

STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT - LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Jack Chandler and Howard Hall 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 Leon Morrow.

Witness my hand this 6th day of June, 1956.

Chas. J. Duck
Clerk.

LEON MORROW,	I	
Plaintiff,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
JACK CHANDLER and	I	AT LAW
HOWARD HALL,	I	
Defendants.	I	

COUNT ONE

The Plaintiff claims of the Defendants, Jack Chandler and Howard Hall the sum of \$500.00 as damages for that on, heretofore, to-wit: the 17th day of August, 1955, at approximately 7:55 o'clock P. M. at a point on U. S. Highway # 31, a public highway in Baldwin County, Alabama, about 3.7 miles South of the city limits of Bay Minette, Alabama, the Defendant, Jack Chandler, who was then and there acting as the agent, servant or employee of the Defendant, Howard Hall, and while acting within the line and scope of his employment as such, so negligently operated a motor vehicle as to cause or allow the same to run into and collide with the motor vehicle of the Plaintiff and as a proximate consequence and result of the negligence of the Defendant, Jack Chandler, aforesaid, the motor vehicle of the Plaintiff was greatly damaged in this: The right front fender,

the right door, the right cowl post, and the right quarter panel were damaged, bent and broken, the front end was bent and said motor vehicle was otherwise greatly damaged, all to the damage to the Plaintiff, wherefore he brings this suit and asks judgment in the above amount.

COUNT TWO

The Plaintiff claims of the Defendant, Jack Chandler, the sum of \$500.00 as damages for that on, heretofore, to-wit, the 17th day of August, 1955, at approximately 7:55 o'clock P. M. at a point on U. S. Highway # 31, a public highway in Baldwin County, Alabama, about 3.7 miles South of the city limits of Bay Minette, Alabama, the Defendant so negligently operated a motor vehicle as to cause or allow the same to run into and collide with the automobile of the Plaintiff and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff's automobile was greatly damaged in this: The right front fender, the right door, the right cowl post, and the right quarter panel were damaged, bent and broken, the front end was bent and said automobile was otherwise greatly damaged, all to the damage to the Plaintiff, wherefore he brings this suit and asks judgment in the above amount.

COUNT THREE

The Plaintiff claims of the Defendant, Howard Hall, the sum of \$500.00 as damages for that on, heretofore, to-wit, the 17th day of August, at approximately 7:55 o'clock P. M. at a point on U. S. Highway #31, a public highway in Baldwin County, Alabama, at a point about 3.7 miles South of the city limits of Bay Minette, Alabama, the Defendant, Howard Hall, who was then and there acting by and through his agent, servant or employee, Jack Chandler, who was then and there acting within the line and scope of his employment as such, so negligently operated a motor vehicle as to cause or allow the same to run into and collide with an automobile of the Plaintiff and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff's automobile was greatly damaged in this: The right front fender, the right door, the right cowl post, and the right quarter panel were damaged, bent and broken, the front end was

bent and said automobile was otherwise greatly damaged, all to the damage to the Plaintiff, wherefore he brings this suit and asks judgment in the above amount.

Respectfully submitted,

CHASON & STONE

By: Marlene G. Stone

The Plaintiff demands a trial
of this cause by jury.

CHASON & STONE

By: Marlene G. Stone

Received 7 day of June 1956
and on 12 day of June 1956
served a copy of the within B & C
on Jack Chandler &
Howard Hall - 0 miles
By service on _____

TAYLOR WILKINS, Sheriff
By W A Tolbert D. S.

