

2264

JAMES LOUIS JORDAN,  
Plaintiff,

vs.

CITY FURNITURE COMPANY  
and JOHN L. CRAWFORD,

Defendants.

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 2264

Comes now the Defendants in the above entitled cause, separately and severally, and demur to Plaintiff's complaint as a whole, and each and every count thereof separately and severally, on the following separate and several grounds:

1. Sufficient facts to state a cause of action are not alleged therein.

2. Said count is vague, indefinite, and uncertain.

3. Said count does not allege sufficient facts to show the existence of a legal duty, owing from the Defendants to the Plaintiff, with respect to the matters alleged in said count.

4. Said count does not contain sufficient facts to show that the Defendants breached any legal duty owing by the Defendants to the Plaintiff at the time and place complained of.

5. For aught appearing therein there was no causal connection between the alleged wrong complained of and the alleged injury and damage.

6. Said count is so incomplete that the Defendants are not apprised to what they will be called upon to defend.

7. Because there is a misjoinder of causes of action in said count.

8. Because there is a misjoinder of parties Defendants in said count.

9. Because there is a misjoinder of causes of action in said complaint.

10. Because there is a misjoinder of parties Defendant in said complaint.

11. Because said count seeks to join in one and the same count, an action for trespass and an action for trespass on the case.

12. Because the master and servant are joined in the same count.

INGE, TWITTY, ARMBRECHT & JACKSON

BY \_\_\_\_\_  
Attorneys for Defendants

FILED

7-13-54

ALICE J. BUCK, Clerk

STATE OF ALABAMA    )  
BALDWIN COUNTY        )

IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon City Furniture Company and John L. Crawford to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of James Louis Jordan.

Witness my hand this 19<sup>th</sup> day of May, 1954.

*David A. Wicks*  
Clerk.

JAMES LOUIS JORDAN,  
Plaintiff,  
vs.  
CITY FURNITURE COMPANY  
and JOHN L. CRAWFORD,  
Defendants.

I  
I  
I  
I  
I  
I

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

COUNT ONE:

The Plaintiff claims of the Defendants the sum of Fifteen Hundred Dollars (\$15,00.00) as damages for that on heretofore, to-wit: May 13, 1954, the Defendant, John L. Crawford, who was then and there an agent, servant or employee of the Defendant, City Furniture Company, and who was then and there acting within the line and scope of his employment as such, so negligently operated a motor vehicle on the Hurricane Road, a public road in Baldwin County, Alabama, at a point approximately one-fourth of a mile West of the Douglas ville School, as to cause or allow said motor vehicle to run into, upon and against the motor vehicle of the Plaintiff and as a proximate consequence of the negligence of the Defendant, John L.

Crawford, aforesaid, the Plaintiff's automobile was badly bent, broken and damaged in this: the front end thereof was bent, broken and damaged and the right fender and front assembly and right side of said automobile was bent, broken and damaged, all to the damage of the Plaintiff as aforesaid, hence this suit.

COUNT TWO:

The Plaintiff claims of the Defendant, John L. Crawford, the sum of Fifteen Hundred Dollars (\$1,500.00) as damages for that on heretofore, to-wit: the 13th day of May, 1954, the said John L. Crawford, so negligently operated a motor vehicle on the Hurricane Road, a public road in Baldwin County, Alabama, at a point approximately one-fourth of a mile West of the Douglasville School, as to cause or allow said motor vehicle to run into, upon and against the motor vehicle of the Plaintiff and as a proximate consequence of the negligence of the Defendant, John L. Crawford, the Plaintiff's automobile was greatly damaged in this: the front end thereof was bent, broken and damaged and the right fender and front assembly and right side of said automobile was bent, broken and damaged, all to the damage of the Plaintiff as aforesaid, hence this suit.

