 1972  
TAYLOR WILKINS  
SHERIFF

FILED  
JUL 12 1972  
EUNICE B. BLACKMON  
CIRCUIT CLERK

John Henry Taylor  
vs.  
Grace Porter Lawrence

# 10, 486

I

JOHN HENRY TAYLOR, : IN THE CIRCUIT COURT OF  
Plaintiff, :  
VS: : BALDWIN COUNTY, ALABAMA  
GRACE PORTER LAWRENZ, : AT LAW  
Defendant. : CASE NO. 10,486

DEMURRER

Comes the defendant in the above styled matter and demurs to the complaint as heretofore filed and each and every count thereof separately and severally upon the following separate and several grounds:

1. The same fails to state a cause of action against the defendant.

2. The same fails to apprise the defendant if the plaintiff was a driver or passenger in the automobile.

3. Without apprising the defendant of the status of the plaintiff in the automobile, as to driver or passenger, the plaintiff cannot adequately defend against the complaint.

4. The same claims damages for matters which are conclusions of the pleader.

5. Change in sleeping habits of the plaintiff as a damage is a conclusion of the pleader.

6. The eating of liquid foods for a long period of time as a damage is a conclusion of the pleader.

7. That the plaintiff was "not expected to live", is a conclusion of the pleader without facts in support of same.

8. That the plaintiff was "not expected to live" as an element of damage is a conclusion of the pleader without apprising the defendant of whom did not expect the plaintiff to live.

9. Count Two of the complaint fails to allege that the accident occurred in a place where the plaintiff had a right to be.


10. Count Two of the complaint fails to allege that the accident occurred on a public highway.

11. Count Two of the complaint claims damages which are not legal damages.

12. Count Two of the complaint alleges that the plaintiff's automobile was "rendered less valuable to the plaintiff" when such is a conclusion of the pleader and without facts in support thereof.

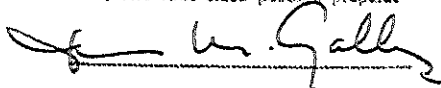
13. From aught that appears in Count Two of the complaint the plaintiff has no right to recover of the defendant.

COLLINS, GALLOWAY & MURPHY

By:   
THOMAS M. GALLOWAY  
ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 28<sup>th</sup> day of July, 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 addressed, and first class postage prepaid.



**FILED**

AUG 1 1972

EUNICE B. BLACKMON CIRCUIT CLERK

JOHN HENRY TAYLOR ( IN THE CIRCUIT COURT OF  
PLAINTIFF ( BALDWIN COUNTY, ALABAMA  
VS ( AT LAW  
GRACE PORTER LAWRENZ (  
DEFENDANT ( CASE NO: 10,486

AMENDED COMPLAINT

The Plaintiff, JOHN HENRY TAYLOR, claims of the Defendant the sum of EIGHTY-FIVE THOUSAND (\$85,000.00) DOLLARS as damages for that heretofore and on, to-wit, January 22, 1972, while the Plaintiff was operating his automobile along said Alabama Highway Number 42, approximately 225 feet east of the intersection of said highway with Baldwin County Road number 95, and being a public road in Baldwin County, Alabama, the Defendant so negligently operated an automobile or automotive vehicle at said time and place as to cause the same to collide with the said automobile which the Plaintiff was operating at said time and place aforesaid; and as a proximate consequence of the Defendant's said negligence, the Plaintiff was injured and damaged as follows: he was caused to suffer severe internal injuries and profuse bleeding; his jaw bone and facial bones were broken and splintered; he was caused to suffer a contusion of the brain; his ribs were broken; he was caused to suffer severe cerevical neck sprain or whiplash and back sprain; he was caused to be hospitalized for a long period of time and to seek the care and attention of doctors and nurses and medical treatment for said injuries; he was caused to remain in traction for a long period of time and to wear a neck and back brace and to change his sleeping habits from sleeping on a soft bed to sleeping on a board; that he was caused to wear a jaw brace and could only eat liquid foods for a long period of time; that he was unconscious for a long period of time, and was not expected to live; he was caused to be unable to perform his work and make a living; he was caused to be

