

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
Case no. 5174

Comes now Plaintiff in above styled cause and amends his Bill of Complaint heretofore filed in this cause by substituting the name of "J. B. Ikner, also known as John Benson Ikner," as Defendant in this cause, in lieu of the name of "J. B. Akin". And he further amends Count One of said Bill of Complaint by substituting the following Count One therefor:

The Plaintiff claims of the Defendant the sum of TWO HUNDRED (\$200.00) DOLLARS as damages, for that on, to-wit, September 1st, 1961, on Alabama Highway No. 98, at a point, to-wit, where said Highway No. 98 runs into U. S. Highway No. 31, on the north ^{side} of said Highway No. 31, on the east end of the Mobile Bay Causeway, said point being in Baldwin County, Alabama, the Defendant, J. B. Ikner, negligently operated his motor vehicle, to-wit, his 1959 Ford truck, so as to cause or allow the said Fork truck to run into, upon or against the automobile, to-wit, a 1958 Ford automobile, owned by the Plaintiff, and as a proximate result of the said negligence of the said Defendant the Plaintiff's automobile was dented and damaged, hence this suit.

Kenneth Boon
Attorney for Plaintiff

FILED

OCT 16 1962

**ALICE L DUCK, CLERK
REGISTER**

DANNIE MCKOY

X

Plaintiff

X

IN THE CIRCUIT COURT OF

vs

X

BALDWIN COUNTY, ALABAMA

J. B. AKIN

X

AT LAW

NO. _____

Defendant

X

Now comes John Benson Ikner and shows to the court that there was served upon him by the Sheriff of Baldwin County, Alabama, on or about June 15, 1962, a summons and complaint in a cause in the circuit court of Baldwin County, Alabama, wherein Dannie McKoy appears as plaintiff and one J. B. Akin as defendant.

The said John Benson Ikner respectfully shows to the court that his name is John Benson Ikner and that he is not now known by the name of J. B. Akin and never has been known by the name of J. B. Akin.

JOHN BENSON IKNER

John Benson Ikner

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority personally appeared, John Benson Ikner, who is known to me and who being duly sworn deposes and says that the foregoing plea is true and correct.

JOHN BENSON IKNER

John Benson Ikner

Sworn to and subscribed before me this the 31 day of

Aug, 1962.

C. D. Thompson
Notary Public, Baldwin County, Alabama

THOMPSON & WHITE

BY: *C. D. Thompson*

Attorneys for John Benson Ikner

FILED

SEP 27 1962

ALICE I. DUCK, CLERK
REGISTER

DANNIE MCKOY

Plaintiff

VS

J. B. AKIN

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. _____

The defendant, for answer to the complaint, saith that the action, is barred by the statute of limitations of one year.

THOMPSON & WHITE

BY:

C. D. Thompson
Attorneys for defendant

FILED
JUL 13 1962
ALICE J. DUCK, CLERK
REGISTER

DANNIE McKOY,)
Plaintiff,)
Vs)
J. B. AKIN,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Case No. _____

COUNT ONE:

The Plaintiff claims of the Defendant the sum of TWO HUNDRED (\$200.00) DOLLAR as damages, for that on, to-wit, September 1st, 1961, on Alabama Highway No. 98, at a point, to-wit, where said Highway No. 98 runs into U.S. Highway No. 31, on the north side of said Highway No. 31, on the east end of the Mobile Bay Causeway, said point being in Baldwin County, Alabama, the Defendant, J. B. Akin, negligently operated his motor vehicle, to-wit, his 1959 Ford truck, so as to cause or allow the said Ford truck to run into, upon or against the automobile, to-wit, a 1958 Ford automobile, owned by the Plaintiff, and as a proximate result of the said negligence of the said Defendant the Plaintiff's automobile was dented and damages, hence this suit.

Dannie McCoy
Plaintiff

DEFENDANT'S ADDRESS:

J. B Akin
General Delivery
Loxley, Alabama
(Defendant lives on the Loxley-Belforst paved farm-to-market road, just west of Corn Branch, on the north side of said road traveling west.)

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No.-----

June TERM, 19 62

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

J. B. IKNER

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 -----

J. B. IKNER,

Defendant-----

by DANNIE McKOY

Plaintiff-----

Witness my hand this 14 day of June 19 62

E. J. - 6-15-62

Alice J. Duck
Alice J. Duck

Clerk

No. 51714

Page

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

DANNIE McCOY

Plaintiffs

vs.

J. B. IKNER

Defendants

Summons and Complaint

Filed June 14 1962

Clerk

Alice J. Duck

Kenneth Cooper

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at on the
Loxley-Belforst farm-to-market
road, just West of Corn Branch
General Delivery, Loxley, Ala.

Received In Office

6-14, 1962

Sheriff.

I have executed this summons

this 15th June 1962
by leaving a copy with

J. B. Ikner

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

Taylor Wilkins

Sheriff.

Fred Gilbert

Deputy Sheriff.

Loxley,

DANNIE MCKOY

X

Plaintiff

X

IN THE CIRCUIT COURT OF

vs

X

BALDWIN COUNTY, ALABAMA

J. B. IKNER

X

AT LAW

NO. _____

Defendant

X

Comes the defendant in the above styled cause and for plea or answer to the complaint as amended in said cause shows unto this Honorable Court as follows:

-1-

The defendant for answer to the complaint saith that the action at law in the above styled cause is barred by the Statute of Limitations of one year.

-2-

The defendant for answer to the complaint saith he is not guilty of the matters alleged therein.

-3-

For further answer to said count this defendant says that the plaintiff ought not to recover in this case for that on the occasion complained of, the plaintiff was himself guilty of negligence proximately contributing to his alleged damages in this, that the plaintiff was operating his said motor vehicle in which he was riding and turned off the said public highway at the time alleged, proceeding in a negligent and reckless manner on to private property where he collided with defendant's automobile truck which automobile truck was parked and that said plaintiff's negligence proximately contributed to the said plaintiff's damages, hence the plaintiff ought not to recover in this suit.

J B I K N E R

Defendant

THOMPSON & WHITE

BY:

[Signature]
Attorneys for defendant

Before me, the undersigned authority, personally appeared J. B. Ikner, who is known to me and who being duly sworn deposes and says that the foregoing pleas are true and correct.

J B I K N E R

1962.

Sworn to and subscribed before me this 3 day of Nov.

FILED

NOV 12 1962

ALICE J. DICK, CLERK
REGISTER

[Signature]
Notary Public, Baldwin County, Alabama