

BALDWIN COUNTY I

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

You are hereby commanded to summons Thomas E. Comish to appear within thirty (30) days from the service of this writ in the Circuit Court of Baldwin County, Alabama, to be held for said county at the place of holding same, then and there to answer, plead or demur to the complaint of J. H. Bethea.

Witness my hand, this 6 day of March, 1959.

CLERK

C O M P L A I N T

J. H. BETHEA,

PLAINTIFF.

VS.

THOMAS E. COMISH.

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

LAW SIDE

NUMBER: 3784

The plaintiff claims of the defendant the sum of Thirty Thousand and No/100 (\$30,000.00) Dollars damages for this; that heretofore and on to-wit; Sunday, September 21, 1958 the plaintiff was riding as a passenger in an automobile over which plaintiff had no power, direction or control and traveling North on U. S. Highway Number 31, a public highway, when at a point on said public highway in Baldwin County, Alabama approximately six (6) miles South of Perdido, Alabama where plaintiff had a right to be and to ride as a passenger the defendant negligently drove an automobile then and there traveling South into, over, upon or against the automobile in which plaintiff was riding as a passenger and as a proximate consequence of the negligence of the defendant plaintiff was severely injured in this, to-wit;

Plaintiff suffered the fracture of three ribs; plaintiff suffered a severe fracture to the posterior lip of the acetabulum on the left side and this part of plaintiff's body was posteriorly displaced; plaintiff suffered multiple contusions of the body; plaintiff suffered severe lacerations of the left arm and elbow; plaintiff suffered a severe sprain of the left shoulder; plaintiff was permanently injured; plaintiff's physical stamina was impaired and permanently impaired; plaintiff was put to much trouble, annoyance, inconvenience and loss of time in and about an effort to heal and cure his said wounds; plaintiff was caused to incur and did incur large doctor, hospital

and medical bills; plaintiff was caused to lose much time from his work; plaintiff was caused much mental anguish and physical pain for all of which plaintiff now claims damages as aforesaid.

COUNT TWO.

The Plaintiff claims of the defendant the sum of Thirty Thousand and No/100 (\$30,000.00) Dollars damages for this; that heretofore and on to-wit; Sunday, September 21, 1958 the plaintiff was riding as a passenger in an automobile over which plaintiff had no power, direction or control and traveling North in said automobile on U. S. Highway Number 31, a public highway, when at a point on said public highway in Baldwin County, Alabama the defendant drove an automobile then and there traveling South into, over, upon or against the automobile in which plaintiff was riding as a passenger and as a proximate consequence thereof plaintiff was severely injured and damaged in this;

Plaintiff suffered the fracture of three ribs; plaintiff suffered a severe fracture to the posteria lip of the acetabulum on the left side and this part of plaintiff's body was posterially displaced; plaintiff suffered multiple contusions of the body; plaintiff suffered severe lacerations of the left arm and elbow; plaintiff was made sick, sore and lame; plaintiff suffered a severe sprain of the left shoulder; plaintiff was permanently injured; plaintiff's physical stamina was impaired and permanently impaired; plaintiff was put to much trouble, annoyance, inconvenience and loss of time in and about an effort to heal and cure his said wounds; plaintiff was caused to incur and did incur large doctor, hospital and medical bills; plaintiff was caused to lose much time from his work; plaintiff was caused to suffer much mental anguish and physical pain for all of which plaintiff claims damages as aforesaid.

And plaintiff avers that the defendant at said time and place wantonly injured plaintiff by wantonly running a motor vehicle over, upon or against the automobile in which plaintiff was riding as a passenger and as a proximate consequence of said wanton conduct on the part of defendant plaintiff avers that he was caused to sustain and did sustain the injuries and damages complained of and set out herein.

Plaintiff demands a trial by jury of the issues involved in this cause.

HORNE, WEBB & TUCKER

BY:

James S. Webb
ATTORNEYS FOR PLAINTIFF.

HORNE, WEBB & TUCKER

BY:

James S. Webb
ATTORNEYS FOR PLAINTIFF.

3784

116

Sailed from
England
NF

~~not employed
at Ala Bay Rocks~~

Thomas E. Carnigh
~~George H. Webb~~

FILED

MAR 6 1959

ALICE J. DUCK, CLERK
REGISTER

1567 Esplanade

Law Offices of
Horne & Webb
Attorneys at Law
Atmore, Ala.

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STATE OF ALABAMA X
BALDWIN COUNTY X

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GREETING:

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Witness my hand, this 6 day of March, 1959.

Alice J. New
CLERK.

C O M P L A I N T

J. H. BETHEA,
PLAINTIFF.
VS.
THOMAS E. COMISH.
DEFENDANT.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
LAW SIDE.
NUMBER: 3784.

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HORNE, WEBB & TUCKER
BY: *[Signature]*

ATTORNEYS FOR PLAINTIFF.

plaintiff demands a trial by jury of the issues involved in this cause.

HORNE, WEBB & TUCKER
BY: *[Signature]*
ATTORNEYS FOR PLAINTIFF.

RETURNED 3-13-59
Not found in my County after diligent
search and inquiry.

RAY D. BRIDGES, Sheriff
By B. Braswell D. S.

no. 3784 ~~148~~

J. H. Bethea

vs.

Thomas E. Cornick

RETURNED 3-6-59

Not found in my County after diligent
search and inquiry.

RAY D. BRIDGES, Sheriff
By B. Harniss D. S.

RECEIVED

MAR 9 1959

SHERIFF'S OFFICE

FILED

MAR 10 1959

ALICE J. DUCK, CLERK
REGISTER

Law Offices of
Horne & Webb
Attorneys at Law
Atmore, Ala.