

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Lola Gordon, also known as Mrs. L. W. Gordon, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said county at the place of holding the same, then and there to answer the Complaint of Viola F. Boyington.

Witness my hand, this the 31 day of Dec., 1962.

Viola F. Boyington  
Clerk

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VIOLA F. BOYINGTON,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
LOLA GORDON, also known as	X	AT LAW
MRS. L. W. GORDON,	X	CASE NO. <u>5-386</u>
Defendant.	X	

1.

The Plaintiff claims of the Defendant, Lola Gordon, also known as Mrs. L. W. Gordon, the sum of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00) as damages for that on to-wit, the 13th day of December, 1961, the Defendant was driving an automobile along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately two miles East of Mobile, Alabama, and near the West end of the Tensaw River Bridge; That the Defendant so negligently operated the motor vehicle which she was driving at said time and place as to cause or allow the same to run into, upon or against the automobile in which the Plaintiff was riding, and as a proximate consequence and result of said negligence, the Plaintiff was injured in that: her back and neck were dislocated; the ligaments, muscles and nerves of her back, and spine were twisted and otherwise injured; she was caused to suffer much mental and physical anguish and pain as a result of her injuries; she was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

2.

The Plaintiff claims of the Defendant, Lola Gordon, also known as Mrs. L. W. Gordon, the sum of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00) as damages for that on to-wit, the 13th day of December, 1961, the Defendant was driving an automobile along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately two miles East of Mobile, Alabama, and near the West end of the Tensaw River Bridge; That the Defendant so negligently operated the motor vehicle which she was driving at said time and place as to cause or allow the same to run into, upon or against the automobile in which the Plaintiff was riding, and as a proximate consequence and result of said negligence, the Plaintiff was injured in that: she received a whip lash injury to her neck and back which caused her to suffer much mental and physical anguish and pain; that she was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

3.

The Plaintiff claims of the Defendant, Lola Gordon, also known as Mrs. L. W. Gordon, the sum of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00) as damages for that on to-wit, the 13th day of December, 1961, the Defendant was driving an automobile along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately two miles East of Mobile, Alabama, and near the West end of the Tensaw River Bridge; That the Defendant so wantonly operated the motor vehicle which she was driving as to cause or allow the same to run into, upon or against the automobile in which the Plaintiff was riding and as a proximate consequence and result of said wantonness, the Plaintiff was injured in this: her back and neck were dislocated; the ligaments, muscles and nerves of her back and spine were twisted and otherwise injured; she was caused to suffer much mental and physical anguish and pain as a result of her injuries; she was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

The Plaintiff claims of the Defendant, Lola Gordon, also known as Mrs. L. W. Gordon, the sum of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00) as damages for that on to-wit, the 13th day of December, 1961, the Defendant was driving an automobile along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately two miles East of Mobile, Alabama, and near the West end of the Tensaw River Bridge; That the Defendant so wantonly operated the motor vehicle which she was driving as to cause or allow the same to run into, upon or against the automobile in which the Plaintiff was riding and as a proximate consequence and result of said wantonness, the Plaintiff was injured in this: she received a whip lash injury to her neck and back which caused her to suffer much mental and physical anguish and pain; that she was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

WILTERS &amp; BRANTLEY

BY:

*Samuel M Brantley*  
Attorney for the Plaintiff

The Plaintiff demands a trial by jury.

WILTERS &amp; BRANTLEY

BY:

*Samuel M Brantley*  
Attorney for the Plaintiff

Received 30 day of Nov 1962  
and on 7 day of Dec 1962  
I served a copy of the within 280  
on Lola Gordon  
By service on \_\_\_\_\_

FILED

NOV 30 1962

ALICE J. DUCK, CLERK  
REGISTER

TAYLOR WILKINS, Sheriff  
By W. D. Talbot D. S.  
O. M.

Defendant's Address:  
Bay Minette, Ala -

5386

Vista F. Boyington,  
Plt.

vs.

Lola Gordon a/k/a  
Mrs. L.W. Gordon,  
Def.

FILED

NOV 30 1932

ALICE J. DICK, CLERK  
REGISTER

Witers & Brantley,  
Attys.

