

CIVIL SUBPOENA — ORIGINAL — In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred.

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Case No. 2583 marit TERM, 1956

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You Are Hereby Commanded to Summon Cecil Clemmens, Fairhope

if to be found in your County, at the instance of the Plaintiff
to be and appear before the Honorable, the Judge of the Circuit Court of Baldwin County, at the Court House
thereof, by 9:00 o'clock of the forenoon, on the 14th day of March, 1956, and from
day to day and term to term of said Court until discharged by law, then and there to testify, and the truth
to say, in a certain cause pending, wherein Edward C. Niemeyer, Plaintiff and Marmaduke
Lipson, Defendant.

Herein Fail Not, and have you then and there this Writ.

Given under my hand and seal, this 14th day of March, 1956.

Alvin J. Duck Clerk.

Received in office this _____ day of

_____, 195_____

SHERIFF

I have executed this writ:

3/14/56

In full

SHERIFF

ORIGINAL

No. 2583

Page _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

~~Cecil Chapman~~
Edward C. Timney

Plaintiff

Vs.

Marmaduke Dixon

Defendant

CIVIL SUBPOENA

Issued this 14th day of

March

1956

Alvin J. Bush
Clerk

EDWARD C. NIEMEYER,

Plaintiff,

VS.

MARMADUKE DYSON,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

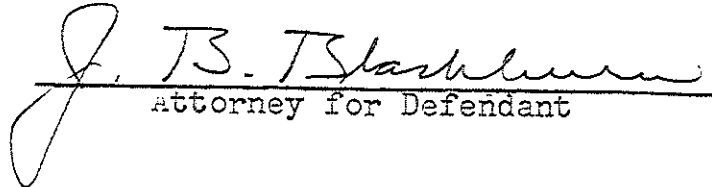
AT LAW

NO. 2583

DEMURRER

Now comes the Defendant in the above styled cause and demurs to the complaint heretofore filed in this cause and as grounds for said demurrer assigns the following separately and severally:

1. It does not state a cause of action.
2. The place where the accident occurred is not sufficiently described.
3. There is a misjoinder of causes of action.


attorney for Defendant

2583
DEMURRER

EDWARD C. NIEMEYER,

Plaintiff,

VS.

MARMADUKE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2583


FILED
MAY 6 1955
ALICE J. DUCK, Clerk

S U M M O N S

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

You are hereby commanded to summon MARMADUKE DYSON 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 EDWARD C. NIEMEYER.

Witness my hand this 4th day of April, 1955.


CLERK.

C O M P L A I N T.

EDWARD C. NIEMEYER,	0	
	0	
Plaintiff,	0	IN THE CIRCUIT COURT OF
	0	
VS.	0	BALDWIN COUNTY, ALABAMA.
	0	
MARMADUKE DYSON,	0	AT LAW. NO. _____.
	0	
Defendant.	0	

C O U N T O N E.

Plaintiff claims of the defendant SEVEN HUNDRED AND FIFTY (\$750.00) DOLLARS as damages, for that, heretofore, on, to-wit: the 25th day of August, 1954, at about 10:40 A. M., plaintiff's automobile was lawfully being driven, by his wife, LEANORA D. NIEMEYER, along a public street in the City of Fairhope, County of Baldwin, State of Alabama, to-wit, Pier Street, near the intersection of Pier Street and Liberty Street, and that then and there defendant so negligently ran an automobile which he was then and there driving so closely in front of the plaintiff's automobile that as a proximate consequence thereof plaintiff's automobile ran into the side of defendant's automobile, as a proximate consequence whereof plaintiff's automobile was damaged and demolished, the front bumper was bent and broken, the headlights were bent and broken and demolished, the radiator was bent and broken, the hood was bent and damaged, the fenders were bent and damaged, the doors were bent, and the frame was bent.

And Plaintiff further avers that as a proximate consequence and result of the defendant's negligence as aforesaid, plaintiff's wife received severe personal injuries; she was made sick, sore and

lame; she was bruised; and her right foot was sprained; and as a proximate result and consequence of the injuries to his said wife, the plaintiff was caused to incur considerable expense for medical treatment and hospital treatment, and the taking of X-rays, and plaintiff lost the society, consortium and services of his wife for a considerable period.

And plaintiff avers that all of his damages were the proximate result and consequence of the negligence of the defendant in and about the operation of his automobile at the time and place as aforesaid, all to his great damage as aforesaid; hence this suit.

Julian A. Marshall, Jr.
Attorney for Plaintiff.

Plaintiff respectfully requests that this cause be tried by a jury.

Julian A. Marshall, Jr.
Attorney for Plaintiff.

Received 8 day of April 1955
and on 11 day of April 1955
I served a copy of the within Q.C.
on Marmaduke Dyson

By service on _____

TAYLOR WILKINS, Sheriff
By William A. Stedman D.S.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 2583

EDWARD C. NIEMEYER,
Plaintiff,

VS.

MARMADUKE DYSON,
Defendant.

SUMMONS AND COMPLAINT.

FILED
APR 13 1955
MISS J. DICK, Clerk

TELFAR J. MASHBURN
ATTORNEY AT LAW
DAHLBERG BUILDING
BAY MINETTE, ALABAMA