

1807

HURLEY BASS, Individually
and for the use of South
Carolina Insurance Company,
a corporation,

PLAINTIFF

VS

MARY STELLA BURGH

DEFENDANT

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

Now comes the Defendant and demurs to the Plaintiff's complaint, and
to each count thereof separately and severally and for grounds of said
demurrer says:

1.

That said count does not state a cause of action.

2.

That said count alleges no duty owed by the Defendant to the Plaintiff.

3.

That said count is the conclusion of the pleader.

Harry J. Welles Jr
Attorney for the Defendant

The defendant demands a trial by jury.

Harry J. Welles Jr
Attorney for the Defendant

RECORDED

1807

FILED

JUN 25 1952

ALICE L. BUCK, Clerk

SUMMONS

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Mary Stella Burch, Bay Minette, Alabama, to appear within thirty (30) 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 Hurley Bass, individually and for the use of the South Carolina Insurance Company, a Corporation.

Witness my hand this the 28th day of May, 1952.

Rince J. Smith
Clerk of the Circuit Court.

COMPLAINT

HURLEY BASS, individually
and for the use of SOUTH
CAROLINA INSURANCE COMPANY,
a Corporation.

PLAINTIFFS

VS.

MARY STELLA BURCH

DEFENDANT

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

COUNT 1

The Plaintiffs claim of the Defendant the sum of Two Hundred Fifty Six and 36/100 (\$256.36) Dollars as damages, for that heretofore, on, to-wit, the 13th day of October, 1951, the Plaintiff, Hurley Bass, was lawfully driving his automobile along U. S. Highway No. 29 in the city limits of South Flomaton, Florida, in a northerly direction and that then and there, Defendant negligently ran an automobile into, upon or against said Plaintiff's automobile as a proximate consequence whereof, Plaintiff's automobile was damaged, all to his great damage as aforesaid; hence this suit.

COUNT 2

Plaintiffs claim of the Defendant the sum of Two Hundred Fifty Six and 36/100 (\$256.36) Dollars as damages, for that heretofore, on, to-wit, the 13th day of October, 1951, Plaintiff, Hurley Bass, was driving along U. S. Highway

No. 29 in the City limits of South Flomaton, Florida, and that then and there the Defendant wilfully or wantonly injured the Plaintiff's, Hurley Bass's, automobile by running an automobile into, upon or against said Plaintiff's automobile; as a proximate consequence thereof plaintiff's automobile was damaged as aforesaid.

COUNT 3

Plaintiffs claim of the Defendant the sum of Two Hundred Fifty Six and 36/100 (\$256.36) Dollars as damages, for that heretofore, on, the 13th day of October, 1951, Plaintiff, Hurley Bass, was driving along U. S. Highway No. 29 in the City Limits of South Flomaton, Florida, and that then and there, Defendant so negligently ran an automobile in front of the Plaintiff's automobile, that as a proximate consequence thereof, Plaintiff's automobile ran into the side of Defendant's automobile, as a proximate consequence whereof Plaintiff's automobile was damaged, all to his great damage as aforesaid; hence this suit.

COUNT 4

Plaintiffs claim of the Defendant, the sum of Two Hundred Fifty Six and 36/100 (\$256.36) Dollars as damages for that heretofore, on October 13th, 1951, about 6:30 P.M. the Plaintiff, Hurley Bass, was driving his automobile north on U. S. Highway 29 at a reasonable and lawful speed on the right side of said Highway and that the Defendant negligently and carelessly drove his automobile onto the Highway from off the left side of the Highway, without stopping, directly into the path of the Plaintiff's car, and the Plaintiff further avers that he was on the right side of the street as required by law, and had the right-of-way according to law, and while so driving his automobile the Defendant did negligently and carelessly run the Defendant's automobile into the path of the Plaintiff's automobile and damaged Plaintiff's automobile in the aforesaid sum.

Lee M. Otts
Attorney for Plaintiffs

Received in Sheriff's Office
this 28 day of May 1952
TAYLOR WILKINS, Sheriff

1807 RECORDED

Executed 5-29 1952
by serving copy of within Summons and
Complaint on

Mary Stella Burch

Taylor Wilkins Sheriff
By W. F. Hall Deputy Sheriff

HURLEY BASS ET AL

VS.

MARY STELLA BURCH

Summons & Complaint

FILED
MAY 28 1952
ALICE J. DUCK, Clerk

1807

Harley Buss et al
vs.

Mary Stella Burch

Damages

Filed 5-48-52

Lee W. O'Leary (Plaintiff)

LEE M. OTTS

ATTORNEY AT LAW

BREWTON, ALABAMA

PHONE 707

May 27, 1952

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed, please find two copies of the Summons and Complaint in the matter of, Hurley Bass, Individually and for the use of South Carolina Insurance Company, a Corporation, vs. Mary Stella Burch, and a check for twelve dollars and fifty cents (\$12.50) as security for costs.

The Defendant receives mail addressed to Bay Minette, Alabama. Please advise me when service has been obtained on Defendant and of any answer filed by her.

Yours very truly,



Lee M. Otts
Attorney-at-Law
Brewton, Alabama

LMO/mc

Encl: