

LEO DANIEL,

Plaintiff,

vs.

T.C. DOWNEY, individually,
and doing business as
DOWNEY'S TAXI,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 4015.

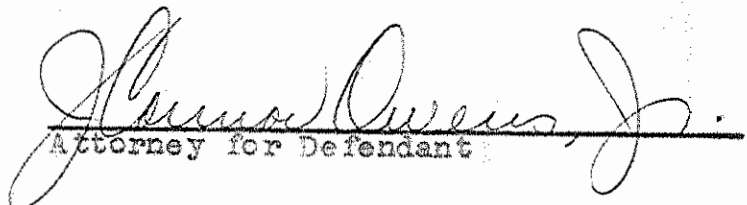
NOTICE OF DEPOSITION

TO: MESSRS. CHASON AND STONE, ATTORNEYS AT LAW
BAY MINETTE, ALABAMA

You are hereby notified that the Defendant in the above styled cause will take the pretrial discovery deposition of Leo Daniel, whose residence is Bay Minette, Alabama, on Thursday, December 3, 1959, at 10:00 A.M., said deposition to be taken before Mrs. Louise Dusenbury, in the Courthouse at Bay Minette, Baldwin County, Alabama, and will be continued from day to day until completion of the same.

The foregoing deposition shall be taken in accordance and under the provisions of Act No. 375 of the Alabama Legislature of 1955, as amended.

You are invited to attend and cross-examine.


Attorney for Defendant

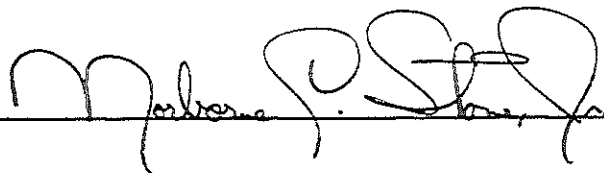
4015

LEO DANIEL,	Y	
Plaintiff,	Y	IN THE CIRCUIT COURT OF
vs.	Y	
	Y	BALDWIN COUNTY, ALABAMA
T. C. DOWNEY, individually	Y	
and doing business as DOWNEY'S	Y	AT LAW
TAXI,	Y	
Defendant.	Y	

Comes now the Plaintiff in the above noted cause, by his attorneys, and joins issue on plea "II" and the plea of recoupment filed against him.

CHASON & STONE

FILED
FEB 19 1960
ALICE L. DUCK, Clerk

By: 

4015-

LEO DANIEL,

Plaintiff,

vs.

T. C. DOWNEY, individually
and doing business as DOWNEY'S
TAXI,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

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JOINDER OF ISSUE

* * * * *

FILED

FEB 19 1960

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

LEO DANIEL,

PLAINTIFF,

VS.

T.C. DOWNEY, individually and
doing business as DOWNEY'S
TAXI,

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Now comes the defendant, by his attorney, and amends his answer heretofore filed in this cause, so that the same shall read as follows:

I.

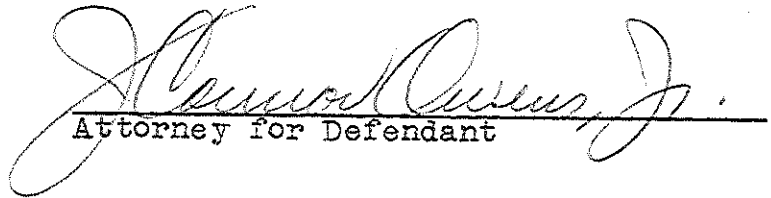
Not guilty.

II.

That at the time and the place complained of in the complaint, the plaintiff was himself guilty of negligence which proximately contributed to his alleged injury and damages in that he so negligently operated his motor vehicle as to cause or to allow the same to run into, upon or against the vehicle which the defendant was operating.

The defendant, T.C. Downey, pleads by way of recoupment as follows: The defendant, T.C. Downey, claims of the plaintiff, by way of recoupment the sum of FIFTEEN THOUSAND (\$15,000.00) DOLLARS as damages for that on to-wit: the 24th day of December, 1958, at about 4:15 o'clock P.M., the plaintiff so negligently operated an automobile at the intersection of D'Olive Street and Dobson Avenue in the City of Bay Minette, Alabama, and public road in Baldwin County, Alabama, as to cause or allow the same to run into, upon and against the automobile of the defendant, and which he was then and there operating, and as a proximate consequence and result of the negligence of the plaintiff, aforesaid, the defendant was seriously and permanently injured in this: his hip was broken and his leg was broken and he was bruised and suffered great physical and mental pain and anguish, and continues to suffer great physical pain and anguish, and his leg is so impaired that he does not have full use of the same, he was caused to lose time from his work and

he was caused to incur hospital and doctor bills in caring for his said injuries, wherefore he brings this plea of recoupment and asks judgment in the above amount.


Attorney for Defendant

4015

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN LAW

LEO DANIEL,

PLAINTIFF,

VS.

T.C. DOWNEY, individually
and doing business as
DOWNEY'S TAXI,

DEFENDANT.

