

James H. Smith
Plffs

Lieutenant Sheriff of Baldwin County
March (or Spring) Term 1895

No. 92

vs Motion to strike out certain Pleas -

Louisa A. Carney
Defdt.

Removes the Plaintiff herein by Counsel & moves the Court to strike out the following Pleas of the Defendant filed herein. The second Plea because it ~~is irrelevant in this~~ ^{fails to show that} the defendant individually & not the Estate of James A. Carney being liable for the injuries complained of 2nd Defendant in Pleading General Issue which the Pleas in abatement contained in said 2nd Plea.

The 3rd, 4th, 5th, 6th, 7th & 8th Pleas because they are irrelevant in this: The duty to put up signs or warnings in dangerous places was incumbent upon defendant whether or not said Petff was an Employee, & whether or not Petff negligently interfered with the machinery of defendant & whether or not Plaintiff knew of the leaking condition of the machinery & whether or not Petff was in an unobscured condition & whether or not Petff was a trespasser. This 24th day of March A.D. 1895.

Guy DeHibbing
Att'y for Plffs

To G. L. & H. T. Smith
Att'ys for Defdt.

This motion is replied as amended
This Oct 29 2/1895 - G. DeHibbing
We accept service of this motion
G. L. & H. T. Smith