

2757

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 Mrs. Lois S. Mayberry.

WITNESS my hand this 26 day of October, 1955.

Alfred J. Duck
Circuit Clerk

C O M P L A I N T

MRS. LOIS S. MAYBERRY,)	(JOHN MORGAN, and JOHN DOE
	)	( and RICHARD ROE, whose names
Plaintiff,	) - vs-	(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, Mrs. Lois S. Mayberry, claims of the Defendants the sum of Fifty Thousand Dollars (\$50,000.00) for that heretofore on to-wit the 27th day of October, 1954, the Plaintiff was a guest occupying, with her husband, 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 her husband by the Defendants for sleeping accommodations and contained, among other equipment, one bed. Plaintiff avers that on said date while Plaintiff was arranging the covering on such bed the Plaintiff's 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 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 avers that all of her said injuries and damage were proximately caused by the negligence of the Defendants.

Graham Robt Wingo & Foster
Attorneys for Plaintiff

Plaintiff demands a jury for the trial of this suit.

Graham Robt Wingo & Foster
Attorneys for Plaintiff

Plaintiff's Address is:

Waverly, Alabama

Received 26 day of Oct 1955

and on _____ day of _____ 19____

I served a copy of the within _____

on _____

By service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

Returned 29 day of Oct 1955

Not found in my county after diligent search by _____

Taylor Wilkins, Sheriff

By Childress
Deputy Sheriff

NO. 2757

MRS. LOIS S. 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

Defendants' Address
Gulf Breeze, Ala.
FILED

OCT 26 1955

ALICE J. DUCK, Clerk

LAW OFFICES OF

GRAHAM, BIBB, WINGO & FOSTER

1115 FIRST NATIONAL BUILDING
BIRMINGHAM, ALA.