

STATE OF ALABAMA,     0  
                              0     TO ANY SHERIFF OF THE STATE OF ALABAMA:  
COUNTY OF BALDWIN.   0

You are hereby commanded to summon CLAYTON W. FLOWERS 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 CLAYTON W. FLOWERS, Defendant, by BERT TANKSLEY, Plaintiff.

Witness my hand this 30 day of July, 1954.

Alice J. Hensley  
C L E R K.

\*\*\*\*\*

C O M P L A I N T.

BERT TANKSLEY,	0	IN THE CIRCUIT COURT OF
	0	
Plaintiff,	0	BALDWIN COUNTY, ALABAMA.
	0	
Vs.	0	AT LAW.
	0	
CLAYTON W. FLOWERS,	0	NO. <u>2332</u>
	0	
Defendant.	0	

C O U N T   O N E.

The Plaintiff claims of the defendant ONE THOUSAND (\$1,000.00) DOLLARS as damages, for that, heretofore, on, to-wit: the 14th day of December, 1953, at about 4:20 O'clock, P. M., the defendant so negligently operated an automobile on a public highway in Baldwin County, Alabama, viz: on U. S. Highway No. 31, at a point 3.6 miles North of Spanish Fort at the intersection with Truck Route--U. S. Highway No. 90, that the same was run upon or against any automobile belonging to the plaintiff, and as a proximate consequence and result ~~of the Defendant's negligence aforesaid,~~ thereof plaintiff's automobile was broken, bent and demolished, the front bumper, the radiator, hood, front headlights and parking lights, the front grill, the fan, the water pump, the doors and the windshield, and the frame were bent broken and demolished, and plaintiff was deprived of the use of his said automobile, which was used in his business, for a long period of time; and plaintiff avers that all of his said damages were caused by, and were the direct and proximate result of, the negligence of the defendant in and about the operation of his said automobile at the time and place and in the manner aforesaid; hence this suit. PLAINTIFF REQUESTS THAT THIS CAUSE BE TRIED BY A JURY.

Julius A. Madbury, Jr.  
Attorney for Plaintiff.

FILED

7-30-54

Alice J. Hensley, Clerk

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 2332

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BERT TANKSLEY,  
Plaintiff,

VS.

CLAYTON W. FLOWERS,  
Defendant.

\*\*\*\*\*

SUMMONS AND COMPLAINT.

FILED  
JUL 190 1954  
ALICE J. MUEL, Clerk

TELFAIR J. MASHBURN, JR.  
ATTORNEY-AT-LAW  
BAY MINETTE, ALABAMA

Received 21 day of July 1954  
and on 3 day of Aug. 1954  
I served a copy of the within  
on \_\_\_\_\_

By service on Clayton W. Flowers  
TAYLOR WILKINS, Sheriff  
By [Signature] D.S.

BERT TANKSLEY,	I	
Plaintiff,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
CLAYTON W. FLOWERS,	I	AT LAW NO. 2332
Defendant.	I	
	I	

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

1. That said Complaint fails to state a cause of action.
2. That the allegations of said Complaint are vague, indefinite and uncertain.
3. For aught that appears from said Complaint the alleged injuries complained of were not the proximate consequence of any negligence of the Defendant.
4. For aught that appears from the Complaint the alleged negligence of the Defendant was not the proximate cause of the alleged injuries complained of.
5. That said Complaint fails to allege any duty owing from this Defendant to the Plaintiff.
6. That said Complaint fails to allege a duty owing from the Defendant to the Plaintiff and a breach thereof by the Defendant.
7. That sufficient facts are not alleged to adequately appraise this Defendant of what he is called upon to defend.

Respectfully submitted,

CHASON & STONE

FILED

8-17-54

JUDGE I. BUCK, Clerk

By: M. J. Stone  
Attorneys for Defendant.

BERT TANKSLEY,  
Plaintiff,  
vs.  
CLAYTON W. FLOWERS,  
Defendant.

\*\*\*\*\*  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 2332  
\*\*\*\*\*

DEMURRER

\*\*\*\*\*  
FILED  
\*\*\*\*\*

AUG 17 1954

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS  
SAM W. PIPES, III  
WALTER M. COOK

January 6th, 1955.

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

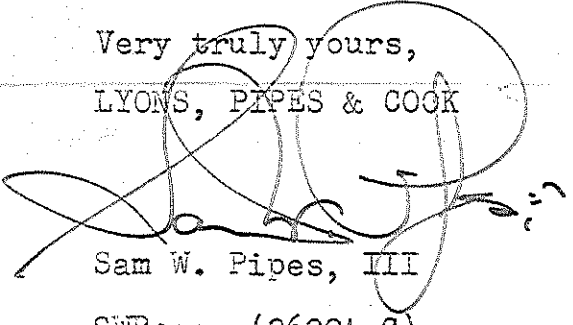
Dear Mrs. Duck:

Confirming our telephone conversation of yesterday the two copies of the stipulation entered into between Messrs. Mashburn, Thompson, Jansen and the writer regarding there being no proceedings had in any of the state courts against Orrie Hilburn pending the hearing in the Federal Court of the suit for declaratory judgment filed on behalf of Commercial Standard Insurance Co., one copy of the signed stipulation should be filed in the case of Hazel Payne Reichler v. Orrie Hilburn, et al, Circuit Court of Baldwin County, Alabama, At Law #2450. The other copy should be filed in the case of Ilean Lee v. Orrie Hilburn, et al, Circuit Court of Baldwin County, Alabama, At Law #2333.

It is our understanding that you have noted on each copy of the stipulation that they were filed in the respective suits on Tuesday, January 4th. We have not yet received back from Messrs. Thompson and Mashburn the other copies of the stipulation that are to be filed in the suits in Mobile, but assume that they are in the mail to us now.

Very truly yours,

LYONS, PIPES & COOK



Sam W. Pipes, III

SWP:ee (26294-C)

cc: Mr. C. Lenoir Thompson, Atty.  
Bay Minette, Alabama.

Mr. Telfair Mashburn, Atty.  
Bay Minette, Alabama.

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS  
SAM W. PIPES, III  
WALTER M. COOK

September 8th, 1954.

REGISTERED. R.R.R.

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

Re: Ilean Lee, Plaintiff v. Orris Hilburn, et al.  
At Law No. 2333.

Dear Mrs. Duck:

We enclose herewith original and one copy of demurrer on behalf of Pat George and Pat George d/b/a Pat George and Company in the above case.

Will you please file this demurrer for us and advise us of the filing thereof.

Very truly yours,

LYONS, PIPES & COOK

Sam W. Pipes, III

SWP:ee