

COLONIAL TRAILWAYS, a
Corporation,

Plaintiff,

vs.

EDWARD H. TIETGEN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 3533.

ANSWER TO PLEA IN RECOUPMENT

Now comes the Plaintiff in the above styled cause and
files this his answer to the Defendant's Plea in Recoupment:

1. Not guilty.

2. That at the time and place complained of in the Plea
in Recoupment, the Defendant was guilty of negligence which
proximately contributed to the alleged injury and damage in
that he so negligently operated his automobile so as to cause
or allow the same to run into, upon or against the Plaintiff's
vehicle.

FILED
JUN 13 1959
ALICE J. DUCK, CLERK
REGISTER

INGE & TWITTY

J. Connor Owens, Jr.
J. CONNOR OWENS, JR.
Attorneys for Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 3533

COLONIAL TRAILWAYS, a
Corporation,

Plaintiff,

vs.

EDWARD H. TIETGEN,

Defendant.

ANSWER TO PLEA
IN RECOUPMENT

FILED
JUN 3 1950
ALICE I. DICK, CLERK
REGISTERED

LAW OFFICES OF
J. CONNOR OWENS, JR.

101 COURTHOUSE SQUARE
BAY MINETTE, ALABAMA

COLONIAL TRAILWAYS, a
Corporation,

Plaintiff,

vs.

EDWARD H. TIETGEN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 3533

AMENDMENT OF ANSWER TO PLEA IN RECOUPMENT

Now comes the Plaintiff in the above styled cause and amends his answer to the Plea in Recoupment heretofore filed in this cause by adding thereto the following paragraph:

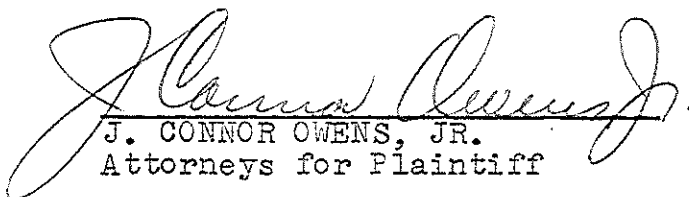
3. The Plaintiff, for answer to the Plea of Recoupment filed in this cause alleges that the amount claimed by the Defendant in excess of the amount sued for by the Plaintiff in his original complaint is barred by the statute of limitations of one (1) year.

INGE & TWITTY

FILED

JUL 24 1959

ALICE L. DICK, CLERK
REGISTER


J. CONNOR OWENS, JR.
Attorneys for Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 3533

COLONIAL TRAILWAYS, a
Corporation,

Plaintiff,

vs.

EDWARD H. TIETGEN,

Defendant.

AMENDED ANSWER TO PLEA

FILED
JUL 24 1959
ALICE J. DUCK, CLERK
REGISTER

LAW OFFICES OF
J. CONNOR OWENS, JR.
101 COURTHOUSE SQUARE
BAY MINETTE, ALABAMA

COLONIAL TRAILWAYS, a
Corporation,

Plaintiff,

vs.

EDWARD H. TIETGEN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. NO. 3533.

AMENDED PLEAS:

Now comes the Defendant in the above styled cause and amends the plea heretofore filed in this cause so that as amended the said plea will read as follows:

"Now comes the defendant in the above styled cause and for pleas to the complaint heretofore filed in said cause says, separately and severally:

1. Not guilty.

2. The driver of the plaintiff's motor vehicle, at the time and place alleged in the complaint, which driver was then and there an agent, servant or employee of the plaintiff, acting within the line and scope of his authority as said agent, servant or employee of the plaintiff, was himself guilty of negligence which was the proximate cause of the damages suffered by the plaintiff and alleged in the complaint in this: the said driver of plaintiff's motor vehicle, who was then and there an agent, servant or employee of the plaintiff and acting within the line and scope of his authority as said agent, servant or employee, so negligently operated the motor vehicle of plaintiff as to cause the said motor vehicle to run upon, into or against the automobile which was driven by defendant, which said negligence of the agent, servant or employee of plaintiff was the proximate cause of the alleged damages to plaintiff.

