

948

MRS. POPE GREGORY

PLAINTIFF

VS.

FRED J. NEWMAN, JR., doing  
business as 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.

*Hybert & Jackson*  
Attorneys for Defendant.

PLEA

MRS. POPE GREGORY

PLAINTIFF

VS,

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

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

Filed October 1, 1946

A. S. Luck  
CLERK

Alice J. Luck  
D.C.

MRS. POPE GREGORY

Plaintiff,

VS.

FRED J. NEWMAN, JR., doing  
business as 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 affirmatively shows that the alleged injuries were the proximate result of the negligence of the Plaintiff.

3.

That said Complaint fails to state that the Defendant was the owner of the automobile Ambulance in which the Plaintiff alleges that she was a passenger for hire or that she hired the Defendant to carry her to her home at Fairhope.

*W. B. C. & J. S. C.*

*Robert S. C.*  
Attorneys for Defendant.

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DEMURRER

MRS. POPE GREGORY,  
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 Company at the place of holding the same, then and there to answer the complaint of MRS. POPE GREGORY.

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

R. L. Luedtke  
Clerk.

MRS. POPE GREGORY

PLAINTIFF

VS

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

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

ONE

The Plaintiff claims of the Defendant Two thousand five hundred (\$2500.00) dollars, as damages, for that, heretofore on to wit, August 30th, 1945, the Plaintiff was a passenger for hire in an automobile ambulance, from the Providence Infirmary Mobile, Alabama, to her home at Fairhope, in Baldwin County, Alabama; that on said date 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 said ambulance, along the Daphne-Fairhope, highway, a public road in Baldwin County, Alabama, at a point approximately two miles north of Fairhope, in Baldwin County, Alabama, as to cause it to run into or against an automobile, which was then and there on said highway, and as a proximate result of said negligence, the Plaintiff was thrown to the floor of said ambulance; she suffered multiple and severe contusions to the body, especially the right hip, left shoulder and back; she suffered physical and mental shock; she suffered mental anguish; she was caused to incur Hospital, Doctor and medical bills, she suffered a loss of time; she was permanently injured.

The Plaintiff alleges that her said injuries and 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 operating said automobile ambulance, at said time and place as to cause it to run into or against the said automobile.

TWO.

The Plaintiff claims of the Defendant Two thousand five hundred (\$2500.00) dollars, as damages, for that, heretofore on to wit, August 30th, 1945, the Plaintiff was a passenger for hire in an automobile ambulance, from the Providence Infirmary Mobile, Alabama, to her home at Fairhope, in Baldwin County, Alabama; that on said date 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 said ambulance, along the Daphne-Fairhope, highway, a public road in Baldwin County, Alabama, at a point approximately two miles north of Fairhope, in Baldwin County, Alabama, as to cause it to collide with an automobile, which was then and there on said highway, and as a proximate result of said negligence, the Plaintiff was thrown to the floor of said ambulance; she suffered multiple and severe contusions to the body, especially the right hip, left shoulder and back; she suffered physical and mental shock; she suffered mental anguish; she was caused to incur Hospital, Doctor and medical bills, she suffered a loss of time; she was permanently injured.

The Plaintiff alleges that her said injuries and damages were the proximate result of the negligence of the <sup>by said</sup> 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 operating said automobile ambulance, at said time and place as to cause it to collide with the said automobile.

BEEBE & HALL

By: *[Signature]*  
Attorney for Plaintiff

Plaintiff demands a trial by Jury;

BEEBE & HALL

By: *[Signature]*  
Attorneys for Plaintiff.

1878  
ed.

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MRS. POPE GREGORY

PLAINTIFF

VS

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

DEFENDANT

SUMMONS AND COMPLAINT

Filed February 8 1946  
Reuben  
Chick

BEEBE & HALL  
LAWYERS  
BAY MINETTE, ALABAMA

2-11

Received 11<sup>th</sup> Day of February 1946  
and on 13<sup>th</sup> Day of February 1946  
I served a copy of the within summons and complaint  
on Fred J. Newman, Jr.

BY SERVICE ON  
W. B. BULLOCK, Sheriff  
M. Bernstein

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