

41006

TRACY BLACKWELL, a minor,
suing by Cecil Blackwell, as his
next friend,

Plaintiff,

vs.

CHARLES W. SMITH and BEATRICE
W. SMITH,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant, Charles W. Smith, the sum of ONE HUNDRED FIFTY DOLLARS (\$150.00) for that heretofore on, to-wit, September 10, 1959, the Defendant, Charles W. Smith so negligently operated a motor vehicle on U. S. Highway #59 in Foley, Alabama, as to cause it to run over, upon or against the Plaintiff, who was then and there operating a motor bicycle on the said Highway 59 at a point and place where he had a right to be and as a proximate result of the negligence of the said Defendant, Charles W. Smith, the Plaintiff was bruised, cut on the forehead, was made sick, sore and nervous, was put to great medical expenses in and about his injuries, all as a proximate result of the negligence of the Defendant, Charles W. Smith, hence this suit.

COUNT TWO:

The Plaintiff claims of the Defendant, Beatrice W. Smith, the sum of ONE HUNDRED FIFTY DOLLARS (\$150.00) for that heretofore, on, to-wit, September 10, 1959, the Defendant Charles W. Smith, who was then and there an agent, servant or employee of the said Beatrice W. Smith, acting within the line and scope of his employment as such agent, servant or employee, so negligently operated a motor vehicle on U. S. Highway #59 in Foley, Alabama, as to cause the same to run into, over or against the Plaintiff and as a proximate result of said negligence the Plaintiff was bruised, cut on the forehead, was made sick, sore and nervous, was put to great medical expenses in and about his injuries, and Plaintiff avers that all of his injuries were a proximate result of the negligence of Charles W. Smith, who

was then and there an agent, servant or employee of the Defendant, Beatrice W. Smith, acting within the line and scope as such agent, servant or employee.

Albert M. Brantley

Attorney for the Plaintiff.

FILED

10-10 1959

ALICE J. DUCK, CLERK
REGISTER

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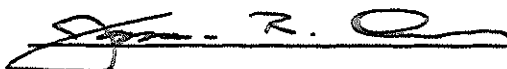
) BALDWIN COUNTY, ALABAMA

) AT LAW.

PLEA:

Now comes the Defendants in the above styled cause and accept service of the complaint heretofore filed in this cause and for plea to said complaint and each and every count thereof, separately and severally, says separately and severally:

1. Not guilty.



Attorney for Defendants.

Filed
10-10-59
Alice J. Suck,
clerk