

61 1507
IN THE BALTIMORE CITY

COURT.

BOX ~~1208~~ 1268

MURRAY ROBERTS

VS.

BLACK AND WHITE CAB COMP-
ANY, A BODY CORPORATE.

766 Washington Boulevard

DECLARATION.

Mr. Clerk:-

Please file.

Adair & Evans

ATTORNEYS FOR PLAINTIFF.

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

OCT 18 1925

BAUMGARTEN & CO., INC.

3/32/5/10

MURRAY ROBERTS : IN THE BALTIMORE CITY

VS. :

BLACK AND WHITE CAB COMPANY, a body corporate : COURT.

Murray Roberts, plaintiff, by Davis and Evans, his attorneys
sues the Black and White Cab Company, a body corporate .

For that heretofore to wit: on or about the 24th day of
June 1925 the defendant corporation was a common carrier of
passengers by gasoline propelled vehicles, to wit: taxi cabs
in the City of Baltimore, State of Maryland.

That on or about the 24th day of June, 1925 while the
plaintiff was driving his automobile along and upon Greene St, a
public highway of Baltimore City at or near to its intersection
with another street or highway known as Portland Street, he was
run into and struck by one of the cabs of the defendant corpora-
tion; said cab being then and there under the care, control and
management of the then servant, agent or employee of the defendant
its servant, agent or employee, who was then and there operat-
ing it along and upon said Portland street in a negligent manner.

And as a result thereof the plaintiff's automobile
was greatly damaged and he was forced to and did spend large
sums of money in attempting to repair his damages.

17

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 and that he in no wise contributed thereto.

WHEREFORE the plaintiff claims \$500.00 damages.

Oliver & Evans

ATTORNEYS FOR PLAINTIFF.

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

Blair & 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.

Blair & Evans

ATTORNEYS FOR PLAINTIFF.

P-522 1257

No. 61 November R. D. 192 57 5

Baltimore City Court.

Murray Roberts

vs.

Black and White Cab
Company.

Otto Neumann
Secy

WRIT OF SUMMONS

with copy

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

Davis & Evens

Attorney for Plaintiff

Filed _____ day of _____ 192

8

WRIT OF SUMMONS

STATE OF MARYLAND

BALTIMORE CITY, to wit.

To the Sheriff of Baltimore City, Greeting:

You are commanded to summon

Black and White Cab Company, a body corporate

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 November next, to answer an action at the suit of Murray Roberts

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 September 1925

Issued the 19th day of ~~November~~ Oct. in the year 1925

Geo. Carey Ludsay Clerk.

SHERIFF'S RETURN

SUMMONED Black and White Cab Company Incorporated
A CORPORATION, BY SERVICE ON Otto Neumann 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.

Frost

Joyce
11/7-25

John C. Potee
SHERIFF

61 Nov. ^x

576

BALTIMORE CITY COURT.

1257

MURRAY ROBERTS

VS.

BLACK AND WHITE CAB COMPANY,
A BODY CORPORATE.

MOTION TO QUASH

Mr. Clerk:

Please file.

Horton P. Smith

.....
Attorney for Black and White
Cab Company for the purpose of
this motion to quash only.

*Service admitted this 5th
day of December, 1925*

*Davis & Evans, Attorneys
for plaintiff.*

SMITH & BEACHAM
ATTORNEYS AND COUNSELLORS AT LAW
51-52 GUNTHER BUILDING
BALTIMORE, MD.

✓
Filed 5 Dec. 1925

MURRAY ROBERTS :
 VS. : IN THE
 BLACK AND WHITE CAB : BALTIMORE CITY COURT.
 COMPANY, a body corporate :

And now comes the Black and White Cab Company (so called in the Nar) by Horton S. Smith, Attorney for the purposes of this motion to quash only and moves to quash the writ of summons in this case and the return of the Sheriff thereon:

1st. Because the Defendant is sued as a corporation and the return of the Sheriff purports to show that summons had been served upon *Otto Neuman* as the ^{Secretary} President of the Black and White Cab Company, a corporation when in fact there is no such corporation as the Black and White Cab Company and *Otto Neuman* is not the ^{Secretary} President of the Black and White Cab Company, a corporation.

2nd. Because the Defendant is not a voluntary unincorporated Association of seven or more members.

3rd. Because the Defendant is not a voluntary unincorporated association of seven or more members and having a president and other officers.

And for other reasons to be shown at the hearing.

Horton S. Smith

 Attorney for Black and White
 Cab Company for the purpose of
 this motion to quash only.