

LOUIS S. JEFFERSON
PLAINTIFF

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

VS.

IN LAW

MRS. C. R. BALDWIN
DEFENDANT

1394

1.

Plaintiff claims of the defendant \$3,000.00 as damages for that on to-wit, the 17th day of August 1948, the plaintiff's wife entered into the domestic employ of the defendant at the home of the defendant on the Robertsdale-Fairhope road in Baldwin County, Alabama, and that the plaintiff's wife 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 plaintiff's wife in performing her tasks for the benefit of the defendant while in such employ and the defendant also negligently failed to warn the plaintiff's wife of the impending danger in using said ways and as an approximate consequence of the aforesaid negligence the plaintiff's wife suffered great physical pain and mental anguish, recieved great personal injuries and was permanently injured thereby making her less able to work permanently and the plaintiff's wife continues to suffer great physical pains and mental suffering.

And the plaintiff avers that as a proximate result and consequence of the injuries to his said wife, the plaintiff was caused to incur to-wit: considerable expenses for medical and surgical treatment, the nurses' and doctors' attention in and about the treatment of said wife and will have to incur further expenses in the future, and the plaintiff lost and continues to lose to-wit, the society, consortium and services of his said wife; for all of which he claims damages; hence this suit.

2.

Plaintiff claims of the defendant \$3,000.00 as damages for that heretofore on to-wit; the 17th day of August 1948, the plaintiff's wife entered into the domestic employ of the defendant in the home of the defendant on the Robertsdale-Fairhope road in Baldwin County, Alabama and on the aforesaid date the plaintiff's wife was ordered by the defendant to put some vegetables away in the staircase locker. The plaintiff's wife was strange in the house and the defendant pointed out the locker door which door was down an unlighted hall way and the plaintiff's wife followed the instructions of the defendant supposing the locker to be as any other ordinary cupboard, placed the vegetables on a shelf therein uninformed that said locker door was the means of access to a cellar and unable to discover said cellar because of the insufficient light. The plaintiff's wife upon turning to leave said locker was without a warning or a hint of danger suddenly precipitated headlong or fell headlong down into the dark cellar and thereby was injured, she was rendered unconscious, her arm was badly fractured and as a consequence of said fracture her hand was paralyzed and continues to be paralyzed, her toe was broken, she suffered great physical pain and mental suffering and was permanently injured thereby permanently making her less able to work and the plaintiff's wife continues to suffer great physical pains and mental anguish.

Plaintiff avers wife's said injuries complained of was proximately caused by the negligence of the defendant, which negligence consisted in this; that the defendant so negligently maintained her ways necessary for the use of the plaintiff's wife in performing her services for the defendant that the plaintiff's wife was unable to see because of the insufficiency of the light the imminent danger of falling into the cellar while performing said services for the defendant and was thereby injured.

And plaintiff avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff was caused to incur to-wit: considerable expenses for medical and surgical treatment, the taking of x-rays, nurses' attention, doctors in and about the treatment of said wife, and will have to incur further expenses in the future, and the plaintiff lost and continues to lose the society, consortium and services of his said wife; for all of which he claims damage; hence this suit.

Count Three.

The plaintiff claims of the defendant \$3,000.00 as damages for that heretofore on to-wit: 17th day of August 1948, the plaintiff's wife entered into the domestic employ of the defendant at the home of the defendant on the Robertsedale-Fairhope 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's wife opened said door and placed therein on a shelf the said vegetables; that upon turning to leave said locker the plaintiff's wife suddenly precipitated or fell down into a 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's wife received great personal injuries, suffered great physical pain and mental anguish and was permanently injured thereby permanently making her less able to work and earn a livelihood and the plaintiff's wife continues to suffer great physical pains and mental suffering.

And the plaintiff avers that wife's 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's wife to warn the plaintiff's wife of any impending danger of which defendant knew or should have known. That the defendant negligently failed to warn the plaintiff's wife of the danger of falling into the cellar all of which negligence was the direct cause of the aforesaid injuries to the said plaintiff's wife.