4 miles north
of Bay Minette
one way

Sheriff claims 8 miles at
Ten Cents per mile Total \$ 80¢
TAYLOR WILKINS, Sheriff
BY Tolbert
DEPUTY SHERIFF

We the Jury find
for the Defendants
John P. Gattler
Foreman

2944

LEON MORROW,
Plaintiff,
vs.
JACK CHANDLER and
HOWARD HALL,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

SUMMONS AND COMPLAINT

FILED
JUN 6 1956

ALICE J. DUCK, Clerk

LAW OFFICES
CHASON & STONE
BAY MINETTE, ALABAMA

LEON MORROW,	§	
Plaintiff,	§	IN THE CIRCUIT COURT OF
vs.	§	BALDWIN COUNTY, ALABAMA
JACK CHANDLER and	§	AT LAW NO. 2944
HOWARD HALL,	§	
Defendants.	§	

DEMURRER TO PLEA FOUR

Comes now the Plaintiff in the above styled cause, by his attorneys, and demurs to Plea Four heretofore filed in said cause and assigns the following separate and several grounds in support thereof:

1. The plea fails to allege in what the negligence of the Plaintiff consisted.
2. The plea fails to allege a duty owing from the Plaintiff to the Defendant, Howard Hall and a breach thereof by the Plaintiff.
3. The allegations of the said plea are uncertain.
4. Said plea does not constitute a defense to the Complaint.
5. Said plea fails to allege that the alleged negligence of the Plaintiff was the proximate cause of the accident complained of.
6. The allegation that the Plaintiff operated his automobile in a negligent manner is but a conclusion of the pleader.

CHASON & STONE

By: _____

Attorneys for Plaintiff.

FILED

AUG 28 1956

ALICE L. DUCK, *[Signature]*

LEON MORROW,

VS.

JACK CHANDLER and
HOWARD HALL,

Plaintiff,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW NO. 2944

PLEAS

Now comes the defendant, Jack Chandler, by his attorney,
and for pleas to the complaint and to each and every count thereof,
separately and severally, assigns, separately and severally, the
following:

1. Not guilty.

2. Plaintiff was, at the time and place alleged in the
complaint, guilty of contributory negligence which proximately con-
tributed to his alleged damages and which should prevent a recovery
by the plaintiff in this suit, in that the plaintiff, at the time
and place alleged in the complaint, so negligently operated the
motor vehicle which he was then and there driving as to cause it
to run upon, into or against the motor vehicle which was then and
there being driven by this defendant.

J. B. Blackburn
Attorney for defendant, Jack Chandler.

LEON MORROW,

Plaintiff,

VS.

JACK CHANDLER and
HOWARD HALL,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2944

DEMURRER

Now comes the defendant, Jack Chandler, by his attorney, and for demurrer to the complaint and to each and every count thereof, separately and severally, assigns, separately and severally, the following:

1. It does not state a cause of action.
2. The place where the alleged accident occurred is not described with sufficient certainty.
3. There is a misjoinder of causes of action.

J. T. Blackburn
Attorney for defendant, Jack Chandler

Defendant demands a trial of this cause by jury.

J. T. Blackburn
Attorney for defendant, Jack Chandler.

LEON MORROW,	0	
	0	
Plaintiff,	0	IN THE CIRCUIT COURT OF
	0	
VS.	0	BALDWIN COUNTY, ALABAMA.
	0	
JACK CHANDLER & HOWARD HALL,	0	AT LAW. NO. <u>2944</u>
	0	
Defendants.	0	

AMENDED PLEAS

Come the defendants and amend their please heretofore filed in this cause by separately and severally assigning the following separate and several pleas to the complaint heretofore filed in this cause and to each and every count thereof, separately and severally:

A.

Not guilty.

B.

That plaintiff was himself, at the time and place complained of in the complaint, guilty of negligence which proximately contributed to his injury and damages in that he so negligently operated an automobile which he was then and there driving as to cause or allow it to run into, upon or against the truck of the defendants.

C.

Comes the defendant, HOWARD HALL, and claims of the plaintiff, by way of recoupment, the sum of \$150.00 damages for that, heretofore, on, to-wit: the time and place referred to in plaintiff's complaint, the said LEON MORROW, negligently drove an automobile into, upon or against an automobile truck of the defendant and as a proximate consequence of said negligence, said automobile truck was bent, broken and damaged, the frame was bent, the left side panel was bent and broken, the bumper was bent and the glass was broken, and the market value thereof was permanently depreciated.

[Signature]
Julian J. Marshall, Jr.

