

STATE OF ALABAMA,
COUNTY OF BALDWIN.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CAMPBELL PLUMBING AND HEATING COMPANY, A Corporation, 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 OSWALD BOYKIN.

Witness my hand this the 22 day of September, 1959.

Alfred J. Duck
C L E R K.

OSWALD BOYKIN,

Plaintiff,

VS.

CAMPBELL PLUMBING AND
HEATING COMPANY, A
Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NO.

3985

C O U N T O N E

The plaintiff claims of the defendant the sum of SEVEN HUNDRED AND FIFTY (\$750.00) DOLLARS as damages, for that, heretofore, on, to-wit: the night of August 8, 1959, at about 7:30 P. M., plaintiff's automobile, a 1956 Ford V-8, Customline Sedan, was being driven South on the Daphne Road, a public street, or highway, in the City of Bay Minette, Baldwin County, Alabama, by plaintiff's son, OSWALD BOYKIN, JR, AND at a point where the Old Hurricane Road intersects the Daphne Road in said City of Bay Minette, plaintiff avers that the defendant erected and maintained a barricade, plank or other obstruction across or partly across said Daphne Road at said point. Plaintiff further avers that in an effort on the part on the part of his driver of his automobile to avoid running into, upon or against said barricade, plank or other obstruction and thus greatly endangering the life of said driver, the driver of plaintiff's said automobile ran it into the yard of Mr. Arthur Weaver on the Southwest Corner of said intersection and into Mr. Weaver's 1955 Model Ford, Fairlane, Sedan.

Plaintiff avers that as a proximate consequence and result of said collision between his said automobile and the automobile

Arthur Weaver, his said automobile was broken, bent and seriously damaged, the hood, radiator and grill were broken and damaged, the headlights were broken, the front wheels and frame were bent, the windshield was broken and one of his front tires was ruined; and that, in addition, the automobile of the said Arthur Weaver was damaged in this: the left front fender, the left front wheel and tire were damaged seriously, the frame was bent, and plaintiff was forced to expend \$189.05 to pay for repairs to the said automobile; all to the damage of the plaintiff in the sum herein sued for.

Plaintiff avers that his said damages were proximately caused by the negligence of the defendant in this: The defendant erected and maintained said barricade, plank or other obstruction across or partly across said Daphne Road at the point where it is intersected by the Old Hurricane Road, and negligently failed to have and maintain proper lights, signals or other warning of the presence of said barricade, plank or other obstruction across or partly across said highway at said point, and as a proximate consequence of said negligence, the said automobile of the plaintiff was forced off the highway and into the yard of the said Arthur Weaver and against his automobile as aforesaid; hence this suit.

FILED

SEP 22 1959

ALICE J. DUCK, CLERK
REGISTER

Julius A. Macdonald
ATTORNEY FOR PLAINTIFF.

Received Sept 14 day of Sept 1959
and on 30 day of Sept 1959
I served a copy of the within Letter
on Complete Plumbing & Heating Co; a Corp
By service on M. Bern as mgt
TAYLOR WILKINS, Sheriff
By W. M. Zasche D. S.