

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 Harry Linden, individually and doing business as Linden Construction Company, and Donald Cooper 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 H. E. C. Barnett.

Witness my hand this the 7 day of June, 1960.

Alice Clerk.

H. E. C. BARNETT,	ĭ				
Plaintiff,	Ĩ	IN THE CIRCUIT COURT OF			
	Ĵ				
vs.	Ĩ	BALDWIN COUNTY, ALABAMA			
HARRY LINDEN, individ-	Ĩ				
ually and doing business as LINDEN CONSTRUCTION COMPANY and DONALD COOPER,	Ĩ	LAW SIDE.			
	Ĩ				
Defendants:	Ŷ				
COUNT ONE:					

The Plaintiff claims of the Defendants the sum of Twenty-five Thousand Dollars (\$25,000.00) as damages for that on, to-wit:
November 20, 1959 the Defendant, Donald Cooper who was then and there the agent, servant or employee of the Defendant Harry Linden, individually and doing business as Linden Construction Company and while acting within the line and scope of his employment as such agent, servant or employee so negligently operated a motor vehicle which he was then and there driving in the City Limits of Bay Minette, in Baldwin County, Alabama at a point where Armstrong Avenue intersects U. S. Highway 31, as to cause or allow the same to run into or against an automobile in which the Plaintiff was riding at said time and place and as a proximate result of the negligence of such Defendants the Plaintiff was injured in this: he suffered a contusion of his left

hip, his left leg was seriously damaged, he suffered a massive thrombosis of his entire left leg, he was caused to incur large medical and hospital bills, he was caused to lose much time from his employment, he suffered severe physical and mental pain and anguish andhe is permanently injured, all to the damage of the Plaintiff in the sum aforesaid, hence this suit.

Hujh to Saffey Gr

Attorneys for Plaintiff

Plaintiff demands a trial of this cause by a jury.

Hugh in Ougley or

Attorneys for Plaintiff

FILED

JUN 7 1960

ALICE L DUCK REGISTER

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SUMMONS AND BILL OF COMPLAINT

By service on.

By W. O. Sheriff

Sheriff claims /20 miles of

Jen Cents per mile Total \$ 200 JAYLOR WALKINS, Sheriff

DEPUTY SHERIFF

H. E. C. BARNETT,

Plaintiff,

vs.

HARRY LINDEN, individually and doing business as LINDEN CON-STRUCTION COMPANY and DONALD COOPER,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

LAW SIDE.

LAW OFFICES

CHASON & STONE BAY MINETTE, ALABAMA

H. E. C. BARNETT,

Plaintiff,

No. 14275

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

AT LAW

Defendants.

Come now the defendants Harry Linden and Donald Cooper, and demur to the plaintiff's complaint and to each count thereof, and as grounds for said demurrer set down and assign the following separately and severally:

- 1. Said count fails to allege the violation of any duty owed by the defendants to the plaintiff.
- 2. Said count fails to allege facts showing the violation of any duty owed by the defendants to the plaintiff.
- 3. For aught that appears from said count, the plaintiff was not at a place where he had a legal right to be at the time and place complained of.
- 4. For aught that appears the accident did not occur on a public street or highway.
- 5. For that said count fails to allege any casual connection between the alleged negligence of the defendants and the alleged injuries and damages of the plaintiff.

LYONS, PIPES AND COOK Attorneys for Defendants

Lyons, Pipis Sy Cson

ALICE J. DUCK, Clerk

J. B. BLACKBURN
Attorney for Defendant

J. T3-Blackburn

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H. E. C. BARNETT,

VS.

Plaintiff,

HARRY L. LINDEN and DONALD C. LINDEN, individually and doing business as partners under the firm name and style of LINDEN CONSTRUCTION COMPANY, and DONALD E. COOPER,

BALDWIN COUNTY, ALABAMA
AT LAW NO. 4278

Blackle

IN THE CIRCUIT COURT OF

Defendants.

ANSWER TO AMENDED COMPLAINT

Now come the defendants, each separately and severally, and for answer to the plaintiff's amended complaint, saith:

1. Not guilty.

FILED

OCT 5 1960

ALICE & DUCK CLERK REGISTER

ZYONS, PIPES AND COOK

By Walter M. Coo

Attorneys for Defendants

H. E. C. BARNETT,

Plaintiff,

۷S.

HARRY L. LINDEN and DONALD C. LINDEN, individually and doing business as partners under the firm name and style of LINDEN CONSTRUCTION COMPANY, and DONALD E. COOPER,

Defendants.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
AT LAW NO. 4278

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H. E. C. BARNI	err,	Ĭ		
	Plaintiff,	Ĭ	IN THE CIRC	CUIT COURT OF
vs.		X		
		X	BALDWIN COU	INTY, ALABAMA
HARRY LINDEN, individually and doing business as LINDEN CONSTRUCTION COMPANY and		X		
		X	AT LAW	NO. 4278
DONALD COOPER,	X			
Defendants.		Ĭ		

Comes the Plaintiff in the above styled cause and amends his Complaint filed in said cause so that the same shall read as follows:

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X
IN THE CIRCUIT COURT OF
X
BALDWIN COUNTY, ALABAMA
AT LAW NO. 4278
X
Ĭ.

COUNT ONE:

The Plaintiff claims of the Defendants the sum of Thirty-five Thousand Dollars (\$35,000.00) as damages for that on, to-wit:
November 20, 1959, the Defendant Donald E. Cooper who was then and there the agent, servant or employee of the Defendants Harry L. Linden and Donald C. Linden, individually and doing business as partners under the firm name and style of Linden Construction Company and while acting within the line and scope of his employment as such agent, servant or employee so negligently operated a motor vehicle which he was then and there driving on Armstrong Avenue, a public street in Baldwin County, Alabama, within the City Limits of Bay Minette, Alabama, at the point where Armstrong Avenue intersects U. S. Highway 31 as to cause or allow such motor vehicle to run into or against an automobile

in which the Plaintiff was riding at said time and place and which was then and there being driven along U. S. Highway 31, where the Plaintiff had a right to be, and as a proximate result of the negligence of such Defendants the Plaintiff was injured in this: he suffered a contusion of his left hip, his left leg was seriously damaged, he suffered a massive thrombosis of his entire left leg, he was caused to incur large medical and hospital bills, he was caused to lose much time from his employment, he suffered severe physical and mental pain and anguish and he is permanently injured, all to the damages of the Plaintiff in the sum aforesaid, hence this suit.

Hugh M. Claffy for Shason a Sonie Strorneys for Plaintiff

Plaintiff demands a trial of this cause by a jury.

Astorneys for Phaintiff

9- 6- 1960 Service ampted for all defendants TS-Blackburn Otty. For Hype

SEP 6 1960. SEP 6 1960.

AMENDED COMPLAINT

H. E. C. BARNETT,

Plaintiff,

vs.

HARRY L. LINDEN, ET AL., Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 4278

SEP 6 1980; ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE
BAY MINETTE, ALABAMA