

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No.

October

TERM, 1959

TO ANY SHERIFF OF THE STATE OF ALABAMA:

41028

You Are Hereby Commanded to Summon Wilbur Bart Meatyard and Canada

Dry Bottling Company of Florida, a corporation

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 Wilbur Bart

Meatyard and Canada Dry Bottling Company of Florida, Defendant
a corporation

by Eddie Belle Blackburn

Plaintiff

Witness my hand this _____ day of October 1959.

_____, Clerk

Defendant Wilbur Bart Meatyard lives at 1018 Cherokee St. Mobile, Ala.
Defendant Corporation may be served through statutory agent,
James E. Layer, City Wharf, Mobile, Alabama

No. _____ Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed _____ 19____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19____

_____, Sheriff

I have executed this summons

this _____ 19____

by leaving a copy with

Sheriff

Deputy Sheriff

EDDIE BELLE BLACKBURN,
Plaintiff,

VS.

WILBUR BART MEATYARD and
CANADA DRY BOTTLING COMPANY
OF FLORIDA, a Corporation,
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN LAW

NO. _____

Plaintiff claims of the Defendants, Wilbur Bart Meatyard, and Canada Dry Bottling Company of Florida, a Corporation, the sum of \$350.00 for that on heretofore, to-wit: the 5th day of June, 1959, the Plaintiff's automobile was being lawfully operated by Allen L. Blackburn on Alabama Highway #59, a Public Road in Baldwin County, Alabama, at a point thereon within the city limits of Foley, Alabama, adjacent to the ice house, and at the same time and at the same place, the Defendant, Wilbur Bart Meatyard, who was then and there acting as an agent of the Defendant, Canada Dry Bottling Company of Florida, a Corporation, while acting within the line and scope of his agency, so negligently operated a motor vehicle so as to cause or allow the same to run into, upon or against the vehicle owned by the Plaintiff and as a proximate consequence of the negligence of the Defendant, Wilbur Bart Meatyard, who was then and there acting as an agent of the Defendant, Canada Dry Bottling Company of Florida, a Corporation, while acting in the line and scope of said agency, the Plaintiff's vehicle was broken and bent, the left side doors were smashed, the left front bumper was ruined, the glass in the left side of the car was broken, and the chrome was torn off of the left side, all to the damage of the Plaintiff, hence this suit.

James R. Rives, Jr.
Attorney for Plaintiff

Plaintiff demands a trial by Jury.

James R. Rives, Jr.

FILED

OCT 28 1959

ALICE L. DUCK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN LAW NO. 4028

CD 1845

EDDIE BELLE BLACKBURN,

Plaintiff

vs.

W. B. Meaty
WILBUR BART MEATYARD and
CANADA DRY BOTTLING COM-
PANY OF FLORIDA, a corp.

Mr. Loeffler, Reg.
Defendants

SUMMONS AND COMPLAINT

FILED

OCT 28 1955

ALICE J. DUCK, CLERK
REGISTER

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

EXECUTED

This 4 day of NOV, 1955

by serving a copy of the within on
Mr. Loeffler, Reg.
Canada Dry Bottling Co. of
RAY D. BRIDGES, Sheriff

By J. W. Lloyd D.S.

EXECUTED

This 5 day of NOV, 1955

by serving a copy of the within on
Wilbur Bart Meatyard
RAY D. BRIDGES, Sheriff

By W. D. Fischer D.S.

EDDIE BELLE BLACKBURN,

Plaintiff,

vs.

WILBUR BART MEATYARD and
CANADA DRY BOTTLING COMPANY
OF FLORIDA, a Corporation,

Defendants.

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IN THE CIRCUIT COURT OF

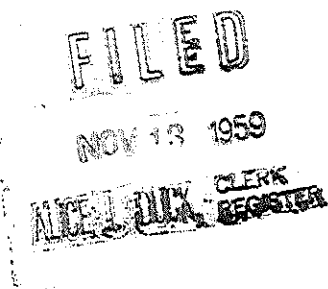
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4028

Come the Defendants in the above styled cause and demur to the complaint filed in said cause and assign the following separate and several grounds, viz:

1. Said complaint does not state a cause of action.
2. That said complaint does not allege any duty owing by the Defendants to the Plaintiff.
3. That said complaint does not allege that the Defendant Canada Dry Bottling Company of Florida negligently injured the Plaintiff.
4. That the place where the accident occurred is not sufficiently set out.




Attorneys for Defendants.

EDDIE BELLE BLACKBURN,

Plaintiff,

vs.

WILBUR BART MEATYARD ET AL.,

Defendants.

** ** *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE NO. 4028

** ** *

DEMURRER

** ** *

FILED

NOV 13 1959

Alice J. Duck, Clerk
Register

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

EDDIE BELLE BLACKBURN,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	
	X	BALDWIN COUNTY, ALABAMA
WILBUR BART MEATYARD and	X	
CANADA DRY BOTTLING COMPANY,	X	AT LAW NO. 4028
OF FLORIDA, A CORPORATION,	X	
Defendants.	X	

Come the Defendants in the above styled and for plea to the complaint filed in said cause, say:

1. That the allegations of the complaint are untrue.
2. That the Plaintiff, acting by and through Allen L. Blackburn, who was his agent, servant or employee at said time and place and who was acting within the line and scope of his authority as such, was himself guilty of negligence which was the proximate cause of the Plaintiff's injuries and damages in that the said Allen L. Blackburn negligently drove the Plaintiff's automobile into or against the motor vehicle which was then and there being driven by the Defendant Wilbur Bart Meatyard.

Filed
1-19-60


Attorneys for Defendants

EDDIE BELLE BLACKBURN,

Plaintiff,

vs.

WILBUR BART MEATYARD, ET AL.,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 4028

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PLEAS

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FILED

JAN 19 1960

ALICE J. DUCK, CLERK
REGISTER

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA