


ROBERT L. MERRITT,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	CASE NO.
SAMUEL ARD, JR., individually)	
and d/b/a ARD OIL COMPANY,)	
Defendant.)	


DEMURRER

Comes now the Defendant in the above styled cause, and demurs to the Bill of Complaint filed herein, and for grounds thereof assigns the following:

1. That the said Bill of Complaint does not state a cause of action.
2. That the said Bill of Complaint fails to set out any damages to the Mobile Home of the Plaintiff.
3. That the said Bill of Complaint alleges no negligence against the Defendant.

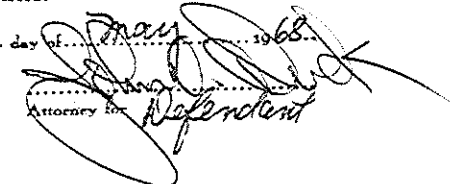

ATTORNEY FOR DEFENDANT

Defendant respectfully demands a trial by jury.


ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This 20 day of May 1968

Attorney for Defendant

FILED

MAY 22 1968

ALICE J. BUCK CLERK
REGISTER

ROBERT L. MERRITT,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
VS:	:	
SAMUEL ARD, JR., in-	:	
dividually and d/b/a	:	
Ard Oil Company,	:	
Defendant.	:	CASE NO.

The Plaintiff claims of the Defendant NINE HUNDRED NINETY NINE AND 00/100 (\$999.00) DOLLARS as damages for that heretofore and on, to-wit, May 4, 1967, a Mobile Home, the property of the Plaintiff, was being towed upon and along U. S. Highway 90, approximately six (6) miles east of Spanish Fort, Alabama, at which point the said U. S. Highway 90 is a public highway in Baldwin County, Alabama, and at the time and place aforesaid the Defendant so negligently operated a motor vehicle as to cause or allow same to enter the lane of traffic in which the Plaintiff's Mobile Home was being towed, thus causing the truck towing the Plaintiff's Mobile Home to leave the travelled portion of the highway, and as a direct and proximate result of the negligence of the Defendant as aforesaid, the Plaintiff's said Mobile Home was greatly damaged and rendered less valuable, hence this suit.

COLLINS, GALLOWAY & MURPHY

BY:

James H. Lackey
 JAMES H. LACKEY
 ATTORNEYS FOR PLAINTIFF

Defendant's Address:
 General Delivery
 Summerdale, Alabama

FILED

MAY 3 1968

ALICE J. BUCK CLERK
 REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No.

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon~~Samuel Ard, Jr., Individually and d/o/a~~.....
.....~~Ard Oil Company~~.....
.....
.....

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.....

.....~~Samuel Ard, Jr., Individually and d/o/a Ard Oil Company~~....., Defendant.....

by~~Robert L. Merritt~~.....

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

Witness my hand this.....3rd.....day of.....May..... 19⁶⁸.....

.....*Bliss J. W. Smith*..... Clerk

cf
5-8-68

No. 8177

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ROBERT L. MERRITT

Plaintiffs

vs.

SAMUEL ARD, Jr., Individually
and d/b/a ARD OIL COMPANY
Defendants

SUMMONS AND COMPLAINT

Filed 5-3- 19..68....

Alice J. Duck Clerk

Collins, Galloway & Murphy
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Sumnerdale, Ala

Received In Office

19.....
MAY 3 1968

Sheriff

I have executed this summons

this May 8 19..68
by leaving a copy with

Samuel Ard Jr

DAVID WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
FOR SERVING 1 PROCESS(S) AND
TRAVEL EXPENSE ON EACH OF \$ 5.00
PROCESS(S) OR A TOTAL OF \$ 6.50

David Wilkins Sheriff
Charles B. Dyer Deputy Sheriff

R. H. Dyer