

2312

STATE OF ALABAMA, 0
 0 TO ANY SHERIFF OF THE STATE OF ALABAMA:
COUNTY OF BALDWIN. 0

You are hereby commanded to summon P.E. HEARNE and DONALD LAWRENCE MEADS, or DONALD LAWRENCE MEADE, individually, and as partners, doing business as H & M TRUCK LINES, 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 ALETA THOMPSON, a Minor, suing by OWEN THOMPSON, as Next Friend.

Witness my hand this _____ day of _____, 1954.

C L E R K.

C O M P L A I N T.

ALETA THOMPSON, A MINOR, SUING	0	
BY OWEN THOMPSON, AS NEXT FRIEND,	0	
Plaintiff,	0	IN THE CIRCUIT COURT OF
	0	BALDWIN COUNTY, ALABAMA.
VS.	0	
	0	IN EQUITY.
P. E. HEARNE AND DONALD LAWRENCE	0	NO. _____
MEADS, OR DONALD LAWRENCE MEADE,	0	
Individually, and as partners,	0	
doing business as H & M TRUCK	0	
LINES,	0	
	0	
Defendants.	0	

C O U N T O N E.

The plaintiff claims of the defendants the sum of FIFTEEN HUNDRED (\$1500.00) DOLLARS, as damages, for that, heretofore, on to-wit: March 5, 1954, at about 10:30 P. M., the plaintiff was operating an automobile on a public highway, viz: U. S. Highway No. 31 and 90, in Baldwin County, Alabama, at a point on the West End of Blakely River Bridge, about 6.3 miles east of Mobile, Alabama, where she had a right to be, and the defendant, DONALD LAWRENCE MEADS or DONALD LAWRENCE MEADE, an agent, servant, or employee of the defendants P. E. HEARNE AND DONALD LAWRENCE MEADS or DONALD LAWRENCE MEADE, doing business as H & M TRUCK LINES, who was then and there acting within the line and scope of his employment as such agent, servant, or employee,

Jeffrey A. Walsh
Attorney for Plaintiff.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

NO. _____

ALETA THOMPSON, A MINOR,
SUING BY OWEN THOMPSON,
AS NEXT FRIEND,

Plaintiff,

VS.

P. E. HEARNE AND DONALD
LAWRENCE MEADS, OR DONALD
LAWRENCE MEADE, Individ-
ually, and as partners,
doing business as H & M
TRUCK LINES,

Defendants.

SUMMONS AND COMPLAINT.

TELFAIR J. MASHBURN, JR.

ATTORNEY-AT-LAW

BAY MINETTE, ALABAMA

Filed July 6, 1954
Telfair J. Mashburn

THOMPSON

VS.

H. & M. TRUCK CO.

IN THE

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

AT LAW. July 6, 1954.

TESTIMONY TAKEN IN OPEN COURT, BEFORE HON. H. M. HALL, JUDGE OF
THE 28TH JUDICIAL CIRCUIT OF ALABAMA:

MR. OWEN THOMPSON, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Direct examination by Mr. Mashburn.

Q. Your name is Owen Thompson?

A. Yes, sir.

Q. You are the father of Aleta Thompson?

A. Yes, sir.

Q. Is Aleta Thompson a minor under 21 years of age?

A. Yes, sir.

Q. Is she single?

A. Yes, sir.

Q. And lives at home with you?

A. Yes, sir.

Q. Was Aleta in a automobile accident in March of this year?

A. She was.

Q. Do you remember the date?

A. On the 5th day of March - the night of the 4th or 5th day of March.

Q. She was in the car in which Morgan Little was driving?

A. Yes, sir.

Q. They had a collision with a truck?

A. Yes, sir.

Q. Belonging to the H. & M. Truck Co??

A. Yes, sir.

Q. What injuries did your daughter receive in that accident?

A. The doctor told me that she had three broken places on her jaw;
a bad scar in the hand - cut from both ways; bruised all over.

Q. Has she recovered from the injuries?

A. As far as I can see and the Doctor says she has.

Q. She has no bad scars on her face?

A. No, sir.

Q. Seems to have complete use of her jaws?

A. Yes, sir.

Q. Have you agreed for her to claim against the Company \$500.00 for this suit to be a reasonable settlement?

A. Yes, sir.

MR. MASHBURN: Judge, the Company is also going to pay Mr.

Thompson \$1,000. We are taking \$500.00 here to avoid a guardianship.

Q. That is a reasonable settlement?

a. Yes, sir.

Q. And is agreeable with you?

A. Yes, sir.

QUESTIONS BY THE COURT:

Q. You think that is a fair settlement?

A. Yes, sir.

Q. And you are perfectly satisfied with that?

a. Yes, sir.

ALETA THOMPSON, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Mashburn.

Q. Your name is Aleta Thompson?

A. Yes, sir.

Q. You are the Plaintiff in the suit of Aleta Thompson, suing by Owen Thompson, against the H. & M. Tuck Company?

A. Yes, sir.

Q. Were you in the car with Morgan Little that was involved in a collision on Highway 90 and 31 on last March 5th?

A. Yes, sir.

Q. Where did the accident happen, Aleta?

a. I guess you would say at the end of the bridge.

Q. What injuries did you receive in that accident?

A. I had a broken jaw, my right knee was hurt and head was injured and I had a cut here on my hand.

Q. Have you recovered completely from the results of that injury?

A. As far as I know I have.

Q. You have fully -- you have full freedom of movement from your mouth?

A. Yes, sir.

Q. You do have scars on your hand and knee from the accident?

A. Yes, sir.

Q. You and your father agreed that this suit of \$500.00 would be a reasonable settlement, and the other payment is to be made to your father?

A. Yes, sir.

Q. For the purpose of the suit \$500.00 is a reasonable settlement?

A. Yes, sir.

C E R T I F I C A T E:

I hereby certify that the foregoing, consisting of pages 1 to 3 both inclusive, correctly sets forth a true and correct transcript of the testimony as taken by me in the above cause in open Court, on the 6th day of July, 1954.

This 6th day of July, 1954.

Lemuel J. Hunsbary
Court Reporter