

REYNOLDS BROTHERS LUMBER COMPANY,)
INC.,)

PLAINTIFF,)

VS.)

ARTEMUS W. MARLOW,)

DEFENDANT.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

C O M P L A I N T

The Plaintiff claims of the defendant the sum of One Thousand Five Hundred and No/100 (\$1,500.00) Dollars as damages, for that heretofore on, to-wit: the 5th day of December, 1959, the defendant, Artemus W. Marlow, so negligently operated a motor vehicle Southwardly on Alabama Highway No. 59, at a point within the corporate limits of Foley, Baldwin County, Alabama, at a point one-half mile South of the intersection of said Alabama Highway No. 59 with U. S. Highway No. 98, so as to cause or allow said vehicle to collide with a motor truck, property of the Plaintiff, at a place where the Plaintiff's motor truck had a lawful right to be, and as a direct and proximate result of the negligence of the defendant, the plaintiff's motor truck was greatly damaged, and rendered inoperable, and Plaintiff lost the use of said motor truck in and about his business, has incurred expenses of repair, and will incur more expense of repair, and said motor truck has been made less valuable, for all of which Plaintiff claims damages, hence this suit.


ATTORNEY FOR PLAINTIFF

The defendant resides at Mounted Route, Northport, Alabama.

FILED

MAR 22 1961

AUGIE L. DICK, CLERK
REGISTER

SUMMONS AND COMPLAINT

Baldwin Times

THE 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 ARTEMUS W. MARLOW

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 ARTEMUS W.
MARLOW _____, Defendant

by REYNOLDS BROTHERS LUMBER COMPANY, INC.

_____, Plaintiff.....

Witness my hand this 22 day of March 1960.....

Deirdre H. H. H. H., Clerk

No. 42-14

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

REYNOLDS BROTHERS LUMBER

COMPANY, INC.

Plaintiffs

vs.

ARTEMUS W. MARLOW

Defendants

SUMMONS and COMPLAINT

FILED

Filed, 19.....

MAR 22 1960

ALICE J. DUCK, CLERK
REGISTER

Clerk

JAMES A. BRICE

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

3-22, 1960

, Sheriff

I have executed this summons

this 3-26, 1960

by leaving a copy with

Artemus W. Marlow

THE SHERIFF CLAIMS 1

MILES @ 10¢ PER MILE

FOR A TOTAL OF 40¢

Nathan Chism Sheriff

F. L. Vaughn Deputy Sheriff

REYNOLDS BROTHERS LUMBER
COMPANY, INC.,

Plaintiff,
VS.

ARTEMUS W. MARLOW,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 4214

DEMURRER TO COMPLAINT

Now comes the defendant and demurs to the complaint and as grounds of such demurrer assigns, separately and severally, the following:

1. It does not state a cause of action.
2. No facts are alleged to show that the defendant was guilty of any wrongful act.
3. No facts are alleged to show that the defendant was guilty of any actionable negligence.
4. No facts are alleged to show that the alleged accident occurred on a public highway.
5. The allegations of the complaint are vague, indefinite and uncertain.
6. The allegations of the complaint are conclusions of the pleader.

J. B. Blackburn
Attorney for defendant

Defendant demands a trial of
said cause by jury.

J. B. Blackburn
Attorney for defendant

FILED
APR 25 1960
ALICE L. DUCK, CLERK
REGISTER

REYNOLDS BROTHERS LUMBER COMPANY,
INC.,

Plaintiff,

VS.

ARTEMUS W. MARLOW,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 4214

FILED

APR 26 1960

ALICE J. DUCK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 4214

AMENDED DEMURRER

Now comes the defendant and amends the demurrer heretofore filed by him in this cause by adding the following grounds:

7. It does not allege how or in what way plaintiff's motor truck was damaged.

8. The allegations of the complaint are vague, indefinite and uncertain and no facts are alleged to show what damages plaintiff sustained in the alleged accident.

9. It does not allege when the plaintiff lost the use of its motor truck.

10. It does not allege for what period of time plaintiff lost the use of its motor truck.

Filed
8-12-60

J. B. Blackburn
Attorney for Defendant

AMENDED DEMURRER

REYNOLDS BROTHERS LUMBER COMPANY,
INC.,

Plaintiff,

VS.

ARTEMUS W. MARLOW,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4214

Filed 8-12-1960

W. M. 1024
Judge

JAMES A. BRICE
ATTORNEY AT LAW
FOLEY, ALABAMA

POST OFFICE BOX 298

WHITEHALL 3-3601

March 21, 1960

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Re: Reynolds Brothers Lumber Company, Inc.
vs: Artemus W. Marlow

Dear Mrs. Duck:

I am enclosing the summons and complaint in the above styled cause.

The defendant resides at Mounted Route, Northport, Tuscaloosa County, Alabama.

Very truly yours,


James A. Brice

JAB/vd

Enclosure