

ROBERT W. GRANTHAM, ADMINISTRATOR
OF THE ESTATE OF DONALD EUGENE GRANTHAM,
DECEASED

Plaintiff

VS.

BONNIE ANN DAVIS, A MINOR and
MILTON R. DAVIS

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8723

1.

The Plaintiff, Robert W. Grantham, Administrator of the Estate of Donald Eugene Grantham, deceased, claims of the Defendants the sum of FIFTY THOUSAND DOLLARS (\$50,000.00) as damages, for that on, heretofore, to-wit: the 25th day of February, 1969, at a point on U. S. Highway #90, a public Highway in Baldwin County, Alabama, at a point approximately 32 feet East of Gulf Telephone Pole #A1-107 situated near the intersection of said highway and the driveway to the Eleasnor General Store, the Defendant, Bonnie Ann Davis, who was then and there acting as the agent, servant or employee of the Defendant, Milton R. Davis, and while acting within the line and scope of her authority as such, so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against a motorcycle being then and there operated on and along said public highway by the said Donald Eugene Grantham, and as a proximate consequence and result of the negligence of the Defendant, Bonnie Ann Davis aforesaid, while acting within the line and scope of her employment as the agent, servant or employee of the Defendant, Milton R. Davis at said time and place, the said Donald Eugene Grantham suffered severe personal injuries from which he died. Wherefore, Plaintiff, Robert W. Grantham, Administrator of the Estate of Donald Eugene Grantham, deceased, brings this suit and asks judgment in the above amount.

WILTERS, BRANTLEY & NESBIT

BY: Phyllis S. Nesbit

Attorneys for Plaintiff

FILED

The Plaintiff respectfully demands

a trial of this cause by a jury.

JUN 26 1969

WILTERS, BRANTLEY & NESBIT

BY: Phyllis S. Nesbit

Attorneys for Plaintiff

ALICE J. DUCK

CLERK
REGISTER

Said Defendants may be served at Route 1, Box 204, Robertsedale, Alabama

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 Bonnie Ann Davis and Milton R. Davis

.....
.....
.....

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.....

Bonnie Ann Davis and Milton R. Davis Defendant.....

by Robert W. Grantham, Administrator of the Estate of Donald Eugene Grantham,

deceased Plaintiff.....

Witness my hand this.....day of..... 19 69.

....., Clerk

No. 8773

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Robert W. Grantham, Administrator

of the Estate of Donald Eugene
Grantham, deceased
Plaintiffs

vs.

Bonnie Ann Davis and Milton R.
Davis
Defendants

SUMMONS AND COMPLAINT

FILED

Filed 19.....

JUN 26 1969

Clerk

ALICE J. DUCK CLERK
REGISTER

WILTERS, BRANTLEY & NESBIT

BY:

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Route 1, Box 204, Robertsedale,
Alabama

Received In Office
RECEIVED

JUN 26 1969

~~WALTERS~~ Sheriff

I have executed this summons

this 30 - June 1969
by leaving a copy with

Bonnie Ann Davis
Milton R. Davis

Sheriff claims 12.2 miles at

Ten Cents per mile Total \$ 12.20

TAYLOR WILKINS, Sheriff

BY Brown
DEPUTY SHERIFF

Taylor Wilkins Sheriff

W. Brown Deputy Sheriff

66 miles R. J.
East of R - Dale.

ROBERT W. GRANTHAM,
ADMINISTRATOR OF THE
ESTATE OF DONALD EUGENE
GRANTHAM, DECEASED,

Plaintiff,

Vs.

BONNIE ANN DAVIS, A MINOR
and MILTON R. DAVIS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA


AT LAW

CASE NO. 8773

DEMURRER

Comes now the Defendants, Bonnie Ann Davis, and Milton R. Davis, and demur to the complaint heretofore filed in this cause, and assign the following as grounds for said demurrer:

1. The style of the cause shows the Defendant, Bonnie Ann Davis as a minor, but there is no such allegation thereof in paragraph 1 of the complaint.
2. The complaint fails to state a legal cause of action.
3. The complaint is vague.
4. The complaint is uncertain.
5. The complaint fails to state whether the accident occurred during the day time or night time.
6. The complaint fails to allege the manner in which the Defendant, Bonnie Ann Davis, negligently operated her motor vehicle.


ATTORNEY FOR DEFENDANTS

I certify that I have mailed a copy of the foregoing DEMURRER to Hon. Phyllis Nesbit, Attorney At Law, Robertsdale, Alabama, by depositing the same in United States Mail, postage prepaid, at Bay Minette, Alabama, on this 7 day of July, 1969.

FILED

JUL 7 1969

ALICE J. DUCK CLERK
REGISTER


ATTORNEY FOR DEFENDANTS