

JEAN F. STRINGER,

VS.

Plaintiff,

FAIRHOPE ICE & CREAMERY
COMPANY, INC., a corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 3327

DEMURRER

Now comes the defendant and for demurrer to the complaint assigns, separately and severally, the following:

1. It does not state a cause of action.
2. No facts are alleged on which the relief sought can be granted.
3. The allegations of the complaint are vague, indefinite and uncertain.
4. The allegations of the complaint are conclusions of the pleader.
5. No facts are alleged to show how or in what way the defendant's agent, servant or employee was negligent.
6. No facts are alleged to show that the defendant's agent, servant or employee violated any duty owing to the plaintiff at the time and place of the alleged accident.

J. B. Blackburn
Attorney for defendant.

Filed Nov. 14, 1957

JEAN F. STRINGER,

Plaintiff,

vs.

FAIRHOPE ICE AND CREAMERY
COMPANY, INC., a corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

DEMURRER

Comes the Plaintiff in the above styled cause and demurs to Plea 2 filed by the Defendant in said cause and assigns the following separate and several grounds, viz:

1. That said plea does not state a defense to the cause of action.

2. That said plea does not allege any duty owing by the Plaintiff to the Defendant.

3. That said plea does not set out sufficient facts to show that the Plaintiff was guilty of contributory negligence.

4. That sufficient facts are not alleged in the plea to charge the Plaintiff with contributory negligence.

5. For aught that appears from said plea, the Plaintiff was a passenger or guest in the automobile in which she was riding and would not be charged with contributory negligence of the driver of the automobile in which she was riding.


Attorneys for Plaintiff

Filed Jan. 13, 1908

JEAN F. STRINGER,

Plaintiff,

VS.

FAIRHOPE ICE & CREAMERY
COMPANY, INC., a corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

PLEAS

Now comes the defendant and for plea to the complaint assigns, separately and severally, the following:

1. Not guilty.

2. At the time and place alleged in the complaint Mr. Stringer, the husband of the plaintiff, whose name is to the defendant otherwise unknown, and who was then and there acting within the line and scope of his employment as such agent, servant or employee, was guilty of negligence which proximately contributed to the plaintiff's alleged injuries and damages, in that he so negligently operated the automobile which he was then and there driving as to cause it to run into, upon or against the defendant's motor vehicle.

J. B. Blackburn
Attorney for defendant.

Filed 1-28-58

JEAN F. STRINGER,

Plaintiff,

VS.

FAIRHOPE ICE & CREAMERY
COMPANY, INC., a corpor-
ation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

AMENDED PLEAS

Now comes the defendant and amends the pleas heretofore filed in this cause so that, as amended, they will read, separately and severally, as follows:

1. Not guilty.

2. The defendant, for answer to the complaint, saith that at the time and place alleged in the complaint Phillip G. Stringer^{Dr.}, the agent, servant or employee of the plaintiff, who was then and there acting within the line and scope of his authority, was guilty of negligence which proximately contributed to the plaintiff's alleged injuries and damages, in that he so negligently operated the plaintiff's automobile, which he was then and there driving, as to cause it to collide with or run against the motor vehicle of the defendant.

3. The defendant, for answer to the complaint, saith that at the time and place alleged in the complaint Phillip G. Stringer^{Jr.}, the agent, servant or employee of the plaintiff, who was then and there acting within the line and scope of his authority, was guilty of negligence which proximately contributed to the plaintiff's alleged injuries and damages, in that he so negligently operated the plaintiff's automobile, which he was then and there driving, as to cause it to overturn.

J. B. Blackman
Attorney for defendant

Filed Sept. 9, 1959

STATE OF ALABAMA

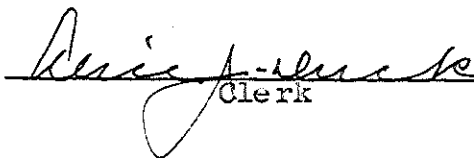
BALDWIN COUNTY

IN THE CIRCUIT COURT - LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Fairhope Ice & Creamery Company, Inc., a corporation, 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 Jean F. Stringer.

Witness my hand this the 4 day of September, 1957.


Clerk

JEAN F. STRINGER,

Plaintiff,

vs.

FAIRHOPE ICE & CREAMERY
COMPANY, INC., A Corporation,

Defendant.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Two Thousand Dollars (\$2,000.00) as damages for that on, to-wit: March 27, 1957, the Defendant, acting by and through its agent, servant or employee, who was then and there acting within the line and scope of his employment as such, so negligently operated a motor vehicle on U. S. Highway 98 in the Town of Daphne, Baldwin County, Alabama, at a point approximately in front of the school house which is located near the North City limits of Daphne as to cause an automobile which was owned by the Plaintiff and in which she was then and there riding, at said time and place, on such public highway to leave the paved portion of the highway to avoid striking the Defendant's motor vehicle and as a proximate result of the negligence of such Defendant the automobile owned by the Plaintiff and in which she was rid-

ing turned over thereby damaging such automobile in this: its top was bent and damaged, its front fenders were bent and damaged, its front bumper was bent, some of the glass in the car was broken, the trunk of the car was damaged and the engine was damaged. The Plaintiff further alleges that as a proximate result of the negligence of such Defendant as above set out the Plaintiff was also injured in this: she received severe bruises and abrasions, she suffered severe pain and mental anguish and was caused to lose two days from her employment. She was also caused to lose the use of her automobile which she was using in her business for approximately four weeks, all to the damage of the Plaintiff in the above sum, wherefore the Plaintiff brings this suit and asks judgment in the above amount.

Filed
Sept. 3, 1957

Executed
Oct. 15, 1957


Attorneys for Plaintiff

Received 4 day of Sept 1957
and 15 day of Oct 1957
I served a copy of the within S/C.
on Fairhope Ice & Creamery Co.
Maurice Bugman
By service on _____
TAYLOR WILKINS, Sheriff
By Edleigh Steadham D.S.

Fairhope, Ala

Sheriff claims 20 miles at
Ten Cents per mile Total \$ 2.00
TAYLOR WILKINS, Sheriff
BY Edleigh Steadham
DEPUTY SHERIFF

JEAN F. STRINGER,

Plaintiff,

VS.

FAIRHOPE ICE & CREAMERY
COMPANY, INC., A Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

FILED

SEP 13 1957

ALICE L. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA