

BETSY OSBORNE,

Plaintiff,

vs.

MAX M. FOREMAN,

Defendant.

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 7644

DEMURRER:

Comes the Defendant in the above styled cause 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. The allegation that the Plaintiff was driving an automobile along or upon a public street is not a sufficient allegation that such automobile was upon such street.
3. That the place where the accident occurred is not sufficiently set out.
4. That the Complaint attempts to allege the quo modo of the Defendant's negligence without setting out facts sufficient to constitute negligence under the laws of the State of Alabama.
5. That said Complaint does not allege any duty owing by the Defendant to the Plaintiff.
6. The allegation that the Plaintiff pulled the car that she was driving over and parked in front of a residence is vague and indefinite and does not allege that she turned off of the street.
7. For aught that appears from the Complaint, the Plaintiff parked the vehicle which she was driving on a public street.
8. Such Complaint fails to allege that the Plaintiff gave any signal that she was about to park such automobile.

Defendant demands a trial

of this cause by a jury.

Chas. Stone & Chas.
Attorneys for Defendant

Chas. Stone & Chas.
Attorneys for Defendant

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FILED

AUG 25 1967

ALICE J. DICK CLERK
REGISTER

Long

DEMURRER:

BETSY OSBORNE,

Plaintiff,

vs.

MAX M. FOREMAN,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 7644

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Max M. Foreman, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the Complaint of Betsy Osborne.

Witness my hand, this the 26th day of July, 1967.

Alice J. Clark
Clerk,

BETSY OSBORNE,

Plaintiff,

vs.

MAX M. FOREMAN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO.

1.

The Plaintiff claims of the Defendant, the sum of FIVE THOUSAND DOLLARS (\$5,000.00) as damages for that on, to-wit: the 4th day of May, 1967, in the City of Foley and County of Baldwin, Alabama, the Plaintiff was driving an automobile along or upon a public street known as Cedar Street, when she pulled the car over and parked in front of the resident of Chester Avery to discharge a passenger, and then and there the Defendant so negligently operated another motor vehicle that he ran into, upon and against the rear of the car being driven by the Plaintiff, and thereby as the proximate result and consequence thereof the Plaintiff received personal injuries in that she was bruised about her body and her nervous system was seriously shocked, and she was caused to expend

money for doctors and medicine for all of which she claims
damages as aforesaid.

WILTERS & BRANTLEY

BY:

[Signature]
Attorney for Plaintiff

Defendant's address is:

Perfection Road
Foley, Alabama

FILED

JUL 26 1967

ALICE J. DUCK

CLERK
REGISTER

26 July 1967
served a copy of the within 84C
Max M. Foreman
y service on Max M. Foreman

TAYLOR WILKINS, Sheriff
By Jm Eastman
Tolay, Ala.

Sheriff claims 72 miles at
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY Jm Eastman
DEPUTY SHERIFF

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 2644

BETSY OSBORNE,

Plaintiff,

vs.

MAX M. FOREMAN,

Defendant.

SUMMONS AND COMPLAINT

WILTERS & BRANTLEY
Attorneys at Law
Bay Minette, Alabama
Attorneys for the Plaintiff

ALICE J. DICK
CLERK
REGISTER

JUL 26 1967

FILED