

2506

STATE OF ALABAMA }  
BALDWIN COUNTY }

IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William E. Bozeman 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 same, then and there to answer the complaint of Robert J. Meszaros.

Witness my hand this 8 day of January, 1955.

*Reice J. Duck*  
Clerk.

ROBERT J. MESZAROS,  
Plaintiff,

vs.

WILLIAM E. BOZEMAN,  
Defendant.

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

COUNT ONE:

The Plaintiff claims of the Defendant One Thousand Dollars (\$1000.00) as damages for that on heretofore, to-wit, the 27th day of February, 1954, at 8:00 o'clock a.m., the Defendant so negligently operated his motor vehicle on U. S. Highway #90 at the Intersection thereof with the Loxley-Daphne farm-to-market road, a public highway in Baldwin County, Alabama, as to cause or allow said motor vehicle to collide with the motor vehicle of the Plaintiff which was then and there being operated by Pearl D. Meszaros the wife of the Plaintiff and as a proximate consequence and result of the negligence of the Defendant, aforesaid, the Plaintiff's said motor vehicle was greatly damaged in this: the radiator was broken, the front bumper and front assembly was bent and broken, the hood was broken, the left front fender and left side was broken and bent and said motor vehicle was otherwise greatly damaged, all to the damage of the Plaintiff, wherefore Plaintiff brings this suit and asks judgment in the above amount.

CHASON & STONE

By: *Malcolm G. Stone*  
Attorneys for Plaintiff.

165-D Sipsey St  
Prichard, Ala.  
Prichard, Ala.

NO 2506.

RECORDED

Received 8 day of Jan 1955  
and on 13 day of Jan 1955

I served a copy of the within  
on \_\_\_\_\_

By service on William E. Bozeman

TAYLOR WILKIE, Sheriff  
By Edleigh Steadman D. S.

ROBERT J. MESZAROS,  
Plaintiff,  
vs.  
WILLIAM E. BOZEMAN,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

FILED

JAN 8 1955

ALICE J. DUCK, Clerk

LAW OFFICES  
CHASON & STONE  
BAY MINETTE, ALABAMA

Lovell

ROBERT J. MESZAROS,  
Plaintiff,  
VS.  
WILLIAM E. BOZEMAN,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 2506

DEMURRER

Now comes the Defendant, by his attorney and demurs to the complaint heretofore filed in this cause and as grounds for said demurrer assigns the following separately and severally:

1. The said complaint does not state a cause of action.
2. The allegation in the complaint that Defendant negligently operated his motor vehicle is a mere conclusion of the pleader.

*J. B. Blackburn*  
Attorney for Defendant.

VS.

WILLIAM E. BOZEMAN,

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 2506

PLEA

**says:**

1. Not guilty.

2. Plaintiff's automobile at the time and place alleged in the complaint was being driven and operated by <sup>Pearl D. Meszaros,</sup> /an agent, servant or employee of the plaintiff, who was then and there acting within the line and scope of her authority, at which time and place plaintiff's said agent, servant or employee was guilty of negligence, which proximately contributed to the plaintiff's alleged damages and which should prevent a recovery by the plaintiff in this suit.

Attorney for defendant.

Robert J. Meszaros,  
Plaintiff

vs.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALA.

# 2506

William E. Bozeman  
Defendant

DEMURRER TO PLEA 2.

Comes now the Plaintiff in the above styled cause and demurs to ~~the~~ Plea numbered "2" heretofore filed in said cause and assigns the following separate and several grounds in support thereof:

1. Said plea is insufficient
2. Plea number 2 fails to allege any negligence on the part of the alleged agent of the Plaintiff
3. Said plea fails to allege any facts which would constitute negligence on the part of the alleged agent
4. Said plea fails to allege that the alleged agent of the Plaintiff negligently operated ~~and~~ the automobile of the Plaintiff

Chason & Stone

By Marlone J. Stone  
Attorneys for Plaintiff