

CLAUDE M. GRISSOM,	X	IN THE CIRCUIT COURT
Plaintiff,	X	OF BALDWIN COUNTY,
vs.	X	ALABAMA
EDWARD WELCH, sometimes	X	AT LAW
known as BUDDY FULLER,	X	CASE NO. <u>3716</u>
Defendant.	X	

COUNT ONE

Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS damages for that on, to-wit, the 6th day of April, 1958, the Defendant was conducting a rodeo entertainment for a reward off Highway 90 near Loxley in Baldwin County, Alabama, that Plaintiff paid his admission to said entertainment and while watching the same from a seat provided by the Defendant for the spectators thereto the bleachers or grandstand in which said seat was located collapsed, and Plaintiff suffered the following injuries as a proximate result thereof; he suffered injuries and bruises to his body, limbs and back; he suffered injury to his lower back; he suffered a fracture of the distal segment of the sacrum; he was otherwise made sick and sore; he required doctor and medical care for a long period of time, and incurred expenses for the same and will in the future require further medical and doctor's care, and will suffer expenses for the same; he was caused to lose a considerable period of time from his employment and great expenses. Plaintiff avers that Defendant so negligently conducted his business as to cause or allow the said grandstand or bleachers to break or collapse and that he suffered his said injuries as a proximate result of said negligence.

COUNT TWO

Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS damages for that on, to-wit, the 6th day

of April, 1958, while Plaintiff was a paid invitee to a rodeo entertainment then and there being conducted by the Defendant at a point off Highway 90 near Loxley in Baldwin County, Alabama, the Defendant so negligently conducted his business as to cause or allow a grandstand or bleacher in which Plaintiff was then and there seated as a spectator to collapse and fall, and as a proximate result of said negligence Plaintiff was permanently and seriously injured as follows: he suffered injuries and bruises to his body, limbs and back; he suffered injury to his lower back; he suffered a fracture of the distal segment of the sacrum; he was otherwise made sick and sore; he required doctor and medical care for a long period of time, and incurred expenses for the same and will in the future require further medical and doctor's care, and will suffer expenses for the same; he was caused to lose a considerable period of time from his employment and great expenses.

COUNT THREE

Plaintiff claims of the Defendant the sum of TEN THOUSAND (\$10,000.00) DOLLARS, as damages for that on, to-wit, the 6th day of April, 1958, while Plaintiff was a paid invitee to a rodeo entertainment then and there being conducted by the Defendant at a point off Highway 90 near Loxley in Baldwin County, Alabama, the Defendant so negligently caused or allowed a grandstand or bleacher in which Plaintiff was then and there seated as a spectator to collapse and fall, and as a proximate result of said negligence Plaintiff was permanently and seriously injured as follows: he suffered injuries and bruises to his body, limbs and back; he suffered injury to his lower back; he suffered a fracture of the distal segment of the sacrum; he was otherwise made sick and sore; he required doctor and

medical care for a long period of time, and incurred expenses for the same and will in the future require further medical and doctor's care, and will suffer expenses for the same; he was caused to lose a considerable period of time from his employment and great expenses.

Johnston, M^cCall & Johnston
Bason & Stone
Attorneys for Plaintiff

Plaintiff demands a trial by jury.

Johnston, M^cCall & Johnston
Bason & Stone
Attorneys for Plaintiff

Received 26 day of Nov 1958
and on 29 day of Nov 1958
served a copy of the within B & C
on Edward Welch

By service on 48 miles
Lolley, Rt. 1
TAYLOR WILKINS, Sheriff
By C. O. McShea D. S.

Sherriff's return 4/8
TAYLOR WILKINS, Sheriff
BY m. A. Aul
DEPUTY SHERIFF

CLAUDE M. GRISSOM,

Plaintiff,

vs.

