

3/12/30

112  
127/24  
7/11  
D. J. Adams

COURT OF COMMON PLEAS

MARY D. ADAMS

VS.

JAMES G. YOUNG

NARR

MR. CLERK:

PLEASE ISSUE, ETC.

*J. Irvin McCourt*  
ATTY. FOR PLAINTIFF.

J. Irvin McCourt  
~~WILLIAM EX. GALVIN~~

ATTORNEY AT LAW

BALTIMORE, MD.

MAILED APR 10 1924

*ms*  
*MS*  
*MS*

[WRIT OF SUMMONS]

# STATE OF MARYLAND

BALTIMORE CITY, *to wit:*

To the Sheriff of Baltimore City, Greeting:

You are hereby commanded to summon.....

*James B. Young*

of Baltimore City, to appear before the Court of Common Pleas, to be held at the Court House in the same City, on the second Monday of *April* next, to answer an action at the suit of

*Mary D. Adams*

and have you then and there this writ:

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

City, the *14<sup>th</sup>* day of *January* 19 *24*  
ISSUED *10<sup>th</sup>* day of *April* 19 *24*

*James Y. Clappole* Clerk.

P-115

137  
24

No. 112

To April R. D. 1924  
Mary D. Adams

vs.

James B. Young

**WRIT OF SUMMONS**

+ Copy of Nar

Action, copy of Nar, and notice to plead  
to be served on Defendant.

J. Irvine McCourt  
Attorney.

Filed \_\_\_\_\_ day of \_\_\_\_\_ 19

Summons and a copy of Nar and Notice  
to Plead left with the defendant.

John E. Pater  
Sheriff.

Fees \$0.80

(Rem  
4-12-24)

13

MARY D. ADAMS, Plaintiff. :

vs. :

JAMES G. YOUNG, Defendant. :

IN THE COURT OF  
COMMON PLEAS:  
BALTIMORE CITY.

STATE OF MARYLAND, BALTIMORE CITY, TO WIT :

The Plaintiff, Mary D. Adams, by J. Irvin McCourt, her Attorney, sues the Defendant, James G. Young.

FOR THAT, heretofore, to wit, on or about the 29th day of March 1924, while the Plaintiff was lawfully crossing a Public Highway at or near the corner of Mosher and Calhoun Streets, both Public Highways of the City of Baltimore, she was run into by an automobile operated by the Defendant and as the result thereof she was seriously and permanently injured about the head, limbs and body and was caused to suffer great mental anguish and was put to great expense for hospital and medical services and was deprived for a long period of performing her usual occupation. AND this Plaintiff further says that all of her aforesaid injuries and damages were occasioned by the negligence of the Defendant and that she in nowise contributed thereto.

WHEREFORE, this suit is brought and the Plaintiff claims Fifteen Thousand Dollars (\$15,000) damages.

Mr. Clerk : -

J. Irvin McCourt  
Attorney for Plaintiff.

The Plaintiff in the above entitled case elects to have it tried before a Jury.

J. Irvin McCourt  
Attorney for Plaintiff.

In the  
Court of Common Pleas of  
Baltimore City.

Mary D. Adams

vs.

James G. Young.

Plea.

Mr. Clerk:-

Please file, etc.,

*Howard M. Towles,*  
Attorney for Defendant.

HOWARD M. TOWLES  
ATTORNEY AT LAW  
-- 408-405 HOFFMAN BUILDING --  
BALTIMORE, MD.  
22 East Lexington Street.

FILED MAY 13 1924

Mary D.Adams

vs.

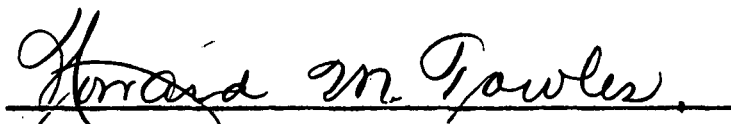
James G.Young

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In the  
Court of Common Pleas  
of Baltimore City.

James G.Young,defendant ,by Howard M.Towles,his attorney  
by way of plea to the Declaration filed in the above entitled  
cause,says:-

That he did not commit the wrongs alleged.