**FILED**

JAN 17 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

unable to do or perform his usual and normal activities; he was caused to suffer great physical pain and mental anguish and will in the future continue to suffer much physical pain and mental anguish; he was caused to suffer permanent and partial disability and incapacity to pursue and perform normal occupational and daily activities; he will be caused in the future to continue to seek medical attention and advice and to incur medical expenses for doctors' bills and other medical expenses in and about the care, treatment and medication of his said injuries; and his capacity to earn a living has been materially and appreciably diminished; and he was caused to suffer permanent injuries; for all of which Plaintiff claims damages in the sum of \$85,000.00.

#### COUNT TWO

Plaintiff claims of the Defendant the sum of SIX HUNDRED (\$600.00) DOLLARS, as damages for that heretofore and on, to-wit, January 22, 1972, Plaintiff was operating his automobile upon a public road in Baldwin County, Alabama, to-wit, Alabama State Highway Number 42, approximately 225 feet east of the intersection of said highway with Baldwin County Road Number 95, when the Defendant negligently caused a vehicle which was then and there being operated by the Defendant, to collide with Plaintiff's automobile, and as a proximate consequence of said negligence of the Defendant, Plaintiff's said automobile was rendered less valuable to the Plaintiff to the extent of the amount herein claimed.

  
Arthur C. Epperson  
Attorney for Plaintiff

I, the undersigned, Arthur C. Epperson, do hereby certify that I have on this day forwarded a true and exact copy of the foregoing amended complaint to Mr. Thomas M. Galloway, Attorney at Law, 958 Dauphin Street, Mobile, Alabama, attorney of record for the Defendant, by mailing the same in the United States Mail, properly addressed, with first class postage paid thereon.

**FILED**

JAN 17 1973

EUNICE B. BLACKMON  
CIRCUIT  
CLERK

  
Attorney for Plaintiff

JOHN HENRY TAYLOR, : IN THE CIRCUIT COURT OF  
Plaintiff, :  
VS: : BALDWIN COUNTY, ALABAMA  
GRACE PORTER LAWRENZ, :  
Defendant. : AT LAW  
CASE NO. 10,486

Comes the defendant in the above styled matter and demurs to the amended complaint as heretofore filed and each and every count thereof separately and severally upon the following separate and several grounds:

1. The same fails to state a cause of action against the defendant.

2. The same claims damages for matters which are conclusions of the pleader.

3. The allegation that the sleeping habits of the plaintiff were changed is a conclusion of the pleader without facts in support thereof.

4. The allegation that the eating of liquid foods for a long period of time is a conclusion of the pleader without allegations in support thereof.

5. From aught that appears the conclusion that the plaintiff ate liquid foods for a long period of time was at the option of the plaintiff.

6. The allegation that the plaintiff was "not expected to live" is a conclusion of the pleader without facts in support of same.


7. The allegation that the plaintiff was "not expected to live" as an element of damage is a conclusion of the pleader without apprising the defendant of whom did not expect to plaintiff to live.



8. Count Two of the complaint claims damages which are not legal damages.

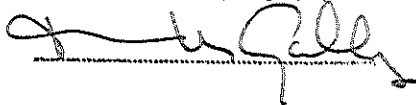
9. Count Two of the complaint alleges that the plaintiff's automobile was "rendered less valuable to the plaintiff" when such is a conclusion of the pleader and without facts in support thereof.

COLLINS, GALLOWAY & MURPHY

By:   
THOMAS M. GALLOWAY  
ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 2nd  
day of Feb, 1973, caused a copy of  
the foregoing pleading and sources for all  
parties to this proceeding by mailing the  
same by United States Mail, properly ad-  
dressed, and first class postage prepaid.



