

29 818
IN THE BALTIMORE CITY 61

84/16
COURT.
595

HUBERT SMITH

BC. 1438

VS.

STALLINGS RIPPLE CHEVROLET
SALES COMPANY, INC.

DECLARATION.

Mr. Clerk:

Please file.

Davis & Evans

ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS
ATTORNEYS AT LAW

FILED JUL 1 1928

HUBERT SMITH

:

IN THE BALTIMORE CITY

VS.

STALLINGS RIPPLE
CHEVROLET SALES, CO., INC.

:

COURT

Hubert Smith, by his attorneys, Davis and Evans, sues The Stallings Ripple Chevrolet Sales Company, a corporation.

For that on or about the 5th day of July, 1928, while the plaintiff was legally crossing a public highway of Baltimore City at or about the intersection of Druid Hill Avenue and Lafayette Avenue, both public highways of Baltimore City, he was struck by an automobile owned by the defendant corporation operated by one of the agents, servants or employees of the defendant corporation, who was then and there operating the said automobile along and upon one of the above highways in a reckless manner.

That the said agent, servant or employee of the defendant was at the time of the wrong complained of, a duly authorized servant, agent or employee of the defendant corporation.

The plaintiff says that as a result of having been struck as aforesaid, he was thrown down and against the street with great force and violence and he was seriously and permanently injured about the head, limbs and body and he became and was sick, sore, lame and disordered and so remained for a long time, to wit: from thence, hitherto during all of which time he was forced to and did spend large sums of money in attempting to cure himself of his hurts and wounds occasioned as aforesaid.

And the plaintiff says that all of his aforesaid injuries and damages were caused by the negligence, carelessness and want of due care on the part of the defendant's servants, agents or employees or either of them and that he in no wise contributed thereto.

WHEREFORE the plaintiff claims \$10,000 damages.

Bois & Evans

ATTORNEYS FOR PLAINTIFF

The plaintiff elects to have this case tried before a Jury and prays leave of Court to do so.

Paris & Evans

ATTORNEYS FOR PLAINTIFF

TO THE DEFENDANT: TAKE NOTICE:

That on the day of your appearance to this action in The Baltimore City Court a rule will be entered requiring you to plead to the above declaration within the time required by law.

Paris & Evans

ATTORNEYS FOR PLAINTIFF

✓ *am*

818
61

IN THE

BALTIMORE CITY COURT

818/6

HUBERT SMITH

-vs-

STALLINGS RIPPLE CHEVROLET
SALES CO., INC.

PLEA

Mr. Clerk:-

Please file.

Foster H. Fanseen
Attorney for Defendant.

FOSTER H. FANSEEN,
431 CALVERT BUILDING,
BALTIMORE, MD.

FILED JUL 20 1928

-vs-

STALLINGS RIPPLE CHEVROLET SALES CO., INC.

STALLINGS RIPPLE CHEVROLET SALES CO., INC.

BALTIMORE CITY COURT

✓

HUBERT SMITH

IN THE

-vs-

BALTIMORE CITY COURT.

STALLINGS RIPPLE
CHEVROLET SALES CO. INC.

Stallings-Ripple Chevrolet Sales Co., Inc.,
defendant, by Foster H. Fansen, its attorney, for a Plea
to the plaintiff's declaration says:

"That it did not commit the wrongs alleged."

Foster H. Fansen
Attorney for Defendant.

BALTIMORE CITY COURT

HUBERT SMITH

-vs-

STALLINGS RIPPLE
CHEVROLET SALES CO. INC.

B.P.E.

W.A. Fansen

Foster H. Fansen

Attorney

Foster H. Fansen

FOSTER H. FANSEN

431 CALVERT BUILDING

BALTIMORE, MD.

FILED 101 20 1958

P-803

818/61

No. 29 Aug. R. D., 19 28

Baltimore City Court.

Hubert Smith

vs.

Stallings Rippel

Cheverlot Sales Co.

WRIT OF SUMMONS

Copy of Nar and Notice to plead
within to be served on defendant.

Davis & Evans

Attorney for Plaintiff

Filed _____ day of _____ 19

FILED AUG 13 1928

JUL 11 1928 2

THE SHERIFF OF BALTIMORE

WRIT OF SUMMONS

STATE OF MARYLAND

BALTIMORE CITY, to wit.

To the Sheriff of Baltimore City, Greeting:

You are commanded to summon

~~Stallings Ripple Chevrelott Sales CO.Inc.~~

of Baltimore City, to appear before the Baltimore City Court, to be held at the Court House in the same city, on the second Monday of ~~ix~~Aug. next, to answer an action at the suit of ~~Hubert Smith~~

and have you then and there this writ.