  
\_\_\_\_\_  
Attorney for Defendant.

Mary D.Adams

vs.


James G.Young

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In the  
Court of Common Pleas  
of Baltimore City.

Mr.Clerk:-

The Defendant in the above entitled case elects to have same  
tried before a jury.

  
\_\_\_\_\_  
Attorney for Defendant.

IN THE COURT OF COMMON  
PLEAS OF BALTIMORE CITY.

MARY D. ADAMS

VS.

JAMES G. YOUNG.

*notice to  
Strike out appearance  
and  
Papa appearance*

Mr. Clerk:-

Please file.

*Davist Evans  
att'y for plaintiff*

J. STEWARD DAVIS  
ATTORNEY AT LAW  
215 SAINT PAUL PLACE  
BALTIMORE, MD.

FILED OCT 6 1924

Mary D. Adams

- VS -

James G. Young.

:  
:  
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:

IN THE  
COURT OF COMMON PLEAS  
OF BALTIMORE CITY.  
CASE 196.

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Mr. Clerk:

Please strike my appearance out of the above  
entitled case.

J. Finis McCowen

*for plaintiff*  
1

Please enter my appearance in the above entitled  
case.

Davis & Evans



4th—3 Weeks September Term, 1924

(Beginning Monday, November 10, 1924)

Hon. W. STUART SYMINGTON, JR., Judge.

Docket..... 1927

Page..... 127

Court of Common Pleas

Adams

Young

Jury Sworn Thursday Nov 13 1924

Howard E. Mitchell Foreman

- EDWARD D. FRANKLIN, Freight Agt., B. & O. R. R., 4115 Belvieu Ave.
- JAMES C. GESSLER, Agt., Prudential Life Ins. Co., 1206 W. Franklin.
- FRANK A. KELLENBERGER, Clerk, B. & O. R. R., 2840 W. Lanvale.
- HERMAN SCHWARTZ, Clerk, Schloss Bros. & Co., 1929 Mosher.
- JOHN N. KUNKEL, Sales Mngr., Kunkel Service Co., 2310 Mayfield Ave.
- JOHN W. LYONS, Cutter, Jacobs Bros., 3406 Wilkens Ave.
- JAMES F. CREAGH, Steward, Hotel Rennert, 2407 Barclay.
- JOHN H. BELL, Clerk, Henry B. Gilpin Co., 328 N. Fulton Ave.
- HOWARD R. BROLL, Clerk, Merchants National Bank, 1510 Battery Ave.
- HOWARD E. MITCHELL, Clerk, The James Robertson Mfg. Co.,
- 3 C. IRWIN GALBREATH, Clerk, Title Guarantee & Trust Co., 1735 Park Ave.
- 4 GUSTAV A. H. DEERING, Advertising, H. B. Green & Co., 1825 W. Franklin.
- 5 CLARENCE D. PARKER, Retired, 2261 Madison Ave.
- 6 DAVID F. BROADFOOT, Florist, Wm. J. Halliday, 2105 N. Pulaski.
- PHILIP A. WAGNER, Retired, 2927 Belmont Ave.
- 7 LOUIS A. TAYLOR, Merchant, 1215 William.
- 8 CLIFTON JOHNSON, Salesman, Washburn Crosby Co., 3908 Ridgewood Ave.
- 9 ROLAND H. HURST, Sup't, Wise Bros., 3033 Abell Ave.
- JOHN D. SCHULTZ, Clerk, Woodland & Co., 514 Norman Ave.
- PETER REISZ, Sexton, E. Balto. Baptist Church, 502 N. Kenwood Ave.
- EDWARD A. CHRISTMAN, Designer, 2220 Brookfield Ave.
- CHARLES F. W. BORNMANN, Confectioner, Crown Lunch Room, 3308 Egerton Pl.
- 10 ERNEST JOHANNESSEN, Hardware, 2102 Orleans.
- ISAAC H. AMBROSE, Janitor, City Garage, 826 W. 36th.
- IRVING E. BAMBERGER, Clerk, Oppenheim, Oberndorf & Co., 2408 Linden Ave.

