

JULIA JONES,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	
		AT LAW
CONTINENTAL TRAILWAYS BUS)		
COMPANY, INC., a corporation,)	
and LAWRENCE W. THAMES,)	
jointly and severally,)	
Defendants.)	CASE NO. 6106

DEMURRER

Come now Colonial Trailways, Inc., a corporation, which has been improperly designated in the complaint herein as Continental Trailways Bus Company, Inc., a corporation, and Lawrence W. Thames, separately and severally, and demur to the complaint of the plaintiff herein and for grounds of demurrer set down and assign the following, separately and severally, that is to say:

- 1) For that it does not state facts sufficient to constitute a cause of action.
- 2) For that negligence is therein alleged merely as a conclusion of the pleader.
- 3) For that it is vague, indefinite and uncertain, in that it does not apprise this defendant with sufficient certainty against what act or acts of negligence this defendant is called upon to defend.
- 4) For that it does not appear with sufficient certainty what duty, if any, this defendant may have owed to the plaintiff.
- 5) For that it does not appear with sufficient certainty wherein this defendant violated any duty it may have owed to the plaintiff.
- 6) For that it does not sufficiently appear that this defendant owed any duty to the plaintiff which this defendant negligently failed to perform.
- 7) For that there does not appear sufficient causal connection between this defendant's alleged breach of duty and the plaintiff's alleged injuries and damages.

8) For that no facts are alleged therein to show that the plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of this defendant.

9) For that it is not alleged with sufficient certainty where said accident occurred.

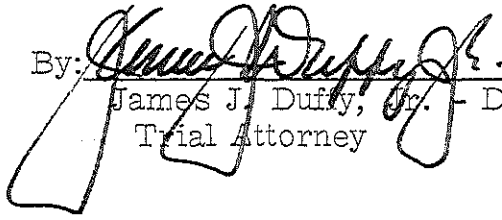
10) For that it is not alleged that the negligence complained of proximately caused the accident, the injuries and the damages complained of.

11) For that the averments thereof are conflicting and repugnant.

12) For that no causal connection appears between this defendant's alleged negligence and the injuries and damages complained of by the plaintiff.

INGE, TWITTY, DUFFY & PRINCE

By:


James J. Duffy, Jr. - Designated
Trial Attorney

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 27th day of July, 1964.


Attorney for

REFILED
SEP 1 1964

773

ALICE I. DUCK, CLERK
REGISTER

FILED
JUL 28 1964
ALICE I. DUCK, CLERK
REGISTER

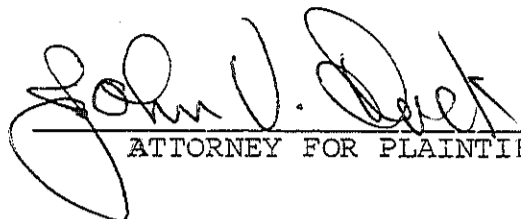
JULIA JONES,)	IN THE CIRCUIT COURT OF
)	
Plaintiff,)	BALDWIN COUNTY, ALABAMA
)	
VS.)	AT LAW
)	
CONTINENTAL TRAILWAYS BUS COMPANY,)	6106
)	
INC., a Corporation, and LAWRENCE W.)	
THAMES, JOINTLY AND SEVERALLY,)	
)	
Defendants)	

