

HERMINE B. MEANS,

Plaintiff,

vs.

JOHN McCUE and BRYCE L.
HAGER,

Defendants.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Come the Defendants in the above styled cause and demur to the complaint filed in said cause and assign the following separate and several grounds, viz:

1. That said complaint does not state a cause of action.
2. That said complaint does not allege any duty owing by the Defendants to the Plaintiff.
3. That said complaint does not allege that the Defendants negligently injured the Plaintiff.
4. That the place where the accident occurred is not sufficiently set out.


Attorneys for Defendants



5755

DEMURRER

* * * * *

HERMINE B. MEANS,

Plaintiff,

vs.

JOHN McCUE and BRYCE L.
HAGER,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

FILED

JUN 21 1962

ALICE J. DUCK, CLERK
REGISTERED

STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John McCue and Bryce L. Hager to appear and answer, plead or demur, within thirty days from the service of this writ in the Circuit Court of Baldwin County, Alabama, to be held at the place of holding the same, then and there to answer to the complaint of Hermine B. Means.

WITNESS my hand this the 28 day of May, 1962.

Adrian J. Duck
CLERK OF CIRCUIT COURT

HERMINE B. MEANS,
Plaintiff

VS.

JOHN McCUE and BRYCE L.
HAGER,
Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

70.5155

COUNT ONE:

Plaintiff claims of the Defendants the sum of TWO HUNDRED and no/100 (\$200.00) Dollars as damages, for that, heretofore, on, to-wit; the 6th day of January, 1962 the husband of the Plaintiff was operating the Plaintiff's automobile on a public highway, viz: On Highway 31 in Baldwin County, Alabama, at or near Rountree's Resturant on the Mobile Bay Causeway, where he had a right to be and the Defendant John McCue, an agent, servant or employee of the Defendant Bryce L. Hager, while acting in the line and scope of his employment, so negligently operated a motor vehicle then and there, as to cause said motor vehicle he was operating to run over, upon or against the Plaintiff's automobile, which Plaintiff's husband was operating; and Plaintiff avers that as a proximate consequence thereof numerous parts of her said automobile were broken and damaged, to-wit, the front of the automobile was broken, bent, smashed or otherwise damaged and injured, the right front bumper and fender and other parts of the Plaintiff's automobile were broken, bent,

Page Two

smashed or otherwise damaged and injured, all to the damage of the Plaintiff as aforesaid.

The Plaintiff alleges that her said damages were proximately caused by the negligence of the Defendants and as a proximately consequence thereof the Plaintiff was damaged as aforesaid.

BAILEY & LACEY

BY: *Edward M. Bailey*
ATTORNEYS FOR THE PLAINTIFF

Exp- 5-31-62
6-15-62

EXECUTED
This 15 day of June, 19 62
by serving a copy of the within on
John M. Cue
RAY D. BRIDGES, Sheriff
By L. B. Smith D.S.

EXECUTED
This 31 day of May, 19 62
by serving a copy of the within on
Bryce Hager
RAY D. BRIDGES, Sheriff
By J. W. Lloyd D.S.

RECEIVED
MAY 30 1962
SHERIFF'S OFFICE

red 5229
sm
7205155

BILL OF COMPLAINT

HERMINE B. MEANS,
Plaintiff

VS.
15/5/62
JOHN McCue, 121 No. Julian St.
Mobile, Alabama
and
BRYCE HAGER, 602 Farnell Lane
Mobile, Alabama

MAY 20 1962
CLERK OF DISTRICT COURT

ERNEST M. BAILEY
ATTORNEY AT LAW
FAIRHOPE, ALABAMA

5-28-62