Witness the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore

City, the 14th day of May 19 28

Issued the 11th. day of July in the year 1928

Gulley Anderson Clerk.

SHERIFF'S RETURN

SUMMONED Stallings Ripple Chevrelott Company
A CORPORATION, BY SERVICE ON Walter J. Nicholson Secretary
AND A COPY OF NAR AND NOTICE TO PLEAD WITH A COPY OF THE PROCESS
LEFT WITH SAID Secretary, ALSO NOTICE OF SAID SUMMONS
LEFT AT THE PRINCIPAL OFFICE OF SAID CORPORATION.

Mitchell
7-14-28

Rec'd 35

John E. Potee
SHERIFF

84 ✓
16

818
61

IN THE

BALTIMORE CITY COURT

HUBERT SMITH

VS.

STALLINGS RIPPLE
CHEVROLET SALES, INC.

ORDER TO **ENTER** APPEARANCE

Mr. Clerk:

Please file, etc.

Arthur R. Padgett
Attorney for Plaintiff.

ARTHUR R. PADGETT
ATTORNEY AT LAW
110 E. LEXINGTON ST.
BALTIMORE

✓ FILED

FILED JAN 14 1929

HUBERT SMITH

:

IN THE

VS.

:

STALLINGS RIPPLE CHEVROLET
SALES, INC.

:

BALTIMORE CITY COURT

:

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Mr. Clerk:

Please enter my appearance along with that of
J. Stewart Davis, Esq., as Counsel for the plaintiff in the
above entitled case.



Attorney for Plaintiff.

#595

Baltimore City Court.

ROOM 226

Gandy 1929

The Sheriff will please summon the following witnesses:

Returnable on Monday the 22nd day of April 1929 at 10 o'clock A. M.

Smith vs. Stallings Purple B

Baltimore City Court.

Gandy Term 1929 No. 595 Trials Judge Allman

MR. LINDSAY, Clerk,

Please issue summons for the following witnesses:

- 15 William Offer, 100 Carroll St
10 Joseph S. Fennell, 1509 Druid Hill Ave
10 Francis Cooper, 1000 Druid Hill Ave
10 James Saylor, 907 Druid Hill Ave
10 Edward Wallace, 1343 Division St
10 J. Frisco, 335 Dolphin St, 1127 Park Ave
10 M. Gassaway, 1814 Mc Culloch St
10 W. Bernard Hughes, 1413 1343 Druid Hill Ave

to testify for the Plaintiff

Returnable Monday the 22nd day of April 1929 at 10 o'clock A. M.

Attorney for Plaintiff

595

March 3 1893

Baltimore City Court.

ROOM 226

January 1929

The Sheriff will please summon the following witnesses:

Returnable on Wednesday the 17th day of April
1929, at 10 o'clock A. M.

Hubert Smith
vs.
Stallings R. R. Sales

Baltimore City Court.

January Term 1929
No. 595 Trials
Judge Ullman

MR. LINDSAY, Clerk,

Please issue summons for the following witnesses:

- 11 Herbert Smith
1806 Madison Ave
- 10 Francis Cooper 907 Druid Hill Ave
- 10 Edward Wallace 1343 Division St.
- 10 J. Frisco 335 Dolphin St
- 11 Mr. Gassaway 1814 N. E. Cullogh St
- 10 W. Bernard Hughes 1405
1343 Druid Hill Ave

to testify for the Plaintiff
Returnable Wednesday the 17th day of April
1929 at 10 o'clock A. M.

Arthur P. Padgett
Attorney for Plaintiff

595

APR 22 1929 3 57 PM

RECEIVED AT
THE SHERIFF'S OFFICE (DN)

Baltimore City Court. ROOM 226

January 1929

The Sheriff will please summon the following witnesses:

Returnable on Tuesday the 23rd day of April 1929, at 10 o'clock A. M.

Smith vs. Shattuck Ripple Co.

Baltimore City Court.

January Term 1929 No. 595 Trials Judge Allmon

MR. LINDSAY, Clerk,

Please issue summons for the following witnesses:

- 10 Joseph S. Fennell 309 Druid Hill Ave
10 Francis Cooper 907 Druid Hill Ave NE
10 James Taylor 907 Druid Hill Ave
10 Edward Wallace 1343 Division St NE
10 J. Frisco 335 Dalphine St NE 1127 Park Ave
11 Mr. Rossomaf 1514 Mrs. Oulagh St
10 W. Bernard Loughes 1473 1343 Druid Hill Ave

to testify for the Plaintiff

Returnable Tuesday the 23rd day of April 1929 at 10 o'clock A. M.

Attorney for Plaintiff

#595

RECEIVED AT
THE SHERIFFS OFFICE IN

APR 22 1929 3 57 PM

Baltimore City Court
ROOM 330
PART 2

The Sheriff will have custody of the following witnesses:

Witnesses to be sworn

Baltimore City Court.

ROOM 226

The Sheriff will please summon the following witnesses:

Returnable on Tuesday the 23rd day of April
1929, at 10 o'clock A. M.

PLAZA 4710

FOSTER H. FANSEEN
ATTORNEY AT LAW
431 CALVERT BUILDING
BALTIMORE, MD.

SMITH

-vs-

STALLINGS-RIPPLE CHEV. SALES.

*

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*

*

IN THE

BALTIMORE CITY COURT.
No. 595.

Mr. Clerk:-

Please issue summons for the following witnesses to testify for the defendant, making same returnable before his Honor, Judge Ulman, at 10 A. M. on Tuesday, April 23rd, 1929.

15 Wilbert Offer, ^{sd}
100 Carroll Street.

10 Officer David ^{sd}
Northwestern District.

15 Thomas J. Ubank, ^{sd}
Stallings-Ripple Chev. Sales,
34 N. 1st Street,
Brooklyn.

Foster H. Fanseer
Attorney for Defendant.

DEFENDANT'S *A* PRAYER.

The Court instructs the jury that from the uncontradicted evidence in this case, the plaintiff was guilty of negligence directly contributing to the accident complained of, and the verdict of the jury must therefore be for the defendant.

Refused

and Dep't. Marshall
For 10019 260
10019 260

*Accepted
1st day of
1904*

DEFENDANT'S

1st

PRAYER.

The Court instructs the jury ~~that~~ *that* the defendant
in this case shows that at the time of the happening
of the accident mentioned in the testimony, the defendant
was for the defendant, nor in furtherance of his employment
and the defendant was being employed by *Wilbert* of his own
personnel, and that he was not acting as an agent of the

DEFENDANT'S

1st

PRAYER.

The Court instructs the jury that the uncontradicted evidence in this case shows that at the time of the happening of the accident mentioned in the testimony, the automobile of the defendant was being operated by Wilbert Offer for his own personal uses, and that he was not acting as an agent or servant for the defendant, nor in furtherance of his employment and the verdict of the jury must therefore be for the defendant.

Granted

595

Plaintiff
by my list
Verdict in
favor of
the Defendant
Certe Ante

618
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595 BEFORE THE JUDGE AT LARGE. No. 3.

5TH PANEL.

January Term, 1929

(Beginning Monday, April 8, 1929)

BALTIMORE CITY COURT

Hubert Smith
Stallings Ripple Chevrolet Sales
Company Inc.

Jury Sworn *Apr. 23* 1929.

Isaac K. W. Lieder, Jr. Foreman.