EDWARD WELCH, sometimes known
as BUDDY FULLER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

FILED
NOV 26 1958
ALICE J. DUCK, CLERK
REGISTER

LAW OFFICES
CHASON & STONE
BAY MINETTE, ALABAMA

CLAUDE M. GRISSOM,)	
)	IN THE CIRCUIT COURT OF
Plaintiff,)	
vs.)	BALDWIN COUNTY, ALABAMA
EDWARD WELCH, sometimes)	
known as BUDDY FULLER,)	AT LAW. NO. 3716.
Defendant.)	

MOTION TO STRIKE:

NUMBER ONE:

Now comes the Defendant and moves to strike that part of Plaintiff's Count One, which reads as follows: "and will in the future require further medical and doctor's care, and will suffer expenses for the same", and as grounds of such motion assigns separately and severally, the following:

- (a) It improperly includes in the complaint items of post litem damages.
- (b) It is prolix.
- (c) It is irrelevant.
- (d) It is frivolous.
- (e) It is unnecessarily repeated.

NUMBER TWO:

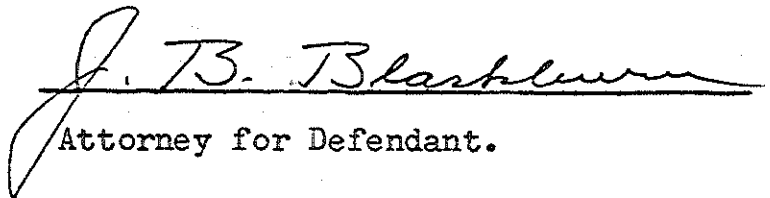
Now comes the Defendant and moves to strike that part of Plaintiff's Count Two, which reads as follows: "and will in the future require further medical and doctor's care, and will suffer expenses for the same", and as grounds of such motion assigns, separately and severally, the following:

- (a) It improperly includes in the complaint items of post litem damages.
- (b) It is prolix.
- (c) It is irrelevant.
- (d) It is frivolous.
- (e) It is unnecessarily repeated.

NUMBER THREE:

Now comes the Defendant and moves to strike that part of Plaintiff's Count Three, which reads as follows: "and will in the future require further medical and doctor's care, and will suffer expenses for the same", and as grounds of such motion assigns, separately and severally, the following:

- (a) It improperly includes in the complaint items of post litem damages.
- (b) It is prolix.
- (c) It is irrelevant.
- (d) It is frivolous.
- (e) It is unnecessarily repeated.


Attorney for Defendant.

FILED

DEC 24 1938

ALICE J. DUCK, CLERK
REGISTER

MOTION TO STRIKE

CLAUDE M. GRISSOM,

Plaintiff,

vs.

EDWARD WELCH, sometimes
known as BUDDY FULLER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

No. 3716.

FILED

DEC 24 1958

ALICE J. DUCK, CLERK
REGISTER

CLAUDE M. GRISSOM,

VS.

Plaintiff,

EDWARD WELCH, sometimes
known as BUDDY FULLER,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 3716

DEMURRER

Now comes the defendant and demurs to the complaint and to each count thereof, separately and severally, and as grounds of such demurrer assigns, separately and severally, the following:

1. It does not state a cause of action.
2. No facts are alleged on which the relief sought can be granted.
3. Said count fails to allege the violation of any duty owed by this defendant to the plaintiff.
4. Said count fails to allege facts showing the violation of any duty owed by this defendant to the plaintiff.
5. For aught that appears from said count, the injuries and damages suffered by the plaintiff were not the proximate result of any act or failure to act on the part of this defendant.

Filed
6-15-59
Alice J. Luck
clerk

J. B. Blackburn
Attorney for defendant

DEMURRER

CLAUDE M. GRISSOM,

Plaintiff,

VS.

EDWARD WELCH, sometimes known as
Buddy Fuller,

Defendant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 3716

*Filed
6-15-64
Alice C. Welch
Clerk*

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO: ANY SHERIFF OF THE STATE OF ALABAMA

You are hereby commanded to summon Edward Welch, sometimes known as Buddy Fuller, 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 Claude M. Grissom.

Witness my hand this the 26 day of November, 1958.

EX-11-29-58

254

Deise J. Welch
Clerk