

INGE, TWITTY, ARMBRECHT & JACKSON
LAWYERS

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

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

January 24, 1955

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.

2507

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

Re: Andrew J. Cumbie et al vs. Allen Henderson

Dear Mrs. Duck:

Enclosed herewith you will find original of an appearance which we wish to file on behalf of the defendant in the above styled cause. We have sent Mr. Norborne Stone, attorney for plaintiff, a copy of this appearance.

Very truly yours,

Marshall J. DeMouy

Marshall J. DeMouy

for INGE, TWITTY, ARMBRECHT & JACKSON

MJD:p

APPEARANCE
State of Alabama---Mobile County

CIRCUIT COURT — CIVIL DIVISION

Andrew J. Cumbie, et al

Plaintiff

vs.

Allen Henderson,

Defendant

CASE NO. 2507

Mobile, Ala., 19.....

Inge, Twitty, Armbricht & Jackson appear for

Allen Henderson Defendants/

in the above entitled cause and reserve the right to demur or plead specially.

Filed, 19

Clerk

By: INGE, TWITTY, ARMBRECHT & JACKSON
Marshall J. H. Hays
Attorney for Defendant

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 Allen Henderson, Individually and doing business as Henderson Sand and Gravel Company, 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 Andrew J. Cumbie, Jr.

Witness my hand this 10th day of January, 1955.

Archie J. [Signature]
Clerk.

ANDREW J. CUMBIE, JR.,
Plaintiff,
vs.
ALLEN HENDERSON, Individually
and doing business as HENDERSON
SAND AND GRAVEL COMPANY,
Defendant.

I
I
I IN THE CIRCUIT COURT OF
I BALDWIN COUNTY, ALABAMA
I AT LAW.
I

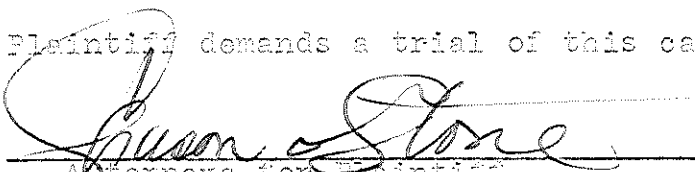
COUNT ONE:

The Plaintiff claims of the Defendant the sum of One Thousand Dollars (\$1000.00) as damages for that on, to-wit, July 17, 1954, the Defendant, acting by and through his agent, servant or employee, whose name is unknown to the Plaintiff, and who was then and there acting within the line and scope of his employment as such agent, servant or employee, so negligently operated a motor vehicle on U. S. Temporary Highway #31 at a point in Perdido, Alabama, where such highway crosses the Louisville and Nashville Railroad tracks, which said point is in Baldwin County, Alabama, as to cause or allow said motor vehicle to run into, over or against an automobile belonging to the Plaintiff, which was then and there being driven along said highway by the Plaintiff, where he had a right to be, and as a proximate result of such negligence, Plaintiff's automobile was damaged in this: his right front fender was destroyed, his right head-

light was destroyed, the dust plates were badly bent, the radiator was crushed, the front bumper and brackets were badly bent, the right door was damaged, the right ventilator was damaged and there was a cut in the right tire and the Plaintiff was caused to lose the use of his automobile in his business for one month, all to the damage of the Plaintiff, aforesaid, wherefore Plaintiff brings this suit and asks judgment in the above amount.


Attorneys for Plaintiff.

Plaintiff demands a trial of this cause by a jury.


Attorneys for Plaintiff.

FILED

Jan. 10, 1955

ALICE J. BUCK, Clerk

003 JAN 338

Received in Sheriff's Office
this 10 day of Jan, 1955
TAYLOR WILKINS, Sheriff

RECEIVED

IN OFFICE

JAN 17 1955

SHERIFF
ESCAMBIA COUNTY, ALABAMA

Executed this 17 day
Jan 1955 by serving
a copy of the within.

On Allen Henderson
doing business as
on J. L. Mills
Sheriff

NO 2507

SUMMONS AND COMPLAINT

ANDREW J. CUMBLE, JR.,

Plaintiff,

vs.

ALLEN HENDERSON, Individually and
doing business as HENDERSON SAND
AND GRAVEL COMPANY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

Filed this 10th day of January,
1955.

David J. Muck
clerk.

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA