

947

ANNE H. RICKARBY

PLAINTIFF

VS.

FRED J. NEWMAN, JR., doing  
business as an Ambulance  
Service Company.

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

Comes the Defendant and for answer to the Complaint  
in this cause, and to each and every count thereof, separately and  
severally, pleads in short by consent the general issue, with leave  
to give in evidence any matter which if well pleaded, would be  
admissible in defense of the action, to have effect as if so pleaded;  
and with leave to the Plaintiff to give in evidence any matter,  
which if well pleaded, would be admissible in reply to such defensive  
matter, to have effect as if so pleaded.

ARMBRECHT, INGE, TWITTY AND JACKSON.

Idybert Sherson  
Attorneys for Defendant.

PLEA

ANNE H. RICKARBY

PLAINTIFF

VS.

FRED J. NEWMAN, JR., Doing  
business as an Ambulance  
Company.

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

Filed October 1, 1946.

R. S. Duck  
CLERK

By A. J. W.

ANNE H. RICKARBY

Plaintiff,

VS.

FRED J. NEWMAN, JR., doing  
business as an Ambulance  
Service Company.

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

Comes the Defendant in the above styled cause and demurs to the Complaint filed in said cause and each and every Count thereof, separately and severally, and assigns the following separate and several grounds, viz:-

1.

That said Complaint does not state a cause of action.

2.

That said Complaint does not state that the Plaintiff was the owner of the automobile which it is alleged was damaged by the negligence of the Defendant.

3.

That the Complaint affirmatively shows that the damages of the Plaintiff were the proximate result of the negligence of the Plaintiff.

*Quibb, King & Jackson*  
*Debart & Rouse*  
Attorneys for Defendant.

947  
DEMURRER

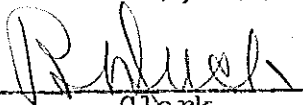
ANNE H. RICKARBY,  
Plaintiff,  
VS.

FRED J. NEWMAN, JR., doing  
business as Ambulance Service  
Company,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

FILED: March 19, 1946

  
Clerk.

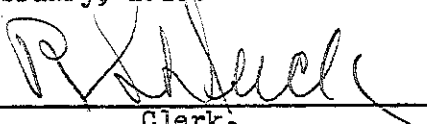
LAW OFFICES  
HYBART & CHASON  
Bay Minette, Alabama

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby COMMANDED to summons FRED J. NEWMAN, JR., doing business as Ambulance Service Company, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at place of holding the same, then and ther to answer the complaint of ANNE H. RICKARBY.

WITNESS my hand this the 8th day of February, 1946.

  
Clerk.

-----  
ANNE H. RICKARBY

PLAINTIFF

VS.

FRED J. NEWMAN, JR., doing  
business as an Ambulance  
Service Company.

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

ONE

The Plaintiff claims of the Defendant One Thousand (\$1000.00) dollars, as damages, for that, heretofore on to wit, August 30th, 1945, the Defendant acting by and through his agent, Servant or Employee, who was then and there acting within the line and scope of his employment, so negligently operated an automobile ambulance along the Daphne-Fairhope highway, a public highway in Baldwin County, Alabama, at a point approximately two miles north of Fairhope, as to cause it to run into or against an automobile <sup>belonging to</sup> the Plaintiff, which was then and there being operated along said highway, and as a proximate result of said negligence the Plaintiffs' said automobile was damaged as follows: the body was bent; the front axle was bent; the hood was bent; the radiator was bent and broken; and the car was otherwise damaged, the Plaintiff alleges that her said damages were the proximate result of the negligence of the Plaintiff, acting by and through his Agent, Servant or Employee who was then and there acting within the line and scope of his Employment in so negligently operated said automobile ambulance as to cause it to run into or against the said automobile of the Plaintiff.

TWO

The Plaintiff claims of the defendant One Thousand (\$1000.00) dollars,

as damages, for that, heretofore on to-wit, August 30th, 1945, the Defendant acting by and through his agent, Servant or Employee, who was then and there acting within the line and scope of his employment, so negligently operated an automobile ambulance along the Daphne-Fairhope highway, a public highway in Baldwin County, Alabama, at a point approximately two miles north of Fairhope, as to cause it to collide with an automobile of the Plaintiff, which was then and there being operated along said highway, and as a proximate result of said negligence the Plaintiffs' said automobile was damaged as follows:  
the body was bent; the front axle was bent; the hood was bent; the radiator was bent and broken; and the car was otherwise damaged, the Plaintiff alleges that her said damages were the proximate result of the negligence of the Plaintiff, acting by and through his Agent, Servant or Employee who was then and there acting within the line and scope of his Employment in so negligently operated said automobile ambulance as to cause it to collide with the said automobile of the Plaintiff.

