

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Lee Q. Catrett and Anna Mae Davis 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 Thomas Ausphera Hall.

Witness my hand, this the 26 day of October, 1961.

Alvin J. Luck
Clerk

THOMAS AUSPHERA HALL,	X	IN THE CIRCUIT COURT OF
	X	
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	AT LAW
	X	
LEE Q. CATRETT and ANNA MAE	X	CASE NO. <u>4923</u>
DAVIS,	X	
	X	
Defendants.	X	

The Plaintiff claims of the Defendant, Lee Q. Catrett, the sum of FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00) as damages for that as heretofore on, to-wit, the 4th day of November, 1960, the Defendant, Lee Q. Catrett, was driving an automobile along or upon Alabama Highway #59, a public road in Baldwin County, Alabama, at a point approximately four (4) miles North of Bay Minette, Alabama. That the Defendant, Lee Q. Catrett, so negligently operated the motor vehicle which he was driving as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a proximate consequence and result of said negligence, the Plaintiff was injured in this: his back, neck and shoulder was dislocated; the ligaments, muscles and nerves of his back, spine and shoulders were twisted and otherwise injured; he was caused to suffer much mental and physical anguish and pain as a result of his injuries;

he was permanently injured, all to the loss of the Plaintiff in the aforesaid amount.

2.

The Plaintiff claims of the Defendant, Lee Q. Catrett, the sum of FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00) as damages for that as heretofore on, to-wit, the 4th day of November, 1960, the Defendant, Lee Q. Catrett, was driving an automobile along or upon Alabama Highway #59, a public road in Baldwin County, Alabama, at a point approximately four (4) miles North of Bay Minette, Alabama. That the Defendant, Lee Q. Catrett, so wantonly operated the motor vehicle which he was driving as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a proximate consequence and result of said wantonness, the Plaintiff was injured in this: his back, neck and shoulder was dislocated; the ligaments, muscles and nerves of his back, spine and shoulders were twisted and otherwise injured; he was caused to suffer much mental and physical anguish and pain as a result of his injuries; he was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

3.

The Plaintiff claims of the Defendant, Lee Q. Catrett, the sum of FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00) as damages for that as heretofore on, to-wit, the 4th day of November, 1960, the Defendant, Lee Q. Catrett, the agent, servant or employee of the Defendant Anna Mae Davis, while acting in the line and scope of his employment as such, so negligently operated the motor vehicle which he was driving as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a proximate consequence and result of said negligence, the Plaintiff was injured in this: his back,

neck and shoulder was dislocated; the ligaments, muscles and nerves of his back, spine and shoulders were twisted and otherwise injured; he was caused to suffer much mental and physical anguish and pain as a result of his injuries; he was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

4.

The Plaintiff claims of the Defendant, Lee Q. Catrett, the sum of FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00) as damages for that as heretofore on, to-wit, the 4th day of November, 1960, the Defendant, Lee Q. Catrett, the agent, servant or employee of the Defendant Anna Mae Davis, while acting in the line and scope of his employment as such, so wantonly operated the motor vehicle which he was driving as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a proximate consequence and result of said wantonness, the Plaintiff was injured in this: his back, neck and shoulder was dislocated; the ligaments, muscles and nerves of his back, spine and shoulders were twisted and otherwise injured; he was caused to suffer much mental and physical anguish and pain as a result of his injuries; he was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

WILTERS & BRANTLEY

BY:

Robert M Brantley
Attorneys for the Plaintiff

The Plaintiff respectfully demands
a trial by jury.

WILTERS & BRANTLEY

BY:

Robert M Brantley
Attorneys for Plaintiff

FILED

Ex-11-22-61

OCT 26 1961

ALICE J. DUCK, CLERK
REGISTER

K-15
3077
2948
4923

THOMAS AUSPHERA HALL,

Plaintiff,

Vs.

LEE Q. CATRETT and ANNA MAE DAVIS,

Defendants.

SUMMONS AND COMPLAINT

FILED

OCT 26 1961

ALICE J. DUCK, CLERK
REGISTER

Defendants address:

Lee Q. Catrett
Star Rt., Box 88
Bay Minette, Alabama
Anna Mae Davis
1958 Dunkin Street
Mobile, Alabama

RECEIVED

DEC 27 1961

SHERIFF'S OFFICE

Sheriff claims 22 miles at
Ten Cents per mile Total \$ 2.20
TAYLOR WILKINS, Sheriff
BY T. Wilbert
DEPUTY SHERIFF

Received 26 day of Oct 1961
and on 22 day of Nov 1961
I served a copy of the within
on Lee Q. Catrett

By service on

TAYLOR WILKINS, Sheriff
By W. A. Gilbert
Stockton

Sheriff claims 2.2 miles at
Ten Cents per mile Total \$ 2.20
TAYLOR WILKINS, Sheriff
BY T. Wilbert
DEPUTY SHERIFF
This 25 day of Dec 1961
by serving a copy of the within on
Anna Mae Davis
J. W. Taylor
Not found in my County after dili-
gent search and
RAY D. BISHOP, Sheriff
By W. G. Fischer D. S.

THOMAS AUSPHERA HALL

Plaintiff

VS

LEE Q. CATRETT and ANNA MAE
DAVIS

Defendants

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 4923

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Comes now the Defendants and for answer to Plaintiff's
complaint says as follows:

I

Not Guilty

II


That the matter alleged therein are untrue.

III

That she has paid the demand, for the recovery of which
this suit was brought before the action was commenced.

IV

That heretofore, on to-wit the 3rd day of March 1961,
and before the filing of this suit, there was a bona fide
dispute between the Plaintiff and Defendants as to the amount
of the Plaintiff's claim; that the Defendant prior to the
filing of this suit paid to the Plaintiff on to-wit the 3rd
day of March 1961 the sum of \$27.79; that the Plaintiff accepted
said payment of said sum in full accord, satisfaction and
discharge of said claim wherefore Plaintiff may not maintain
this action.


Attorney for Defendants

FILED

FEB 12 1962

ALICE J. DUCK, CLERK
REGISTER

THOMAS AUSPHERA HALL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
LEE Q. CATRETT and ANNA MAE	X	AT LAW
DAVIS,	X	CASE NO. _____
Defendants.	X	

AMENDED COMPLAINT

Comes now the Plaintiff in the above styled cause and amends his Complaint by striking Counts 3 and 4 and by adding Counts 3, 4, and 5 which read as follows:

3.

The Plaintiff claims of the Defendant, Anna Mae Davis, the sum of FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00) as damages for that as heretofore on, to-wit, the 4th day of November, 1960, the Defendant, Lee Q. Catrett, the agent, servant or employee of Anna Mae Davis, while acting in the line and scope of his employment as such, so negligently operated the motor vehicle which he was driving upon or along Alabama Highway 59, a public road in Baldwin County, Alabama at a point approximately 4 miles North of Bay Minette, Alabama, as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a proximate consequence and result of said negligence, the Plaintiff was injured in this: his back, neck and shoulder was dislocated; the ligaments, muscles and nerves of his back, spine and shoulders were twisted and otherwise injured; he was caused to suffer much mental and physical anguish and pain as a result of his injuries; he was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

4.

The Plaintiff claims of the Defendant, Anna Mae Davis, the sum of FIVE THOUSAND AND 00/00 DOLLARS (\$5,000.00) as damages for that as heretofore on, to-wit, the 4th day of November, 1960, the Defendant, Lee Q. Catrett, the agent, servant or employee of the Defendant, Anna Mae Davis, while acting in the line and scope of his employment as such, so wantonly operated the motor vehicle which he was driving upon or along Alabama Highway #59, a public road in Baldwin County, Alabama at a point approximately four miles North of Bay Minette, Alabama, as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a proximate consequence and result of said wantonness, the Plaintiff was injured in this: his back, neck and shoulder was dislocated; the ligaments, muscles and nerves of his back, spine and shoulders were twisted and otherwise injured; he was caused to suffer much mental and physical anguish and pain as a result of his injuries; he was permanently injured; all to the loss of the Plaintiff in the aforesaid amount.

5.

The Plaintiff claims of the Defendant, Anna Mae Davis, the sum of \$5,000.00 FIVE THOUSAND AND 00/100 DOLLARS for that heretofore on to-wit: the 4th day of November, 1960, the Defendant, Anna Mae Davis, was the owner of an automobile which she allowed her brother, Lee Q. Catrett, to operate. That the said Lee Q. Catrett on this day, and for a long time, had been a careless, indifferent, heedless and wreckless driver. The said car in his hands was a dangerous agency, of which facts the Defendant, Anna Mae Davis, was duly informed; yet, with information of such facts, she allowed her brother to drive said automobile along the public highways of Baldwin County, Alabama, and intrusted its management and operation to him. That on the aforesaid date, Lee Q. Catrett was driving said automobile upon

