

EDITH P. DANA,

Plaintiff,

vs.

JACK PONDER, individually  
and d/b/a PONDER PLUMBING  
AND ELECTRICAL COMPANY,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4319

PLEA

Comes now Jabez M. Ponder, by his attorneys, appearing specially for the purpose of filing this plea and for no other different object or purpose, and respectfully represents and shows unto this Court as follows:

That on, to-wit: July 18, 1960, he was served with a summons and a copy of the complaint in the above styled cause by the Sheriff of Baldwin County, Alabama. That he has never done business as Ponder Plumbing and Electrical Company and was not doing business under that firm name or style on July 18, 1960 or on March 14, 1960. That on March 14, 1960 and on July 18, 1960 he was operating a business in Fairhope, Alabama, under the firm name and style of Ponder Company.

WHEREFORE Jabez M. Ponder respectfully prays that this suit be abated and that he be discharged with his costs in this behalf expended.

Respectfully submitted,

CHASON & STONE

By:

  
Attorneys for Jabez M. Ponder.

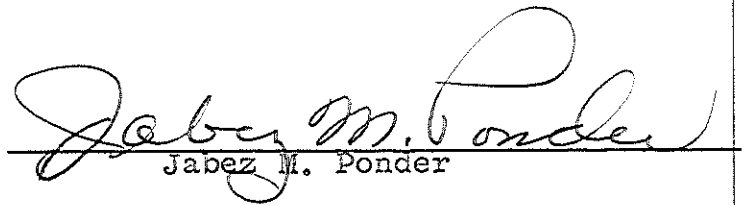
STATE OF ALABAMA

BALDWIN COUNTY

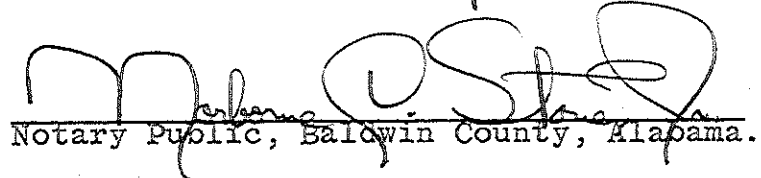
Before me, Norborne C. Stone, Jr., a Notary Public in and for said County in said State personally appeared Jabez M. Ponder who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is Jabez M. Ponder and that he has read the

foregoing plea and that the facts alleged therein are true and correct.

  
Jabez M. Ponder

Sworn to and subscribed before me on  
this the 1<sup>st</sup> day of August, 1960.

  
Notary Public, Baldwin County, Alabama.

FILED  
AUG 8 1960  
ALICE J. DUCK, Clerk

EDITH P. DANA,

Plaintiff,

VS.

JACK PONDER, individually  
and d/b/a PONDER PLUMBING  
AND ELECTRICAL COMPANY,

Defendant

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4319

\* \* \* \* \*

PLEA

\* \* \* \* \*

FILED  
AUG 31 1960

SAUCE J. DUCK, CLERK

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

EDITH P. DANA, : IN THE CIRCUIT COURT OF  
 Plaintiff, : BALDWIN COUNTY, ALABAMA  
 vs. : AT LAW  
 JACK PONDER, individually : NO. 4919  
 and d/b/a PONDER PLUMBING :  
 AND ELECTRICAL COMPANY, :  
 Defendant. :

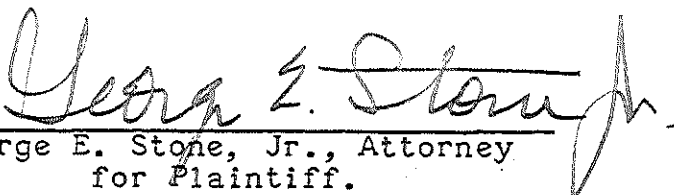
COUNT ONE

Plaintiff claims of Defendant the sum of Two Thousand Five Hundred and No/100ths (\$2,500.00) Dollars as damages for this, that heretofore, on, to-wit, the 14th day of March, 1960, the servant or servants, agent or agents of Defendant, while the same were acting in line with and within the line and scope of their authority or employment as such, negligently injured Plaintiff by causing or allowing a steel wire cable to become entwined about a motor vehicle in which Plaintiff was then and there riding at or near a place in Baldwin County, Alabama, known as Zundel's, at which such place she had a good right to be, Plaintiff avers that as the proximate result and consequence of the aforesaid negligence she was badly cut and bruised, was forced to undergo medical attention, and continues to suffer from the effects of such casualty until this day; wherefore, Plaintiff sues and asks damages in the aforementioned sum of Two Thousand Five Hundred and No/100ths (\$2,500.00) Dollars.

