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MARGARET KROZER,

Plaintiff,

-vs-

T. M. MOSS and ALMA LOUISE
MOSS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Now comes the defendant, Alma Louise Moss, and for an-
swer to the plaintiff's complaint and each count thereof separately
and severally says:-

I. That she is not guilty.


Attorney for Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

VS-

T. M. MOSS,

ANSWER

MARGARET KROZER,

Plaintiff,

and ALMA LOUISE

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED

NOV 13 1943

WILLIAM J. DUCK, Clerk

APPROVED FOR DEFENDANT

MARGARET KROZER,

Plaintiff,

-vs-

T. M. MOSS and ALMA LOUISE
MOSS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Now comes the defendant, T. M. Moss, and for answer to
the plaintiff's complaint and each count thereof separately and
severally says:-

I. That he is not guilty.

Attorney for Defendant

MARGARET KROZER,

BY

ESTUOL ALMA HAS BEEN IN T. M. MOSS,

PLAINTIFF,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

VS

MARGARET KROZER,
Plaintiff,
-vs-
T. M. MOSS and ALMA LOUISE
MOSS,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED

NOV 15 1949

ALICE DUCK, Clerk

Approved for Defendants
[Signature]

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon T. M. MOSS and ALMA LOUISE MOSS, 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 Margaret Krozer.

WITNESS my hand this 22th day of June, 1949.

Alvin F. Leuck
Clerk

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MARGARET KROZER,	§	IN THE CIRCUIT COURT OF
PLAINTIFF	§	BALDWIN COUNTY, ALABAMA
VS.	§	AT LAW
T. M. MOSS and ALMA LOUISE MOSS.	§	
DEFENDANTS	§	

1.

The Plaintiff claims of the Defendants TWO THOUSAND (\$2000.00) DOLLARS, as damages for that heretofore, on to-wit, August 13th, 1948, the Plaintiff was riding as a guest in an automobile being driven along the highway leading from Foley to Point Clear, a public highway in Baldwin County, Alabama, at a place ^{approximately five miles west of Foley} ~~near Magnolia Springs~~; that at said time and place, the Defendant T. M. Moss, acting by and through the Defendant Alma Louise Moss, who was then and there acting within the line and scope of her employment, negligently drove an automobile into or against the automobile in which the Plaintiff was riding as a guest, and as a proximate result of said negligence the Plaintiff was injured and damaged as follows:

She suffered bruises about the face; she suffered bruises and lacerations on her body; she was permanently injured; she was caused to suffer hospital bills; she was caused to suffer medical bills; she loss time from her work; she suffered severe, physical and mental anguish.


2.

The Plaintiff claims of the Defendants TWO THOUSAND (\$2000.00) DOLLARS, as damages for that heretofore on to-wit, August 13th, 1948, the Plaintiff was riding as a guest in an automobile along the highway leading from Foley to Point Clear, a public highway in Baldwin County, Alabama, at a point ^{approximately five miles west of Foley} ~~near Magnolia Springs~~; that at said time and place

the Defendant T. M. Moss, acting by and through his agent, servant or employee, Alma Louise Moss, who was then and there acting within the line and scope of her employment, negligently drove an automobile immediately in front of the automobile in which the Plaintiff was riding as a guest, and as a result of the negligence of the said Alma Louise Moss, at the said time and place the automobile in which the Plaintiff was riding as a guest was forced off the highway, and as a proximate result of said negligence, at the said time and place, the Plaintiff was injured as follows:

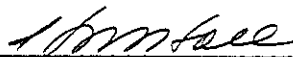
She suffered bruises about the face; she suffered bruises and lacerations on her body; she was permanently injured; she was caused to suffer hospital bills; she was caused to suffer medical bills; she lost time from her work; she suffered severe, physical and mental anguish.

That the damages and injuries suffered by the Plaintiff were the proximate result of the negligence on the part of the said Alma Louise Moss, the servant, agent or employee of the Defendant T. M. Moss, who was then and there acting within the line and scope of her employment.



Attorney for Plaintiff

The Plaintiff demands a trial by jury.



Attorney for Plaintiff

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6/29/49

RECORDED

Received in Sheriff's Office
this 28 day of June, 1949
TAYLOR WILKINS, Sheriff

SUMMONS AND COMPLAINT

MARGARET KROZER

PLAINTIFF

VS.

T. M. MOSS AND ALMA
LOUISE MOSS.

DEFENDANTS

In the Law office of H. M. Hall.

Filed this the ____ day of June, 1949

FILED
JUN 28 1949
ALICE A. BUCK, Clerk

Executed 6-29-49
by serving copy of within Summons and
Complaint on

T. M. Moss
Louise Moss

Taylor Wilkins Sheriff
By Edgar Steadman Deputy Sheriff

MARGARET KROZER,

Plaintiff,

-VS-

T. M. MOSS, and ALMA
LOUISE MOSS,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Comes ^{T.M. MOSS} the defendant in the above styled cause and demurs

to the complaint, and separately and severally to each count thereof, and for grounds of demurrer assign separately and severally the following:

1. That said complaint does not state a cause of action.
2. That said Count 1 shows no duty owed by the defendant, T. M. Moss, to the plaintiff.
3. That said Count 2 shows no duty by the defendant, T. M. Moss, to the plaintiff.
4. That said Count 1 alleges that the act rather than the injury was negligence.
5. That said Count 2 does not allege any act of negligence on the part of the defendant.
6. That for ought that appears in Count 2 there was no negligence on the part of the defendant.
7. That the act set out in Count 2 as follows: "....drove the automobile she was then and there driving immediately in front of plaintiff....." does not set out an act of negligence.
8. That no facts are alleged to show the plaintiff sustained any damage or injury as a proximate result of any negligence or breach of duty on the part of the defendant.
9. That it is not alleged with sufficient certainty where said accident occurred.
10. No facts are alleged to show that the defendants or either of them owed plaintiff any duty at the time and place of said accident and breached the same, thereby proximately causing her damage or injury.
11. That said Count 1 is vague and indefinite.
12. That said Count 2 is vague and indefinite.
13. That the averments of negligence are merely the conclusion of the plaintiff with no facts in support thereof.

14. That no facts are alleged which show or create a duty on the part of the defendant to use a high degree of care as must be alleged in a count setting out only simple negligence.

15. That the complaint is too general in its averments as to the nature, character or extent of the injury to the plaintiff.

16. That Count 2 of the complaint contains alternative averments.


17. There is a misjoinder of actions.

18. The complaint alleges no actions which would make a master liable in a claim arising from acts of an agent, servant or employee when acting in the line and scope of servants employment.

19. There is a misjoinder of parties.

20. That the complaint affirmatively shows through the statements that plaintiff's injuries were bruises and lacerations; that the injuries were of a minor nature.

21. That a complaint setting out that injuries were of a permanent nature must state the nature of the permanent injury.


Attorney for Defendant

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RECORDED

D E M U R R E R S

MARGARET KROZER,

Plaintiff,

-VS-

T. M. MOSS and ALMA
LOUISE MOSS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

FILED

JUL 27 1949

ALICE L. BUCK, Clerk

CECIL G. CHASON

ATTORNEY AT LAW

FOLEY, ALABAMA

MARGARET KROZER,

Plaintiff,

-vs-

T. M. MOSS and ALMA
LOUISE MOSS,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

^{ALMA LOUISE MOSS}
Comes the defendant in the above styled cause and demurs

to the complaint, and separately and severally to each count thereof, and for grounds of demurrer assign separately and severally the following:

1. That said complaint does not state a cause of action.
2. That said Count 1 shows no duty owed by the defendant, Alma Louise Moss, to the plaintiff.
3. That said Count 2 shows no duty by the defendant, Alma Louise Moss, to the plaintiff.
4. That said Count 1 alleges that the act rather than the injury was negligence.
5. That said Count 2 does not allege any act of negligence on the part of the defendant.
6. That for ought that appears in Count 2 there was no negligence on the part of the defendant.
7. That the act set out in Count 2 as follows: "...drove the automobile she was then and there driving immediately in front of plaintiff...." does not set out an act of negligence.
8. That no facts are alleged to show the plaintiff sustained any damage or injury as a proximate result of any negligence or breach of duty on the part of the defendant.
9. That it is not alleged with sufficient certainty where said accident occurred.
10. No facts are alleged to show that the defendants or either of them owed plaintiff any duty at the time and place of said accident and breached the same, thereby proximately causing her damage or injury.
11. That said Count 1 is vague and indefinite.
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13. That the averments of negligence are merely the conclusions of the plaintiff with no facts in support thereof.

14. That no facts are alleged which show or create a duty on the part of the defendant to use a high degree of care as must be alleged in a count setting out only simple negligence.

15. That the complaint is too general in its averments as to the nature, character or extent of the injury to the plaintiff.

16. That Count 2 of the complaint contains alternative averments.

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18. The complaint alleges no actions which would make a master liable in a claim arising from acts of an agent, servant or employee when acting in the line and scope of servants employment.

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20. That the complaint affirmatively shows through the statements that plaintiff's injuries were bruises and lacerations; that the injuries were of a minor nature.

21. That a complaint setting out that injuries were of a permanent nature must state the nature of the permanent injury.

E. E. Phares
Attorney for Defendant.

RECORDED 1370

D E M U R R E E S

MARGARET KROZER,

Plaintiff,

-VS-

T. M. MOSS and ALMA
LOUISE MOSS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED

JUL 27 1949

ALICE J. DUCK, Clerk

CECIL G. CHASON

ATTORNEY AT LAW

FOLEY, ALABAMA

copied to Wm. Hall

Plaintiff,

-VS-

T. M. MOSS and ALMA LOUISE
MOSS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Now comes the defendant, Alma Louise Moss, and for answer to the plaintiff's complaint and each count thereof separately and severally says:-

I. That she is not guilty.

~~Attorney for Defendant~~

RECORDED

ANSWER

MARGARET KROZER,

Plaintiff,

-VS-

T. M. MOSS and ALMA LOUISE
MOSS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

FILED
NOV 15 1949
ALICE J. DUCK, Clerk

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ANSWER

MARGARET KROZER,

Plaintiff,

-vs-

T. M. MOSS and ALMA LOUISE
MOSS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FILED

NOV 15 1949

ALICE J. DUCK, Clerk

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