- ADAM H. WEBER..... 411 N. Bouldin St. Salesman, Edwin Bennett Pottery Co.
- ROBERT A. ALLISON, Sr., 716 N. Arlington Ave..... Retired
- S. MILTON KLAUSMEYER..... 46 E. Hamilton Ave. Clerk, Clendenin Bros., Inc.
- FREDERICK EIDMAN, 1230 William St., Clerk, B. & O. R. R.
- ISIDOR M. HECHT, 2329 Madison Ave..... Clothier
- WM. H. B. HAYNES..... 2016 E. 31st St. Salesman, United Gas & Electric Engr. Co.
- WM. E. ROSENSTEEL..... 2302 Harlem Ave. Salesman, American Wholesale Corp.
- WILMER C. DAVIS, 3322 Edmondson Ave..... Clerk, B. & O. R. R.
- JAMES A. O. TUCKER, 1813 Park Ave..... Real Estate
- GEO. E. MCGILL..... 2723 W. North Ave. Salesman, Manhattan Rubber Mfg. Co.
- JOS. A. BUSCH, 639 N. Robinson St..... Trimmer, Philip Kahn
- FRED W. SANBORN, 3505 Esther Place..... Clerk
- 11 CHAS. R. WRIGHT, 2233 Cecil Ave..... Painter
- JAMES E. KIRK..... 1125 Battery Ave. Pressman, Metropolitan Printing Co.
- 12 T. IRVIN ZIMMERMAN, 5238 Reisterstown Rd..... Merchant
- FREDERICK MESSNER..... 8 Rosedale Ave., Hamilton Engineer, White Truck Co.
- JOS. M. DIXON..... 429 N. Carey St. Meat Packing Clerk, Louis H. Rettberg, Inc.
- MAURICE J. SIOUSSA..... Calvert Court Apts. Sales Agent, The Quaker Oats Co.
- ROBERT H. HOLDEFFER..... 2826 Alameda Ave. Electrician, Electric Power Co.
- WM. B. BREWER..... 4205 Penhurst Ave. Cashier, James Robertson Lead Works
- ELMER F. KRIEGER..... 1604 E. 25th St. Machinist, C. M. Kemp Mfg. Co.
- DAVID H. JOHNSTON, JR..... 1619 Chilton Ave. Sup't. Con. Gas & Elec. Co.
- CLARENCE K. TOWNSEND..... 3218 Elgin Ave. Freight Claim Investigator, B. & O. R. R.
- DANIEL J. CINNAMOND..... 219 N. Milton Ave. Clerk, Continental Can Co. Inc.
- BENJAMIN KATZ, 2703 Springhill Ave..... Butcher

Geo Ciccola Chauffeur yellow cab  
 453 Whitby Ave  
 Chas S. Darrane Director Y.M.C.A.  
 47 N. Hillton  
 Patrick Cavanagh C. Gas & L.P. Co.  
 917 N. Luzerne Ave.  
 David Whfelder Fruit  
 244 N. Washington

IN THE COURT OF COMMON PLEAS

*September Term 1924*

TO THE SHERIFF OF BALTIMORE CITY:

SUMMON

To Testify for

*Young Ats. Adams*

returnable

*Wednesday Nov. 12, 1924 at 10 A M.*

Issued

*Nov 10*

1924

*James J. Claypool* Clerk.

In the  
St. Com. Pleas.

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Adams

vs.

Young

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Shffs. Returns.

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Ortd.  
J. W. W.

IN THE COURT OF COMMON PLEAS

TO THE SHERIFF OF BALTIMORE CITY:

PLAINTIFF

105

105

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Case No 196

MARY ADAMS : IN THE COURT OF COMMON PLEAS

VS. : OF

JAMES GUY YOUNG : BALTIMORE CITY.

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Mr. Clerk:-

14 Please issue summons, ~~ordinary~~, for Geneva Toy, 1338  
Moshier, St., 1/4 Arthur Davenport, ~~St~~, 1338 Moshier St., Dr. M. S. Manley,  
3 Mercy Hospital and also issue summons, ~~ordinary~~, against the  
Keeper of Records of the Accident Department of Mercy Hospital  
requiring him or her to be in this court and at the same time,  
a summons duces tecum to bring in the record of admittance and  
discharge of Mary Adams, and make same returnable before the  
Court, Thursday Nov. 13th at 10 A.M.

