

MAY JEFFERSON,

VS.

MRS. C. R. BALDWIN,

Plaintiff,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

DEMURRERS

Now comes the Defendant, Mrs. C. R. Baldwin, in the above styled cause and demurs to the Plaintiff's Complaint and to each count thereof, separately and severally, and assigns, the following demurrers, each separately and severally:

1. It does not state a cause of action.
2. It is so vague, uncertain and indefinite as to not properly inform the Defendant as to what she is called upon to defend against.
3. It does not show any duty upon the Defendant to light the ways used by the Plaintiff.
4. It does not show any duty upon the Defendant to warn the Plaintiff of any impending danger.
5. It does not show any duty upon the Defendant to light the ways used by the Plaintiff or to warn the Plaintiff of any impending danger.
6. It does not show, save by conclusion, any duty upon the Defendant to light the ways used by the Plaintiff or to warn the Plaintiff of any impending danger.
7. It does not show howin the Defendant was negligent.
8. It does not show, save by conclusion, howin the Defendant was negligent.
9. It is not show n that the Plaintiff's injury was the proximate result of the Defendant's negligence.
10. It is not shown, save by conclusion, that the Plaintiff's injury was the proximate result of Defendant's negligence.
11. It is not shown howin the Plaintiff was injured.
12. It is not shown that the Plaintiff suffered any

damage as a result of Defendant's negligence.

13. It is not shown that the Defendant wantonly injured the Plaintiff.

14. It is repugnant in that it alleges that the Defendant "negligently willfully or wantonly failed to warn the Plaintiff of the danger".

J. B. Blachman  
Attorney for Defendant.

RECORDED

DEMURRERS

MAY JEFFERSON,  
Plaintiff,  
VS.  
MRS. C. R. BALDWIN,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW.

FILED

SEP 17 1949

ALICE J. DUCK, Clerk

MAY JEFFERSON, )  
Plaintiff, ) IN THE CIRCUIT COURT OF  
VS. ) BALDWIN COUNTY, ALABAMA  
MRS. C. R. BALDWIN, ) AT LAW NO. 1393  
Defendant. )

MOTION

Now comes J. B. Blackburn, attorney for the defendant in this cause, and shows unto the court that Gertrude Riedemann, formerly Gertrude Baldwin, the same person as Mrs. C. R. Baldwin, the defendant in this suit, died on August 25, 1951 and that this suit has not been revived to date hereof, because of all of which it has been abated by the death of the defendant.

WHEREFORE, Movant moves the court to make and enter a proper order showing that the said cause has been abated by the death of the defendant.

J. B. Blackburn  
Attorney for Defendant.

MOTION

MAY JEFFERSON,

Plaintiff,

VS.

MRS. C. R. BALDWIN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1393

FILED  
SEP 24 1952  
JACK A. DICK, Clerk

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1393

-----TERM, 1949

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Mrs. C. R. Baldwin

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 Mrs. C. R. Baldwin

\_\_\_\_\_, Defendant\_\_\_\_

by May Jefferson

\_\_\_\_\_, Plaintiff\_\_\_\_

Witness my hand this 17th day of August 1949

Alice J. Duck, Clerk

No. 1393 1302

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

MARY JEFFERSON

Plaintiffs

vs.

MRS. C. R. BALDWIN

Defendants

SUMMONS and COMPLAINT

Filed 17th August 1949

Oliver French, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this, 19

by leaving a copy with

Sheriff

Deputy Sheriff

MAY JEFFERSON  
Plaintiff

VS.

MRS. C. R. BALDWIN  
Defendant

IN THE CIRCUIT COURT  
BALDWIN COUNTY, ALABAMA.  
IN LAW.

Count One.

The plaintiff claims of the defendant the sum of Twelve Thousand Dollars (\$12,000.00) as damages for that on to-wit: the 17th day of August, 1948, the plaintiff entered into the employ of the defendant as a domestic servant at the home of the defendant on the Robertsdale-Fairhope Road in Baldwin County Alabama; that the plaintiff while performing her duties as said servant of the defendant was injured by the negligence of the defendant in omitting to properly light the ways used by the servant in the conduct of the defendant's business and to warn the plaintiff of the danger in carrying out particular instructions of the defendant to the plaintiff in the insufficient lighted ways of the defendant and as an approximate consequence of the aforesaid negligence that the plaintiff received great personal injuries, suffered great physical pain and mental anguish to her damage aforesaid and was put to great expenses for medical attention and medicines and was permanently injured thereby permanently making her less able to work and earn a livelihood and the plaintiff continues to suffer great physical pains and mental suffering all to her damage as aforesaid.

