

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7191

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon X Elizabeth Onieta Dunn and John Dunn

.....
.....
.....

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint

filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against.....

Elizabeth Onieta Dunn and John Dunn....., Defendant.....

by Hugh Langham.....

....., Plaintiff.....

Witness my hand this.....27th.....day of September.....1966.....

Oliver J. Luck Clerk

Entered
Sept 27 1966
Rev

No. 191

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

HUGH LANGHAM

Plaintiffs

vs.

ELIZABETH ONIETA DUNN &

Defendants

JOHN DUNN

SUMMONS AND COMPLAINT

Filed September 27, 1966.....

Alice J. Duck

Clerk

Moore, Moore, Downing & Layden
P.O. Box 4483 Plaintiff's Attorney
Mobile, Ala.

Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office

SEP 27 1966

19.....

TAYLOR WILKINS

Sheriff

Sheriff

I have executed this summons

this Sept 29 1966

by leaving a copy with

Elizabeth Onieta
Dunn John
Dunn

Sheriff claims

Ten Cents per mile Total \$ 8.00

TAYLOR WILKINS, Sheriff

BY

W. A. Salter
DEPUTY SHERIFF

Taylor Wilkins
W. A. Salter
2 miles north of B.V.

HUGH LANGHAM,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

ELIZABETH ONIETA DUNN
and JOHN DUNN,

X

X

LAW SIDE CASE NO. 7191

Defendants.

X

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 affirmatively shows that the Plaintiff had glasses at the time of the accident yet claims damages because he was caused to have to employ glasses in order to see.
3. That said Complaint claims speculative damages.

CHASON, STONE & CHASON

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 12 day of Oct, 1966.

By:

John Chason
Attorneys for Defendants

FILED

OCT 12 1966

AME L. DICK, CLERK
REGISTERED

7191

HUGH LANGHAM,
Plaintiff,

vs.

ELIZABETH ONIETA DUNN
and JOHN DUNN,
Defendants.

DEMURRER

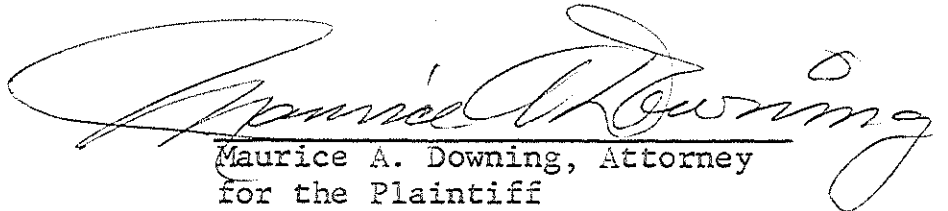
HUGH LANGHAM,)	IN THE CIRCUIT COURT OF
)	
Plaintiff,)	BALDWIN COUNTY, ALABAMA
)	
vs.)	
)	
ELIZABETH ONIETA DUNN)	
and JOHN DUNN,)	
)	
Defendants.)	CASE NO. <u>7191</u>

COUNT ONE

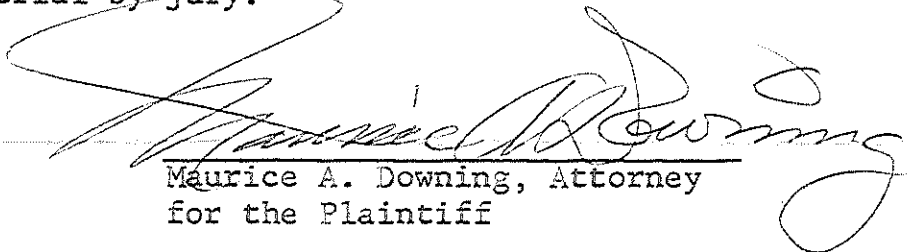
The Plaintiff claims of the Defendants and each of them the sum of FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS for that heretofore and on to-wit: the 23rd day of February, 1966, the Defendant, Elizabeth Onieta Dunn, while acting within the line and scope of her employment as the agent, servant or employee of defendant, John Dunn, did so negligently operate a motor vehicle on Highway 31 at or near the entrance to Yancy State Junior College, said highway being a public highway in the County of Baldwin, State of Alabama, so as to cause said motor vehicle to run over, upon or against a vehicle being operated in a northly direction on said Highway 31 in which the Plaintiff, Hugh Langham, was a passenger and as a proximate consequence of the said negligence of the said Defendant, Elizabeth Onieta Dunn, while acting within the line and scope of her employment as the agent, servant or employee of defendant, John Dunn, the Plaintiff Hugh Langham was injured and damaged in that he received a fracture of the spine; his right shoulder was dislocated, strained, sprained and bruised; received a whip lash to his neck and upper back causing rheumatism and arthritis to set in; was bruised and made sick and sore; was caused to incur doctor, hospital and medical bills; was caused to undergo

x-ray treatment; his glasses were broken; was caused to have to employ glasses in order to see; was incapacitated for a long time during his convalescence; and will suffer in the future from the above injuries and will have to expend money and incur doctor and medical bills in the future all to his injury and damage as aforesaid.

MOORE, MOORE, DOWNING & LAYDEN


Maurice A. Downing, Attorney
for the Plaintiff

Plaintiff demands a trial by jury.


Maurice A. Downing, Attorney
for the Plaintiff

Defendants may be served at:

Rt. 2, Box 150
Bay Minette

FILED
SEP 27 1958
ALICE L. DICK, CLERK
REGISTERED