## Amended Complaint, No. 2

Norman L. Hardy
Plaintiff

Vs

Clyde B. Perkins

Defendant

In the Circuit Court of Baldwin County, Alabama At Law, No.

The plaintiff claims of the Defendant One hundred seventy one and 50/100 dollars as damages, as the proximate consequence of a collision between the automobile of the Plaintiff and that of the Defendant, on/the ZIst day of Tune, 1956, upon a public highway, Highway 31, near Hobbs store, in the City of Bay Minette, in Baldwin County, Alabama. On to wit that date, the Defendant did so negligently operate his automobile upon said public highway, as to run it upon or against the automobile of the Plaintiff, bending, bruising and breaking, marring and scraping the left side of Plaintiffs automobile and tearing the left door panel and molding, so that they had to be replaced as unusable, all to the damage of the Plaintiff, as the proximate result of the negligence of the defendant as aforesaid.

Attorney for the Plaintiff

Plaintiff demands a trial by jury.

Filed Oct. 20, 1959

Attorney for the Plaintiff

| NORMAN L. HARDY,  | )        |                |           |
|-------------------|----------|----------------|-----------|
| Plaintiff.        | )        | IN THE CIRCUIT | COURT OF  |
| Vs.               | ĵ        | BALDWIN COUNTY | , ALABAMA |
| CLYDE B. PERKINS, | ,<br>,   | AT LAW.        | NO. 3166. |
| Defendant.        | <b>)</b> |                |           |

## PLEAS:

Now comes the Defendant in the above styled cause and for pleas to the complaint as last amended says, separately and severally:

- 1. Not guilty.
- 2. Plaintiff at the time and place complained of was himself guilty of negligence which was the proximate cause of his
  damages in that he so negligently operated the automobile which
  he was then and there driving as to cause it to run into, upon or
  against the automobile of the Defendant, therefore causing the
  damages of which he complains.
- 3. For further plea and by way of recoupment, the Defendant claims of the Plaintiff the sum of Forty-nine and 50/100 Dollars (\$49.50) for that on to-wit, the 21st day of June, 1956, the Plaintiff so negligently operated an automobile at a point or place on U. S. Highway #31, near Hobbs Store in the City of Bay Minette, Alabama, as to cause it to run into, upon or against the automobile of the Defendant and as a proximate consequence of said negligence, the automobile of the Defendant was bent and broken, the right front fender was damaged, bent and broken; the Defendant was without the use of his said automobile for a period of three days, all as a proximate result of the negligence of the Plaintiff aforesaid.

Filed Mar. 3, 1958

Attorney for the Defendant.

## AMENDED COMPLAINT

Morman L. Hardy

Plaintiff

Vs

Clyde B. Perkins

Defendent

In the Circuit Court of Baldwin County, Alabama At Law. No.

The Plaintiff claims of the Defendent One hundred seventy one and 50/100 dollars as damages, as the proximate consequence of a collision between the automobile of the Plaintiff and that of the Defendent, on to wit the 21st day of June, 1956, upon a public highway in the City of Bay Minette, in Baldwin County, Alabama. On to wit that date, the defendent did so negligently operate his automobile upon said public highway as to run it upon or against the automobile of the Plaintiff, bending, bruising and breaking, marring and scraping the left side of Plaintiffs automobile and tearing the left doom panel and molding, so that they had to be replaced as unusable, all to the damage of the Plaintiff, as the proximate result of the negligence of the defendant as aforesaid.

Attorney for the Plaintiff

Plaintiff demands a trial by jury.

Attorney for the Plaintiff

| NORMAN L. HARDY,  | Ş          | IN THE CIRCUIT COURT OF                     |
|-------------------|------------|---|
| Plaintiff,        | 76         |   |
| Vs.               | I          | BALDWIN COUNTY, ALABAMA LAW SIDE. NO. 3166. |
| CLYDE B. PERKINS, | * distance | LAW SIDE. NO. 3166.                         |
| Defendant.        | Ĭ          |   |

## DEMURRER:

Now comes the Defendant in the above styled cause and demurs to the Complaint heretofore filed in this cause and as grounds for said demurrer, assigns the following, separately and severally:

- l. The said Complaint does not allege with sufficient certainty where the alleged accident occurred.
- 2. The said Complaint does not allege with sufficient certainty the damages suffered by the automobile of the Plaintiff.
- 3. The said Complaint does not allege that Plaintiff's damages were the proximate result of the negligence of the Defendant.