Count Two

The plaintiff claims of the defendant Twelve Thousand Dollars (\$12,000.00) as damages for that on to-wit: the 17th day of August 1948, the plaintiff entered into the employ of the defendant as a domestic servant at the home of the defendant on the Robertsdale-Fairhope Road in Baldwin County, Alabama: that the plaintiff was ordered by the defendant to put some vegetables away in the staircase locker: that the plaintiff was unfamiliar with the house and that the defendant pointed out the locker door which door was down an unlighted hall and the plaintiff avers that in carrying out said instructions of the defendant she opened said door to said locker supposing it to be an ordinary cupboard, placed said vegetables on a shelf therein, that the plaintiff was uninformed and unable to see in the dim reflected light that the said door was the means of access to a cellar and upon turning to leave said locker was suddenly precipitated headlong or fell headlong down into the dark cellar and thereby was injured, she was rendered unconscious for a long period of time, her arm was badly fractured, her toe was broken and her hand was and is paralyzed, that the plaintiff received great personal injuries suffered great physical pain and mental anguish to her damage aforesaid and was put to great expenses for medical attention and medicines and was permanently injured thereby permanently making her less able to work and earn a livelihood and the plaintiff continues to suffer great physical pains and mental suffering all to her damage as aforesaid

Plaintiff avers said injuries complained of was proximately caused by the negligence of the defendant, which negligence consisted in this, that the said defendant so negligently maintained her ways necessary for the use of the plaintiff in carrying out her duties and work for the defendant that the plaintiff was unable to see in the insufficient light the imminent danger of falling into the cellar while performing her duties for the defendant and was thereby injured to her damage as aforesaid.

Count Three.

The plaintiff claims of the defendant \$12,000.00 as damages for that on to-wit: the 17th day of August 1948, the plaintiff while in the domestic employ of the defendant at the home of the defendant on the Fairhope-Robertsdale Road in Baldwin County, Alabama was ordered by said defendant to place certain vegetables in the staircase locker for the benefit of the defendant: that the defendant pointed out the door to said locker in a darkened hallway and that the plaintiff opened said door and placed therein on a shelf the said vegetables:



That upon turning to leave said locker the plaintiff was suddenly precipitated or fell down into a dark cellar and thereby was injured, whe was rendered unconscious for a long period of time . Her arm was badly fractured, her toe was broken and her hand was and is paralyzed. That the plaintiff received great personal injuries, suffered great physical pain and mental anguish to her damage aforesaid and was put to great expenses for medical attention and medicines and was permanently injured thereby permanently making her less able to work and earn a livelihood and the plaintiff continues to suffer great physical pains and mental suffering all to her damage as aforesaid; and the plaintiff avers that her injuries complained of was proximately caused by the negligence of the defendant and that said negligence consisted in this that the defendant owed a duty to the plaintiff to the warn the plaintiff of any impending danger of which the defendant knew or should have known and that the defendant knew or should have known that the plaintiff was ignorant of the danger and could not see the cellar because of the insufficient light; that the defendant negligently failed to provide proper lights so that the plaintiff could have seen the danger of falling into the cellar or to warn th plaintiff of the danger of falling into the cellar all of which negligence was the direct cause of the aforesaid injuries to the said plaintiff.

#### Count Four.

The plaintiff claims of the defendant Twelve Thousand Dollars (\$12,000.00) as damages for that on to-wit: the 17th day of August 1948, the plaintiff entered into the employ of the defendant as a domestic servant at the home of the defendant on the Robertsedale-Fairhope Road in Baldwin County, Alabama: that the plaintiff was ordered by the defendant to put some vegetables away in the staircase locker: that the plaintiff was unfamiliar with the house and that the defendant pointed out the locker door which door was down an unlighted hall and the plaintiff avers that in carrying out said instructions of the defendant she opened said door to said locker supposing it to be an ordinary cupboard, placed said vegetables on a shelf therein, that the plaintiff was uninformed and unable to see in the dim reflected light that the said door was the means of access to a cellar and upon turning to leave said locker was suddenly precipitated headlong or fall headlong down into the dark cellar and thereby was injured, she was rendered unconscious for a long period of time etc. Her arm was badly fractured, her toe was broken and her hand was and is paralyzed. That the plaintiff received great personal injuries, suffered great physical pain and mental anguish to her damage aforesaid and was put to great expenses for medical attention and medicines and was permanently injured thereby permanently making her less able to work and earn a livelihood and the plaintiff continues to suffer great physical pains and mental suffering all to her damage as aforesaid.

Plaintiff avers said injuries complained of was proximately caused by the negligence of the said defendant, which negligence consisted in this, that the said defendant negligently failed to warn the plaintiff that the said locker door was the opening to a cellar and that there was no sufficient platform or flooring on the inside of the door level with the hall floor and was thereby injured to her damage as aforesaid.