ONE

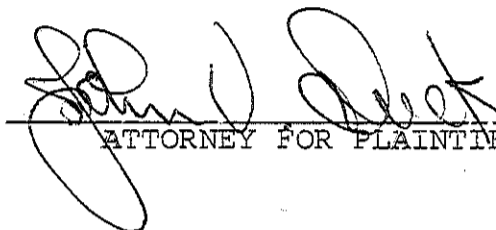
Plaintiff claims of the Defendants the sum of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00), for that heretofore, and on to-wit, the 20th day of September, 1963, the Defendant, LAWRENCE W. THAMES, the agent, servant or employee of the Defendant, CONTINENTAL TRAILWAYS BUS COMPANY, INC., a corporation, while acting within the line or scope of his employment as such agent, servant or employee, so negligently operated a motor vehicle as to allow it to run into, upon or against an automobile in which Plaintiff was riding as a passenger at or near the intersection of Highway U. S. No. 31 and Malbis Cut-Off, being then and there a public highway in Baldwin County, Alabama, and as the proximate result of the negligence of the said Defendants as aforesaid, Plaintiff received personal injuries in this, to-wit, she suffered shock, she had a 20% pneumothorax on the right, that her fifth rib on the right was fractured, that her eleventh and twelfth ribs on the right were fractured, there was a laceration of the chin of approximately one and a half inches long, that she suffered other lacerations of the right arm and in the axilla.

That she suffered multiple contusions and abrasions, she lot and continues to lose much time from her employment, she was permanently injured, from which said injury she suffered and continues to suffer great mental and physical pain, that she was caused to spend large sums of money in and about the treatment of her injuries, and will continue in the future to spend large sums of money for the treatment of her injuries, that she suffered and

continues to suffer great mental and physical pain, for all of which she claims damages as aforesaid.


ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands a trial by jury.


ATTORNEY FOR PLAINTIFF

FILED
JUL 10 1984
ALICE J. DUCK, CLERK
REGISTER

20 Miles
Charlie Azemore

Excluded this
20 Day of July
1964 by serving
a copy of the
writ on
Lawrence W. Shaw

Charlie Azemore
AN

E. Watson
H.D.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

Circuit Court, Baldwin County

STATE OF ALABAMA
BALDWIN COUNTY

No.....

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon LAWRENCE W. THAMES

& Continental Trailways Bus Co Inc

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.....CONTINENTAL
TRAILWAYS BUS COMPANY, INC., a Corporation, and LAWRENCE W. THAMES,
jointly and severally....., Defendant.....

by JULIA JONES

....., Plaintiff.....

Witness my hand this.....10.....day of.....July..... 1964

Rice Clerk

EX-7-14-64

No. 6106

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STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

JULIA JONES

Plaintiffs

¹⁴ Mr. Burdick, mgr.
CONTINENTAL TRAILWAYS BUS COMPANY,
INC., a corporation, and LAWRENCE
W. THAMES, jointly & severally

Defendants

SUMMONS AND COMPLAINT

Filed **FILED** 19.....

JUL 10 1964

Clerk

ALICE L. DUCK,

CLERK
REGISTER

Continental Trailways Bus Company
225 35th Street
Shannon 1-74-00 City

DUCK AND LACEY
Fairhope, Alabama

Plaintiff's Attorney

RECEIVED

Defendant's Attorney

JUL 13 1964

SHERIFF'S OFFICE

Defendant lives at
Route 1
Frisco City, Alabama

Received In Office

7/10 1964

Sheriff

I have executed this summons

this July 14 1964
by leaving a copy with

Mr. Burdick, manager
Continental Trailways
Bus Company, Inc.

RETURNED

Lawrence W. Thames
Not found in my County after dili-

gent search and inquiry.

RAY D. BRIDGES, Sheriff

By

C. Fuller

D. S.

Ray D. Bridges Sheriff

C. Fuller Deputy Sheriff

JULIA JONES,) IN THE CIRCUIT COURT OF
Plaintiff,) BALDWIN COUNTY, ALABAMA
vs.) AT LAW CASE NO. 6106
COLONIAL TRAILWAYS, INC.,)
and LAWRENCE W. THAMES,)
jointly and severally,)
Defendants.)

AMENDED BILL OF COMPLAINT

Comes now the Plaintiff in the above styled cause and amends her Bill of Complaint filed in this cause to read as follows:

To change the name from the Defendants to read as COLONIAL TRAILWAYS, INC., a corporation, and LAWRENCE W. THAMES, jointly and severally.

FILED

FEB 9 1935

AUDIE L. DUCK, CLERK
REGISTRY

John I. Duck
Attorney for Plaintiff