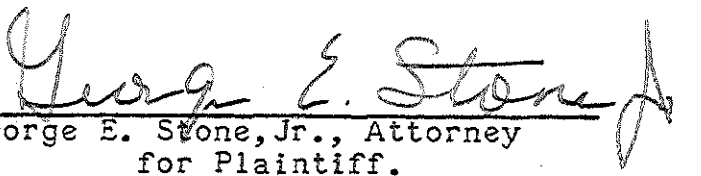
COUNT TWO

Plaintiff claims of Defendant the sum of Two Thousand Five Hundred and No/100ths (\$2,500.00) Dollars as damages for this, that heretofore on, to-wit, the 14th day of March, 1960, at or near a place in Baldwin County,

Alabama, known as Zundel's, the agent or agents or servant or servants of Defendant, while acting in line with and within the line and scope of their authority or employment as such, wantonly and intentionally injured Plaintiff in that as the proximate result of the aforesaid wanton and intentional conduct of the said agent or agents or servant or servants of Defendant, while acting in line with and within the line and scope of their employment as such, wantonly and intentionally cut, bruised, lacerated and otherwise injured the Plaintiff, all as the proximate result and consequence of the aforesaid wanton and intentional conduct; wherefore Plaintiff sues and asks damages in the sum of Two Thousand Five Hundred and No/100ths (\$2,500.00) Dollars

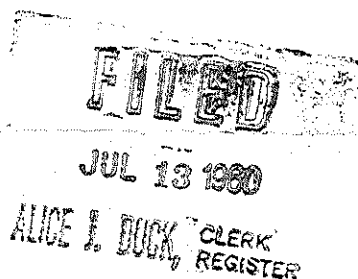
  
George E. Stone, Jr., Attorney  
for Plaintiff.

Plaintiff demands trial by jury of the issues in this case.

  
George E. Stone, Jr., Attorney  
for Plaintiff.

Note:

Defendant may be served  
at the place of business  
on Section Street,  
Fairhope, Alabama.



SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 4319

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

JACK PONDER, Ind. & d/b/a PONDER PLUMBING

AND ELECTRICAL COMPANY

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 JACK PONDER, Ind. &  
d/b/a Ponder Plumbing & Electrical Company-----, Defendant-----

by Edith P. Dana-----

-----, Plaintiff-----

Witness my hand this 13th day of July 19 60

Alice J. Luck-----, Clerk

No. 4319

Page

**STATE of ALABAMA**

Baldwin County

**CIRCUIT COURT**

EDITH P. DANA

Plaintiffs

vs.

JACK PONDER, Ind. & d/b/a PONDER

PLUMBING & ELECTRICAL COMPANY

Defendants

**Summons and Complaint**

Filed July 13, 1960

Alice J. Duck

Clerk

George E. Stone

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

7/13, 1960

Sheriff.

I have executed this summons

this 18 July 1960  
by leaving a copy with

Jack Ponder

Sheriff claims 70 miles at

Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff

BY

Deputy Sheriff

Taylor Wilkins

Sheriff.

W. O. Garner

Deputy Sheriff.

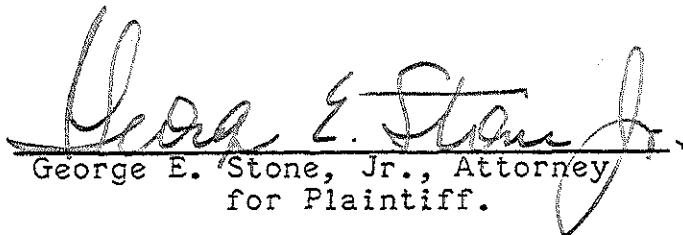
Thope

EDITH P. DANA,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
vs.	:	
	:	AT LAW NO. 4319
JACK PONDER, individually	:	
and d/b/a PONDER PLUMBING	:	
AND ELECTRICAL COMPANY,	:	
Defendant.	:	

AMENDMENT

Now comes Edith P. Dana, Plaintiff in the above styled cause, by and through her attorney of record, and amends the title to the above styled cause so that the same shall read in words and figures as follows:

"EDITH P. DANA,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
vs.	:	
	:	AT LAW NO. 4319"
JACK PONDER, individually	:	
and d/b/a PONDER COMPANY,	:	
and PONDER COMPANY, INC.,	:	
a Corporation,	:	
Defendants.	:	

  
 George E. Stone, Jr., Attorney  
 for Plaintiff.

*Copy mailed to:  
Hon. Osborne Stone*

