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You are hereby commanded to summon Pure Ice and Cold Storage Company, a Corporation, to appear within thirty days from the service of this writ, in the Circuit Court of Baldwin County, Alabama, to be held for said County at the place of holding same, then and there to answer the complaint of Thomas E. Mitchell.

R. S. Duck

(continued)

[illegible]

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER _____.

Defendant.

1. Plaintiff claims of the Defendant Five Hundred Dollars damages for that on to-wit, November 14, 1937, the Plaintiff was driving along the public street in Bay Minette, Baldwin County, Alabama, known as Hand Avenue just north of its intersection with the public highway or street known as Railroad Street, in his Chevrolet automobile, and then and there the agent, servant and employee of the Defendant, while acting within the line and scope of his employment, negligently drove an automobile truck of the Defendant into or against the Chevrolet automobile of the Plaintiff and by reason thereof and as a proximate result and consequence thereof, Plaintiff's said Chevrolet automobile was badly bent, broken and damaged, the body, one running board, one fender, hood and frame were all bent and damaged, for all of which Plaintiff claims damages as aforesaid, hence this suit.

J. B. Blackburn
Attorney for Plaintiff.

Plaintiff demands a trial of said
cause by jury.

J. B. Blackburn
Attorney for Plaintiff.

8-259

Handwritten: 1000

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D.

FRED H. McDUFF, Sheriff,

25

Wm Adams D.S.

James Lee & Sons
NOT FOUND in Jefferson County

the day of 11/11/1918

THOMAS, MODERN, SHEPHERD,
JOURNAL CO., AKA

NY 100-10442-1000

E-S Modeling Project

Excluded this the 14 day of July 1938

June 26 + cold

Harvard Company
me!

By leaving a copy of within with

W. V. Alton

10 Greenburg Co.,
of said company.

[illegible]

Heckman Co. Inc.

2170 Audubon, N.S.

Filed on this the 30th day of May,
1938.

W. S. O'Connell

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

ALL LAW, NUMBER

J. B. BLACKBURN

ATTORNEY AT LAW

BAY MINETTE, ALABAMA

5

NOT FOUND in Jefferson County this

the 31 day of May 1938
FRED H. McDUFFY, Sheriff,
Jefferson Co., Ala.

W. J. Adams D.S.

Pure Ice & Cold Storage Co.
NOT FOUND in Jefferson County this

the 14 day of July 1938
FRED H. McDUFFY, Sheriff,
Jefferson Co., Ala.

By K. H. Lee D.S.

C. S. Doster, President

Exhibited this the 14 day of July 1938
on Pure Ice & Cold Storage Company Inc.

by leaving a copy of within with

C. S. Doster,
% Greensburg Co.,
of said company.

FRED H. McDUFFY, Sheriff,
Jefferson Co., Ala.

W. J. Adams D.S.

Summons filed 5-23-38

SUMMONS AND COMPLAINT.

THOMAS E. MITCHELL,

Plaintiff,

VS.

PURE ICE AND COLD STORAGE COMPANY,
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER ____.

Filed on this the 30th day of May,
1938.

W. S. Dwyer Clerk

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

W. S. Dwyer

No. _____

THOMAS E. MITCHELL,
Plaintiff.

VS.

PURE ICE AND COLD STORAGE COMPANY,
a Corporation.

Defendant.

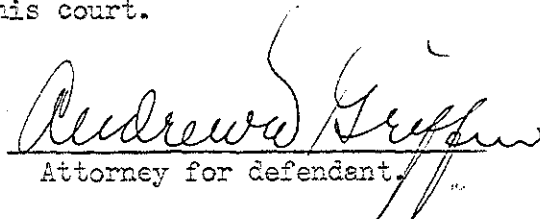
IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA.

AT LAW.

Comes the defendant in the above styled cause and demurs to the complaint and as ground for demurrer sets down and assigns the following grounds, separately and severally:

1. The complaint does not state a cause of action.
2. The complaint is not in code form.
3. The complaint is not based on allegation of fact but said allegations are mere conclusions of the pleader.
4. For that the alleged injury to the plaintiff was not the proximate result of the defendant's negligence.
5. The complaint does not allege that the plaintiff's alleged injury was a proximate result of the defendant's negligence.
6. The complaint does not allege damages in sufficient amount to confer jurisdiction on this court.


Attorney for defendant.

RECORDED *8-26-26*

NO. 452

Thomas F. Mitchell,

Plaintiff,

vs.

Pure Ice and Cold Storage Co,
a corporation.

Defendant.

Defendant's demurrer.

Amprew W. Griffin,
925 First National Bank Bldg.,
Birmingham, Ala.

Due Aug 12 1938
DeShel
clerk