AMENDED ANSWER

*Filed
2-11-68
Alicia French
Clerk*

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

LEO DANIEL,

Plaintiff,

vs.

T.C. DOWNEY, individually
and doing business as
DOWNEY'S TAXI,

Defendant.

IN THE CIRCUIT COURT OF

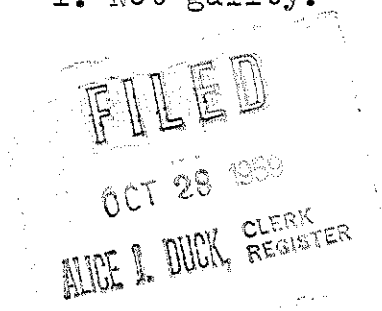
BALDWIN COUNTY, ALABAMA,

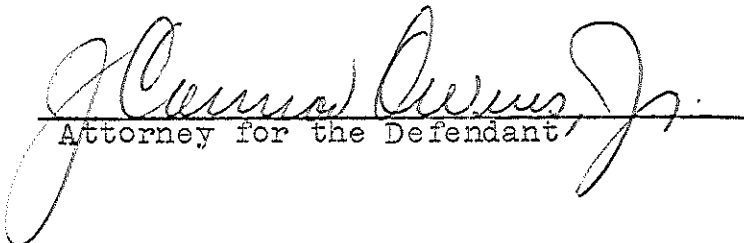
AT LAW

NO. _____

Comes now the Defendant, by his attorney, and for answer
to the Complaint heretofore filed in this cause, says:

1. Not guilty.




Attorney for the Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 44019

LEO DANIEL,

Plaintiff,

vs.

T.C. DOWNEY, individually
and doing business as
DOWNEY'S TAXI,

Defendant.

ANSWER

FILED

OCT 28 1959

ALICE J. DUCK, CLERK
REGISTER

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

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 T. C. Downey, individually and doing business as Downey's Taxi, 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 Leo Daniel.

Witness my hand this 17 day of October, 1959.

W. J. Duck
CLERK

LEO DANIEL,

Plaintiff,

vs.

T. C. DOWNEY, individually
and doing business as
DOWNEY'S TAXI,

Defendant.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

4015

COUNT ONE:

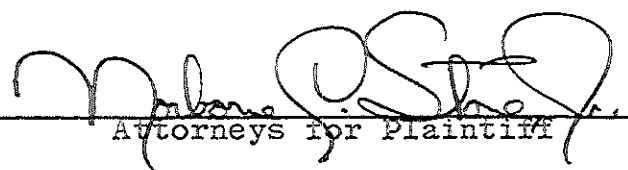
The Plaintiff claims of the Defendant the sum of Three Thousand Dollars (\$3,000.00) for, that heretofore, on, to-wit: the 24th day of December, 1958, at about 4:15 o'clock P. M. the Defendant so negligently operated an automobile at the intersection of D'Olive Street and Dobson Avenue in the City of Bay Minette, Alabama, a public road in Baldwin County, Alabama, as to cause or to allow the same to run into, upon and against the automobile of the Plaintiff and which he was then and there operating, and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff was seriously and permanently injured in this: his chest was injured and bruised and he suffered great physical and mental pain and anguish and continues to suffer great physical pain and anguish

he was caused to lose time from his work and he was caused to incur hospital and doctor bills in caring for his said injuries, wherefore he brings this suit and asks judgment in the above amount.

COUNT TWO:

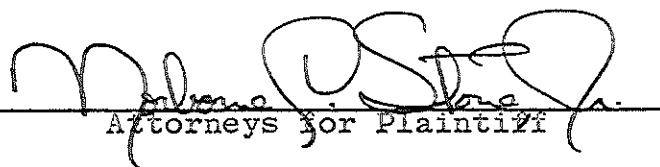
The Plaintiff claims of the Defendant the further and additional sum of Five Hundred Dollars (\$500.00) as damages for that on heretofore, to-wit: the 24th day of December 1958, at about 4:15 P. M. at the intersection of D'Olive Street and Dobson Avenue in the City of Bay Minette, Alabama, the Defendant so negligently operated an automobile as to cause or allow the same to run into, upon or against the automobile of the Plaintiff and which he was then and there operating and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff's automobile was rendered a total and complete loss, wherefore he brings this suit and asks judgment in the above amount.

CHASON & STONE

By: 
Attorneys for Plaintiff

Plaintiff demands a trial of this cause
by jury.

CHASON & STONE

By: 
Attorneys for Plaintiff

FILED

OCT 17 1959

ALICE J. DUCK, Clerk

4015

Leo Daniel

vs

V. C. Downey
Ind & d/b/a
Downey's Taxi

Received 17 day of Oct 1959
and on 17 day of Oct 1959
served a copy of the within 2 C's
on V. C. Downey
By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Tolub. S.

8 mi

We the Jury find
for the Plaintiff in the
Amt of \$350.00 Property
Damage & \$600.00 Personal
Damage.

L. O. Downey, Jr.

FILED
OCT 17 1959

ALICE J. DUCK, Clerk

LAW OFFICES
CHASON & STONE
BAY MINETTE, ALABAMA