

GERALD ALLEN,	)	IN THE CIRCUIT COURT OF
Plaintiff	)	BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
CYRIL A. BARGINER,	)	CASE NO. <u>8866</u>
Defendant	)	

COUNT I

The plaintiff claims of the Defendant, Cyril A. Barginer, Fifty Thousand Dollars (\$50,000.00) as damages for that he avers that on, to-wit: the 26th day of October, 1968 the Defendant was running or operating an automobile in which the Plaintiff was riding as a passenger, guest and invitee of the Defendant and at the request of the Defendant the Plaintiff was such a passenger, guest and invitee and the Defendant while operating said automobile in an Easterly direction on Alabama Highway 104, Baldwin County, Alabama did so negligently operate said automobile so as to cause and allow said automobile to leave said Highway 104 and strike an embankment at a high rate of speed, and as a proximate result and consequence thereof Plaintiff who was then and there a passenger guest of the Defendant, Cyril A. Barginer, in said automobile, received personal injuries, to-wit:

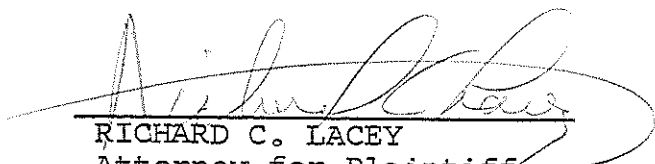
The Plaintiff suffered broken ribs, a ruptured spleen that was later removed, broken and knocked out teeth, many lacerations and contusions requiring a long period in the hospital and expenses of medicines, drugs and physicians; he was caused to suffer physical and mental pain; the Plaintiff was unable to work and support his family for almost a year and continues to be permanently and partially disabled; for all of which he claims damages, hence this suit.

COUNT II

The Plaintiff claims of the Defendant, Fifty Thousand Dollars (\$50,000.00) as damages for that he avers that on, to-wit: the 26th day of October, 1968 the Defendant was running or operating an automobile in an Easterly direction along Alabama Highway 104, Baldwin County, Alabama, in which the Plaintiff was a passenger, guest and invitee at the request of the Defendant, the Defendant

willfully or wantonly ran or operated said automobile at a high rate of speed so that the said automobile left the road and struck an embankment along side said Highway, and thereby and as the proximate result and consequence thereof, Plaintiff who was then and there a guest of the Defendant riding in said automobile received personal injuries, to-wit:

His ribs were broken and injured; his teeth were knocked out and broken; his spleen was ruptured and subsequently removed; he was permanently injured; he was caused to suffer much physical and mental pain; he was caused to expend large sums for hospital bills, for doctors and medicines in caring for his said injuries; he was caused to lose his employment and was out of work for almost a year, for all of which he claims damages as aforesaid, hence this suit.

  
RICHARD C. LACEY  
Attorney for Plaintiff

Defendant may be served at  
Robertsdale, Alabama

FILED

SEP 8 - 1969

ALICE J. BUCK CLERK  
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. ....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ....Cyril A. Barginer

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.....

.....Cyril A. Barginer....., Defendant.....

by .....  
.....Gerald Allen....., Plaintiff.....

Witness my hand this.....3.....day of.....Sept.....1969  
.....Chief Clerk....., Clerk

9K9-4-69

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STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Gerald Allen

Plaintiffs

vs.

Cyril A. Barginear

Defendants

SUMMONS AND COMPLAINT

FILED

Filed ..... 19.....

SEP 5 1969

Clerk

ALICE J. DUCK

CLERK  
REC.

R. Laacy

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED  
Received In Office

SEP 3 1969

19.....

Sheriff

I have executed this summons

this 4-Sept. 1969

by leaving a copy with

Cyril A. Barginear

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY Brown  
DEPUTY SHERIFF

Taylor Wilkins  
H. Brown  
Sheriff

H. Brown  
Deputy Sheriff

50 miles R. T.  
R. Dale