COUNT THREE:

The Plaintiff claims of the Defendant, City Furniture Company, the sum of Fifteen Hundred Dollars (\$1,500.00) as damages for that on heretofore, to-wit: the 13th day of May, 1954, the said Defendant, which was then and there acting by and through the Defendant, John L. Crawford, who was then and there acting as the agent, servant or employee of the said City Furniture Company, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle on the Hurricane Road, a public road in Baldwin County, Alabama, at a point approximately one-fourth of a mile West of the Douglasville School as to cause or allow the same to run into, upon and against the automobile of the Plaintiff and as a proximate consequence of the negligence of the agent, servant or employee while acting within the line and scope of his employment as such the Plaintiff's automobile was greatly damaged in this: the front end

Crawford, aforesaid, the Plaintiff's automobile was badly bent, broken and damaged in this: the front end thereof was bent, broken and damaged and the right fender and front assembly and right side of said automobile was bent, broken and damaged, all to the damage of the Plaintiff as aforesaid, hence this suit.

COUNT TWO:

The Plaintiff claims of the Defendant, John L. Crawford, the sum of Fifteen Hundred Dollars (\$1,500.00) as damages for that on heretofore, to-wit: the 13th day of May, 1954, the said John L. Crawford, so negligently operated a motor vehicle on the Hurricane Road, a public road in Baldwin County, Alabama, at a point approximately one-fourth of a mile West of the Douglasville School, as to cause or allow said motor vehicle to run into, upon and against the motor vehicle of the Plaintiff and as a proximate consequence of the negligence of the Defendant, John L. Crawford, the Plaintiff's automobile was greatly damaged in this: the front end thereof was bent, broken and damaged and the right fender and front assembly and right side of said automobile was bent, broken and damaged, all to the damage of the Plaintiff as aforesaid, hence this suit.

COUNT THREE:

The Plaintiff claims of the Defendant, City Furniture Company, the sum of Fifteen Hundred Dollars (\$1,500.00) as damages for that on heretofore, to-wit: the 13th day of May, 1954, the said Defendant, which was then and there acting by and through the Defendant, John L. Crawford, who was then and there acting as the agent, servant or employee of the said City Furniture Company, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle on the Hurricane Road, a public road in Baldwin County, Alabama, at a point approximately one-fourth of a mile West of the Douglasville School as to cause or allow the same to run into, upon and against the automobile of the Plaintiff and as a proximate consequence of the negligence of the agent, servant or employee while acting within the line and scope of his employment as such the Plaintiff's automobile was greatly damaged in this: the front end

thereof was bent, broken and damaged and the right fender and front assembly and right side of said automobile was bent, broken and damaged, all to the damage of the Plaintiff as aforesaid, hence this suit.

CHASON & STONE

By: Marlene Q. Stone

Defendants' address for service:  
456 Dauphin Street  
Mobile, Alabama

FILED

5-19-54

ALICE I. DUCK, Clerk

BOOK 006 PAGE 48

Received in Sheriff's Office  
this 19 day of May 1954  
TAYLOR WILKINS, Sheriff

C.D. No. 2264  
456

EXECUTED  
This 21 day of May 1954  
by serving a copy of the within on  
Norman Graham Stone  
W. H. HOLCOMBE, Sheriff  
By *Ellie Putigues* D. S.

*John L. Crawford*  
RETURNED 6-10-54  
Not found in my County after diligent search  
and inquiry.  
W. H. HOLCOMBE, Sheriff  
By *Ellie Putigues* S.

JAMES LOUIS JORDAN,  
Plaintiff,  
vs. 217  
CITY FURNITURE COMPANY and  
JOHN L. CRAWFORD,  
Defendants.

\*\*\*\*\*  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW  
\*\*\*\*\*

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

FILED  
MAY 19 1954  
ALICE J. DUCK, Clerk  
LAW OFFICES  
CHASON & STONE  
BAY MINETTE, ALABAMA

COPY

NO 2264

456

JAMES LOUIS JORDAN,

Plaintiff,

vs.

CITY FURNITURE COMPANY and  
JOHN L. CRAWFORD,

Defendants.

