

GEORGE LEE JACKSON,

Plaintiff,

vs.

FAIRHOPE ICE AND CREAMERY
COMPANY, A CORPORATION,
and WILLIAM THOMAS NATION,
JR.,

Defendants.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

4933

Comes the Defendant Fairhope Ice and Creamery Company, a Corporation, 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 is vague and indefinite.
3. That said complaint does not state that the Defendant negligently injured the Plaintiff.
4. That said complaint affirmatively shows that the damages were caused by the negligence of the Plaintiff.
5. That said complaint does not allege any duty owing by the Defendant to the Plaintiff.

FILED

FEB 22 1932

ALICE I. DUCK, CLERK
REGISTER

Wasson & Jones
Attorneys for Defendant

4953

GEORGE LEE JACKSON,

Plaintiff,

vs.

FAIRHOPE ICE AND CREAMERY
COMPANY, A CORPORATION and
WILLIAM THOMAS NATION, JR.,

Defendants

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

DEMURRER

* * * * *

FILED

FEB 22 1962

ALICE L. DUCK, CLERK
REGISTER

State of Alabama
County of Baldwin

To any Sheriff of the State of Alabama:

You are hereby commanded to summon Fairhope Ice and Creamery Company, a Corporation ~~xxxxxxx~~ and William Thomas Nation, Jr., to appear and plead, answer or demur within thirty days to the Bill of Complaint filed in the Circuit Court of said County by George Lee Jackson as Plaintiff and against Fairhope Ice and Creamery Company, a Corporation and William Thomas Nation, Jr. as Defendants.

Witness my hand, this 25 day of Nov-, 1961.

Alice J. Duck
Clerk

George Lee Jackson
Plaintiff

Vs

Fairhope Ice and Creamery
Company, a Corporation, and
William Thomas Nation, Jr.
Defendants

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

The Plaintiff claims of the Defendants Fifty Thousand dollars as damages, for that on to wit June 24, 1961, while he was traveling North in his automobile at about 35 miles per hour, on Highway 31, a public highway in Baldwin County, Alabama, on Dyas creek hill near Dyas, Alabama, about 6:30 P. M. a truck owned by Fairhope Ice and Creamery Co. Inc., and operated by William Thomas Nation, Jr., an agent, servant or employee of the Defendant, Fairhope Ice and Creamery Co. Inc., while acting in the line and scope of his employment with the Defendant, Fairhope Ice and Creamery Co. Inc., did attempt to make a right turn and almost stopped in front of the Plaintiff without giving any kind of signal. This caused the Plaintiff to run his automobile, a 1952 Chevrolet 2 door sedan into, upon or against the truck, a 1953 Ford truck, van type, Registration no. 61-5M2-1082-Alabama, practically demolishing the front end of his, the Plaintiff's said automobile, badly cutting the Plaintiff's head, breaking several ribs of the Plaintiff and causing other internal injuries, the extent of which cannot be ascertained at this time. This caused the Plaintiff to become unconscious, in which state he remained for a long period of time, causing him to have to expend a great deal of money for Doctor's bills and lose eight weeks from work, the proximate cause of which being the failure of the Defendant, Fairhope Ice and Creamery Co. Inc., to provide a workable turn signal on said truck and the failure of the Defendant, William Thomas Nation, Jr., to give any hand or other signal that he was going to turn off the highway, all to the damage of the Plaintiff as aforesaid.

Robert F. McQuiley
Attorney for the Plaintiff

Plaintiff demands a trial by jury.

Robert F. McQuiley
Attorney for the Plaintiff

State of Alabama
County of Baldwin

To any Sheriff of the State of Alabama:

You are hereby commanded to summon Fairhope Ice and Creamery Company, a Corporation ~~xxxxxxx~~ and William Thomas Nation, Jr., to appear and plead, answer or demur within thirty days to the Bill of Complaint filed in the Circuit Court of said County by George Lee Jackson as Plaintiff and against Fairhope Ice and Creamery Company, a Corporation and William Thomas Nation, Jr. as Defendants.

Witness my hand, this 25 day of Nov, 1961.

Alice J. Duck
Clerk

George Lee Jackson

Plaintiff

Vs

Fairhope Ice and Creamery
Company, a Corporation ~~and~~
William Thomas Nation, Jr.
Defendants

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

The Plaintiff claims of the Defendants Fifty Thousand dollars as damages, for that on to wit June 24, 1961, while he was traveling North in his automobile at about 35 miles per hour, on Highway 31, a public highway in Baldwin County, Alabama, on Dyas creek hill near Dyas, Alabama, about 6:30 P. M. a truck owned by Fairhope Ice and Creamery Co. Inc., and operated by William Thomas Nation, Jr., an agent, servant or employee of the Defendant, Fairhope Ice and Creamery Co. Inc., while acting in the line and scope of his employment with the Defendant, Fairhope Ice and Creamery Co. Inc., did attempt to make a right turn and almost stopped in front of the Plaintiff without giving any kind of signal. This caused the Plaintiff to run his automobile, a 1952 Chevrolet 2 door sedan into, upon or against the truck, a 1953 Ford truck, van type, Registration no. 61-5H2-1082-Alabama, practically demolishing the front end of his, the Plaintiff's said automobile, badly cutting the Plaintiff's head, breaking several ribs of the Plaintiff and causing other internal injuries, the extent of which cannot be ascertained at this time. This caused the Plaintiff to become unconscious, in which state he remained for a long period of time, causing him to have to expend a great deal of money for Doctor's bills and lose eight weeks from work, the proximate cause of which being the failure of the Defendant, Fairhope Ice and Creamery Co. Inc., to provide a workable turn signal on said truck and the failure of the Defendant, William Thomas Nation, Jr., to give any hand or other signal that he was going to turn off the highway, all to the damage of the Plaintiff as aforesaid.

Robert F. McQuilley
Attorney for the Plaintiff

Plaintiff demands a trial by jury.

Robert F. McQuilley
Attorney for the Plaintiff

FILED

NOV 25 1961

ALICE J. DUCK, CLERK
REGISTER

Sheriff claims 40 miles at
Ten Cents per mile Total \$ 2.00
TAYLOR WILKINS, Sheriff
BY W. O. Garner
DEPUTY SHERIFF

Received 29 day of Jan 1962
and on 6 day of Feb 1962
I served a copy of the within S + C
Fairhope Ice + Creamery
Co.
By service on Morris Burslin
Manager Fairhope Creamery
TAYLOR WILKINS, Sheriff
By W. O. Garner D. S.
Fairhope

4953

George Lee Jackson
Plaintiff

Vs

Fairhope Ice and Creamery
Company, a Corporation and
William Thomas Nation, Jr.
Defendants

Summons and Complaint

FILED

NOV 25 1961

ALICE J. DUCK, CLERK
REGISTER

4953

George Lee Jackson
Returned *to day of* *1962*

Not found in my county after diligent search and in-
quiry. *as to Wm Thomas Nation, Jr.*

Taylor Wilkins, Sheriff

By *W. O. Barnes*
Deputy Sheriff

William Thomas Nation

[Large circular stamp with illegible text and signatures]

Out of business
Not found in my county after diligent search and in-
quiry.
Returned to day of *1962*