HOME GARDENS LAND COMPANY, a Corporation,

Plaintiff,

-VS-

WALKER D. HINES, DIRECTOR GENERAL OF RAILROADS, operating the LOUISVILLE & NASHVILLE RAILROAD,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALA.

The plaintiff claims of the defendant the sum of One Hundred Fifty (\$150.00) Dollars, as damages, for that on or about the 17th day of December, 1918, the defendant was operating a line of trains, propelled by means of steam, through Baldwin County, Alabama; and that on or about the above said date, the defendant, who was then and there operating said line of railroad trains by and through its agents or employees, so negligently operated one of its said trains that it ran upon and against one of plaintiff's mules at or near Mile Post No. 636 and at or near a crossing at Dyas, in Baldwin County, Alabama, and as a proximate result of said negligence, said train killed the said mule, all to the damage of the plaintiff in the above said amount; hence, this suit.

Plaintiff demands a trial by Jury.

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Home Gardens J	and Company,
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SUMMONS AND COMPLAINT

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Times Print, Bay Minette.

State of Alabama,	Received in office
BALDWIN COUNTY.	April 7th, 191 9
Circuit Court	I have executed this Writ
Home Gardens Land Company,	this 1919 by leaving a copy of the within summons and com-
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vs. Plaintiffs -QWalker D Hines, Director	agent for Malker
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Plaintiff's Attorney	assecheron Sheriff

Deputy Sheriff.

Home Gardens Land Company, A Corporation.

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Louisville & Washvile Railroad Company .

In Circuit Court of Baldwin County, Alabama.

Comes the defendant and demurs to each count of the complaint separately upon each of the following grounds:

- 1. The allegations are too wague, indefinite, and uncertain to sufficiently advise the defendant of the cause of action against which it is called upon to defend.
- 2. The general allegation that a certain mule or animal was killed because of the negligence, or want of skill on the part of the defendant. against in the management and running of its train or trains is not a sufficient statement of a cause of action against the defendant.

T. M. Strang + 8 Granding Attys for the Defendant.

Defend at decrease trial by juny.