

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Albert D. Fox and John Samuel Hudson, 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 Mary Frances Green, a minor, acting by and through her father and next friend McArthur Green.

WITNESS my hand, this 13th day of June, 1950.

Wm. J. Green
Clerk

MARY FRANCES GREEN, A minor
acting by and through her
father and next friend
McArthur Green,

PLAINTIFF

VS

ALBERT D. FOX AND
JOHN SAMUEL HUDSON

DEFENDANTS


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

I.


The Plaintiff, a minor twenty-two months old, acting by and through her father and next friend McArthur Green, claims of the defendant TWENTY FIVE HUNDRED (\$2500.00) DOLLARS, as damages, for that heretofore on to-wit, June 11, 1950, the Plaintiff was riding in an automobile on or along Highway 90, a public highway in Baldwin County, Alabama, near Seminole; that at said time and place the Defendant Albert D. Fox acting by and through his agent, servant or employee John Samuel Hudson who was then and there acting within the line and scope of his employment so negligently operated an automobile truck as to cause the same to run into or against an automobile in which the Plaintiff was riding, and as a proximate result of said negligence the Plaintiff was injured as follows:

She was bruised and made sore; her collar bone was broken; she was permanently injured; she was caused to suffer doctor bills; she was caused to suffer drug bills; All

All to the damage of the Plaintiff hence this suit.


Attorney for the Plaintiff

The Plaintiff demands a trial by jury.


Attorney for the Plaintiff

Received in Sheriff's Office
this 13 day of June 1950
TAYLOR WILKINS, Sheriff

1570 RECORDED

MARY FRANCES GREEN, A MINOR
ACTING BY AND THROUGH HER
FATHER AND NEXT FRIEND,
MCARTHUR GREEN,

PLAINTIFF

VS

ALBERT D. FOX AND
JOHN SAMUEL HUDSON

DEFENDANTS

SUMMONS AND COMPLAINT

FILED

JUN 13 1950

ALICE J. DUCK, Clerk

FILED:

Executed 6-20 1950
by serving copy of within Summons and
Complaint on

Albert D. Fox

Taylor Wilkins, Sheriff
By H. F. Hall, Deputy Sheriff

By Deputy Sheriff

By Taylor Wilkins, Sheriff

Not found in my county after diligent search and inquiry.

Returned 24 day of June 1950

Not found in my county after diligent search and inquiry, as to John Samuel Hudson

Taylor Wilkins, Sheriff

By H. F. Hall, Deputy Sheriff

We the Jurors find the defendant guilty and
assess the damages at (\$1000.00) One thousand
and no/100 Dollars.

A. J. Craft
Foreman

754

MARY FRANCES GREEN, a Minor
acting by and through her
father and next friend,
McArthur Green,

Plaintiff,

VS.

ALBERT D. FOX AND
JOHN SAMUEL HUDSON,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NUMBER 1510.

Appeared:

For Plaintiff

Hon. H. M. Hall

For Defendant:

Defendant not in Court

Mr. McArthur Green, having been first duly and legally sworn
testified as follows:

ON DIRECT EXAMINATION

By Mr. Hall

Q. This McArthur Green? Is that your name?

A. Yes sir.

Q. McArthur, are you the father of the baby here?

A. Yes sir.

Q. Mary Frances Green?

A. Yes sir.

Q. This is your wife?

A. Yes sir.

Q. On June 11, 1950 was your baby injured?

A. Yes sir.

Q. How, what were her injuries?

A. Her left shoulder was broken.

Q. Do you know whether she has recovered yet?

A. No sir, not yet.

Q. Her shoulder (indicating) up here broken?

A. Yes sir.

Q. Did you put her under a doctor's care?

A. Yes sir.

Q. Did she have to go to the hospital?

A. No sir, she was under the doctor's care. We had to take her several
times.

Q. What doctor?

A. Dr. Bryant.

Q. He still checking up on her?

A. Yes.

Q. Is she still suffering as a result of that injury to her shoulder?

A. Yes sir.

Come down

Mrs. McArthur Green, having been first duly and legally sworn,
testified as follows:

ON DIRECT EXAMINATION

By Mr. Hall

Q. This is Mrs. McArthur Green?

A. Yes.

Q. Are you the mother of the baby here?

A. Yes sir.

Q. Were you in the car with her the day she was injured?

A. Yes.

Q. Was she thrown out of the car?

A. No sir, she was throwed up against the steering wheel.

Q. Did she suffer any injuries?

A. Complaining like it is sore and don't want me to touch her arm.

Q. Did you take her to the doctor?

A. Yes sir.

Q. And he found the shoulder broken?

A. Yes.

Q. She still complaining?

A. Quite a bit when it's rainy weather.

Q. Even at her age she is complaining?

A. Yes sir.

I, Ora S. Nelson, Court Reporter, hereby certify that the above
and foregoing is a true and correct transcript of the record in the
above cause.

This 6th day of November, 1950.

Ora S. Nelson
Court Reporter

CHARGE TO THE JURY

Gentlemen, I charge you that due to the fact the Defendant has not seen fit to offer any defense, it is still your duty as jurors in this case to consider the case and render such judgment or such verdict as you think the facts justify. The Plaintiff is claiming Twenty-five Hundred Dollars. If you think the facts justify that, it would be in your province to render that verdict. If not, whatever you think fair and just verdict, that should be the amount of your verdict. You may retire to the jury room and after you have made up your verdict write it on the back of the complaint, "We the Jury find for the Plaintiff and assess damages at such and such amount" and let one of your number sign it as foreman.

The foregoing charge was given to the jury hearing the evidence in the case of Mary Frances Green versus Albert D. Fox and John Samuel Hudson, being Case No. 1510 in the Circuit Court of Baldwin County, Alabama.

Ora S. Nissen
Court Reporter

1510

FILED

NOV 9 1950

ALICE J. DUCK, Clerk

STATE OF ALABAMA]

BALDWIN COUNTY]

I, Reuben S. Jackson, a resident of the State of Alabama and county aforesaid, do hereby make and file this my declaration in writing, under oath, that I have claimed and do claim and set apart as being exempt from levy, seizure, or sale under garnishment or other process for the collection of debts, the following described property owned by me, to-wit:

Livingroom suit (3 pieces)	\$40.00
Radio (table model)	30.00
6 plain wood chairs	18.00
9 x 12 linoleum rug	7.50
1 small center table	7.50
Victrola with records	15.00
Iron bedstead and springs, mattress with cover,	15.00
Rollaway bed, mattress and cover,	18.50
1 chiffonade	18.50
1 vanity	18.50
Trunk	10.00
9 x 12 linoleum rug	7.50
Wood stove	15.00
1 table	10.00
3 chairs	4.50
Wooden kitchen cabinet	10.00
Metal ice box	10.00
Wooden safe	10.00
9 x 11 linoleum rug	5.00
dishes, knives, forks, spoons and cooking utensils	15.00
75 chickens, miscellaneous sizes,	100.00
4 hunting hounds	100.00
	<u>\$485.50</u>
	500.00
Wages \$500.00	<u>\$985.50</u>

Reuben S. Jackson

Sworn to and subscribed before me this
the 8 day of June, 1950.

Leola Thompson
Notary Public, Baldwin County, Ala.