

Martin J. Norton - Plaintiff

VS

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

Wallace M. Sawyer - Defendant

CASE NO. 2525

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW:

I, Mary Texas Hurt, Secretary of State, hereby certify that on February 4, 1955,
I sent by registered mail in an envelope addressed as follows:

"Wallace M. Sawyer
256 Hi way Drive
New Orleans, Louisiana"

"Registered Mail -
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature
and the Great Seal of the State of Alabama in words and figures as follows:

"Wallace M. Sawyer
256 Hi way Drive
New Orleans, Louisiana

You will take notice that on February 4, 1955, the Sheriff of
Montgomery County, Alabama, served upon me, in my official
capacity, summons and complaint in a case entitled:

Martin J. Norton, Plaintiff VS Wallace M. Sawyer, Defendant

in the Circuit Court of Baldwin County, Alabama at Law,
Case No. 2525 a true copy of which summons and complaint is
attached hereto and the said service upon me as Secretary of State
of the State of Alabama has the force and effect of personal service
upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this
the 4 day of February, 1955.

Enclosure (1)

(Signed) Mary Texas Hurt
Secretary of State"

I further certify that the notice above set out which was so mailed in the
envelope addressed as above set forth had attached to it a true copy of the
summons and complaint in the above-styled cause.

I further certify that on February 9, 1955 I received the return card,
showing receipt by the designated addressee of the aforementioned matter
at Castleberry, Alabama on February 8, 1955.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 9 day
of February 1955.

Mary Texas Hurt
Mary Texas Hurt
Secretary of State

Enclosures: Return Receipt Card and
copy of Summons and
Complaint.

cc: Honorable Vincent F. Kilborn
Chason & Stone, Attorneys
Bay Minette, Alabama

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 Wallace M. Sawyer 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 Martin J. Norton.

Witness my hand this 28 day of January, 1955.

Archie J. French, Jr.
Clerk

MARTIN J. NORTON,

Plaintiff,

vs.

WALLACE M. SAWYER,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant Ten Thousand Dollars (\$10,000.00) as damages for this: on January 29, 1954, the Plaintiff was operating an automobile eastwardly on U. S. Highway #90 at or near Bay Branch Bridge, the same being a public highway, and the Defendant was operating an automobile eastwardly at such time and place immediately ahead of the Plaintiff. The Defendant so negligently conducted himself in and about the operation of his motor vehicle that the Plaintiff's automobile was caused to be driven into the Defendant's vehicle. As a direct and proximate consequence of the negligence aforesaid Plaintiff's automobile was demolished, his legs were fractured and broken, he was confined to a hospital for a great period of time and made sick, sore and lame, all to his damage in the amount claimed, wherefore he sues.

Plaintiff demands a trial

of this cause by a jury.

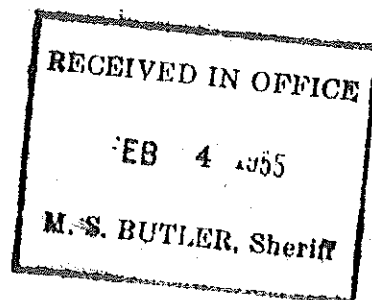
Vincent F. Kilborn

Harmon Stone
Attorneys for Plaintiff.

Vincent F. Kilborn

Harmon Stone
Attorneys for Plaintiff.

25 25
RECORDED



3 Copy

SUMMONS AND COMPLAINT

MARTIN J. NORTON,

Plaintiff,

vs.

WALLACE M. SAWYER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Filed this 28th day of January, 1955.

Alice J. Smith
Clerk.

*Orders of Court
Wallace M. Sawyer,
256 Hiway Drive
New Orleans, La.*

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

EXECUTED BY SERVING 3
COPIES OF THE WITHIN

M. J. Nurt
Sec. of State of
State of Ala.
2-4-55

M. S. Butler
Sheriff Montgomery County

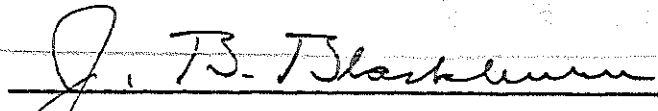
Mathis & Stearns
Deputy Sheriff

MARTIN J. NORTON,)
Plaintiff,) IN THE CIRCUIT COURT OF
VS.) BALDWIN COUNTY, ALABAMA
WALLACE M. SAWYER,) AT LAW NO. 2525
Defendant.)

