

ANN HARRIS,
A Minor, by next friend,

Plaintiff,
VS.

CHARLES COHEN,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2110

DEMURRER

Now comes the defendant and demurs to the complaint and to each and every count thereof, and as grounds of said demurrer assigns, separately and severally, the following:

1. The complaint is vague, indefinite and uncertain in that it does not accurately describe the place where the accident occurred.
2. The allegations of the complaint are conclusions of the pleader.
3. The alleged injuries to the plaintiff are not sufficiently described.
4. No facts are alleged to show that the defendant willfully and wantonly injured the plaintiff.

C. B. Blackburn
Attorney for defendant.

Defendant demands a trial of said cause by jury.

J. B. Blackburn
Attorney for defendant.

FILED

Dec. 17, 1953
ALICE L. BUCK, Clerk

DEMURRER

ANN HARRIS,
A minor, by next friend,

VS.

Plaintiff,

CHARLES COHEN,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 2110

FILED

DEC 17 1953
CLERK

A M E N D E D C O M P L A I N T.

ANN HARRIS, a Minor, suing by
her next friend and father,
Charles N. Harris,

Plaintiff,

VS

CHARLES COHEN,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 2110

C O U N T "C"

The Plaintiff, a Minor, suing by her next friend and father, CHARLES N. HARRIS, claims of the defendant the sum of THREE THOUSAND (\$3,000.00) DOLLARS, as damages, for that, heretofore, on, to-wit: the 5th day of June, 1953, at approximately 3:00 O'clock, P. M., the defendant so negligently operated a motor vehicle on Alabama Highway No. 3, a public highway in Baldwin County, Alabama, at a point approximately 1.8 miles south of the City Limits of Robertsdale, Alabama, and 626 feet north of Campbell Road, as to cause or allow said motor vehicle to run into, over or against an automobile in which the said ANN HARRIS was then and there a passenger, and, as a direct and proximate consequence of the negligence of the defendant as aforesaid, the plaintiff, ANN HARRIS, Was seriously and permanently injured, and was made sick, sore, lame and disordered, and was caused to suffer great physical and mental anguish; she was cut, bruised and lacerated in and about her head, arms and body; she suffered internal injuries, her nervous system was disrupted, she was caused to be confined for a long period of time, and she was caused to expend, ~~or her Father was caused to expend on her behalf~~, large sums of money for Doctors, Hospital bills, medicine and nurses in and about the treatment of her said injuries, all to the plaintiff's damage as aforesaid; hence this suit.

C O U N T "D"

The plaintiff, ANN HARRIS, a Minor, suing by her next friend and Father, CHARLES N. HARRIS, claims of the defendant the further sum of FIVE THOUSAND (\$5,000.00) DOLLARS, as damages, for that, heretofore, on, to-wit: the 5th day of June, 1953, at about 3:00, P. M., the defendant, CHARLES COHEN, wilfully or wantonly injured the plaintiff by so wilfully or wantonly operating a motor vehicle on Alabama Highway No. 3, a public highway in Baldwin County, Alabama,

at a point approximately 1.8 miles south of the City Limits of Robertsdale, Alabama, and 626 feet north of the Campbell Road, as to cause or allow said motor vehicle to run into, over, or against a motor vehicle in which the plaintiff was then and there a passenger, and, as a direct and proximate consequence of the wilfullness or wantonness of the defendant as aforesaid, the plaintiff, ANN HARRIS, was permanently and seriously injured, and was made sick and sore and lame and disordered, and was caused to suffer great physical pain and mental anguish, and was cut, bruised and lacerated in and about the head, arms and body, she suffered a contused ear, her nervous system was disrupted, and the plaintiff was caused to be confined for a long period of time, all to the plaintiff's great damage as aforesaid, hence this suit.

FILED

9-15-54

ALICE J. GUCK, Clerk

Walter S. Maslowski Jr.
Attorney for the Plaintiff.

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

NO. _____

ANN HARRIS, a Minor, suing
by her next friend and
father, CHARLES N. HARRIS,

Plaintiff,

VS.

CHARLES COHEN,

Defendant.

AMENDED COMPLAINT.

Filed 9-15-54
Alice French
clerk

A M E N D E D C O M P L A I N T .

ANN HARRIS, a Minor, suing
by her next friend and father,
CHARLES N. HARRIS,

Plaintiff,

VS

CHARLES COHEN,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 2110

C O U N T "A"

The Plaintiff, Ann Harris, a minor, suing by her next friend and father, CHARLES N. HARRIS, claims of the defendant the sum of THREE THOUSAND (\$3,000.00) DOLLARS, as damages, for that, heretofore, on, to-wit: the 5th day of June, 1953, at approximately 3:00 O'clock, P. M., the defendant so negligently operated a motor vehicle on Alabama Highway No. 3, a public highway in Baldwin County, Alabama, at a point approximately 1.8 miles south of Robertsedale, Alabama, City Limits and 626 feet North of Campbell Road, as to cause or allow said motor vehicle to leave the said Public Highway and run into, over, or against a motor vehicle in which the said ANN HARRIS was then and there a passenger and which said motor vehicle was then and there parked on a private driveway, on which said private driveway the plaintiff had a right to be and was an invitee at said time and place, and, as a direct and proximate consequence of the negligence of the defendant as aforesaid, the plaintiff, ANN HARRIS, was seriously and permanently injured, and was made sick, sore, lame and disordered, and was caused to suffer great physical and mental anguish, she was cut, bruised and lacerated in and about her head, arms and body, she suffered internal injuries, her nervous system was disrupted, and she was caused to be confinedⁿ for a long period of time, all to the plaintiff's great damage as aforesaid, hence this suit.

