

NELLIE BYRD,

Plaintiff,

vs.

JOHN CLAUDE COTTON,

Defendant.

¶

¶

¶

¶

¶

IN THE CIRCUIT COURT OF


BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 2903

Comes the Defendant in the above styled cause and for plea to the complaint filed in said cause and each and every count thereof, separately and severally says:

1. That the allegations of the complaint are untrue.
2. That at the time and place complained of in the complaint the Plaintiff, himself, was guilty of negligence which was the proximate cause of his injuries and damages, wherefore the Plaintiff should not recover anything of the Defendant.

  
Attorneys for the Defendant

NELLIE BYRD

Plaintiff,

vs.

JOHN CLAUDE COTTON

Defendant.

I

I

I

I

I

IN THE CIRCUIT COURT OF

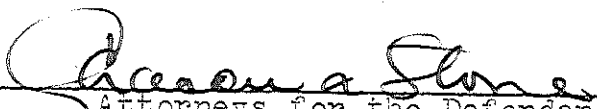
BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER 2903

Comes now the Defendant in the above styled cause and demurs to the complaint filed in said cause and each and every count thereof, separately and severally, and assigns the following separate and several grounds viz:

1. That said complaint does not state a cause of action.
2. That said complaint does not allege that the accident occurred in Baldwin County, Alabama.
3. That count two of said complaint does not allege that the Defendant negligently injured the Plaintiff.

  
Attorneys for the Defendant

STATE OF ALABAMA

COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHN CLAUDE COTTON 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 NELLIE BYRD.

Witness my hand, this the 16 day of April 1956.

Alice J. Dyer  
CLERK

NELLIE BYRD  
Plaintiff

VS

JOHN CLAUDE COTTON  
Defendant

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER 2903

-----

1. The Plaintiff claims of Defendant the sum of ONE-THOUSAND (\$1,000.00) DOLLARS for that on to-wit, March 3, 1956 the Defendant so negligently operated a motor vehicle on U.S. Highway 31 at the junction of said U.S. Highway 31 and U.S. Highway 98 <sup>in Baldwin County, Alabama</sup> as to allow it to run into, over or against the automobile of the Plaintiff which automobile Plaintiff was then and there operating on the said U.S. Highway 31 where he had a right to be, in a lawful and proper manner, and as a proximate result of the said negligence of the Defendant the Plaintiff's automobile was damaged in this: the left front fender, head light assembly, front bumper and bumper assembly, grill, grill assembly, radiator frame, hood, and front portion of the body of Plaintiff's car were bent, broken, and damaged, hence this suit.

2. The Plaintiff claims of Defendant the sum of ONE-THOUSAND (\$1,000.00) DOLLARS for that on to-wit, March 3, 1956 the Defendant so negligently operated a motor vehicle on U.S. Highway 31 at the junction of said U.S. Highway 31 and U.S. Highway 98 as to drive the said motor vehicle of the Defendant into Plaintiff's lane of traffic so that Plaintiff, who was then and there operating his motor vehicle on the said U.S. Highway 31, where he had a right to be, in a lawful and proper manner, could not avoid colliding with the vehicle of the Defendants and as a proximate result of

the said negligence of the Defendant the Plaintiff's automobile was damaged in this: the left front fender, head light assembly, front bumper and bumper assembly, grill, grill assembly, radiator frame, hood, and front portion of the body of Plaintiff's car were bent, broken, and damaged, hence this suit.

Wilson Hays  
Attorney for Plaintiff

Camp Lopley

RECORDED

NELLIE BYRD

PLAINTIFF

VS

JOHN CLAUDE COTTON

DEFENDANT

AT LAW

NUMBER 2903

SUMMONS and COMPLAINT

FILED

APR 16 1956

ALICE J. DUCK, Clerk

Received 16 day of April 1956  
and on 13 day of April 1956

I served a copy of the within 8 & c  
on John Claude Cotton

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By L. Hughes Steadth D.

Lopley

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

BY Stadham  
DEPUTY SHERIFF