#### Count Five.

The plaintiff claims of the defendant \$12,000.00 as damages that heretofore on to-wit: the 17th day of August 1948, the plaintiff entered into the domestic employ of the defendant at the defendant's home on the Robertsedale-Fairhope Road in Baldwin County, Alabama, that on the aforesaid date to-wit: 17th day of August 1948, the defendant willfully or wantonly ordered the plaintiff to put some vegetables in the staircase locker fully conscious and aware of the impending danger to the plaintiff. The defendant knew that the plaintiff was not acquainted with the house and that the plaintiff was unaware that the referred to locker was the door to the cellar and the defendant knew that the hallway and locker were insufficiently lighted to enable the plaintiff to discover said danger for herself.

The defendant aware of the aforesaid facts knew that the plaintiff would probably be injured and with reckless indifference to consequences wilfully and wantonly ordered the plaintiff to carry out said act of placing said vegetables in the locker and so negligently wilfully or wantonly failed warn the plaintiff of the danger whereby as a proximate consequence the plaintiff was plunged or fell headlong into the cellar causing great physical injuries, she was rendered unconscious for a long period of time, her toe was broken, her arm was fractured and her hand paralyzed. She suffered great physical pain and mental anguish and was put to great expenses for doctor's services and medicine and was permanently made less able to work and earn a livelihood to her damage aforesaid, for which she sues.

Arthur C. Esperson,  
Attorney for Plaintiff.

Received in Sheriff's Office  
this 17 day of aug 1949  
TAYLOR WILKINS, Sheriff

8-18-49

Executed 8-18 1949  
by serving copy of within Summons and  
Complaint on

Mrs C R Baldwin

Taylor Wilkins Sheriff  
By \_\_\_\_\_ Deputy Sheriff

Colley S. Steadman

76.1393  
RECORDED  
THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT IN LAW

MAY JEFFERSON  
PLAINTIFF

VS.

MRS. C. R. BALDWIN  
DEFENDANT

SUMMONS AND COMPLAINT

FILED

AUG 17 1949

ALICE J. DUCK, Clerk

ARTHUR C. EPPERSON  
ATTORNEY AT LAW  
FOLEY, ALABAMA

LOUIS S. JEFFERSON,

VS.

Plaintiff,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

MRS. C. R. BALDWIN,

AT LAW.

Defendant.

DEMURRERS

Now comes the Defendant, Mrs. C. R. Baldwin in the above styled cause and demurs to the Plaintiff's Complaint and to each count thereof, separately and severally, and assigns the following demurrers, each separately and severally:

1. It does not state a cause of action.
2. It is so vague, uncertain and indefinite as to not properly inform the Defendant as to what she is called upon to defend against.
3. It does not show any duty upon the Defendant to light the ways used by the Plaintiff's wife.
4. It does not show any duty upon the Defendant to warn the Plaintiff's wife of any impending danger.
5. It does not show any duty upon the Defendant to light the ways used by the Plaintiff's wife or to warn the Plaintiff's wife of any impending danger.
6. It does not show, save by conclusion, any duty upon the Defendant to light the ways used by the Plaintiff's wife or to warn the Plaintiff's wife of any impending danger.
7. It does not show howin the Defendant was negligent.
8. It does not show, save by conclusion, howin the Defendant was negligent.
9. It is not shown that the Plaintiff's injury was the proximate result of the Defendant's negligence.
10. It is not shown that the Plaintiff's wife's injury was the proximate result of the Defendant's negligence.
11. It is not shown, save by conclusion, that the Plaintiff's injury was the proximate result of Defendant's negligence.

12. It is not shown, save by conclusion, that the Plaintiff's wife's injury was the proximate result of the Defendant's negligence.

13. It is not shown howin the Plaintiff was injured.

14. It is not shown howin the Plaintiff's wife was injured.

15. It is not shown that the Plaintiff suffered any damage as a result of Defendant's negligence.

16. It is not shown that the Plaintiff's wife suffered any damage as a result of Defendant's negligence.


17. It is not shown that the Defendant wantonly injured the Plaintiff.

18. It is not shown that the Defendant wantonly injured the Plaintiff's wife.

19. It is repugnant in that it alleges that the Defendant "negligently, wilfully and wantonly failed to warn the Plaintiff's wife of the danger".

20. It is not shown that the Plaintiff and the Plaintiff's wife were married on August 17, 1948.

21. It is not shown that the Plaintiff and the Plaintiff's wife were husband and wife on August 17, 1948.

  
Attorney for Defendant.

DEMURRERS

LOUIS S. JEFFERSON,  
Plaintiff,  
VS.  
MRS. C. R. BALDWIN,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW.

FILED

SEP 17 1949

ALICE J. DUCK, Clerk