

JOSEPH C. BEAR, ALBERT S.
BEAR and ADELE A. BEAR, in-
dividually and doing busi-
ness as BEAR ICE CREAM COM-
PANY, A Partnership,

Plaintiffs,

VS.

JESSIE LEE PEOPLES and QUINON
GIVENS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. 3535

P L E A S

Come now JESSIE LEE PEOPLES AND QUINON GIVENS, defendants in the above styled cause, and, for answer to the complaint heretofore filed in this cause and to each and every count thereof, separately and severally, set down and assign the following separate and several pleas, viz:

1.

That they are not guilty.

2.

That on the occasion complained of, GEORGE ENGLISH BARNES, JR., who was then and there an agent, servant or employee of the plaintiffs, acting within the line and scope of his employment as such, was himself guilty of negligence which proximately contributed to the plaintiffs' alleged injuries and damages, in this, that he so negligently operated an automobile truck, belonging to the plaintiffs, which he was then and there driving, as to cause, permit or allow the same to run into, upon or against the automobile truck which was then and there being driven by the defendant, JESSIE LEE PEOPLES; hence plaintiffs ought not to recover in this suit.

3.

That on the occasion complained of in the complaint, GEORGE ENGLISH BARNES, JR., who was then and there an agent, servant, or employee of the plaintiffs, acting within the line and scope of his employment as such, was himself guilty of wanton negligence which proximately contributed to plaintiffs' alleged injuries and damages, in this, that he wantonly operated an automobile truck, belonging to the plaintiffs, which he was then and there driving, and wantonly caused, permitted or allowed the same to run into, upon or against the automobile truck which was then and there being operated by the

defendant, JESSIE LEE PEOPLES; hence plaintiffs ought not to recover in this suit.

Julius A. Madole
ATTORNEY FOR DEFENDANTS

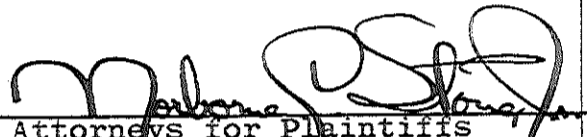
I certify that I have served a copy of the above and foregoing Pleas on the ~~def~~ plaintiffs by personally handing a copy thereof to Hon. Norborne C. Stone, Attorney for said Plaintiffs on this the 2nd day of June, 1958.

Filed
June 2, 1958
Alice J. Huck
Clerk

Julius A. Madole
ATTORNEY FOR DEFENDANTS


ligence of the Defendant Jessie Lee Peoples, while acting within the line and scope of his employment as the agent, servant or employee of the Defendant Quinon Givens, aforesaid, the motor vehicle of the Plaintiffs', which was used in their business, was rendered a total loss and the contents thereof, consisting of ice cream and dairy products, were completely destroyed; wherefore the Plaintiffs bring this suit and ask judgment in the above amount.

CHASON & STONE

By: 
Attorneys for Plaintiffs

The Plaintiffs respectfully request a trial of this cause by a jury.

CHASON & STONE

By: 

Jessie Lee People resides at Route 1, Elberta, Alabama.

Quinon Givens resides at Robertsdale, Alabama.

3535

Received 9 day of May 1958
and on 17 day of May 1958
I served a copy of the within of People
on Jessie Lee Peoples
W. Lee
By service on _____

TAYLOR WILKINS, Sheriff
By Charles H. Childress
(2) Holey

Sheriff claims 72 miles of
Ten Cents per mile Total \$ 7.20
TAYLOR WILKINS, Sheriff
BY Childress
DEPUTY SHERIFF

JOSEPH C. BEAR ET AL,

Plaintiffs,

VS.

JESSIE LEE PEOPLES ET AL,

Defendants,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

SUMMONS AND COMPLAINT

FILED

MAY 8 1958

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA