

VONCEIL KRYDER,

Plaintiff,

vs.

EMMA COOK,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6146

DEMURRER

Comes now the Defendant in the above styled cause, by her attorneys, and demurs to the complaint heretofore filed against her and assigns the following separate and several grounds in support thereof:

1. The complaint fails to state a cause of action.
2. The complaint fails to allege a duty owing from the Defendant to the Plaintiff and a breach of such duty proximately resulting in the injuries and damages complained of.
3. The complaint fails to allege that the injuries and damages therein set forth were the proximate consequence or result of any negligence on the part of the Defendant.
4. The complaint fails to allege in what manner or to what extent the automobile allegedly owned by her was damaged.

Respectfully submitted,

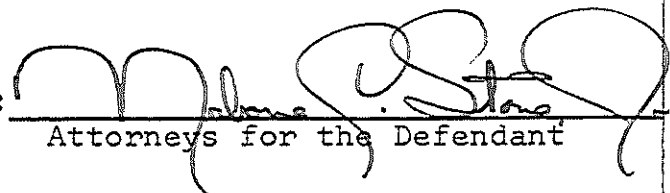
CHASON, STONE & CHASON

FILED

OCT 27 1934

Alice J. Duck, CLERK
REGISTER

By:


Attorneys for the Defendant

VONCEIL KRYDER

VS

EMMA COOK

PLAINTIFF

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

MO. 6146

C O M P L A I N T

1.

The Plaintiff claims of the Defendant the sum of Ten Thousand and NO/100 (\$10,000.00) Dollars, as damages, for that heretofore on, to-wit: the 28th day of October, 1963, the Plaintiff was operating her automobile, Northwardly on a public street in Foley, Baldwin County, Alabama, viz: Alston Street at the point of its intersection with Orchid Avenue, where she had a lawful right to be, and the Defendant, Emma Cook, so negligently operated a motor vehicle then and there as to cause said motor vehicle she was operating to run upon and against the automobile the Plaintiff was then and there operating; and Plaintiff avers that as a proximate consequence thereof, the Plaintiff was seriously, and permanently injured, was made sick and sore, was caused to suffer great physical pain and anguish; the plaintiff received broken ribs, a dislocated and broken shoulder, and received abrasions in and about her entire body. The Plaintiff has suffered and will continue to suffer permanent disability due to the aforesaid injuries sustained in this accident, and the Plaintiff was caused to incur expenses of doctors, nurses, X-rays, ambulances, hospital's and medical drugs in and about her said injuries as aforesaid, and will likely occur additional medical expenses of like nature in the future; and in addition the Plaintiff's automobile was greatly damaged and rendered useless as proximate consequence of the aforesaid negligence of the Defendant; for all of which she claims the damages as aforesaid.


Lawyer for Plaintiff, Foley, Alabama

DEMAND FOR TRIAL BY JURY:

Plaintiff demands trial by Jury


Lawyer for Plaintiff

FILED

AUG. 12, 64

ALICE I. DUCK, CLERK
REGISTER

804

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No.....

..FALL.....TERM, 19..64

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon EMMA COOK

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.....

.....EMMA COOK....., Defendant.....

by VONCEIL KRYDER

....., Plaintiff.....

Witness my hand this.....12.....day of AUGUST 19..64

E-10-21-64

Wingfench Clerk

No. 6146 Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

VONCELL KRYDER

Plaintiffs

vs.

EMMA COOK

Defendants

SUMMONS AND COMPLAINT

Filed **FILED** 19.....

AUG 12 1964

Clerk

ALICE I. DICK, CLERK
REGISTER

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

JIM BRICE

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

LOXLEY, ALABAMA

Received In Office

Aug. 12 1964

Taylor Wilkins Sheriff

I have executed this summons

this 21st day of Oct 1964

by leaving a copy with

Emma Cook

Not found 9-3-64

Returned 4th day of Sept 1964
Not found in my county after diligent search and inquiry.

Taylor Wilkins, Sheriff

By

Deputy Sheriff

Taylor Wilkins Sheriff

Carl O. Brown Deputy Sheriff

Dick

NOTE-D-GRAM

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JAMES A. BRICE

ATTORNEY AT LAW

BOX 298 • FOLEY, ALABAMA • WH 3-3601

MESSAGE

REPLY

100-6146

TO Mrs. Alice Duck
Circuit Clerk
Bay Minette, Alabama

DATE

DATE August 10, 1964

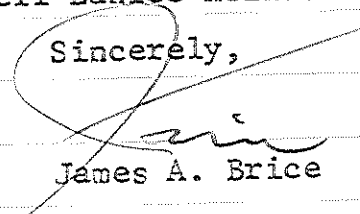
Dear Mrs. Duck:

I am enclosing Summons and
Complaint, Kryder VS Cook. Emma
Cook may be served at Loxley, Ala.

Thank you for your usual
efficient service.

Tell Eunice hello.

Sincerely,


James A. Brice

JAB/sjp

INSTRUCTIONS TO SENDER:

SIGNED

INSTRUCTIONS TO RECEIVER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

1. WRITE REPLY. 2. DETACH STUB. KEEP PINK COPY, RETURN WHITE COPY TO SENDER.