

ROY LYNCH,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
Vs.)	AT LAW
ROBERT JAYE and JERALD)	CASE NO. 4042
LEE JAYE, separately and)	
severally,)	
Defendants)	

A N S W E R

Come now the defendants in the above styled cause and for answer to the complaint heretofore filed, and each count thereof, set down and assign the following separate and several pleas, separately and severally:

ONE

Not guilty.

TWO

The material allegations thereof are untrue.

THREE

At the time and place complained of in the complaint, an agent, servant or employee of the plaintiff, while acting within the line and scope of her agency, service or employment as such, did so negligently operate an automobile on U. S. Highway 31, at or near a point approximately three miles East of Spanish Fort, Alabama, said U. S. Highway 31 being then and there a public highway in Baldwin, County, Alabama so as to cause or allow same to collide with the motor vehicle driven by defendant, Jerald Lee Jaye, and as

a direct and proximate result and consequence of said negligence, the plaintiff contributed to the injuries and damages complained of by him, and hence, he ought not recover.

FOUR

Defendants, pleading specially by way of recoupment, sue to recover from plaintiff the sum of Four Hundred Eighty-Five and 93/100 Dollars (\$485.93), as damages for that on, to-wit, November 10th, 1958, being the same time and place complained of in the complaint, an agent, servant or employee of the plaintiff, while acting within the line and scope of her agency, service or employment as such, did so negligently operate an automobile on U. S. Highway 31, at or near a point approximately three miles East of Spanish Fort, Alabama, said U. S. Highway 31 being then and there a public highway in Baldwin County, Alabama, so as to cause or allow same to collide with the motor vehicle owned by defendant, Robert Jaye, which motor vehicle was then and there being driven by, and was in the possession, custody and control of, defendant Jerald Lee Jaye, and as a direct and proximate result and consequence of said negligence said defendant's motor vehicle was bent, broken, mashed and damaged, hence this plea of recoupment.

FIVE

Defendants, pleading specially by way of set-off, sue to recover from plaintiff the sum of Four Hundred Eighty-Five and 93/100 Dollars (\$485.93), as damages for that on,