FILED

FEB 5 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

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.

March 2, 1973

*Add Sum*

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

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

Re: John Henry Taylor  
Vs: Grace Porter Lawrenz  
Case No. 10,486

Dear Mrs. Blackmon:

I enclose answer together with copy. The answer contains a plea in recoupment and this should be served upon the plaintiff whose address is Star Route Lillian, Alabama Box 452. It can be served upon his attorney of record but I am not sure if Arthur Epperson, the attorney of record, is back practicing. If he is the same can be served upon him.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

By: *Thomas M. Galloway*

Thomas M. Galloway

TMG/fs  
Encls:

JOHN HENRY TAYLOR, : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY, ALABAMA  
VS: :  
 : AT LAW  
GRACE PORTER LAWRENZ, :  
Defendant. : CASE NO. 10,486

Comes the defendant in the above styled matter and for answer to the complaint, and each and every count thereof separately and severally, as amended says as follows:

1. Not guilty.
2. The plaintiff cannot have and recover of the defendant in this matter for at the time and place complained of in the complaint the plaintiff himself was guilty of negligence which proximately contributed to the injuries complained of hence he cannot recover.
3. And for further answer to the complaint, and by Plea of Recoupment, the defendant claims of the plaintiff ONE HUNDRED THOUSAND AND 00/100 (\$100,000.00) DOLLARS, as damages for this that heretofore and on, to-wit, January 22, 1972, the plaintiff did so negligently operate a motor vehicle along Alabama State Highway 42 approximately 225 feet East of the intersection of said Highway with Baldwin County Road No. 95, said Highway 42 being then and there a public road in Baldwin County, Alabama, so as to cause the vehicle he was driving to run off of said road and into the vehicle in which the defendant was sitting and as a direct and proximate consequence of the aforesaid negligence of the plaintiff the defendant was caused to suffer severe personal injuries, was caused to expend large-sums for medical, hospital and doctor's bills and will be caused to expend the same in the future, has been caused to lose a long period of time from her employment and will be caused to lose time from same in the future

and her automobile was greatly bent, smashed and broken all to her damage in the amount aforesaid.

BROOKS H. HOLMES

and

COLLINS, GALLOWAY & MURPHY

By: *Thomas M. Galloway*  
THOMAS M. GALLOWAY  
ATTORNEYS FOR DEFENDANT

Please serve a copy of this answer and Plea in Recoupment upon the plaintiff at Lillian, Alabama, Box 452, or upon his attorney of record.

**FILED**

MAR 5 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

CASE #10,486

JOHN HENRY TAYLOR

VS:

GRACE PORTER LAWRENZ

ANSWER ~~TO~~ PLEA IN RECOUPMENT

Serve the Plaintiff at:  
Star Route Box 452  
Lillian, Alabama

**FILED**

MAR 5 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

Thomas M. Galloway,  
Attorney for Defendant

SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 10,486

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon John Henry Taylor

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

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

Grace Porter Lawrenz

Defendant.....

by John Henry Taylor

Plaintiff.....

witness my hand this 5th day of March 19 73

*Eunice B. Blackmon* Clerk

STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

JOHN HENRY TAYLOR

Plaintiffs

VS.

GRACE PORTER LAWRENZ

Defendants

SUMMONS AND COMPLAINT

~~ALABAMA~~ PLA IN RECOUPMENT

Filed March 5, 1973

Eunice B. Blackmon Clerk

FILED

MAR 5 1973

EUNICE B. BLACKMON CIRCUIT CLERK

Thomas M. Galloway  
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office  
RECEIVED

