

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT - LAW SIDE

You are hereby commanded to summon Arthur S. Orr and Allen Orr 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 same, then and there to answer the Complaint of Marvin E. Bond, Jr.

Witness my hand this 26 day of August, 1970.


Alice D. Link
Clerk

MARVIN E. BOND, JR.,	X	
Plaintiff	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
ARTHUR S. ORR and	X	AT LAW
ALLEN ORR,	X	9449
Defendants	X	

The Plaintiff claims of the Defendants the sum of \$1,400.00 for damages, for that heretofore, on to-wit August 30, 1969, the Defendant, Allen Orr, the agent, servant or employee of the Defendant, Arthur S. Orr, while acting within the line and scope of his authority did so negligently operate a motor vehicle on Alabama Highway Number 59, a public road in Baldwin County, Alabama, at a point approximately two miles south of Foley, Alabama where said Alabama Highway Number 59 intersects with Mifflin Road, as to cause his said vehicle to run into, upon

or against an automobile owned by the Plaintiff and being operated by the Plaintiff's minor son at the time and place heretofore alleged and the Plaintiff alleges that as a direct and proximate result of the aforesaid negligence of the Defendants, his minor son was badly bruised, contused and otherwise injured in that he suffered injuries to his neck, face and entire body, thereby forcing the Plaintiff to incur numerous hospital and medical expenses and the Plaintiff further alleges that as a direct and proximate result of the negligence of the Defendants as aforesaid, his car was smashed, broken and completely demolished and rendered without value, hence the Plaintiff brings this suit and asks judgment in the above amount.

CHASON, STONE & CHASON

By: 
Attorneys for the Plaintiff

The Plaintiff respectfully demands a trial by jury of this cause.

CHASON, STONE & CHASON

By: 

FILED

AUG 26 1970

ALICE J. DUCK CLERK
REGISTER

9449

MARVIN E. BOND, JR.,

Plaintiff

vs.

ARTHUR S. ORR and ALLEN,
Elberta

Defendants

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

SUMMONS and COMPLAINT

* * * * *

FILED

AUG 26 1970

ALICE J. DUCK CLERK
REGISTER

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA

Received *26* day of *Aug* 1970
and on *1* day of *Sept* 1970
I served a copy of the within *S & C*
on *Arthur S. & Allen Orr*
By service on _____
TAYLOR WILKINS, Sheriff
[Signature]

Sheriff claims *172* miles of
Ten Cents per mile Total \$ *17.20*
TAYLOR WILKINS, Sheriff
BY *[Signature]*
DEPUTY SHERIFF

LYONS, PIPES & COOK

ATTORNEYS AT LAW

2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

JOSEPH H. LYONS (1900-1957)
SAM W. PIPES
WALTER M. COOK
GORDON B. KAHN
G. SAGE LYONS
AUGUSTINE MEAHER, III
JAMES B. KIERCE, JR.
WESLEY PIPES
NORTON W. BROOKER, JR.
COOPER C. THURBER

AREA CODE 205
TEL. 432-4483
P.O. DRAWER 2525

September 16, 1970

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

Re: Marvin E. Bond, Jr. vs. Arthur S. Orr and
Allen Orr
Case No. 9449

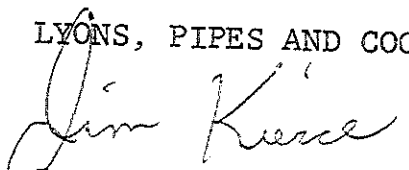
Dear Mrs. Duck:

Our firm is going to represent the Defendants in connection with the above case. Enclosed please find the original and a copy of a Demurrer. Please file the original, stamp the copy "FILED", and return the copy to me in the enclosed, self-addressed and stamped envelope.

Thank you very much for your cooperation.

Yours truly,

LYONS, PIPES AND COOK


James B. Kierce, Jr.

JBK/see

Enclosures

MARVIN E. BOND, JR.,)	IN THE CIRCUIT COURT OF
	(
Plaintiff,)	
	(BALDWIN COUNTY, ALABAMA
VS.)	
	(
ARTHUR S. ORR and)	AT LAW
ALLEN ORR,	(
)	
Defendants.	(CASE NO. 9449

D E M U R R E R

Come now the Defendants in the above-styled cause, separately and severally, and demur to the Plaintiff's Complaint as a whole, and to each and every Count thereof, separately and severally, and as grounds for said Demurrer, set down and assign the following, separately and severally, to-wit:

1. Said Count fails to allege the violation of any duty owed by this Defendant to the Plaintiff.

2. Said Count fails to allege facts showing the violation of any duty owed by this Defendant to the Plaintiff.

3. For aught that appears from said Count, the accident did not occur on a public road.

4. For aught that appears from said Count, the Plaintiff's minor son 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 allegedly suffered by the Plaintiff were not the proximate result of any act or failure to act on the part of this Defendant.

6. For that said Count fails to allege any causal connection between the alleged negligence of this Defendant and the alleged damages to the Plaintiff.

7. For that said Count fails to allege that the Plaintiff incurred medical expenses for injuries allegedly suffered by his minor son as a proximate consequence of the negligence of this Defendant.

LYONS, PIPES AND COOK
Attorneys for the separate and
several Defendants.

BY: Walter M. Cook
WALTER M. COOK

BY: James B. Kierce, Jr.
JAMES B. KIERCE, JR.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16th
day of Sept, 19 70, served a
copy of the foregoing pleading on counsel for all
parties to this proceeding by mailing the same
by United States mail, properly addressed, and
first class postage prepaid.

James B. Kierce, Jr.

FILED

SEP 17 1970

ALICE J. DICK CLERK
REGISTER

LYONS, PIPES & COOK

ATTORNEYS AT LAW

2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES

WALTER M. COOK

GORDON B. KAHN

G. SAGE LYONS

AUGUSTINE MEAHER, III

JAMES B. KIERCE, JR.

WESLEY PIPES

NORTON W. BROOKER, JR.

COOPER C. THURBER

36601

December 16, 1970

AREA CODE 205

TEL. 432-4483

P.O. DRAWER 2525

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

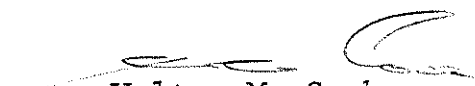
Re: Marvin E. Bond, Jr., vs
Arthur S. Orr and Allen Orr
Case No. 9449

Dear Madam:

Enclosed herewith is a Government Employees draft to cover court costs. Please sign and return to me the enclosed letter at your earliest convenience.

Yours truly,

LYONS, PIPES & COOK



Walter M. Cook

WMC/dds

Enclosures

CHASON, STONE & CHASON

ATTORNEYS AT LAW

P. O. BOX 120

BAY MINETTE, ALABAMA 36507

JOHN CHASON
NORBORNE C. STONE, JR.
JOHN EARLE CHASON
EBERHARD E. BALL

TELEPHONE 937-2191

December 2, 1970

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

Dear Mrs. Duck:

Re: Marvin E. Bond, Jr. vs.
Arthur S. Orr, et al..
Case No. 9449 At Law

Would you please have the Judge enter an order of dismissal with prejudice in the above case and forward a cost bill to the attorney for the Defendant.

Thanking you for your assistance in this matter, we remain,

Yours very truly,

CHASON, STONE & CHASON

By: 

EEB:ljh

cc: Hon. James B. Kierce, Jr.
Suite 2510
First National Bank Building
Mobile, Alabama 36601