LESSA WILLIAMS, a minor suing by and through her next friend and father, EDDIE WILLIAMS,

Plaintiff

VS.

COLONIAL TRAILWAYS, INC., a Corporation, and LAWRENCE W. THAMES, jointly and severally,

Defendants

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

AT LAW:



The Plaintiff, a minor, who sues by her next friend and father, EDDIE WILLIAMS, claims of the Defendant the sum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2500.00), as damages, for that heretofore, and, on to-wit, the 20th day of September, 1963, the Defendant, LAWRENCE W. THAMES, as agent, servant or employee of the Defendant, COLONIAL TRAILWAYS, INC., and who was then and there acting within the line and scope of his employment, so negligently operated a motor vehicle on U.S. Highway No. 31, at the intersection of Malbis cut-off, which was then and there Public Highway in Baldwin County, Alabama, so as to allow it to run into, upon or against the automobile in which Plaintiff's said minor daughter was a passenger, and as a proximate result of the negligence of the Defendant, as aforesaid, Plaintiff's minor daughter was injured in this; sne suffered severe lacerations of the scalp and face, that she was made otherwise sick, lame and sore, that she suffered abrasions and contusions, that said Plaintiff was caused to spend great sums of money in and about the treatment of the Plaintiff's said minor daughter, that she suffered great pain, and mental anguish, all as a result of the negligence of the Defendant as aforesaid, hence this suit.

Attorney for Plaintiff

Plaintiff respectfully demands trial by jury.

Attorney for Plaintiff

AUG 27 1964
AUG 1. DUCK, GLERKTER

Executed this 7th Day of September 1964 by serving a Capyl of the William on Lawrence, w. Shared Thouse & James & James & Mineral Mineral Alexander & Mineral & Minera

..TERM. 19.....

## STATE OF ALABAMA BALDWIN COUNTY

	Circuit	Court,	Baldwin	County	
o	************	-			

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon COLONIAL TRAILWAYS, INC., a Corporation, and LAWRENCE W. THAMES, jointly and severally

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. COLONIAL TRAILWAYS,

INC., a Corporation, and LAWRENCE W. THAMES Defendant....

by LEESA WILLIAMS, a minor, suing by and through her next friend and father. EDDIE WILLIAMS

Witness my hand this 27 day of linguist 19 6

EX- 9-7-64

Whire frenche Clerk

No. 6173 Defendant lives at 225 St. Francis Street STATE OF ALABAMA Mobile, Alabama Baldwin County Thames-Rt. 1, Frisco City, Ala Received In Office CIRCUIT COURT LESSA WILLIAMS, a minor, suing ...... Sheriff by and through her next friend I have executed this summons and father, EDDIE WILLIAMS by leaving a copy with COLONIAL TRAILWAYS, INC., a Corporation, and LAWRENCE W. THAMES, jointly and severality SUMMONS AND COMPLAINT REEMW BUTTER AUG 28 1964 CHERIFF'S OFFICE DUCK & LACEY Attorneys for Plaintiff Plaintiff's Attorney

Defendant's Attorney

LESSA WILLIAMS, a minor	)	IN THE CIRCUIT COU	JRT OF
suing by and through her next friend and father, EDDIE WILLIAMS,	)	BALDWIN COUNTY,	ALABAMA
Plaintiff,	)	AT LAW	τ
at the sale of the sale of	·		
VS.	)		
COLONIAL TRAILWAYS, INC a corporation, and LAWRENC			t til State det gjengepssammen på semme gjengepssammen.
W. THAMES, jointly and severally,	)		
Defendants.	·	CASE NO. 6173	saa menaam

## DEMURRER

Come now Colonial Trailways, 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:

- l) 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

## INGE, TWITTY, DUFFY & PRINCE

LAWYERS

THOS. E. TWITTY
FRANCIS H. INGE (1902-1959)
RICHARD H. INGE
THOS. E. TWITTY.JR.
JAMES J. DUFFY. JR.
SYDNEY R. PRINCE, III

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

September 4, 1964

MAILING ADDRESS:

P, O, BOX 1109 MOBILE, ALA. 36601

CABLE ADDRESS; TWINING TELEPHONE HEMLOCK 3-5441

Mrs. Alice J. Duck Clerk, Circuit Court of Baldwin County Baldwin County Courthouse Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith the originals of the demurrers I have prepared in Case No. 6174 and Case No. 6173. I should appreciate your filing the same upon receipt. I have forwarded copies of said demurrers to John.