VIOLA F. BOYINGTON,	§	
	§	
Plaintiff,	§	IN THE CIRCUIT COURT OF
	§	
versus	§	
	§	BALDWIN COUNTY, ALABAMA
LOLA GORDON, also known as	§	
MRS. L. W. GORDON,	§	
	§	
Defendant.	§	AT LAW NO: _____

DEMURRER

Comes now the Defendant in the above styled cause, by her attorneys, and demurs to the Complaint heretofore filed against her and to each count thereof, separately and severally, and assigns the following separate and several grounds in support thereof:

1. The complaint fails to state a cause of action.
2. Count "1." of the complaint fails to state a cause of action.
3. Count "2." of the complaint fails to state a cause of action.
4. The complaint fails to allege a duty owing from the Defendant to the Plaintiff.
5. Count "1." of the complaint fails to allege a duty owing from the Defendant to the Plaintiff.
6. Count "2." of the complaint fails to allege a duty owing from the Defendant to the Plaintiff.
7. The complaint fails to allege with sufficient certainty the place at which the alleged accident occurred.
8. Count "3." of the complaint fails to allege that the Defendant wantonly injured the Plaintiff.
9. Count "4." of the Complaint fails to allege that the Defendant wantonly injured the Plaintiff.

Respectfully submitted,

CHASON & STONE

**FILED**

JAN 3 1963

ALICE I. DUCK, CLERK  
REGISTER

By: *Malone Stone*  
Attorneys for Defendant

5386

VIOLA BOYINGTON,

Plaintiff,

vs.

LOLA GORDON, also known as  
MRS. L. W. GORDON,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO: \_\_\_\_\_

\* \* \* \* \*

DEMURRER

\* \* \* \* \*

FILED

JAN 3 1983

ALICE J. DUCK, CLERK  
REGISTERED

CHASON & STONE  
ATTORNEYS AT LAW  
BAY MINETTE, ALABAMA

VIOLA F. BOYINGTON,

Plaintiff,

versus

LOLA GORDON, also known as  
MRS. L. W. GORDON,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO: \_\_\_\_\_

DEMURRER

Comes now the Defendant in the above styled cause, by her attorneys, and demurs to the Complaint as last amended heretofore filed against her and to each count thereof, separately and severally, and assigns the following separate and several grounds in support thereof:

1. The complaint fails to state a cause of action.
2. The complaint fails to allege a duty owing from the Defendant to the Plaintiff.
3. Count "3." of the complaint fails to allege that the Defendant wantonly injured the Plaintiff.
4. Count "4." of the Complaint fails to allege that the Defendant wantonly injured the Plaintiff.

Respectfully submitted,

CHASON & STONE

By: \_\_\_\_\_

Attorneys for Defendant

FILED

FEB 19 1963

ALICE I. DICK, CLERK  
REGISTER

VIOLA F. BOYINGTON,	Y	
Plaintiff,	Y	IN THE CIRCUIT COURT OF
Vs.	Y	BALDWIN COUNTY, ALABAMA
LOLA GORDON, also known as	Y	AT LAW
MRS. L. W. GORDON,	Y	CASE NO. _____
Defendant.	Y	

Comes now the Plaintiff in the above styled cause and amends Count #3 and Count #4 of her Complaint to read as follows:

3.

The Plaintiff claims of the Defendant, Lola Gordon, also known as Mrs. L. W. Gordon, the sum of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00) as damages for that on to-wit, the 13th day of December, 1961, the Defendant was driving an automobile along or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately two miles East of Mobile, Alabama, and near the West end of the Tensaw River Bridge; that the defendant so wantonly operated the motor vehicle which she was driving as to cause or allow the same to wantonly run into, upon or against the automobile in which the Plaintiff was riding and as a proximate consequence and result of said wantonness, the Plaintiff was wantonly injured in this: her back and neck were dislocated; the ligaments, muscles and nerves of her back and spine were twisted and otherwise injured; she was caused to suffer much mental and physical anguish and pain as a result of her injuries; she was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

4.

The Plaintiff claims of the Defendant, Lola Gordon, also known as Mrs. L. W. Gordon, the sum of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00) as damages for that on, to-wit, the 13th day of December, 1961, the Defendant was driving an automobile along



or upon U. S. Highway #90, a public highway in Baldwin County, Alabama, at a point approximately two miles East of Mobile, Alabama, and near the West end of the Tensaw River Bridge; that the Defendant so wantonly operated the motor vehicle which she was driving as to cause or allow the same to wantonly run into, upon or against the automobile in which the Plaintiff was riding and as a proximate consequence and result of said wantonness, the Plaintiff was wantonly injured in this: she received a whip lash injury to her neck and back which caused her to suffer much mental and physical anguish and pain; that she was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

WILTERS & BRANTLEY

BY: *Robert M Brantley*  
Attorney for the Plaintiff