3. For further plea to the complaint heretofore filed in this cause and by way of recoupment the defendant claims of the plaintiff the sum of ONE THOUSAND DOLLARS (\$1,000.00) as damages for that heretofore on, to-wit: the 14th day of October, 1957, on U. S. Highway Number 90 at a point thereon, to-wit: the Fish River

Bridge, two and one-half miles West of Loxley, Alabama, which said highway at said point is a public highway in Baldwin County, Alabama, the agent, servant or employee of plaintiff, who was then and there acting within the line and scope of his authority as such agent, servant or employee, so negligently operated the motor vehicle of plaintiff as to cause or allow the same to run into, upon or against the automobile of the defendant, which was then and there proceeding in an Easterly direction at the same time and place; as a direct and proximate consequence of the negligence of the agent, servant or employee of the said plaintiff, who was then and there acting within the line and scope of his authority as such agent, servant or employee, the automobile of the defendant was completely demolished, all to his damage as aforesaid.

/s/ J. B. Blackburn

/s/ James R. Owen

Attorneys for Defendant."

Filed
Feb 6, 1959
Alice J. Luck
clerk.

J. B. Blackburn

J. R. Owen

Attorneys for Defendant.

COLONIAL TRAILWAYS, a
Corporation,

Plaintiff,

vs.

EDWARD H. TIETGEN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. NO. 3533.

Now comes the Defendant in the above styled cause and for
plea to the complaint heretofore filed in said cause says:

1. Not guilty.

Filed
Aug. 25, 1928
Alvin J. Luck
clerk.

J. B. Blushel
James R. O.
Attorneys for Defendant.

COLONIAL TRAILWAYS,
A Corporation,

Plaintiff,

vs.

EDWARD H. TIETGEN,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 3533.

DEMURRER:

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

1. The said complaint does not state a cause of action.
2. The place where the said accident occurred is not alleged with sufficient certainty.
3. The alleged damages to the plaintiff are not alleged with sufficient certainty.

Filed
June 9, 1958
Alice J. Duck,
clerk

J. B. Blackburn
James R. O.
Attorneys for Defendant.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.

May

TERM, 1958

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Edward H. Tietgen

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Edward H. Tietgen, Defendant

by Colonial Trailways, a corporation

Plaintiff.....

Witness my hand this 7th day of May 1958.

Exp. May 10, 1958

Alice J. Luck

Clerk

COLONIAL TRAILWAYS, a
corporation,

Plaintiff

vs.

EDWARD H. TIETGEN,

Defendant

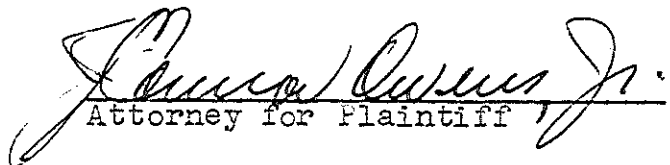
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____.

The plaintiff claims of the defendant the sum of \$788.70 as damages for that heretofore and on, to-wit: on the 14th day of October, 1957, on U. S. Highway #90 at a point thereon, to-wit: the Fish River Bridge two and one-half ($2\frac{1}{2}$) miles west of Loxley, Alabama, which said highway at said point is a public highway in Baldwin County, Alabama, the defendant so negligently operated his motor vehicle so as to cause or allow the same to run into, upon or against the motor vehicle of the plaintiff which was then and there proceeding in a westerly direction at the same time and place. As a direct and proximate consequence of the negligence of the defendant aforesaid, the motor vehicle of the plaintiff, a GMC 41 passenger coach, was badly broken, torn and damaged in this that among other things, the windshield was broken, the left suspension was damaged, the left side was bent and torn, the floor was buckled, and the left moulding was torn. Hence this suit.


Attorney for Plaintiff

Plaintiff demands a trial
by jury.



Received 7 day of May 1958
and on 10 day of May 1958
I served a copy of the within sp
on Edward H. Tietgen

By service on _____
TAYLOR WILKINS, Sheriff
By Edlidge Stedham D. S.

Summerdale

Sheriff claims 60 miles at
Ten Cents per mile Total \$ 6.00
TAYLOR WILKINS, Sheriff
BY Stedham
DEPUTY SHERIFF

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 3033.

COLONIAL TRAILWAYS, a
corporation,

Plaintiff

vs.

EDWARD H. TIETGEN,
Defendant

SUMMONS AND COMPLAINT

F I L E D

MAY 7 1958

ALICE J. DUCK, Clerk

J. CONNOR OWENS, JR.
ATTORNEY AT LAW
101 Court House Square
BAY MINETTE, ALABAMA