

CAROLYN GAIL MILLER, a  
minor, who sues by her father,  
Henry Miller,

Plaintiff,

vs.

LEE CHARLES SOUDERS,

Defendant,

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 5267

DEMURRER

Comes now the Defendant in the above styled cause, by his attorneys, and demurs to the complaint filed against him and assigns the following separate and several ground in support thereof:

1. The complaint fails to state a cause of action.
2. The complaint fails to allege with sufficient certainty the place where the alleged accident occurred.
3. The complaint fails to allege that the Plaintiff's damages were the proximate result of any negligence of the defendant.

CHASON & STONE

By:

*John Earle Chason*  
Attorneys for Defendant

*Filed 9-29-62*  
*Wesley French*  
*clerk*

5267

CAROLYN GAIL MILLER, a minor,  
who sues by her father, Henry  
Miller,

vs.

LEE CHARLES SOUDERS

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW CASE NO. 5267

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DEMURRER

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CHASON & STONE  
ATTORNEYS AT LAW  
BAY MINETTE, ALABAMA

THE STATE OF ALABAMA }  
~~TUSCALOOSA~~ COUNTY  
 BALDWIN

To any Sheriff of the State of Alabama—Greeting: SOUDERS  
 You are hereby commanded to summon Lee Charles/ ~~Souders~~ Box 25, Fairhope,  
 Alabama,

to appear before the Circuit Court of Baldwin County, Alabama, at the place  
 of holding the same and plead, answer or demur within thirty days from service hereof to the complaint  
 of Carolyn Gail Miller, a minor, who sues by her Father, Henry Miller,  
 hereto attached.

Witness, my hand this 31 day of August 1962

*W. J. Duck* Clerk.

IF THE DEFENDANT FAILS TO APPEAR AND PLEAD, ANSWER OR DEMUR WITHIN THIRTY  
 DAYS AFTER SERVICE THE PLAINTIFF MAY TAKE JUDGMENT BY DEFAULT.

## COMPLAINT

CAROLYN GAIL MILLER, a minor, who  
 sues by her father, Henry Miller,

Plaintiff

vs.

LEE CHARLES SOUDERS,

Defendant

BALDWIN  
 IN THE CIRCUIT COURT OF ~~TUSCALOOSA~~  
 COUNTY, ALABAMA  
 AT LAW:

Case No. 5267

## COUNT ONE

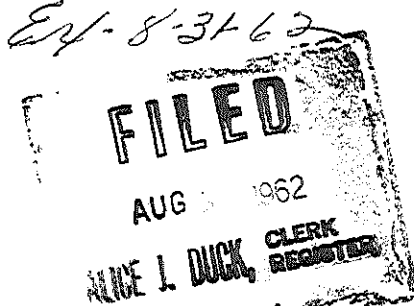
The Plaintiff claims of the Defendant the sum of \$10,000.00 as damages for that  
 heretofore, on or about, to-wit: July 15, 1962, while plaintiff was riding  
 as a guest in an automobile truck along and upon a public road in Gulf  
 Shores, Baldwin County, Alabama, namely: Alabama Highway 59, at or near  
 its intersection with 23rd Avenue, where she had a right to be, the defendant  
 negligently drove an automobile into, over, upon or against the said  
 automobile truck in which plaintiff was then and there riding as aforesaid,  
 and as a direct and proximate consequence of said negligence, plaintiff  
 was injured and damaged as follows, to-wit: she was made sick, sore and  
 lame, her head, shoulders, back, ribs, chest, abdomen, arms, legs, were  
 made sore and painfull and stiff, and she suffered a whiplash injury of her  
 back and spine, her muscles and tendons and ligaments were made sore and  
 painful and were strained and sprained, and she was permanently injured and  
 she suffered great physical pain and mental anguish; her head was caused to  
 ache and pain, and she was confined to the hospital and was caused to  
 employ doctors and nurses and specialists in and about the treatment of  
 her said injuries; all to her damage in the sum aforesaid; hence this suit.

## COUNT 2.

*Em Gene Jolly*

*James H. C. Guire*  
 Attorneys for Plaintiff  
 P. O. Box 146, Tuscaloosa, Ala.

A trial by jury is demanded in this cause.



*Em Gene Jolly*

Plaintiff's Attorney

Received 31 day of Aug 1962  
and on 31st day of Aug 1962  
served a copy of the within A/c  
Lee Charles Souders

service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Fred Luford D. S.  
Shope

Sheriff claims 70 miles at  
Ten Cents per mile Total \$ 7.00  
TAYLOR WILKINS, Sheriff  
BY Seibert  
DEPUTY SHERIFF

CASE NO. 5267

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

CAROLYN GAIL MILLER, A MINOR,  
WHO SUES BY HER FATHER,  
HENRY MILLER,

PLAINTIFF

VS.

LEE CHARLES SOUDERS,

DEFENDANT.

Please serve defendant at:

Box 25,  
Fairhope, Alabama.

FILED

AUG 31 1962

ALICE J. DICK

E. M. FORD, JR.  
JACK H. McGUIRE

2600 7TH ST., P. O. BOX 146  
TUSCALOOSA, ALA.  
ATTORNEYS FOR PLAINTIFF