DEMURRER

Now comes the defendant and for demurrer to the complaint assigns, separately and severally, the following:

1. It does not state a cause of action.
2. The allegations of the complaint are vague, indefinite and uncertain.
3. The allegations of the complaint are vague, indefinite and uncertain in that the place where the alleged accident happened is not described with sufficient certainty.
4. No facts are alleged to show that the alleged accident happened in Baldwin County, Alabama.
5. No facts are alleged to show that the defendant was operating his said automobile at the time of the alleged accident.
6. No facts are alleged to show that defendant's automobile was being operated at the time of the alleged accident by his agent, servant or employee who was then and there acting within the line and scope of his authority.
7. The plaintiff's injuries are not described with sufficient certainty.
8. The length of time that the plaintiff was confined in a hospital is not described.


Attorney for defendant.

MARTIN J. NORTON	I	IN THE CIRCUIT COURT OF	
Plaintiff,	I	BALDWIN COUNTY, ALABAMA	
vs.	I	AT LAW	#2525
WALLACE M. SAWYER,	I		
Defendant.	I		

Comes now the Plaintiff in the above styled cause and amends the Complaint heretofore filed in this cause so that the same shall read as follows:

COUNT ONE

The Plaintiff claims of the Defendant the sum of Two Thousand Five Hundred Dollars (\$2,500.00) as damages in this: That on to-wit: January 29, 1954 at approximately 6:00 o'clock P. M., the Plaintiff was driving an automobile eastwardly on U. S. Highway #90 at a point approximately 4.4 miles West of the center of Loxley, Alabama, in Baldwin County, Alabama, where he had a right to be and at said time and place the Defendant negligently drove an automobile to which was attached a utility trailer, Eastwardly along such Highway without proper lights on such trailer as required by the laws of the State of Alabama, and as a proximate result of such negligence of the Defendant the Plaintiff's automobile collided with the Defendant's trailer and as a direct and proximate consequence of the Defendant's negligence the Plaintiff's automobile was demolished and rendered a total loss.

COUNT TWO

The Plaintiff claims of the Defendant the sum of Two Thousand Five Hundred Dollars (\$2,500.00) as damages in this: That on to-wit: January 29, 1954 at approximately 6:00 o'clock P. M., the Plaintiff was driving an automobile eastwardly on U. S. Highway #90, at a point approximately 4.4 miles West of the center of Loxley, Alabama, in Baldwin County, Alabama, where he had a right to be and at said time and place the Defendant negligently drove an automobile to which was attached a utility trailer, Eastwardly along such Highway without proper lights on such trailer as required by the laws of the State of Alabama, and as a proximate result of such negligence

of the Defendant the Plaintiff's automobile was caused to collide with an automobile owned by Laurence E. Saffer in an attempt by the Plaintiff to avoid colliding with said utility trailer attached to the automobile then and there being operated by the Defendant, and as a direct and proximate consequence of the Defendant's negligence the Plaintiff's automobile was demolished and rendered a total loss.

COUNT THREE

The Plaintiff claims of the Defendant the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) as damages in this: That on to-wit: January 29, 1954 at approximately 6:00 o'clock P. M., the Plaintiff was driving an automobile Eastwardly on U. S. Highway #90, at a point approximately 4.4 miles West of the center of Loxley, Alabama, in Baldwin County, Alabama, where he had a right to be and at said time and place the Defendant negligently drove an automobile to which was attached a utility trailer Eastwardly along such Highway without proper lights on such trailer as required by the laws of the State of Alabama, and as a proximate result of such negligence of the Defendant the Plaintiff's automobile collided with the said Defendant's trailer attached to the automobile, then and there being operated by the Defendant, and as a direct and proximate consequence of the Defendant's negligence the Plaintiff was injured in this: both of his legs were seriously injured, he suffered a brain concussion, he was bruised and lacerated all over his body, he was caused to incur large hospital and medical expenses, he suffered great pain and mental anguish, and was permanently disabled, all to his damages in the sum aforementioned, hence this suit.

