

3553

WILLIE MAE FLOWERS,

Plaintiff,

vs.

D. V. WILLIAMSON,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Comes the Defendant in the above styled cause and demurs to the complaint filed in said cause and each and every count thereof, severally and separately, and assigns the following separate and several grounds, viz:

1. That said complaint does not state a cause of action.
2. That no facts are alleged in the complaint to show that the Plaintiff is entitled to the money sued for.
3. For aught that appears from said complaint the Plaintiff is not the sole heir at law and next of kin of Ellen Virginia Horton.
4. That the allegation in count "1" that the money was wrongfully paid is but a conclusion of the pleader.
5. That count "1" of the complaint fails to allege when the money was paid to the Defendant.
6. That count "1" of said complaint fails to allege sufficient facts in connection with the money being paid to the Defendant.
7. That said complaint fails to allege whether the father of Ellen Virginia Horton is living or dead.
8. That the allegation in count "2" of the complaint that the money paid to the Defendant is the property of the Plaintiff is but a conclusion of the pleader and does not state sufficient facts to show that she is the owner of such money.
9. That count "2" of the complaint does not allege that the Defendant was a party to the conversion of the money.
10. That said complaint affirmatively shows that if the Plaintiff has a cause of action against anyone, that such cause of action is against Royal Indemnity Company and not the Defendant.

Sharon Stone
Attorneys for Defendant

State of Alabama
County of Baldwin

To any Sheriff of the State of Alabama:

You are hereby commanded to summon D. V. Williamson to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit court of said county, by Willie Mae Flowers as Plaintiff and against D. V. Williamson as Defendant.

Witness my hand, this 20 day of May 1958.

Archie J. Smith
Clerk

Willie Mae Flowers
Plaintiff

Vs

D. V. Williamson
Defendant

In the Circuit Court of
Baldwin County, Alabama
At Law. No. _____

1.

The Plaintiff claims of the Defendant the following personal property, viz; Three Thousand and 00/100 Dollars wrongfully paid to D. V. Williamson by the Royal Indemnity Company as damages for the death of Ellen Virginia Horton, the daughter of the Plaintiff, with the value of the use or hire during the detention, viz, from to wit the sixth day of May, 1958.

2.

The Plaintiff claims of the Defendant Three Thousand, Five Hundred dollars as damages for the conversion on to wit the 6th day of May, 1958, of the following chattels; to wit Three Thousand and 00/100 dollars wrongfully paid to D. V. Williamson by the Royal Indemnity Company., as damages for the death of Ellen Virginia Horton, the daughter of the Plaintiff; the property of the Plaintiff.

Robert F. McQuilley
Attorney for the Plaintiff

Plaintiff demands a trial by jury.

Robert F. McQuilley
Attorney for the Plaintiff