

LYONS, PIPES & COOK

ATTORNEYS AT LAW

25TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H. LYONS (1900-1957)  
SAM W. PIPES, III  
WALTER M. COOK  
GORDON B. KAHN  
IRWIN W. COLEMAN, JR.  
G. SAGE LYONS  
WILLIAM F. HORSLEY  
AUGUSTINE MEASER, III

36601

AREA CODE 205  
TEL. 432-4483  
P. O. DRAWER 79

April 29, 1967

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

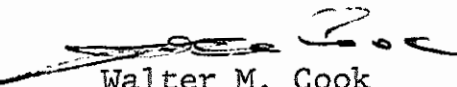
Re: Leonard L. Meyer vs H. H. Southworth and  
Ruth G. Southworth  
Case 7345 in the Circuit Court of Baldwin  
County Alabama

Dear Mrs. Duck:

Please advise us the amount of court costs in this case  
on dismissal.

Yours truly,

LYONS, PIPES AND COOK

  
Walter M. Cook

WMC/a

LEONARD L. MEYER,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY,
VS.	)	ALABAMA
H. H. SOUTHWORTH and	)	
RUTH G. SOUTHWORTH, jointly	)	AT LAW
and severally,	)	
Defendants.	)	CASE NO. 7345

COMES NOW the defendants in the above entitled cause, demurs to the plaintiff's complaint, and to each count thereof, separately and severally, and as grounds for said demurrer sets down and assigns the following, separately and severally:

1. Said count fails to allege the violation of any duty owed by the defendants to the plaintiff.
2. Said count fails to allege facts showing the violation of any duty owed by the defendants to the plaintiff.
3. For aught that appears from said count, the accident did not occur on a public street.
4. For aught that appears from said count, the plaintiff was not at a place where she had a legal right to be at the time and place complained of.
5. For aught that appears from said count, the injuries and damages suffered by the plaintiff were not the proximate result of any act or failure to act on the part of the defendants.
6. For that said count fails to allege any causal connection between the alleged negligence of these defendants and the alleged damages of the plaintiff.
7. For that the agency of defendant Ruth G. Southworth is not sufficiently alleged.

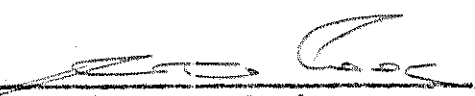
8. For that the agency of Ruth G. Southworth is alleged as a mere conclusion of the pleader.

9. For that the alleged injuries of the plaintiff are not sufficiently set forth.

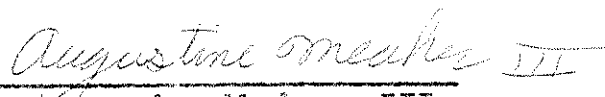
10. For that the alleged injuries of the plaintiff are vague and indefinite and fail to warn defendant of matters to be defended.

LYONS, PIPES AND COOK  
Attorneys for Defendants

By

  
Walter M. Cook

By

  
Augustine Meaher, III

LYONS, PIPES & COOK

ATTORNEYS AT LAW

25TH FLOOR FIRST NATIONAL BANK BUILDING

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AUGUSTINE MEAHER, III

AREA CODE 205  
TEL. 432-4483  
P. O. DRAWER 79

February 20, 1967

Mrs. Alice Duck  
Clerk, Circuit Court  
Baldwin County Courthouse  
Bay Minette, Alabama 36507

Re: Leonard L. Meyer vs. H. H. Southworth and Ruth G. Southworth  
Case No. 7345

Dear Mrs. Duck:

We enclose our demurrer in the above referenced case and request that it be filed in your records. Your co-operation in this matter is appreciated.

Yours very truly,

LYONS, PIPES AND COOK

Augustine Meaher, III

AM/bn

Enclosures

LEONARD L. MEYER,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY,
VS.	)	ALABAMA
H. H. SOUTHWORTH and	)	
RUTH G. SOUTHWORTH, jointly	)	AT LAW
and severally,	)	
Defendants.	)	CASE NO. 7345

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3. For aught that appears from said count, the accident did not occur on a public street.
4. For aught that appears from said count, the plaintiff was not at a place where he had a legal right to be at the time and place complained of.
5. For aught that appears from said count, the injuries and damages suffered by the plaintiff were not the proximate result of any act or failure to act on the part of the defendants.
6. For that said count fails to allege any causal connection between the alleged negligence of these defendants and the alleged damages of the plaintiff.
7. For that the agency of defendant Ruth G. Southworth is not sufficiently alleged.

8. For that the agency of Ruth G. Southworth is alleged as a mere conclusion of the pleader.

9. For that the alleged injuries of the plaintiff are not sufficiently set forth.

10. For that the alleged injuries of the plaintiff are vague and indefinite and fail to warn defendant of matters to be defended.

LYONS, PIPES AND COOK  
Attorneys for Defendants

By Walter M. Cook

By Augustine Meagher, III  
Augustine Meagher, III

P. O. DRAWER A-J

RICHARD C. LACEY

TELEPHONE 928-2373

*Attorney at Law*

FAIRHOPE, ALABAMA 36532

May 5, 1967

Mrs. Alice J. Duck  
Circuit Clerk  
Bay Minette Courthouse  
Bay Minette, Alabama

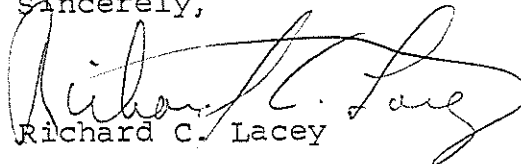
Re: Leonard L. Meyer  
Vs.  
H. H. Southworth  
Ruth G. Southworth - Case No. 7345

Dear Mrs. Duck:

Please have subject case dismissed as settled between the parties and send me the cost bill.

