

LAW OFFICES
GRAHAM, BIBB, WINGO & FOSTER
FIRST NATIONAL BUILDING
BIRMINGHAM 3, ALABAMA

NEEDHAM A. GRAHAM, JR.
PEYTON D. BIBB
DOUGLASS P. WINGO
JOHN S. FOSTER
WILLIAM M. ACKER, JR.

October 25, 1955

Clerk of Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama

VIA AIR MAIL - SPECIAL DELIVERY.

Dear Sir:

Re: Chas. B. Mayberry vs. John Morgan,
et al.
Lois S. Mayberry vs. John Morgan,
et al.

Enclosed please find original and one copy
of summons and complaint in each of the above cases.
Kindly file these upon receipt as they must be filed
not later than Thursday, October 27, 1955. Please note
date of filing on copy of this letter and return such
copy to us in enclosed stamped envelope.

Very truly yours,

GRAHAM, BIBB, WINGO & FOSTER

By *Douglas P. Wingo*

DPW/m

enc.

STATE OF ALABAMA)
(
(
(
BALDWIN COUNTY) IN THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA
TWENTY-EIGHTH JUDICIAL CIRCUIT OF ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA * * * GREETING:

You are hereby commanded to summon John Morgan, and John Doe and Richard Roe, whose names are otherwise unknown to the Plaintiff, and X Corporation, a Corporation, whose name is otherwise unknown to the Plaintiff, but which John Doe and Richard Roe and said X Corporation were, on, to-wit, the 27th day of October, 1954, the owners or operators of a tourist camp or motel at Gulf Shores, Alabama, known as "Morgan Court", to appear before the Circuit Court of said County, to be held at the place of holding the same, within thirty days from service of this process, then and there to answer the complaint of Charles B. Mayberry.

WITNESS my hand this 26 day of October, 1955.

Alfred J. Black
Circuit Clerk

C O M P L A I N T

CHARLES B. MAYBERRY,)
(
Plaintiff,) - vs - (JOHN MORGAN, and JOHN DOE
(and RICHARD ROE, whose names
(are otherwise unknown to the
(Plaintiff, and X CORPORATION,
(a corporation, whose name is
(otherwise unknown to the
(Plaintiff, but which names
(will be added by amendment
(when ascertained,
(
(Defendants.

COUNT ONE

The Plaintiff, Charles B. Mayberry, claims of the Defendants the sum of Fifteen Thousand Dollars (\$15,000.00) for that heretofore on, to-wit, the 27th day of October, 1954, the Plaintiff was a guest occupying, with his wife, Lois S. Mayberry, rooms in a tourist camp or court known as to-wit, "Morgan's Court" at, to-wit, Gulf Shores, Alabama, and Plaintiff avers that said Morgan's Court was owned and operated by the Defendants and the said rooms therein were furnished Plaintiff and his wife, Lois S. Mayberry, by the Defendants for sleeping accommodations and contained, among other equipment, one bed. Plaintiff avers that on said date while Plaintiff's wife, Lois S. Mayberry, was arranging the covering on such bed her foot was caught on a metal bar or rod, which constituted a part of the frame of such bed and protruded outwardly from its side, and Plaintiff's wife, the said Lois S. Mayberry, was thereby suddenly thrown or caused to fall to the floor, striking her shoulder and body with great force and violence. Plaintiff avers that she was thereby injured and damaged as follows:

Her left shoulder was dislocated and broken, her left hand was injured and damaged, her nerves and nervous system was shocked and impaired; and the nerves in her left shoulder, arm and hand were permanently injured and impaired; she sustained bruises and contusions; she was caused to suffer great pain over a long period of time and to undergo painful medical treatment and to be confined to hospitals; she was caused to lose the use of her left arm and hand for a long period of time and was for a long time disabled from performing her usual work and duties; and the use of her left shoulder, arm and hand was permanently impaired; and she will in the future suffer pain and discomfort and her ability to perform her usual work and duties in the future was impaired.

And Plaintiff was caused to lose the society and services of his wife for a long period of time and was caused to incur much trouble, annoyance, inconvenience and expense in and about procuring doctors and medicines and medical and hospital services and attention in and about an effort to heal and cure the said injuries of his wife; was caused to incur expense in employing nurses and help for his wife and will in the future be caused to incur expense for medical attention to his wife and to employ additional help to perform his wife's customary household duties.

And Plaintiff avers that all of the injuries and damages to his said wife and the said resultant damage to Plaintiff were proximately caused by the negligence of the Defendants.

Graham Bibb Wings & Foster
Attorneys for Plaintiff

Plaintiff demands a jury for the trial of this suit.

Graham Bibb Wings & Foster
Attorneys for Plaintiff

PLAINTIFF'S ADDRESS IS:

Waverly, Alabama

Received 26 day of Oct 1955

and on _____ day of _____ 1955

I received a copy of the within _____

on _____

By service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

turned 29 day of Oct 1955

at found in my county after diligent search and in-
vestigation.

Taylor Wilkins, Sheriff

By Childress
Deputy Sheriff

RECORDED

NO. 2756

CHARLES B. MAYBERRY,

Plaintiff,

-VS-

JOHN MORGAN, and JOHN DOE
and RICHARD ROE, et al,

Defendants.

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA
TWENTY-EIGHTH JUDICIAL CIR-
CUIT OF ALABAMA

1824 Huntville Rd

Bham

Defendants Attorneys

Guy Sherry, Jr.

FILED

OCT 26 1955

AUGUST DICK, Clerk

LAW OFFICES OF

GRAHAM, BIBB, WINGO & FOSTER

1115 FIRST NATIONAL BUILDING
BIRMINGHAM, ALA.