Filed 9-13-56
 A. J. French
 clerk -

LEON MORROW,	Ø	IN THE CIRCUIT COURT OF
PLAINTIFF,	Ø	BALDWIN COUNTY, ALABAMA
VS	Ø	AT LAW.
JACK CHANDLER and	Ø	CASE NO. _____
HOWARD HALL,	Ø	
DEFENDANTS	Ø	

Comes Defendant, Howard Hall, and amends his answer heretofore filed in said cause to read as follows:

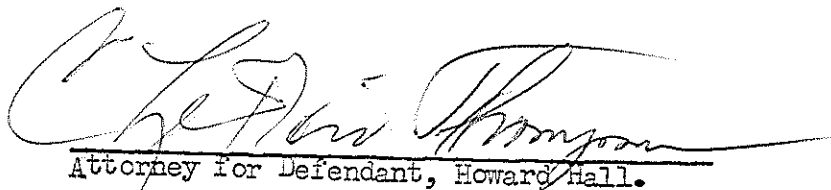
LEON MORROW,	Ø	IN THE CIRCUIT COURT OF
PLAINTIFF,	Ø	BALDWIN COUNTY, ALABAMA
VS	Ø	AT LAW
JACK CHANDLER and	Ø	
HOWARD HALL,	Ø	
DEFENDANTS.	Ø	

Comes Defendant, Howard Hall, and for answer to the complaint filed in said cause and to each and ever phase thereof shows unto this Honorable Court as follows:

1.
As to Count One says: Not guilty.
2.
As to Count Two says: Not guilty.
3.
As to Count Three says: Not guilty.
- 4.

For further answer to said count this defendant says that the Plaintiff ought not to recover in this case for that on the occasion complained of the Plaintiff was himself guilty of negligence proximately contributing to his alleged damages, in that, that the Plaintiff was operating his said automobile in which he was riding South on U. S. Numbered Highway 31 at the point and place alleged in his complaint in a negligent manner and at a rate of speed in excess of a speed which said Plaintiff could control the said automobile driving his said automobile into the intersection U. S. Numbered Highway 31 and a farm road where said Plaintiff attempted to pass the truck which the defendant was a passenger at the said intersection in violation of rules of the roads to-wit: Alabama law governing the operation of motor vehicles on public highways, which action by the

said Plaintiff proximately contributed to the said Plaintiff damages;
hence the said Plaintiff ought not to recover in this suit.


Attorney for Defendant, Howard Hall.

FILED
AUG 24 1956
EUGENE L. DUCK, Clerk

LEON MORROW

PLAINTIFF

VS

JACK CHANDLER and
HOWARD HALL,

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. _____

Comes Defendant, Howard Hall, and for answer to the complaint filed in said cause and to each and ever phase thereof shows unto this Honorable Court as follows:

1.

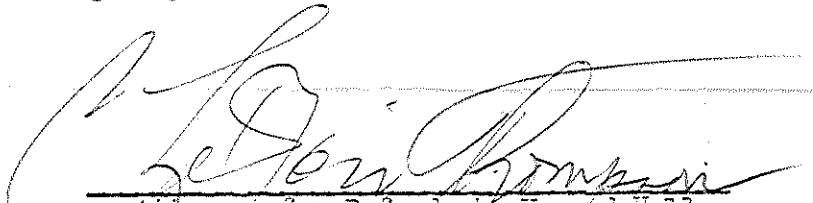
As to count one says: not guilty.

2.

As to count two says: not guilty.

3.

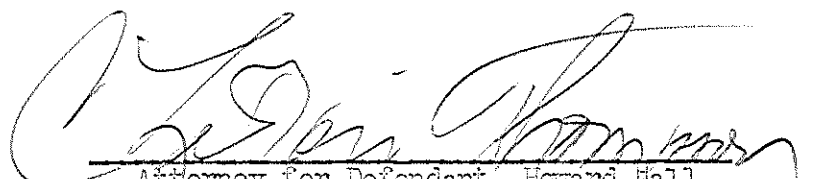
As to count three says: not guilty.


Attorney for Defendant, Howard Hall.

Defendant demands trial by jury.

FILED
JUL 3 1956

ALICE J. DUCK, Clerk


Attorney for Defendant, Howard Hall.