- ~~WILLIAM G. SCHAEFFER, Undertaker, 1816 E. Monument St.
Self—1816 E. Monument St.~~
- ~~GEORGE I. STUDEBAKER, Retired, 3241 Abell Ave.~~
- ~~AUGUST MILLER, Seafood Dealer, 515 N. Highland Ave.
201 N. Belnord Ave.~~
- 2. ROBERT M. DALRYMPLE, Horseshoer, Retired, 412 N. Carey St.
- ~~CARL R. SCHMIDT, Secretary, 806 Gorsuch Ave.
Parks & Hull, Inc., 1031 Cathedral St.~~
- WILLIAM C. PLUMMER, Collection Manager, 528 E. North Ave.
Hecht Bros. & Co., Baltimore and Pine Sts.
- JOHN B. ROGERS, Wholesale Coal, 315 Thornhill Road.
Self—811 American Bldg.
- WILLIAM F. KNOX, Office, 315 Dolphin St.
311 Vickers Bldg., 225 E. Redwood St.
- ~~JOHN C. MASOPUST, Insurance Agent, 2918 McElderry St.
Central Fire Ins. Co., Holliday & Fayette Sts.~~
- ALBERT H. WILSON, Representative, 1541 N. Caroline St.
Mack Miller Candle Co., 1541 N. Caroline St.
- THOMAS E. LEE, Salesman, Retired, 3039 Walbrook Ave.
- 3. WEBSTER J. BEAUMONT, Clerk, 4300 Woodridge Road, Rog-
nel Heights, E. L. M. Fishpaw, Painting Contrac-
tor, 11 N. Gilmer St.
- CHARLES H. LEMKUL, Jeweler, 4100 Fernhill Ave.
4100 Fernhill Ave.
- GEORGE H. STAPP, Buyer, 3732 Winterbourne Road,
The Morris & Eckels Co., 400 S. Eutaw St.
- NORMAN A. DIXON, Drug Sundry Buyer, 2035 Wheeler Ave.
Calvert Drug Company, 106 W. Redwood St.
- JAMES T. BARNETT, Contractor, Painter, 212 S. Collington Ave.
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- ~~WILLIAM T. MEDFORD, Assistant Director, 3714 Mohayk Ave.
Traffic and Transportation Bureau, Balto. Assn.
of Commerce, 22 Light St.~~
- MAURICE K. STOKES, Printer, 4500 Penhurst Ave.
Day Printing Comany, 600 E. Lombard St.
- ~~RICHARD T. BIRCHETT, Butcher, Retired, 2439 Edmondson Av.~~
- M. REID SCOTT, Salesman, 1600 Park Ave.
Walter Scott, 1311 St. Paul St.
- ~~JOSEPH G. LOEFFLER, Store Manager, 1438 N. Gay St.
Music Shop, Inc., 1438 N. Gay St.~~
- ~~AUGUST MACK, Foreman, 2536 E. Monument St.~~
- 4. CLINTON L. UTLEY, Wireman, 510 Nicoll Ave.
C. & P. Tel. Co., 1915 Madison Ave.
- D. CLIFFORD CROOK, Salesman, 3609 Yolando Road.
- FRED W. LIEDER, JR., Musician, Self, 1602 E. Preston St.
- 5. JOHN ZIES 3013 Winfield Ave.
Pres., Chas. Zies & Sons Co., 314-320 S. Fremont Ave.
- 6. LEMUEL L. RUST 1649 E. 25th St.
Cabinet maker, Baltimore Chair Co., 404 Orchard St.
- 7. G. WILSON GROOM 718 McCabe Ave.
Clerk, Sovereign Grand Lodge, I. O. O. F., 16 W. Chase St.
- HARRY E. HOUCK 34 Whitfield Rd.
Printer, Houck & Houck, 1005 N. Charles St.
- HERMAN P. LASKE 537 N. Washington St.
Secretary, Building Association.
- 8. MAURICE W. SCHOLING, Salesman 506 Lyndhurst St.
- PATRICK F. HACKETT, Jr. 1936 Grinnalds Ave.
Clerk, Patrick F. Hackett, 206 Stewart Building.
- MARTIN P. CONNOR 622 McCabe Ave.
Clerk, Chesapeake Coal Co., 25 W. North Ave.
- 9. JOHN B. TICKNER 3606 Duvall Ave.
Manager, Casket Factory, Wm. J. Tickner & Sons,
North and Pennsylvania Aves.
- ~~AUGUST MEIDLING 112 N. Patterson Park Ave.
Merchant, 115-117 N. Patterson Park Ave.~~
- GEORGE E. PARKER, Radio Merchant, Self 5515 Sefton Ave.
- 10. JOSEPH GUMP, Accountant 2601 Madison Ave., Apt. 107.
- ~~ROBERT A. PAHREN, None 5403 Grindon Ave.~~
- JOSEPH B. WAGNER 802 Ridgely St.
Oyster Packer, Self, 638 S. Fremont Ave.
- WALTER RAYMOND ENEY 2564 Edmondson Ave.
Supt., Medical Arts Bldg., Read and Cathedral Sts.
- 11. ALFRED I. HART 4302 Roland Ave., R. P.
President (Formerly, Hart Bank Service Corp.),
517 Munsey Building.
- GEORGE R. H. YOUNGER 122 Monastery Ave.
Adjuster, West Adjustment Co., 432 Hearst Tower Bldg.
- CHAS. S. OBERLANDER 811 S. EATON St.
Asst. Foreman, Baltimore Copper S. & R. Co.,
Fait Ave. and Hudson St.
- EMIL PFEIFFER, Lithographer 2927 Harlem Ave.
- GEORGE W. NEWTON 404 Lyman Aye.
Machine Designer, Crown, Cork & Seal Co.,
1511 Guilford Ave.
- 12. JAMES E. McQuade 446 N. Lakewood Ave.
Moving Picture Operator, Metropolitan Theatre,
Pennsylvania and North Aves.
- ISADORE A. TANZER 2206 Callow Ave.
Insurance Broker, Apple & Bond, 7 E. Redwood St.
- WM. H. WARDIN 508 Woodlawn Rd.
Transportation, Atlantic Coast Line R. R. Co.,
15 W. Fayette St.
- HERMAN W. RAHE 531 Tunbridge Rd.
Secretary, J. C. Eichman Mfg. Co., Bush and Wicomico Sts.

595

Defendants

Guy F. Smith

618
61

595 BEFORE THE JUDGE AT LARGE. No. 3.

5TH PANEL.

January Term, 1929

(Beginning Monday, April 8, 1929)

BALTIMORE CITY COURT

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