MAR 5 1973

TAYLOR WILKINS  
I have executed this summons  
SHERIFF

this March 12 1973

by leaving a copy with

John Henry Taylor

Sheriff claims 1.00

Ten Cents per mile Total \$ 10.00

TAYLOR WILKINS, Sheriff

BY Scott

Deputy Sheriff

Jasper Wilkins Sheriff

L.H. Scott Deputy She

100 mi

OWEN AND BALL  
ATTORNEYS AT LAW  
410 COURTHOUSE SQUARE  
BAY MINETTE, ALABAMA 36507

JAMES R. OWEN  
E. E. BALL

February 19, 1974

TELEPHONE  
(205) 937-9503  
P. O. DRAWER C

Mrs. Eunice Blackmon, Clerk  
Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Taylor vs. Lawrenz  
Case No. 10,486

Dear Mrs. Blackmon:

Please be advised that Mr. Epperson no longer represents the Plaintiff in the above styled case and that our firm now represents Mr. Taylor. We would appreciate it if you would note the docket sheet accordingly.

With best regards, we remain

Yours very truly,

OWEN AND BALL

BY



E. E. Ball

EEB/sh

cc: Thomas M. Galloway, Esq.  
Messrs. Collins, Galloway & Murphy  
Attorneys at Law  
958 Dauphn Street  
Mobile, Alabama

Arthur Epperson, Esq.  
Attorney at Law  
Foley, Alabama

FILED

FEB 20 1974

EUNICE B. BLACKMON circuit  
CLERK



OWEN AND BALL  
ATTORNEYS AT LAW  
410 COURTHOUSE SQUARE  
BAY MINETTE, ALABAMA 36507

JAMES R. OWEN  
E. E. BALL

March 13, 1975

TELEPHONE  
(205) 937-9503  
P. O. DRAWER C

CERTIFIED

C  
O  
P  
Y  
Arthur Epperson, Esq.  
Attorney at Law  
Foley, Alabama 36535

Re: Taylor v. Lawrenz  
Non-Jury Case No. 10,486

Dear Arthur:

Inasmuch as we have heard from neither you nor Mr. Taylor in response to our letter of February 17, 1975, we assume that neither you nor Mr. Taylor wish us to keep representing him in this matter.

We are therefore, by copies of this letter, informing all concerned parties, including Mr. Taylor, that as of the date hereof we are withdrawing as attorneys for him. As I mentioned in my letter of the 17th, we will, of course, return your file to you intact, together with all of the depositions we have taken so far at no expense to you.

I am sorry that this matter could not be resolved otherwise but I am sure you appreciate our position.

With best regards, we are

Yours very truly,

OWEN AND BALL

By: 

E. E. BALL

EEB:lk1

cc Mr. John Taylor  
Thomas M. Galloway, Esq.  
Louis F. Ray, Esq.  
Eunice Blackmon, Clerk

FILED

MAR 14 1975

EUNICE B. BLACKMON CIRCUIT  
CLERK

COLLINS, GALLOWAY & SMITH

ATTORNEYS AT LAW

SUITE 525, BEL AIR OFFICE MALL II  
3100 COTTAGE HILL ROAD  
MOBILE, ALABAMA 36606

FRED G. COLLINS  
THOMAS M. GALLOWAY  
ROBERT H. SMITH  
THOMAS M. GALLOWAY, JR.

October 10, 1975

M. THOMAS MURPHY (1924 - 1956)

TELEPHONE (205) 476-4493

P. O. BOX  16629

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

Re: John Henry Taylor  
Vs: Grace Porter Lawrenz  
Case No. 10,486

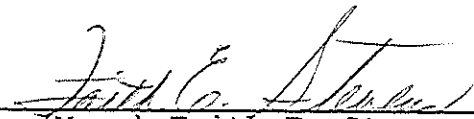
Dear Mrs. Blackmon:

Enclosed please find draft of Alabama Farm Bureau  
in the amount of \$46.70 in payment of the costbill as  
rendered in the referenced matter.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & SMITH

By:   
(Mrs.) Faith E. Stevens, Secretary  
to Mr. Galloway

/s  
Enclosure