And the plaintiff avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff was caused to incur to-wit: considerable expenses for medical and surgical treatment, the taking of x-rays, nurses' attention, doctors in and about the treatment of said wife, and will have to incur further expenses in the future, and the plaintiff lost and continues to lose the society, consortium and services of his said wife; for all of which he claims damage; hence this suit.

Count Four

Plaintiff claims of the defendant \$3,000.00 as damages for that heretofore on to-wit: 17th day of August 1948, the plaintiff's wife entered into the domestic employ of the defendant at the home of the defendant on the Robertsedale-Fairhope Road in Baldwin County, Alabama; that the plaintiff's wife 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 and unlighted hall and the plaintiff's wife in carrying out said instructions of the defendant opened said door to said locker supposing it to be an ordinary cupboard, placed vegetables on a shelf therein and that the plaintiff's wife 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's wife received great personal injuries, suffered great physical pain and mental anguish and was permanently injured thereby permanently

making her less able to work and earn a livelihood and the plaintiff's wife continues to suffer great physical pains and mental suffering.

Plaintiff avers wife's 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's wife 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.

And plaintiff avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff was caused to incur to-wit: considerable expenses for medical and surgical treatment, the taking of x-rays, nurses' attention, doctors in and about the treatment of said wife, and will have to incur further expenses in the future, and the plaintiff lost and continues to lose the society, consortium and service of his said wife; for all of which he claims damage; hence this suit.

Count Five.

The plaintiff claims of the defendant \$3,000.00 as damages for the heretofore on to-wit: 17th day of August 1948, the plaintiff's wife 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 wilfully or wantonly ordered the plaintiff's wife to put some vegetables in the staircase locker fully conscious and aware of the impending danger to the plaintiff's wife. The defendant knew that the plaintiff's wife was not acquainted with the house and that the plaintiff's wife 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's wife to discover said danger for herself. The defendant aware of the aforesaid facts knew that the plaintiff's wife would probably be injured and with reckless indifference to consequences wilfully and wantonly ordered the plaintiff's wife to carry out said act of placing said vegetables in the locker and so negligently, wilfully or wantonly failed to warn the plaintiff's wife of the danger whereby as a proximate consequence the plaintiff's wife 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 permanently made less able to work and earn a livelihood. And she continues to suffer great physical pain and mental anguish.

And the plaintiff avers that as the proximate result and consequence of the injuries to his said wife, the plaintiff was caused to incur to-wit: considerable expenses for medical and surgical treatment, the taking of x-rays, nurses' attention, doctors in and about the treatment of said wife, and will have to incur further expenses in the future, and the plaintiff lost and continues to lose the society, consortium and services of his said wife; for all of which he claims damage; hence this suit.

Attorney for Plaintiff.

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

8-18-49

Executed 8-18 49
by serving copy of within Summons and
Complaint on

Mrs C R Baldwin

Taylor Wilkins Sheriff

By _____ Deputy Sheriff

Edleigh Stoddard

No. 1394
RECORDED

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT IN LAW

LOUIS S. 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,)
Plaintiff,) IN THE CIRCUIT COURT OF
VS.) BALDWIN COUNTY, ALABAMA
MRS. C. R. BALDWIN,) AT LAW NO. 1394
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
LOUIS S. JEFFERSON,
VS.
MRS. C. R. BALDWIN,
Plaintiff,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 1394

FILED
SEP 24 1952
ALICE A. DUCK, Clerk

1394

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1391

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 Louis S. Jefferson

Plaintiff----

Witness my hand this 17th day of August 1949

Alice J. Hunter, Clerk

No. 1391 Page

THE STATE OF ALABAMA
Baldwin County
Circuit Court

LOUIS S. JEFFERSON

Plaintiffs

vs.

MRS. O. R. BALDWIN

Defendants

SUMMONS and COMPLAINT

Filed _____, 19____

_____, 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