*456 Dauphin*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

SUMMONS AND COMPLAINT

FILED

MAY 19 1954

ALICE J. HUCK, CLERK

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

*Lives in Bay Minette*



INGE, TWITTY, ARMBRECHT & JACKSON  
LAWYERS

WM. H. ARMBRECHT (1874-194)  
FRANCIS H. INGE, COUNSEL

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

June 7, 1954

MAILING ADDRESS:

P. O. BOX 1109  
MOBILE 6, ALA.

CABLE ADDRESS:  
ARMING

THOS. E. TWITTY  
WM. H. ARMBRECHT, JR.  
THEO. K. JACKSON, JR.  
RICHARD H. INGE  
NICHOLAS S. MCGOWIN  
JOHN W. MCCONNELL, JR.  
MARSHALL J. DEMOUY  
WM. H. ARMBRECHT, III  
THOS. E. TWITTY, JR.

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

Re: Jordan vs. City Furniture  
Company and Crawford  
Case No. 2264

Dear Mrs. Duck:

Enclosed herewith you will find an appearance to be filed in the above case on behalf of both defendants. We would appreciate it if you would send us settings of your civil cases so that we might keep up with the setting of this case.

Very truly yours,

*Marshall J. De Mouy*  
Marshall J. DeMouy

for INGE, TWITTY, ARMBRECHT & JACKSON

MJD  
cd

encl.

P.S. you will note that we have demanded  
a jury trial in this cause.

INGE, TWITTY, ARMBRECHT & JACKSON  
LAWYERS

WM. H. ARMBRECHT (1874-1941)  
FRANCIS H. INGE, COUNSEL

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

MAILING ADDRESS:

P. O. BOX 1109  
MOBILE 6, ALA.

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THEO. K. JACKSON, JR.  
RICHARD H. INGE  
NICHOLAS S. MCGOWIN  
JOHN W. MCCONNELL, JR.  
MARSHALL J. DEMOUY  
WM. H. ARMBRECHT, III  
THOS. E. TWITTY, JR.

July 8, 1954

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

Re: Jordan vs. City Furniture  
and John L. Crawford  
Case No. 2264

Dear Mrs. Duck:

Enclosed herewith you will find demurrers which  
have been filed on behalf of the Defendants in the  
above entitled cause and I would appreciate it very  
much if you would place these on file.

Very truly yours,

*Marshall J. DeMouy*  
Marshall J. DeMouy

for INGE, TWITTY, ARMBRECHT & JACKSON

MJD  
cb

cc: Mr. Norborne C. Stone

JAMES LOUIS JORDAN,                    |     IN THE CIRCUIT COURT  
                    Plaintiff,         |  
vs.   |                   OF  
  |  
CITY FURNITURE COMPANY                |     BALDWIN COUNTY, ALABAMA  
and JOHN L. CRAWFORD,                 |  
                    Defendants.         |     AT LAW NO. 2264

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Inge, Twitty, Armbrecht & Jackson appear for City Furniture Company and John L. Crawfords, Defendants in the above entitled cause and reserve the right to demur or plead specially.

INGE, TWITTY, ARMBRECHT & JACKSON

By Marshall I. De Munn  
Attorneys for Defendants

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Defendants respectfully demand a trial by jury in the above cause.

INGE, TWITTY, ARMBRECHT & JACKSON

By Marshall I. De Munn  
Attorneys for Defendants

Crawford, aforesaid, the Plaintiff's automobile was badly bent, broken and damaged in this: the front end thereof was bent, broken and damaged and the right fender and front assembly and right side of said automobile was bent, broken and damaged, all to the damage of the Plaintiff as aforesaid, hence this suit.

COUNT TWO:

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COUNT THREE:

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thereof was bent, broken and damaged and the right fender and front assembly and right side of said automobile was bent, broken and damaged, all to the damage of the Plaintiff as aforesaid, hence this suit.

CHASON & STONE

By: Marlene G. Stone

Defendants' address for service:  
456 Dauphin Street  
Mobile, Alabama

STATE OF ALABAMA }  
BALDWIN COUNTY }

IN THE CIRCUIT COURT - LAW SIDE.

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Witness my hand this 19th day of May, 1954.

Reece J. Smith  
Clerk.

JAMES LOUIS JORDAN,

Plaintiff,

vs.

CITY FURNITURE COMPANY  
and JOHN L. CRAWFORD,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

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