or along Alabama Highway #59, a public highway in Baldwin County, Alabama, at a point approximately four miles north of Bay Minette, Alabama; that the Defendant, Lee Q. Catrett, so negligently, heedlessly and wrongfully conducted himself with respect to said automobile which he was driving as to cause or allow the same to run into, upon or against the automobile of the Plaintiff, and as a proximate consequence and result of said negligence, the Plaintiff was injured in this: his back, neck and shoulder was dislocated; the ligaments, muscles and nerves of his back, spine and shoulders were twisted and otherwise injured; he was caused to suffer much mental and physical anguish and pain as a result of his injuries; he was permanently injured, all to the loss of the Plaintiff in the aforesaid amount. The Plaintiff avers that at the time of this said injury, Lee Q. Catrett was using said car by the Defendant, Anna Mae Davis', consent and acquiescence; at a time when she had knowledge of his careless, indifferent, heedless and wreckless manner of driving an automobile.

WILTERS & BRANTLEY

BY:

Sallie M Brantley
Attorney for the Plaintiff

FILED

JAN 9 1962

ALICE J. DUCK, CLERK
REGISTER

4923

THOMAS AUSPHERA HALL,

Plaintiff,

Vs.

LEE Q. CATRETT and ANNA MAE
DAVIS,

Defendants.

*We find the Defendants
not Guilty.
(Foreman) Jim De Rose*

AMENDED COMPLAINT

FILED

JAN 9 1962

ALICE J. DUCK

CLERK
REGISTER

case NO. 4473
Thomas C. Hall vs Lee D. Catlett
JURY LIST - MARCH 11, 1963

- ~~1. Bishop, Woodrow, Farmer, Fairhope~~
- ~~2. Bodenhamer, O.L., Contractor, Foley~~
- ~~3. Bornholt, Roy H., Farmer, Elberta~~
- ~~4. Brown, Wesley, Farmer, Perdido~~
- ~~5. Childress, Calvin, Farmer, Summerdale~~
- ~~6. Coley, Luke Mc., Fisherman, Gulf Shores~~
- ~~7. Cooper, Quitman, Bldg. Supply Dealer, Gulf Shores~~
- ~~8. Dubose, Jim, Civil Service, Foley~~
- ~~9. Early, L.J., Timber & Lumber, Foley~~
- ~~10. Hastings, Donald E., Farmer, Rosinton~~
- ~~11. Hobbs, Tom, Farmer, Rosinton~~
- ~~12. Hortman, Charles W., Baker, Foley~~
- ~~13. Howell, Elvin, Farmer, Bay Minette~~
- ~~14. Evans, John G., Farmer, Foley~~
- ~~15. Ellison, W.V., Farmer, Robertsdale~~
- ~~16. Gill, James, Brookley Field, Robertsdale~~
- ~~17. Kriss, Phillip, Farmer, Silverhill~~
- ~~18. Lazzari, Joe, Farmer, Daphne~~
- ~~19. Lee, Cecil E., Farmer, Gateswood~~
- ~~20. Little, Fred, State Emp., Bay Minette~~
- ~~21. Lovell, M.A., Jr., Farmer, Loxley~~
- ~~22. Mikkelsen, Robert, Savings & Loan, Robertsdale~~
- ~~23. Moravac, Edward P., Farmer, Robertsdale~~
- ~~24. Nittenberg, Harry, Carpenter, Robertsdale~~
- ~~25. Nix, Ellis, Feed Mill, Silverhill~~
- ~~26. Teem, Kenneth, Linesman, Foley~~
- ~~27. Parker, Sim M., Farmer, Bon Secourt~~
- ~~28. Patterson, Elbert, Salesman, Fairhope~~
- ~~29. Phillips, Otis, Farmer, Little River~~
- ~~30. Powers, James, Farmer, Summerdale~~
- ~~31. Pucky, Charlie, Farmer, Rosinton~~
- ~~32. Sellars, James R., Chemstrand, Robertsdale~~
- ~~33. Simmons, Martin, Brookley Field, Bay Minette~~
- ~~34. Slaughter, Ashton B., Timberman, Tensaw~~
- ~~35. Peterson, Morris Sidney, Farmer, Gateswood~~
- ~~36. Jansen, Claude A., Mfg., Fairhope~~
- ~~37. Anderson, Evar, Civil Service, Elberta~~
- ~~38. Weston, Harold, Clerk, Fairhope~~
- ~~39. Weeks, Hugh, Farmer, Mag. Spgs.,~~
- ~~40. White, Harold, Trk, Driver, Foley~~
- ~~41. Whitten, Lewis S., Electrician, Fairhope~~

P XXXXX XXXY

D XXXXX XXX

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