

HAROLD E. SCHALLER

Plaintiff

vs

REBA JEAN MCALISTER

Defendant

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IN THE CIRCUIT COURT OF

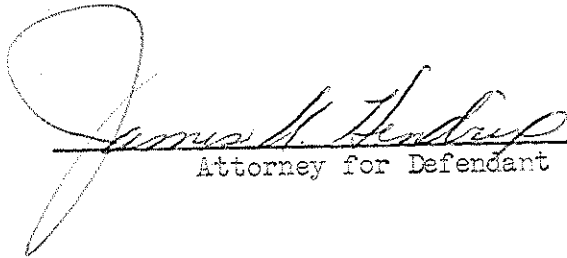
BALDWIN COUNTY, ALABAMA,

AT LAW

No. 2730

Comes now the Defendant in the above styled cause and demurs to the complaint, and separately and severally to each account thereof, and for ground of demurrer, assigns separately and severally the following:

1. For ought that appears, Plaintiff had no right to be where he was at the time and place of said accident.
2. No facts are alleged to show that Defendant owed Plaintiff any duty at the time and place of said accident, and breached the same, thereby approximately causing him damage or injury.
3. For ought that appears, the Defendant owed Plaintiff no duty at the time and place of said accident.
4. Said account is vague and indefinite.
5. Said account states no cause of action against the Defendant.
6. The alleged negligence of the Defendant is not set forth with sufficient certainty.


Attorney for Defendant

HAROLD E. SCHALLER)	IN THE CIRCUIT COURT OF
Plaintiff)	BALDWIN COUNTY,
VS)	ALABAMA
REBA JEAN McALISTER)	AT LAW
Defendant)	NO.

The Plaintiff claims of the Defendant the sum of One Thousand and No/100 Dollars (\$1,000.00) damages for that heretofore and on, to-wit, the 9th day of April, 1955, the Defendant so negligently operated the motor vehicle which she was driving westwardly on Bel-forest Road at its intersection with U. S. Highway 90, both of which at said point are public streets in the town of Loxley, Baldwin County, Alabama, as to cause or allow the same to run into, upon or against the vehicle of the Plaintiff which was then and there being driven by the Plaintiff southwardly on the said U. S. Highway 90 at said intersection, and as a direct and proximate result of said negligence, the Plaintiff's motor vehicle which was a 1955 Buick automobile, was broken, bent and damaged, in this, that its left front fender was crushed, the left front head lamp was destroyed, the upper grill frame was badly bent, the grill was destroyed, the right front bumper guard was destroyed, the left front bumper guard was destroyed, the upper and lower front guard rails were destroyed, the left front tire was blown out and ruined, the frame was bent and the front end was knocked out of line, hence this suit.

TONSMEIRE & HODNETTE

By *[Signature]*
Attorneys for Plaintiff

Defendant's address:
Route 1
Robertsdale, Alabama

Minor's parents reside at
same address.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 2730

Sept.

TERM, 1955.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon REBA JEAN McALISTER

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

REBA JEAN McALISTER

Defendant

by HAROLD E. SCHALLER

Plaintiff

Witness my hand this 22nd. day of Sept. 1955.

Alice J. Duck, Clerk