BEEBE & HALL

By: *Thos. L. Loe*  
Attorneys for Plaintiff.

Plaintiff demands a trial by jury.

BEEBE & HALL

By: *Thos. L. Loe*  
Attorneys for Plaintiff.

ANNE H. RICKARBY

PLANTIFF

VS

FRED J. NEWMAN, JR., doing  
business as Ambulance Service  
Company

DEFENDANT

# SUMMONS AND COMPLAINT

Filed February 8 1946  
 District  
 Court

**BEEBE & HALL**  
LAWYERS  
BAY MINETTE, ALABAMA

1896  
 1897  
 1898  
 1899  
 1900  
 1901  
 1902  
 1903  
 1904  
 1905  
 1906  
 1907  
 1908  
 1909  
 1910  
 1911  
 1912  
 1913  
 1914  
 1915  
 1916  
 1917  
 1918  
 1919  
 1920  
 1921  
 1922  
 1923  
 1924  
 1925  
 1926  
 1927  
 1928  
 1929  
 1930  
 1931  
 1932  
 1933  
 1934  
 1935  
 1936  
 1937  
 1938  
 1939  
 1940  
 1941  
 1942  
 1943  
 1944  
 1945  
 1946  
 1947  
 1948  
 1949  
 1950  
 1951  
 1952  
 1953  
 1954  
 1955  
 1956  
 1957  
 1958  
 1959  
 1960  
 1961  
 1962  
 1963  
 1964  
 1965  
 1966  
 1967  
 1968  
 1969  
 1970  
 1971  
 1972  
 1973  
 1974  
 1975  
 1976  
 1977  
 1978  
 1979  
 1980  
 1981  
 1982  
 1983  
 1984  
 1985  
 1986  
 1987  
 1988  
 1989  
 1990  
 1991  
 1992  
 1993  
 1994  
 1995  
 1996  
 1997  
 1998  
 1999  
 2000

ANNE U. RICKARBY

PLAINTIFF

VS.

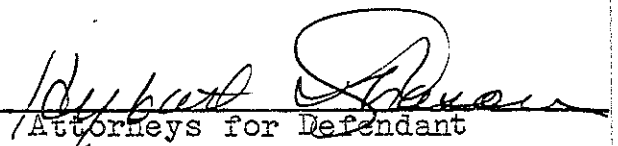
FRED J. NEWMAN, JR., doing  
business as an Ambulance  
Service Company

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.

Comes the Defendant and for answer to the Complaint in this cause, and to each and every count thereof, separately and severally, pleads in short by consent the general issue, with leave to give in evidence any matter which if well pleaded, would be admissible in defense of the action, to have effect as if so pleaded; and with leave to the Plaintiff to give in evidence any matter, which if well pleaded, would be admissible in reply to such defensive matter, to have effect as if so pleaded.

ARMBRECHT, INGE, TWITTY AND JACKSON.

  
Attorneys for Defendant



PLEA

ANNE U. RICKARBY

PLAINTIFF

VS.

FRED J. NEWMAN, JR., doing  
business as an Ambulance  
Service Company

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW.

Filed October 1, 1946.

R. S. Luck  
CLERK

By A. J. W.

1384  
CD

Received in office this \_\_\_\_\_ day of

194

SHERIFF

I have executed this writ

by leaving a copy at the  
residence of W. B. Branch  
this 30<sup>th</sup> day of October,  
1946.

W. W. Holcomb

SHERIFF

L. M. Bernstein, D. S.

1384  
CD

ORIGINAL

No. 947

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Anne. G. Rickard

Plaintiff

VS.

Fred. J. Newman

Defendant

CIVIL SUBPOENA

Issued this

24<sup>th</sup>

day of

Oct

194

R. S. Welch

Clerk.

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred. Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA  
BALDWIN COUNTY

} Case No. 947

CIRCUIT COURT  
Nov Term, 1946

To any Sheriff of the State of Alabama, GREETING:

947

You are hereby commanded to summon N. B. Branch (457 St Francis St)  
Mobile, Ala

if to be found in your County, at the instance of the \_\_\_\_\_

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8:30 o'clock of the forenoon, on the 6th day of Nov, 1946

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein Anne Y. Parkashy Plaintiff

and Fred J. Newman Jr Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 24th day of Oct, 1946

R. S. Newman Clerk