

ORIGINAL

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon James Edward Lowery to appear within thirty days from the service of this writ in the Circuit Court, to be held for said county at the place of holding the same, then and there to answer the complaint of J & M Construction Company.

WITNESS my hand this 19 day of January, 1969.

Alice J. Duck
Clerk

Defendant resides at Robertsdale, Alabama.

* * * * *

J & M CONSTRUCTION COMPANY,)	
Plaintiff,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
JAMES EDWARD LOWERY,)	AT LAW
Defendant.)	

C O M P L A I N T
COUNT ONE

Plaintiff claims of the defendant Three Hundred Fifty Dollars (\$350.00) for that heretofore on to-wit, August 14, 1968, at a point on U. S. Highway 90, .7 of a mile West of Robertsdale in Baldwin County, Alabama, the defendant so negligently operated a motor vehicle so as to cause a motor vehicle to run into, upon or against a telephone pole and as a proximate result of the negligence of the said defendant at said time and place plaintiff's motor vehicle was bent, broken and damaged, all to his damages aforesaid, hence this suit.

[Signature]
Attorney for Plaintiff

FILED

JAN 29 1969

ALICE J. DUCK
CLERK
REGISTER

84-3-12-69

Received 29 day of Jan 1969
and on 12 day of March 1969
I served a copy of the within etc
on James Edward Lowery
by service on _____

TAYLOR WILKINS, Sheriff

By Gulf Shores D. S.

Sheriff claims 100 miles at

Ten Cents per mile Total \$ 10.00

TAYLOR WILKINS, Sheriff

BY Gulf Shores
DEPUTY SHERIFF

Gulf Shores
Jackson

ORIGINAL

No. 4551

J. M. Construction Co

VS

James Edward Lowery

FILED

JAN 29 1969

ALICE J. DUCK CLERK
REGISTER

Das. R. Owen

J & M CONSTRUCTION COMPANY, X
Plaintiff, X IN THE CIRCUIT COURT OF
X
vs. X BALDWIN COUNTY, ALABAMA
X
JAMES EDWARD LOWERY, X AT LAW NO: 8551
Defendant. X

DEMURRER

Comes now the Defendant in the above styled cause, by his attorneys, and demurs to the Complaint heretofore filed against him and assigns the following separate and several grounds in support thereof:

1. The Complaint fails to state a cause of action.
2. The Complaint fails to allege any duty owing from the Defendant to the Plaintiff and a breach of that duty.

Respectfully submitted,

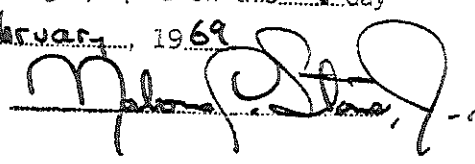
CHASON, STONE & CHASON

By: 
Attorneys for Defendant

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 25 day

of February, 1969



FILED

FEB 27 1969

ALB 3 77