C O U N T "B"

The plaintiff, a Minor, suing by her next friend and father, CHARLES N. HARRIS, claims of the defendant the further sum of FIVE THOUSAND (\$5,000.00) DOLLARS as damages for that, heretofore, on, to-wit: the 5th day of June, 1953, at about 3:00 O'clock P. M., the defendant wilfully or wantonly injured the plaintiff by so wilfully

or wantonly operating a motor vehicle on Alabama Highway No. 3, a public highway in Baldwin County, Alabama, at a point approximately 1.8 miles south of the City Limits of Robertsdale and 626 feet north of the Campbell Road, as to cause or allows said motor vehicle to leave the said Alabama Highway No. 3 and run into, over or against a motor vehicle in which the said plaintiff was then and there a passenger, and which said motor vehicle was then and there parked in a private driveway on the east side of said Alabama Highway No. 3, on which private driveway the plaintiff had a right to be and was an invitee at said time and place, and, as a direct and proximate result of the wilfullness or wantonness of the defendant as aforesaid, the plaintiff, ANN HARRIS, was permanently and seriously injured, and was made sick and sore and lame and disordered, and was caused to suffer great physical pain and mental anguish, and was cut, bruised and lacerated in and about the head, arms and body, she suffered a bruised ear, her nervous system was disrupted, and the plaintiff was caused to be confined for a long period of time, all to the plaintiff's great damage as aforesaid, hence this suit.

Jeffrey A. Maddux Jr.
Attorney for the Plaintiff.

I certify that I have handed a copy of the foregoing to Hon. J. B. Blackburn, attorney for the defendant.

FILED

July 30, 1954

ALICE J. DUCK, Clerk

Jeffrey A. Maddux Jr.
Attorney for the Plaintiff.

2110

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NO. 2110

ANN HARRIS, a Minor, suing
by her next friend and father,
CHARLES N. HARRIS,
CHA

Plaintiff,

VS

CHARLES COHEN,

Defendant.

AMENDED COMPLAINT.

FILED

JUL 30 1954

ALICE A. BUCK, Clerk

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2112

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Charles Cohen

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Charles Cohen, Defendant

by Ann Barrie, a minor suing by her next friend and father,

Charles W. Barrie, Plaintiff

Witness my hand this 19th day of October 1955

Alvin J. Hume, Clerk

No. _____ Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS and COMPLAINT

Filed _____, 19 _____

_____, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

_____, 19 _____

_____, Sheriff

I have executed this summons

this _____, 19 _____
by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff

IN THE CIRCUIT COURT

Anna Harris, a minor, suing by her next
friend and father, Charles H. Harris,
Plaintiff
vs
Charles Cohen, Defendant

of
BALDWIN COUNTY, ALABAMA

AT LAW Mp. 2110

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW:

I, Agnes Baggett, Secretary of State, hereby certify that on _____, 195____,
I sent by registered mail in an envelope addressed as follows:

" Charles Cohen
5515 South Everett Street
Chicago, Illinois"

"Registered mail
Return Receipt Requested
Deliver to Addressee only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the
Great Seal of the State of Alabama in words and figures as follows:

" Charles Cohen
5515 South Everett Street
Chicago, Illinois

You will take notice that on October 20, 1953 the Sheriff of
Montgomery County, Alabama served upon me, in my official capacity,
summons and complaint in a case entitled Anna Harris, a minor, suing by her
next friend and father, Charles N. Harris, Plaintiff vs Charles Cohen

Defendants in the Circuit Court of Baldwin

County, Alabama, Case No. 2110, a true copy of which summons and
complaint is attached hereto and the said service upon me as Secretary of
State of the State of Alabama has the force and effect of personal service
upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the
18 day of November, 1953.

Signed) Agnes Baggett


Mrs. Agnes Baggett
Secretary of State "

Enclosures - 1

I further certify that the notice above set out which was so mailed in the
envelope addressed as above set forth had attached to it a true copy of the summons
and complaint in the above-styled cause.

I further certify that on November 30, 1953, I received the return card,
showing receipt by the designated addressee of the aforementioned matter, at
Chicago, Illinois on November 27, 1953.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 30 day
of November, 1953.


Mrs. Agnes Baggett
Secretary of State

Enclosures - (Return card
and ~~copy of summons and~~
~~complaint~~) - (only 2 copies of S. & C.
served in this case)



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No. _____

TENNESSEE.

Post Office Department
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)

POSTMARK OF DELIVERING
OFFICE

RECEIVED

NOV 20 1953

STATE

Return to _____

Secretary of State

(NAME OF SENDER)

Street and Number,
or Post Office Box, _____

Montgomery, Alabama

REGISTERED ARTICLE

No. _____

52784

INSURED PARCEL

MONTGOMERY,

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1 Charles Cohen
(Signature or name of addressee)

2 Charles Cohen
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 11, 1952