With much appreciation.

Yours very truly,

James J. Duffy, Jr. by ma

For the Firm

JJDjr/mn Enclosures

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NO CARBON REQUIRED PAPER: Just type (or write) on original. Your impression will automatically appear on copies beneath.

TERRY PENN, a minor, suing by and through his next friend and mother, MARY WILLIAMS,

Plaintiff

VS:

COLONIAL TRAILWAYS, INC. a Corporation, and LAWRENCE W. THAMES, jointly and severally,

Defendants

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

The Plaintiff, a minor, who sues by his next friend and Mother, MARY WILLIAMS, claims of the Defendant the sum of FIVE THOUSAND DOLLARS (\$5000.00), as damages, for that, heretofore, and on, to-wit, the 20th day of September, 1963, the Defendant, LAWRENCE W. THAMES, as agent, servant or employee of the Defendant, COLONIAL TRAILWAYS, INC., a Corporation, and who was then and there acting within the line and scope of his employment so negligently operated a motor vehicle on U.S. Highway No. 31, at the intersection of Malbis cut-off, which was then and there public highway in Baldwin County, Alabama, so as to allow it to run into, upon or against the automobile in which Plaintiff's said minor son was a passenger, and as a proximate result of the negligence of the Defendants, as aforesaid, the Plaintiff's minor son was ! injured in that he suffered multiple laceration of the face and scalp and right upper arm and right forearm, that he suffered ! multiple contusions and abrasions, and that he was permanently injured; that he was caused to spend great sums of money in and about the treatment of his injuries, and that he suffered great pain and mental anguish, all as a result of the negligence of the Defendants as aforesaid, hence this suit.

Plaintiff respectfully demands trial by jury.

Attorney for Plaintiff

FILED

Attorney for Plaintiff

AUG 27 1984

ALDE L DUCK CLERK REGISTER Doy of Septement 1914 by serving on Lowrence W Thames

> Charlie Agemane Et Watson S.S.

.....TERM, 19.....

## STATE OF ALABAMA BALDWIN COUNTY

	Court,	E-CACCITY 123	Country

Circuit Court Roldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon COLONIAL TRAILWAYS, INC., a Corporation, and LAWRENCE W. THAMES, jointly and severally

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VIL 2379	
106/13/ Race 17/4	Defendant lives at
STATE OF ALABAMA	225 St. Francis St. Mobile, Alabama
Baldwin County	Thames-Rt. 1, Frisco City, Alaba Received In Office
CIRCUIT COURT	8/27 19/24
TERRY PENN, a minor, suing by	) Sheriff
and through his next friend and	I have executed this summons
mother MARY WILLIAMS Plaintiffs	this SEPT 1964
COLONIAL TRAILWAYS, INC., a	by leaving a copy with
• • • •	7 L Burdette as
Corporation, and LAWRENCE W.  Defendants	manager of
THAMES  SUMMONS AND COMPLAINT	Colonial Trailway
Section Court Live	Inc, a corp
Filed	
AUG 27 1984	
ALIOE J. DUCK, CLERK REGISTER-	
num, J. Duni, REGISTER	
DUCK & LACEY Solicitors for Plaintiff	
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RECEIVE Diff's Attorney	Ray I Bridge Sheriff
Defendant's Attorney	C Ullar Deputy Sheriff
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CHERIPF'S OFFICE

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