

J. E. GRUBBS,

Plaintiff,

vs.

LEE CHARLES SOUDERS,

Defendant.

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW CASE NO. 5270

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  
A. J. Duck  
clerk*

5270

J. E. GRUBBS

VS.

LEE CHARLES SOUDERS

\*\*\*\*\*  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW CASE NO. 5270  
\*\*\*\*\*

DEMURRER  
\*\*\*\*\*

CHASON & STONE  
ATTORNEYS AT LAW  
BAY MINETTE, ALABAMA

THE STATE OF ALABAMA }  
~~TO BE~~ COUNTY

BALDWIN

To any Sheriff of the State of Alabama—Greeting:

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 J. E. Grubbs, hereto attached.

Witness, my hand this 31 day of August 1962

Theresa J. Grubbs 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

J. E. GRUBBS,

Plaintiff

vs.

LEE CHARLES SOUDERS,

Defendant

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

Case No. 5270

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's minor  
child, namely, Diane Grubbs, was riding as a guest in an automobile  
truck along and upon a public road in Gulf Shores, Baldwin County, Ala-  
bama, namely: Alabama Highway 59, at or near its intersection with 23rd  
Avenue, where she had a right to be, the defendant negligently drove or  
ran an automobile into, over, upon or against the said automobile truck  
in which plaintiff's said minor daughter was riding as aforesaid, and as  
a direct and proximate consequence of said negligence, plaintiff's said  
minor daughter was severely and painfully injured and plaintiff was  
damages as follows, to-wit: he lost the services of his said daughter,  
and he became responsible for doctor, hospital and medical bills and  
expenses in and about the treatment of his said daughter; all to his damage  
in the sum aforesaid; hence this suit.

COUNT 2.

Emilia J. Grubbs

Julius H. McQuinn  
Attorneys for Plaintiff  
P.O. Box 146 Tuscaloosa, Ala.

A trial by jury is demanded in this cause.

Ed-8-31-62

FILED

AUG 31 1962

ALICE L. DICK, CLERK

Emilia J. Grubbs  
Plaintiff's Attorney

Received 31 day of Aug 1942  
and on 31st day of Aug 1942  
I served a copy of the within file  
on Lee Charles Souders

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

TAYLOR WILKINS, Sheriff

By Fred Seibert D. S.

F. Seibert

Sheriff claims 70 miles at

Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff

BY Seibert  
DEPUTY SHERIFF

CASE NO. 5270

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

J. E. GRUBBS,

PLAINTIFF

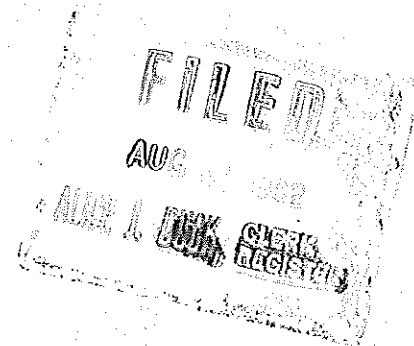
VS.

LEE CHARLES SOUDERS,

DEFENDANT.

Please serve defendant at:

Box 25,  
Fairhope, Alabama.



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

2600 7TH ST., P. O. BOX 146

TUSCALOOSA, ALA.

ATTORNEYS FOR PLAINTIFF