

BRUCE QUINNEY,

Plaintiff,

vs.

CLARENCE E. DAVISON, also
known as CLARENCE E.
DAVIDSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 2888

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. That a suit was filed by the Defendant in this cause against the Plaintiff in said cause in the Circuit Court of Baldwin County, Alabama, on February 22, 1956, prior to the filing of this suit and the Plaintiff has recourse in that suit by means of a Plea of Recoupment for any damages suffered by him at said time and place.
3. That said Complaint does not state that the Defendant negligently injured the Plaintiff.
4. That said Complaint seeks in one Count to join an action of trespass with an action on the case.
5. That there is an improper joining of causes of action in the same Count.
6. That said Complaint fails to allege how much time the Plaintiff lost from his work.


Attorneys for Defendant

STATE OF ALABAMA,
COUNTY OF BALDWIN.

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TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CLARENCE E. DAVISON, also known as CLARENCE E. DAVIDSON, 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 the same, then and there to answer the complaint of BRUCE QUINNEY.

Witness my hand this 30 day of March, 1956.

Deice J. Duck
CLERK

BRUCE QUINNEY,

Plaintiff,

VS.

CLARENCE E. DAVISON, also
known as CLARENCE E. DAVIDSON,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW. NO. _____

C O U N T O N E

The plaintiff claims of the defendant \$10,000.00 as damages for that on, to-wit: the 16th day of October, 1955, at about 1:45 o'clock A. M., the plaintiff was driving his 1950 Model Dodge Pick-up Truck along U. S. Highway No. 31, a public highway, in Baldwin County, Alabama, at a point about 3.3 miles north of Old Spanish Fort, where said U. S. Highway No. 31 is intersected by Cemetery Road, and then and there the defendant so negligently operated another automobile that by reason thereof and as the proximate result and consequence thereof he negligently ran said automobile into, upon or against plaintiff's said pick-up truck, and thereby and as the proximate result and consequence thereof, the plaintiff's pick-up truck was demolished and was rendered of no value except for junk, and the plaintiff received severe personal injuries in this, to-wit: three of his ribs were fractured; he was bruised and lacerated about the scalp, face and body; his right eye was lacerated and three stitches were required to close the laceration; his right hand was severely lacerated, requiring ten

stitches to close it; he was made sick, sore, lame and disordered; he was internally injured; he was permanently injured; he was caused to expend considerable sums for medical treatment, hospital care, nursing and medicines in and about the treatment of his injuries; his clothing and personal effects were damaged and injured; he lost much time from his work; and he was rendered permanently less able to work; for all of which he claims damages as aforesaid, hence this suit.

Julius A. Madlener Jr.
ATTORNEY FOR PLAINTIFF.

Plaintiff respectfully request^s that this cause be tried by a jury.

Julius A. Madlener Jr.
ATTORNEY FOR PLAINTIFF.

IN THE CIRCUIT COURT OF
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AT LAW.

NO. 2888

BRUCE QUINNEY,

Plaintiff,

VS.

CLARENCE E. DAVISON, also
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DAVIDSON,

Defendant.

SUMMONS AND COMPLAINT.

TELFAIR J. MASHBURN, JR.

ATTORNEY-AT-LAW

BAY MINETTE, ALABAMA

FILED

MAR 30 1956

MADE J. BURN, Clerk

and on _____ day of _____
I served a copy of the within A.C.
on Clarence Davison
By service on _____
TAYLOR WILKINS, Sheriff
By Edleigh Steadman

Spanish Fort

Sheriff claims 44 miles at

Ten Cents per mile Total \$ 4.40

TAYLOR WILKINS, Sheriff

BY Steadman
DEPUTY SHERIFF