

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

POST OFFICE BOX 298

WHITEHALL 3-3601

January 13, 1960

4/139

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Ernest F. Romeo
vs: William M. Ward

Re: Ellen V. Romeo
vs: William M. Ward

Dear Mrs. Duck:

I am enclosing a summons and complaint on behalf of each of the above plaintiffs and also interrogatories on behalf of Ernest F. Romeo all for service on the defendant, William M. Ward, who resides on Route #1, Fairhope, Alabama.

Please send me a notice of service as soon as the Sheriff makes his return.

Very truly yours,


James A. Brice

JAB/vd

Enclosures

ERNEST F. ROMEO,
PLAINTIFF,
VS.
WILLIAM M. WARD,
DEFENDANT.

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA
)
) AT LAW.
)
)
)

INTERROGATORIES PROPOUNDED TO THE DEFENDANT

Comes now the plaintiff in the above cause and propounds the following interrogatories to the defendant:

1. State your name.
2. Where were you on October 25, 1959, at 5:30 P. M.?
3. Were you involved in an automobile accident at the above time and date?
4. Were you driving your automobile?
5. Who was driving the other automobile involved?
6. Had you been drinking intoxicating beverages on the day of the accident?
7. If the answer to No. 6 above is "yes", state the quantity of the intoxicating beverage you consumed October 25, 1959, and the nature and times of consumption.


JAMES A. BRICE
FOLEY, ALABAMA
ATTORNEY FOR PLAINTIFF

M. 4139

Ernest Z. Romed

vs.

William M. Ward

Interrogatories to the defendant:

of the accident;
had you been drinking
who was driving the
were you driving your
time and date?
were you involved in
where were you on
state your name.

construction.
October 22, 1923, and the nature and time of
duration of the intoxicating beverages you consumed
if the answer to No. 6 above is "yes," state the

Interrogatories

FILED

JAN 18 1960

ALICE L. DUCK, CLERK
REGISTER

ATTORNEY FOR PLAINTIFF
JOHN A. ALLEN
CHAS. W. BRICE

Received 18 day of Jan 1960
and on 19 day of Jan 1960
I served a copy of the within
on Wm. M. Ward

By service on

TAYLOR WILKINS, Sheriff

By W. M. Ward D.

INTERROGATORIES PROPOSED TO THE DEFENDANT

Barnville, Ala

Sheriff claims 100 miles at

Ten Cents per mile Total 10.00
TAYLOR WILKINS, Sheriff

BY W. M. Ward
DEPUTY SHERIFF

COUNTY, ALABAMA
CIRCUIT COURT OF

W. M. WARD

ERNEST F. ROMEO,
PLAINTIFF,
VS.
WILLIAM M. WARD,
DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.

4139

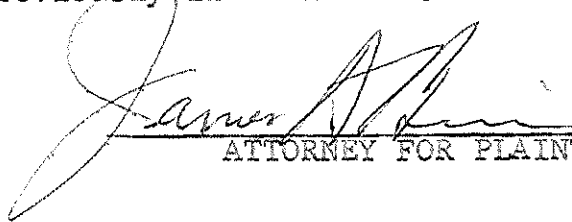
WITHDRAWAL OF DEMAND FOR TRIAL BY JURY

Comes the Plaintiff by his attorney and withdraws his
demand for trial by jury previously filed in this matter.

FILED

FEB 25 1960

AUDIE J. DICK, CLERK
REGISTER


ATTORNEY FOR PLAINTIFF

192

ERNEST F. ROMEO,)	IN THE CIRCUIT COURT OF
PLAINTIFF,)	
VS.)	BALDWIN COUNTY, ALABAMA
WILLIAM M. WARD,)	AT LAW.
DEFENDANT.)	

C O M P L A I N T

I.