COUNT FOUR

The Plaintiff claims of the Defendant the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) as damages in this: That on to-wit: January 29, 1954 at approximately 6:00 o'clock P. M., the Plaintiff was driving an automobile Eastwardly on U. S. Highway #90, at a point approximately 4.4 miles West of the center of Loxley, Alabama, in Baldwin County, Alabama, where he had a right to be and at said time and place the Defendant negligently drove an automobile to which was attached a utility trailer Eastwardly along such High-

way without proper lights on such trailer as required by the laws of the State of Alabama, and as a proximate result of such negligence of the Defendant the Plaintiff's automobile was caused to collide with an automobile owned by Laurence E. Saffer in an attempt by the Plaintiff to avoid colliding with said utility trailer attached to the automobile then and there being operated by the defendant and as a direct and proximate consequence of the Defendant's negligence the Plaintiff was injured in this: both of his legs were seriously injured, he suffered a brain concussion, he was bruised and lacerated all over his body, he was caused to incur large hospital and medical expenses, he suffered great pain and mental anguish and was permanently disabled, all to his damages in the sum aforementioned, hence this suit.

Respectfully submitted,

VINCENT F. KILBORN

and

CHASON & STONE

By:

Malcolm J. Stone

RECORDED

MARTIN J. NORTON

Plaintiff,

vs.

WALLACE M. SAWYER,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW #2525

AMENDED COMPLAINT

FILED
APR 17 1956
ALICE J. DUCK, Clerk

LAW OFFICES
CHASON & STONE
BAY MINETTE, ALABAMA

2555

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT--CIVIL SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. Murray Crim and Royal Crow to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, Civil Side, by Homer P. Schnitzer, as Plaintiff against J. Murray Crim and Royal Crow, as Defendants.

Witness my hand this 4th day of March, 1955.

Deice J. - [Signature]
Register

HOMERA P. SCHNITZER,

Plaintiff

vs.

J. MURRY GRIM and
ROYAL CROW,

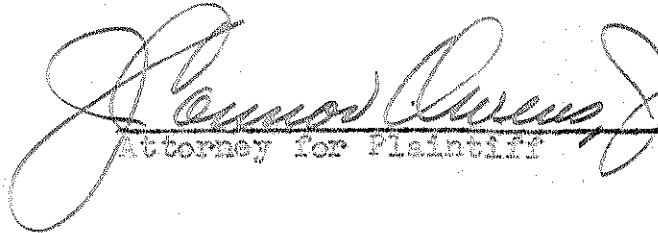
Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CIVIL NO. _____

The plaintiff claims of the defendants, J. Murry Grim and Royal Crow, the sum of \$306.27, for that on heretofore, to-wit: 5th day of March, 1954, the plaintiff was lawfully operating her motor vehicle on Alabama Highway 89, approximately three quarters of a mile North of Fairhope, Alabama, a public road in Baldwin County, Alabama, and at the same time and at the same place, the defendant, Royal Crow, who was then and there acting as agent of the defendant, J. Murry Grim, while acting within the line and scope of his said agency so negligently operated his motor vehicle so as to run into, upon or against the motor vehicle of the plaintiff and damage said motor vehicle by braking or smashing the right rear fender, the gas tank, the right side of the automobile, and the said injuries to the motor vehicle of the plaintiff were the proximate result of the negligence of the defendant aforesaid, hence this suit.


Attorney for Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
CIVIL NO. 2552

HOMER P. SCHNITZER,

Plaintiff

vs.

J. MURRAY CRIM and
ROYAL CROW,

Defendants

SUMMONS AND COMPLAINT

FILED

MAR 4 1955

ALICE J. BUCK, Clerk

J. CONNOR OWENS, JR.

ATTORNEY AT LAW

STATE OF ALABAMA
BALDWIN COUNTY

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IN THE CIRCUIT COURT--CIVIL SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. Murray Crim and Royal Cr
to appear and plead, answer or demur within thirty days from the se
hereof, to the Bill of Complaint filed in the Circuit Court of Bald
County, Alabama, Civil Side, by Homera P. Schnitzer, as Plaintiff
against J. Murray Crim and Royal Crow, as Defendants.

Witness my hand this 4th day of March, 1955.

Arice J. Duck
Register