

LILLIE SCOTT, as Administratrix
of the estate of GENERAL SCOTT,
deceased,

Plaintiff

Vs.

TRAVIS NELSON,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO.

4975

COUNT ONE

Plaintiff claims of the defendant the sum of ONE HUNDRED THOUSAND AND NO/100 (\$100,000.00) DOLLARS for that heretofore on to-wit the 11th day of August, 1961, the defendant did so negligently operate a motor vehicle Southwardly on U. S. Highway No. 98 at or near the point where said highway crosses Rock Creek between Fairhope, Alabama and Daphne, Alabama, said road being a public road in the County of Baldwin, State of Alabama, as to cause or allow the vehicle he was then and there driving to run into, on, over, against or upon an automobile in which General Scott was riding as a passenger and which was then and there being operated Northwardly on U. S. Highway No. 98, at or near the point where said highway crosses Rock Creek between Fairhope, Alabama and Daphne, Alabama, thereby proximately inflicting upon the said General Scott injuries which proximately caused his death, hence this suit.

COUNT TWO

Plaintiff claims of the defendant the sum of ONE HUNDRED THOUSAND AND NO/100 (\$100,000.00) DOLLARS, for that heretofore on to-wit the 11th day of August, 1961, the defendant did so wantonly operate a motor vehicle Southwardly on U. S. Highway No. 98 at or near the point where said highway crosses Rock Creek between Fairhope, Alabama and Daphne, Alabama, said road being a public road in the County of Baldwin, State of Alabama, as to cause or allow the vehicle he was then and there driving to run into, on, over, against or upon an automobile in which General Scott was riding as a passenger and which was then and there being


operated Northwardly on U. S. Highway No. 98 at or near the point where said highway crosses Rock Creek between Fairhope, Alabama and Daphne, Alabama, and as a proximate result of the said wanton operation of the motor vehicle by the defendant the said General Scott was wantonly injured, which said injuries proximately caused his death, hence this suit.

AUSTILL, AUSTILL AND AUSTILL

BY: 
Attorneys for the Plaintiff.

THE PLAINTIFF DEMANDS TRIAL BY JURY.

AUSTILL, AUSTILL AND AUSTILL

BY: 
Attorneys for the Plaintiff.

The defendant may be served as follows:

Serve the defendant Travis Nelson personally and also serve T. Y. Nelson, the father of the defendant, at residence on Van Avenue, 5th house on right, proceeding Eastwardly from U. S. Highway 98, Daphne, Alabama.

FILED
DEC 19 '61
ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 4975

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon TRAVIS NELSONto appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the
Circuit Court of Baldwin County, State of Alabama, at Bay Minette, againstTRAVIS NELSON, Defendant.by LILLIE SCOTT, As Administratrix of the estate of GENERAL SCOTT, Deceased

Plaintiff.

Witness my hand this 19 day of December 1961

Clerk

No. 4975

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

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Defendants

SUMMONS and COMPLAINT

Filed 12/19/61, 19

Alice J. Duck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

1-2/19, 1962

Sheriff

I have executed this summons

this Jan. 6, 1962

by leaving a copy with

Travis Nelson
J. Y. Nelson

Sheriff claims
Ten Cents per mile Total \$ 4.80
BY TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF
Garnes 6.80

Taylor Wilkins, Sheriff
W. O. Garner, Deputy Sheriff

Waphne

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AT LAW

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Comes the Defendant in the above styled cause and demurs to the complaint filed in said cause and to each and every count thereof, separately and severally, and assigns the following separate and several grounds, viz:

1. That said count fails to allege any duty owing by the Defendant to the Plaintiff.
2. That said count fails to allege that the accident occurred in Baldwin County, Alabama.
3. That said count fails to allege that the Defendant negligently injured the Plaintiff's intestate.
4. That said count fails to allege that the negligence of the Defendant was the proximate cause of the injuries to the Plaintiff's intestate.
5. That said count fails to allege when the Plaintiff's intestate died.
6. For aught that appears from said count the negligence of the Defendant was not the proximate cause of the death of the Plaintiff's intestate.

John L. Black

Chas. E. Stone

Attorneys for Defendant

FILED

JAN 19

ALICE L. DICK

CLERK
REGISTER

LILLIE SCOTT, As Administratrix
of the Estate of GENERAL SCOTT,
Deceased,

Plaintiff,

vs.

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* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 4975

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DEMURRER

* * * * *

FILED
JAN 19 1962
ALICE J. DUCK, CLERK
REGISTER