Thank you.

Sincerely,

  
Richard C. Lacey

RCL:mw

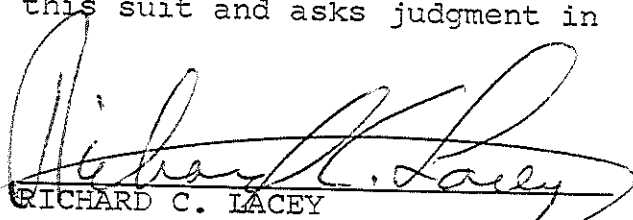
cc: Mr. Walter M. Cook  
Attorney for Southworth

LEONARD L. MEYER,	)	IN THE CIRCUIT COURT
Plaintiff,	)	OF BALDWIN COUNTY,
VS.	)	ALABAMA
H. H. SOUTHWORTH and	)	
RUTH G. SOUTHWORTH, jointly and	)	AT LAW
severally,	)	
Defendants.	)	CASE NO. 7345

COUNT ONE

Plaintiff claims of the defendants, the sum of TWENTY THOUSAND AND NO/100 (\$20,000.00) Dollars for that heretofore on to-wit; January 21, 1966, the plaintiff was operating his automobile on U. S. Highway 98 at a point at the intersection with Alabama Highway 104 being a public highway in the County of Baldwin, State of Alabama, when the defendant Ruth G. Southworth who was acting as the agent, servant or employee of the defendant H. H. Southworth, and who was then and there at that time acting within the line and scope of her employment, did so negligently operate an automobile on the above said Highway 98 at the aforesaid time and place as to cause the defendants automobile to run into, upon or against the automobile of the plaintiff, and as a proximate and direct result of the aforesaid negligence of the defendants, the plaintiffs automobile was badly battered, crushed and suffered loss of value, and also as a proximate result of the aforesaid negligence of the defendants, the plaintiff was made sick and sore and suffered bodily injuries and more particularly the plaintiff suffered injuries to his legs and back, to his neck and head, and to his chest and plaintiff was bruised and forced to incur hospital and medical expenses for the treatment of his injuries and plaintiff has been seriously and permanently injured, all as a direct and proximate result of the aforesaid negligence of the defendants.

Hence plaintiff brings this suit and asks judgment in the above amount.

  
 RICHARD C. LACEY  
 Attorney for Plaintiff

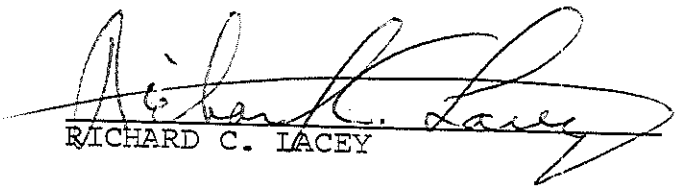
**FILED**

JAN 19 1967

ALICE I. DICK, CLERK  
REGISTRAR



Plaintiff respectfully demands a trial by jury.

  
RICHARD C. LACEY

Defendants may be served at Point Clear, Alabama.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7345

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon .....

H. H. Southworth and Ruth G. Southworth

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.....

H. H. Southworth and Ruth G. Southworth....., Defendant.....

by Leonard L. Meyers.....

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

Witness my hand this.....19th.....day of.....January.....1967.....

Executed 1-26-67

Joyce Wilkins

Ray Randall D.S.

....., Clerk

534

after 3 PM  
No. 7345

Page

STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

LEONARD L. MEYER

Plaintiffs

vs.

H. H. SOUTHWORTH and

RUTH G. SOUTHWORTH

Defendants

SUMMONS AND COMPLAINT

Filed 1-19-67 19

Alice J. Duck Clerk

R. Lacey

Plaintiff's Attorney

Defendant's Attorney

*PK*

Defendant lives at

*St. Clair*  
**RECEIVED**  
Received In Office

JAN 19 1967

19

TAYLOR WILKINS

SHERIFF

Sheriff

I have executed this summons

this *Jan 26* 19 *67*

by leaving a copy with

*H. H. Southworth  
Ruth Southworth  
Point Clair*

Sheriff claims *16.0* miles

Ten Cents per mile Total \$ *1.60*

TAYLOR WILKINS, Sheriff

BY

*Ray Randall*  
DEPUTY SHERIFF

*Taylor Wilkins* Sheriff  
*Ray Randall* Deputy Sheriff

LEONARD L. MEYER,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY,
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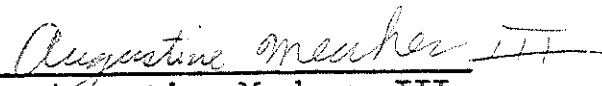
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LYONS, PIPES AND COOK  
Attorneys for Defendants

By   
Walter M. Cook

By   
Augustine Meaher, III

FILED  
FEB 20 1968  
AUGUSTINE MEAHER, III, CLERK  
AUGUSTINE MEAHER, III, REGISTER