

MARGERITE KNOWLTON, a minor,
suing by and through C. H.
Knowlton, her father and
next friend,

Plaintiff,

-VS-

BROOX G. HOLMES, as Executor
of the Estate of Williams C.
Holmes, deceased; HOLMES
MEMORIAL HOSPITAL, a part-
nership proprietorship or
other legal entity and
JANE DOE, whose true name
is unknown to Plaintiff
at this time but who was
the agent, servant or
employee of HOLMES MEMORIAL
HOSPITAL on or about November
7, 1947 engaged in the
performance of nursing duties
and who performed the acts or
omissions of which Plaintiff
complains and who is otherwise
unknown to Plaintiff at this
time and whose correct name
will be added by amendment as
soon as same is ascertained,
jointly and separately,

Defendants.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA

AT LAW

5329

NO. _____

P L E A

Come now the Defendants in the above styled cause
and in answer to Plaintiff's complaint as a whole and to each
and every count thereof separately and severally, files the
following separate and several pleas:

1. Not Guilty.
2. The allegations of the complaint are untrue.

FILED

OCT 16 1962

ALICE I. DUCK, CLERK
REGISTER

ARMBRECHT, JACKSON, McCONNELL
& DeMOUY

By Broox G. Holmes

Service of the foregoing plea accepted on
behalf of the plaintiff on this 16th day of
October, 1962.

Chason & Stone
By John Chason 56

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MARGERITE KNOWLTON, a minor,
suing by and through C. H.
Knowlton, her father and
next friend,

Plaintiff,

vs.

BROOK G. HOLMES, as Executor
of the Estate of Williams C.
Holmes, deceased; HOLMES
MEMORIAL HOSPITAL, a partner-
ship proprietorship or other
legal entity and JANE DOE, whose
true name is unknown to the
Plaintiff at this time but who
was the agent, servant or employee
of HOLMES MEMORIAL HOSPITAL on or
about November 7, 1947, engaged
in the performance of nursing
duties and who performed the acts
or omissions of which Plaintiff
complains and who is otherwise
unknown to Plaintiff at this
time and whose correct name will
be added by amendment as soon
as same is ascertained, jointly
and separately,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW


70,532-9

C O M P L A I N T

Plaintiff claims of the Defendants \$1,400.00 dollars damages for that heretofore, on to-wit: the 7th day of November, 1947, the Defendant Brook G. Holmes' testate either individually or with others as partners doing business as Holmes Memorial Hospital, were engaged in the operation and conduct of a hospital for monetary compensation in Foley, Alabama, for the treatment of patients requiring medical care and treatment. And for a reasonable compensation Defendant Brook G. Holmes' testate either individually or with others as partners doing business as Holmes Memorial Hospital, undertook to furnish Plaintiff with the necessary medical care and treatment involved in her birth and post-natal care. And Plaintiff avers that while she was in said hospital for such care and treatment, the Defendant hospital's and the said William C. Holmes agent, servant or employee, who was then and there in charge and control of Plaintiff, and who was then and there acting within the line and scope of her authority as such agent, servant or employee, so negligently operated, maintained or used an incubator machine or device as to cause or allow the same to inflict serious burns

to the Plaintiff, Plaintiff avers that as a proximate result of said negligence as aforesaid, she has suffered great physical pain and mental anguish; she was caused great trouble, annoyance and inconvenience; she sustained a permanent scar and cosmetic defect to the front of her leg; she lost the large toe off of both feet; she suffered permanent disability; she was rendered less able to work and to enjoy life and she was made sick, sore and lame and was otherwise injured, all as a proximate result of the said negligence of the agent, servant or employee of said hospital and of the Defendant Broox G. Holmes' testate while acting within the line and scope of her authority as such agent, servant or employee. Hence this suit.

CHASON & STONE

By: 
Attorneys for Plaintiff

FILED
OCT. 16 1962
ALICE L. DUCK, CLERK
REGISTER