

W. E. Bryant

vs

Walker D. Hines, Director General of
Louisville & Nashville Railroad Company.

In Circuit Court of Baldwin

County, Alabama.

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

1. The allegations are too vague, indefinite and uncertain to sufficiently advise the defendant of the cause of action against which it is called upon to defend.
2. The general statement or allegation that certain cows or animals were killed because of the negligence or want of skill on the part of the defendants agents in the management and running of its locomotive, cars or train is not a sufficient statement of a cause of action against the defendant.
3. The general statement or allegation that certain cows were killed on or about a certain date in the year 1918, does not show the time when the alleged injury occurred in the meaning of the statute providing injury to live stock killed by locomotives or cars of railroads and damages therefor.

T. M. Stevens & O. Jenkins

Defendant demands a trial by Jury. Attorneys for the defendant.

W. E. Bryant / Plaintiff

vs.

Walker D. Hines Director General
of R. R. and of the Louisville
& Nashville Railroad Company,
Defendant.

Demurrers:

Filed July 5th, 1919

J. W. Robinson

Clerk of Circuit Court.

1
I charge you, Gentlemen,
that you believe the
evidence in this case and
award judgment for the
plaintiff.

Reverend
Gamble
Judge

4
Reverend Gamble Judge
The Court charges the that the injury to the
animals by the defendant is an essential
part of the plaintiff's case, And unless
the proof shows to the reasonable satisfaction
of the jury from all the evidence that
the railroad company injured the
animals sued for in this complaint
then it cannot be said that the evidence
~~makes out a prima facie case~~
makes out a prima facie case of
negligence under the statute sections 64-76
of the Code and the plaintiff cannot recover
any damages at all in this case

6

Court charges the jury unless they

If they believe the evidence
in this case, they can find
they must find that
Verdict in favor of the
defendant as to the 2nd cross
and for in part Court of
the complaint, the fact showing
that one of some village
cons 2nd a bull and not
a cow

Approved
Gambler
Juda

5

Court charges the jury unless

they believe from the evidence

that the animals sued for

were killed within twelve

months from the time this suit

was filed in court June 26, 1919

and they must support a verdict

for defendant

Approved
Gambler
Juda