

4741

STATE OF ALABAMA)
 *
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Frederick Dredging Company, Inc., a Corporation, and Roy Dukes, 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 Waldo E. Fike.

WITNESS my hand this 26 day of June, 1961.

Oliver D. Duke
Clerk

Defendant, Frederick Dredging Company, - N.F.
can be served at Bon Secour, Alabama.

Defendant, Roy Dukes, can be served
at Foley, Alabama.

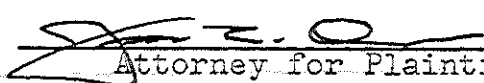
EN-7-8-61

WALDO E. FIKE,)	
)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
VS.)	
)	AT LAW
FREDERICK DREDGING COMPANY, INC.,)	
a Corporation, and ROY DUKES,)	
Defendants.)	

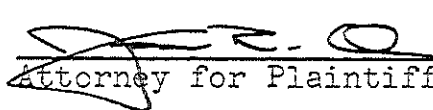
C O M P L A I N T
COUNT ONE

Plaintiff claims of the Defendants the sum of THREE HUNDRED FIFTY DOLLARS (\$350.00) for that heretofore on to-wit, July 22, 1960, an automobile belonging to the Plaintiff was being operated in a Southerly direction along Alabama Highway 59 which is a public road in Baldwin County, Alabama, and at a point approximately 100 feet South of the intersection of Alabama Highway 59 and Michigan Road and while said automobile was being operated at said time and place the Defendant, Roy Dukes, who was then and there an agent, servant or employee of the Defendant, Frederick Dredging

Company, Inc., a Corporation, acting within the line and scope of his authority as such agent, servant or employee so negligently operated a motor vehicle as to cause the automobile of Plaintiff to run into, upon or against the automobile being operated by the said Defendant, Roy Dukes, and as a proximate result of the negligence of the said Roy Dukes at said time and place the automobile of Plaintiff was bent, broken and damaged as follows: The front bumper face bar was broken; the back bumper arms were damaged; the air vent molding, the parking light assembly, the hoop lamp assembly, the right front fender were all broken and damaged; the hub cap was bent and damaged; the right front wheel was bent, all to Plaintiff's damages aforesaid; he lost the use of his said automobile for a long period of time and he was put to great expense in having the said automobile repaired, all to his damages aforesaid, hence this suit.


Attorney for Plaintiff

Plaintiff demands a trial by Jury of said case.


Attorney for Plaintiff

FILED

JUN 26 1961

ALICE J. DUCK, Clerk

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF

Received 27 day of January 1961
and on 8 day of July 1961
I served a copy of the within
on Frederick Dredging Co.
and Roy Dukes 7-8-61
By service on Taylor Wilkins, Sheriff
Charles A. Owens
7-8-61

Returned 12 day of July 1961
Not found in my county after diligent search and in-
quiry. Frederick Dredging Co.
Taylor Wilkins, Sheriff
By Charles A. Owens Deputy Sheriff

COMPLAINT 4741

WALDO E. FIKE,
Plaintiff,
VS.
FREDERICK DREDGING COMPANY, INC.,
a Corporation, and ROY DUKES,
Defendants,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED
JUN 26 1961
ALICE J. DUCK, Clerk

JAMES R. OWEN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

WALDO E. FIKE,

Plaintiff,

vs.

FREDERICK DREDGING COMPANY,
INC., a Corporation, and
ROY DUKES,

Defendants.

IN THE DISTRICT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 4741

Comes the Defendant Roy Dukes and demurs to the complaint filed in said cause and assigns the following separate and several grounds viz:

1. That said complaint does not state a cause of action.
2. That said complaint fails to allege who was driving the automobile owned by the Plaintiff.
3. The allegation in the complaint that "he lost the use of his said automobile" fails to allege whether the Plaintiff or the Defendant lost the use of his automobile.
4. That said complaint does not allege who was put to great expense in having said automobile repaired.


Attorneys for Roy Dukes

WALDO E. FIKE,

Plaintiff,

vs.

FREDERICK DREDGING COMPANY,
INC., A Corporation, Et. Al.

Defendants

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4741

* * * * *

DEMURRER

* * * * *

FILED

JUL 31-1961

ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

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Alice J. Luck
Clerk

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WALDO E. FIKE,

Plaintiff,

VS.

FREDERICK DREDGING COMPANY, INC.,
a Corporation, and ROY DUKES,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

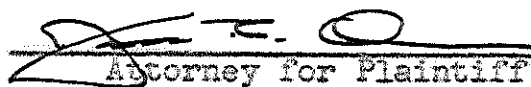
AT LAW

C O M P L A I N T


COUNT ONE

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Attorney for Plaintiff

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Attorney for Plaintiff

FILED
JUN 20 1931
OFFICE OF THE CLERK