*J. Davis Evans*  
ATTORNEYS FOR PLAINTIFF.

*Order at p. 47  
J. Davis Evans*

In the  
let. Com. Pass

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Adams

172

Young

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Shffs. Returns

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Outd.  
Jan

196  
Coo

Adams

IN THE COURT OF COMMON PLEAS

*September Term 1924*

TO THE SHERIFF OF BALTIMORE CITY:

SUMMON

To Testify for

*Adams vs Young.*

returnable

*Thursday Nov. 13, 1924 At 10 a M.*

Issued

*Nov. 12,*

1924

*James Y. Claypoole* Clerk.

# SUMMONS FOR WITNESSES

Mary Adams

vs.

James H. Young

Court of Common Pleas

8 TERM, 1924  
No. 196 TRIALS

JAMES Y. CLAYPOOLE, CLERK:

Please issue Summons for the following Witnesses:

Out at p. 47

14 Geneva Toy  
1338 Mosher St

14 Arthur Davenport  
1338 Mosher St

14 Grafton Dunaway  
1403 Mosher St

Dr. M. S. Manley Rd

3 Mercy Hospital

to testify for the plaintiff

returnable 10 AM the 14 day of Nov

1924, at 10 o'clock A. M.

Davis Evans

Attorney for plaintiff

In the  
Ct. Com. Pleas.

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Adams  
vs.  
Young

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Shffs. Returns

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Outd.  
JAN



IN THE COURT OF COMMON PLEAS

*Sept Term* 1924

TO THE SHERIFF OF BALTIMORE CITY:

SUMMON

To Testify for

*Adams vs Young*

returnable

*Friday Nov 14<sup>th</sup> 1924 at 10 A.M.*

Issued

*11/12* 1924

*James Y. Claypool* Clerk.

MARY ADAMS

:

IN THE COURT OF COMMON PLEAS

VS.

:

OF

JAMES GUY YOUNG

:

BALTIMORE CITY.

Mr. Clerk:-

14 Please issue summons ordinary for Grafton Dunaway,  
 13 1403 Mosher St.; Arthur Davenport, 1338 Mosher St.; Mary Adams,  
 705 N. Carey St.; Dr. M. S. Manley, Mercy Hospital.

3 Also issue summons, Duces Tecum to the Keeper of Records,  
 Accident Department, Mercy Hospital requiring him to be and appear  
 before this Court and bring with him the records of the entry  
 treatment and discharge of Mary Adams and make same returnable  
 before Judge Symington, Monday November 3, 1924 at 10 A.M., to  
 testify for plaintiff.

Davis & Evans  
 ATTORNEYS FOR PLAINTIFF.

*Printed at 47*  
*James*

IN THE COURT OF COMMON PLEAS

*September Term 1924*

TO THE SHERIFF OF BALTIMORE CITY:

SUMMON

To Testify for

*Adams vs Young*

returnable

*Monday Nov. 3, 1924 at 10 A.M.*

Issued

*November 1, 1924*

*James Y. Claypoole*

Clerk.

In the  
Ct. Com. Pleas.

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Adams

v.

Young

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Shffs. Returns.

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Outd.  
JAN

IN THE COURT OF COMMON PLEAS

TO THE SHERIFF OF BALTIMORE CITY:

HOWARD M. TOWLES  
ATTORNEY AT LAW  
~~22 E. LEXINGTON ST.~~  
~~BALTIMORE~~  
BALTIMORE, MD.

Mary D. Adams,  
Plaintiff

vs.

James G. Young,  
Defendant

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In the  
Court of Common Pleas  
of Baltimore City.

Mr. Clerk:-

Have summoned the following witness to testify for  
the Defendant in the above entitled case (No. 196) make same  
returnable on <sup>Wednesday</sup> ~~Monday~~, November 10<sup>th</sup> 1924 at 10 A.M. before

Judge Symington:-

Samuel Forman<sup>R</sup> ( Grocer ) Northeast cor. Mosher and Calhoun  
Streets.

