

(3079)

Cecil Willard Ryals, also called
Willard Ryals,) In the Circuit Court
Plaintiff) of
vs) Baldwin County, Alabama
Willie V. Haysd,) AT Law
Defendant) Case # 3079

Come now the Plaintiff in
this cause and moves to strike
the word CECIL from the style
of the case making it read
Willard Ryals, Plaintiff vs
Willie V. Haysd, Defendant.

Wilson Hayes
Attorney for Plaintiff

Willard Ryals
Plaintiff

vs

Willie V. Lloyd
Defendant

In The Circuit
Court of Baldwin
County, Alabama
at Law

3079

Filed

9-10-57

Alice J. French
Clerk

STATE OF ALABAMA

COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Willie V. Lloyd 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 Cecil Willard Ryals.

Witness my hand, this the 2nd day of Nov, 1956.

Alice J. Duck
CLERK

CECIL WILLARD RYALS

Plaintiff

VS

WILLIE V. LLOYD

Defendant

)
) IN THE CIRCUIT COURT

)
) BALDWIN COUNTY, ALABAMA

)
) AT LAW

)
) NUMBER: 3079

Plaintiff claims of Defendant the sum of ONE-THOUSAND and NO/100th (\$1,000.00) DOLLARS damages for that on, to-wit, September 31, 1956, Defendant so negligently operated a motor vehicle in an easterly direction on Baldwin County Road #64, a public road, in Baldwin County, Alabama at the junction of said County Road #64 and the Bay Minette-Fort Morgan Branch of the I&N Railroad in Loxley, Alabama, as to cause or allow said the said motor vehicle to collide with or run against the automobile of the Plaintiff, which was then and there being driven in a westerly direction on the said County Road #64, and as a proximate consequence thereof, Plaintiff's automobile was bent, broken or damaged in that the left front fender, bumper, light, tire, wheel, and grill were bent broken or damaged, hence this suit.

FILED

NOV. 2 1956

ALICE J. DUCK, Clerk

Will Hagen
Attorney for Plaintiff

CECIL WILLARD RYALS,

Plaintiff,

Vs.

WILLIE V. LLOYD,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

Comes the Defendant in the above styled cause and for plea to the complaint filed in said cause and says:

1. Not guilty.

2. The Defendant alleges that at the time and place complained of in Plaintiff's complaint, the Plaintiff acting by and through his agent, servant, or employee, who was acting within the line and scope of his employment as such, was himself guilty of contributory negligence which was the proximate cause of Plaintiff's damages.

3. The Defendant claims of the Plaintiff the sum of \$500.00 as damages, by way of recoupment and the Defendant alleges that on, to-wit ^{August} ~~September~~ 30, 1956 he was driving his automobile eastwardly along Baldwin County Road No. 64 which is a public highway, in Baldwin County, Alabama, at a point where such road intersects the railroad in Loxley, Alabama and at said time and place the Plaintiff, acting by and through his agent, servant or employee, who was then and there acting within the line and scope of his employment as such, negligently stopped his automobile, with his head lights off, in the night time, near the center of such highway and while the remaining portion of such highway was occupied by an automobile without lights, which was also stopped in Defendant's lane of travel, and as a proximate cause of the negligence of such Plaintiff, who was present in his automobile at said time and place, the Defendant's automobile was damaged in this : its left front fender was destroyed, its left light and bumper was badly damaged, its radiator and hood were damaged and its left door was bent. All to the damage of the Defendant in the amount above sued for.


Attorneys for Defendant

CECIL WILLARD RYALS

Plaintiff

VS

WILLIE V. LLOYD

Defendant

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: _____

AMENDED COMPLAINT

Comes now the Plaintiff and amends his complaint to read as follows:

I

Plaintiff claims of Defendant the sum of ONE-THOUSAND and NO/100th (\$1,000.00) DOLLARS damages for that on, to-wit, August 31, 1956, Defendant so negligently operated a motor vehicle in an easterly direction on Baldwin County Road #64, a public road, in Baldwin County, Alabama at the junction of said County Road #64 and the Bay Minette-Fort Morgan Branch of the L&N Railroad in Loxley, Alabama, as to cause or allow the said motor vehicle to collide with or run against the automobile of the Plaintiff, which was then and there being driven in a westerly direction on the said County Road #64, and as a proximate consequence thereof, Plaintiff's automobile was bent, broken or damaged in that the left front fender, bumper, light, tire, wheel, and grill were bent broken or damaged, hence this suit.

II

Plaintiff claims of Defendant the sum of ONE-THOUSAND and NO/100th (\$1,000.00) DOLLARS damages for that on, to-wit, August 31, 1956, Defendant so willfully and wantonly operated a motor vehicle in an easterly direction on Baldwin County Road #64, a public road, in Baldwin County, Alabama at the junction of said County Road #64 and the Bay Minette-Fort Morgan Branch of the L&N Railroad in Loxley, Alabama, as to cause or allow the said motor vehicle to collide with or run against the automobile of the Plaintiff, which was then and there being driven in a westerly direction on the said County Road #64, and as a proximate consequence thereof, Plaintiff's automobile was bent, broken or damaged in that the left front fender, bumper, light, tire, wheel, and grill were bent broken or damaged, hence this suit.


Attorney for Plaintiff

FILED

AUG 30 1957

ALICE J. DUCK, Register

CECIL WILLARD RYALS,
Plaintiff,
vs.
WILLIE V. LLOYD,
Defendant.

1
1
1
1
1

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 3079

DEMURRER

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. Said complaint does not state a cause of action.
2. Said complaint does not allege whether said accident occurred in the day or in the night.
3. That the allegation in the complaint that Defendant's vehicle was caused to collide with or run against the automobile of the Plaintiff, is not an allegation that the Plaintiff is the owner of the automobile.


Attorneys for Defendant

Defendant demands a trial of this
cause by jury.


Attorneys for Defendant

DEMURRER

CECIL WILLARD RYALS,

Plaintiff,

vs.

WILLIE V. LLOYD,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 3079

FILED

FEB 21 1957

ALICE A. BUCK, CLERK

Law Office

CHASON & STONE

Bay Minette, Alabama