The plaintiff claims of the defendant the sum of Ten Thousand and No/100 (\$10,000.00) Dollars, as damages, for that heretofore on, to-wit: the 25th day of October, 1959, the plaintiff was operating his automobile Southwardly on a public highway, viz: Baldwin County Highway No. 11 at a point in Baldwin County, Alabama 5.7 miles South of the corporate limits of Fairhope, Alabama, where he had a right to be, and the defendant, William M. Ward, so negligently operated a motor vehicle then and there as to cause said motor vehicle he was operating to run upon and against the automobile the plaintiff was then and there operating; and plaintiff avers that as a proximate consequence thereof, the plaintiff was seriously and permanently injured, was made sick and sore, was caused to suffer great physical pain and anguish; the plaintiff received cuts, lacerations, contusions, and abraisons in and about his legs, face, and body, and plaintiff received a fractured knee. The plaintiff has suffered and will continue to suffer permanent disability due to the aforesaid injuries sustained in this accident, and the plaintiff was caused to incur expenses of doctors, nurses, x-rays, ambulances, hospital, and drugs in and about his said injuries as aforesaid and will likely incur additional expenses of like nature in the future; and in addition the plaintiff's automobile was greatly damaged and rendered useless as a proximate consequence of the aforesaid negligence of the defendant; for all of which he claims damages as aforesaid.

II.

The plaintiff claims of the defendant the sum of Ten Thousand and No/100 (\$10,000.00) Dollars, as damages, for that heretofore on, to-wit: the 25th day of October, 1959, the plaintiff was operating his automobile Southwardly on a public highway, viz: Baldwin County Highway No. 11 at a point in Baldwin County, Alabama 5.7 miles South of the corporate limits of Fairhope, Alabama, where he had a right to be, and the defendant, William M. Ward, so wantonly operated a motor vehicle then and there as to cause said motor vehicle he was operating to run upon and against the automobile the plaintiff was then and there operating; and plaintiff avers that as a proximate consequence thereof, the plaintiff was seriously and permanently injured, was made sick and sore, was caused to suffer great physical pain and anguish; the plaintiff received cuts, lacerations, contusions, and abrasions in and about his legs, face, and body, and plaintiff received a fractured knee. The plaintiff has suffered and will continue to suffer permanent disability due to the aforesaid injuries sustained in this accident, and the plaintiff was caused to incur expenses of doctors, nurses, x-rays, ambulances, hospital, and drugs in and about his said injuries as aforesaid and will likely incur additional expenses of like nature in the future; and in addition, the plaintiff's automobile was greatly damaged and rendered useless as a proximate consequence of the aforesaid wantonness of the defendant; for all of which he claims damages as aforesaid.


ATTORNEY FOR PLAINTIFF

DEMAND FOR TRIAL BY JURY:

Plaintiff demands trial by Jury.


ATTORNEY FOR PLAINTIFF

FILED

JAN 18 1960

ALICE L. DUCK, CLERK
REGISTRY

191

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. _____

_____ TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

WILLIAM M. WARD

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 WILLIAM M. WARD

_____, Defendant.---

by ERNEST F. ROMEO

_____, Plaintiff.---

Witness my hand this 18 day of JANUARY 19 60

Ernest F. Romeo, Clerk

1-19-60

No. 4139

Page _____

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

ERNEST F. ROMEO

Plaintiffs

vs.

WILLIAM M. WARD

Defendants

Summons and Complaint

Filed

FILED

19

JAN 18 1960

Clerk

**ALICE J. DUCK, CLERK
REGISTER**

JAMES A. BRICE

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

St. I. Parkers

Received In Office

19

Sheriff.

I have executed this summons

this

1-19

1960

by leaving a copy with

William M. Ward

Sheriff claims 100 miles at

Ten Cents per mile Total \$ 10.00

TAYLOR WILKINS, Sheriff

BY

E. S. Stedman
DEPUTY SHERIFF

Taylor Wilkins
Sheriff.

Edwight Stedman
Deputy Sheriff.

Barnes, etc.