Very truly yours,

*Howard M. Towles*  
Attorney for Defendant.

*Entd. at p. 47  
J. J. J. 14*

PLAINTIFF'S <sup>3rd</sup> PRAYER.

The Court is requested to instruct the Jury that if they find from the evidence that on or about the 29th day of March, 1924 the plaintiff was injured by the automobile of the defendant, while being operated by the defendant at or near to the intersection of Mosher Street with Calhoun Street, public streets of Baltimore City, if the Jury so finds and further finds that the plaintiffs injury resulted directly from the want of ordinary care and prudence on the part of the defendant and not from want of ordinary care and prudence on the part of the plaintiff directly contributing to the accident, then their verdict should be for the plaintiff.

Granted

<sup>2<sup>nd</sup></sup>  
PLAINTIFF'S PRAYER.  
^

THE Court is requested to instruct the Jury that by ordinary care, is understood that degree of caution, activity and skill which are habitually employed by or may reasonably be expected from persons in the situation of the respective parties under all the circumstances surrounding them at the time.

*Granted*

PLAINTIFF'S PRAYER.

*1st*

The plaintiff requests the Court to instruct the Jury that all pedestrians have the right of way over all vehicles, motor, horsedrawn and otherwise, at street crossings.

*Granted*



Defendant's Prayer.

The Court instructs the Jury that there is no legally sufficient evidence in this case to entitle the Plaintiff to recover against the Defendant.

*Refused*

Adams

v3

Young

Refused

Trayner

*xy*

HOWARD M. TOWLES  
ATTORNEY AT LAW  
~~222 LEXINGTON ST.~~  
~~BALTIMORE~~  
BALTIMORE, MD.

Mary D. Adams, Plaintiff

vs.

James G. Young, Defendant

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In the  
Court of Common Pleas  
of Baltimore City.

Mr. Clerk:-

Have summoned the following witness to testify for the defendant in <sup>sd</sup> the above <sup>30</sup> entitled case (No. 196) make same returnable on ~~Monday~~ <sup>Monday</sup> day of ~~October~~ <sup>November</sup> 1924 at 10 a'clock A.M. before Judge Symington:-

Samuel Forman (Grocer) Northeast corner of Mosher and Calhoun Streets

Very truly

*Howard M. Towles*  
Attorney for Defendant.

*Printed, at p. 47*  
*[Signature]*  
*X*

*mail*  
*9898*

IN THE COURT OF COMMON PLEAS

*September Term 1921*

TO THE SHERIFF OF BALTIMORE CITY:

SUMMON

To Testify for

*Young Ats Adams.*

returnable

*Immediately*

Issued

*Nov. 3,*

1921

*James Y. Claypool* Clerk.

In the  
St. Corn. Pass,

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Adams

vs.

Young

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Shffs. Returns

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Entd.  
J.A.W.

(3)

DEFENDANT'S PRAYER.

Notwithstanding the jury shall find from the evidence that the Defendant was guilty of negligence, yet if they shall further find from the evidence, that the Plaintiff was also guilty of negligence, and that the accident was caused partly by the Defendant's negligence and partly by the Plaintiff's negligence, then the verdict must be for the Defendant, without regard whose negligence was the greater.

*Granted*

(2)

Defendant's Prayer.

The Defendant prays the Court to instruct the jury, that the mere happening of the accident raises no presumption of negligence on the part of the Defendant operating the automobile, but that the burden is upon the Plaintiff to establish by a fair preponderance of evidence that negligence on the part of the Defendant caused the accident, and that if the minds of the jury are left by the evidence in a state of even balance as to the existence of such negligence, then the verdict must be for the Defendant.

*Granted*

PLAINTIFF'S FOURTH PRAYER.

The Court is requested to instruct the Jury that if they find a verdict for the plaintiff, they may, in estimating the damages to be allowed, consider what was the pecuniary loss which the said Mary Adams has sustained by reason of her having been negligently injured and may ~~consider the reasonable probability of the permanency of her injury~~ and may allow her such damages as in the judgment of the jury would compensate her for such pecuniary loss as she has sustained, and reasonably will sustain by reason of said injuries.

*Granted*