Attorney for Defendant.

State of Alabama County of Daldwin

To any Sheriff of the State of Alabama:

You are hereby commanded to summon Clyde B. Perkins to appear and plead, Answer of demur within thirty days to the Bill of Complaint filed in the Circuit Court of said County by Norman L. Hardy as Plaintiff and against Clyde B. Perkins as Defendant.

Witness my hand this the 19 day of March 1957.

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Norman L. Hardy

Plaintiff

Vs

Clyde B. Perkins

Defendant

The Plaintiff claims of the Defendant One Hundred seventy/and 50/100 Dollars as damages, as the proximate consequence of a collision between the automobile of the Plaintiff and that of the Defendant, on to wit the 21st day of June, 1956 upon a public highway in Baldwin County, Alabama. On to wit that date, the defendant did so negligently operate his automobile upon a public highway to run it upon or against the automobile of the Plaintiff, bending, bruising and breaking, marring and scraping the left side of Plaintiffs automobile, all to the damage of the Plaintiff as aforesaid.

Attorney for Plaintiff demands a trial by Jury.

Aftorney for the Plaintiff

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| nonneng lawy                          | Jury Tiet        | Eptiny 1958       |
|---------------------------------------|------------------|-------------------|
| -1: noffgan, winired c.               | Gov't Employee   | Bay Minette, Ala. |
| 2. Ellison, W.H.                      | Farmer           | Robertsdale       |
| -3 see Simon, A.D.                    | Farmer           | Daphne            |
|                                       | Barmer           | Summerdale        |
| Lazzaris John                         | Farmer           | Belfcrest         |
| 6. Racine, Floyd A.                   | Truck Driver     | Robertsdale       |
| Guidanies Hershey Apt                 | Farmer           | Gulf Shores       |
| 8. Daring, Rudolph S.                 | Merchant         | Foley             |
| 9-1-1-t-tley-Same                     | Mechanic         | Bay Minette       |
| 10. Sims, James F.                    | Farmer           | Rabon             |
| 11. Moorer, Douglas                   | Clerk            | Bay Minette       |
|                                       | Post Office Emp. | K Fairhope        |
| 13. Capps, James C.                   | Merchant         | Bay Minette       |
| Benik, Edward W                       | Farmer           | Belforest         |
| -15 Goods tolers vira                 | Farmer           | Elberta           |
| 16 Kachler, charles or 10             | Retired          | Elberta           |
| 17. Long, Alfred                      | Farmer           | Stockton          |
| 18. Fuqua, Damon L.                   | Govit Emp.       | Gulf Shores       |
| 19. Golden, David, Jr.                | Merchant         | Foley             |
|                                       | Farmer           | Summerdale        |
| A A A A A A A A A A A A A A A A A A A | Farmer           | Belforest         |
| 22. Cleverdon, Paul L.                | Farmer           | Summerdale        |
| 23. Poavy, Richard V.                 | Building Sup*t   | Foley             |
| 24. Resmondo, Raymond J.              | Farmer           | Lillian           |
| 25. Hodges, William Herndon           | Bookkeeper       | Stockeon          |
| 26 Jackson, Admiral Dewey             | Farmer           | Lottie,           |
| 27. Stewart, Frank                    | State Emp.       | Gulf Shores       |
| 28 McCants, XXX Joe                   | Brookley Field   | Fairhope          |
| 29. Woolf, George                     | Timberman        | Tensaw            |
|                                       | Laborer          | Robertsdale       |
| 32. Seiznem, Emil Joe. W              | Farmer           | Elberta           |
| 32. Stewart, Leandor                  | Farmer           | Rabon             |
|                                       |                  |                   |

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