

3331

KEITH W. BROWN, JR. AND
THE NATIONAL CONTAINER
CORPORATION,

PLAINTIFF

VERSUS

ISHMAL CARROLL, JR.,

DEFENDANT

IN THE CIRCUIT COURT OF

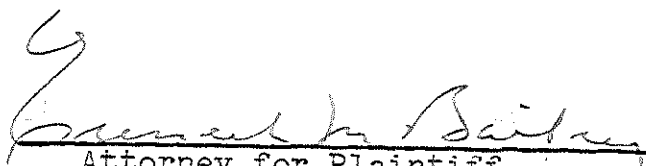
BALDWIN COUNTY, ALABAMA

AT LAW

NOTICE OF TAKING OF DEPOSITION UPON ORAL EXAMINATION
PURSUANT TO GENERAL ACTS OF ALABAMA, NO. 375 (APPROVED
SEPTEMBER 8, 1955)


TO: Harry Wilters, Jr., Esq.
Attorney at Law
Bay Minette, Alabama

Please take notice that the Plaintiff will take the testimony, on oral examination, of Tom W. Brown, Jr., whose address is Daphne, Alabama, and Margaret Brown, whose address is Daphne, Alabama, before E. C. Slye, Notary Public, Baldwin County, Alabama, on Tuesday, December 31, 1957, at 10:00 o'clock A. M., and thereafter, from day to day as the taking of the deposition may be adjourned, in the office of Ernest M. Bailey, Attorney at Law, Fairhope, Alabama, at which time and place you are notified to appear and to take part in the examination as you may be advised and as shall be fit and proper.


Attorney for Plaintiff

CERTIFICATE

I, the undersigned, being attorney of record for Plaintiff, do hereby certify that the original of the above and foregoing notice was served on Harry Wilters, Jr., by mailing said notice Registered Mail, return receipt requested, postpaid, to his office at Bay Minette, Alabama on the 21st day of December, 1957.


Ernest M. Bailey

KEITH W. BROWN JR., AND THE
NATIONAL CONTAINER CORPORATION,

PLAINTIFF

VS

ISHMAL CARROLL, JR.,

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Comes now the Defendant in the above styled cause and files this his
Plea in Abatement and for grounds thereof says as follows:

1.

The Complaint fails to show in what capacity they are suing.

2.

The Complaint fails to show who is bringing this suit.

3.

The Complaint fails to show whether the Plaintiff is a corporation
or an individual.

Walters & Brantley

BY: 

Attorneys for the Defendant

The Defendant demands a trial by jury.

Walters & Brantley

BY: 

Attorneys for the Defendant

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT - LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ISHMAL CARROLL, JR. 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 Keith W. Brown, Jr. and National Container Corporation.

Witness my hand this the 17 day of September, 1957.


CLERK

KEITH W. BROWN, JR. and the
NATIONAL CONTAINER CORPORATION,)

Plaintiff)

VERSUS

ISHMAL CARROLL, JR.,)

Defendant)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

The Plaintiff claims of the Defendant the sum of Eight Hundred (\$800.00) Dollars as damages for that on, to-wit, the 6th day of December, 1956, at approximately 2:50 o' clock P. M. on Highway #98, at a point near the Daphne Junior High School, in the Town of Daphne, Baldwin County, Alabama, the Defendant, Ishmal Carroll, Jr., so negligently operated a motor vehicle at said time and place as to cause or allow said motor vehicle to run into, upon or against a motor vehicle belonging to the Plaintiff, National Container Corporation, and which was then and there operated by the Plaintiff, Keith W. Brown, Jr.; that as a proximate consequence of the negligence of the Defendant, Ishmal Carroll, Jr., the motor vehicle of the Plaintiff was greatly and seriously damaged in this: the left front door was bent and broken, the upper panel assembly was bent and broken, the back panel assembly was bent and broken, the run-

ning board apron on the left side was broken, the frame was bent and broken, and said motor vehicle was otherwise bent and broken and damaged and the Plaintiff was caused to incur a wrecker bill; all to the damage of the Plaintiff, aforesaid; wherefore, he brings this suit and asks judgment in the above amount.


ATTORNEY FOR PLAINTIFF

ADDRESS:

Ishmal Carroll, Jr.
Highway #31
near Busby Store