

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Catherine T. Gilchrist 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 Leonard L. Carlton as guardian of Lloyd D. Carlton, a non compos mentis.

WITNESS my hand this 6 day of November, 1963.

Alice D. Duck
Clerk

* * * * *

LEONARD L. CARLTON, as Guardian)
of Lloyd D. Carlton, a non compos)
mentis,)

Plaintiff,)

VS.)

CATHERINE T. GILCHRIST,)

Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

5802

COMPLAINT

The plaintiff claims of the defendant FIFTY THOUSAND DOLLARS (\$50,000.00) for that heretofore on to-wit, October 5, 1963, at a point on Highway 31 in Bay Minette, Alabama, approximately 50 feet West of the National Guard Armory building, so negligently operated an automobile so as to cause it to run into, upon or against the said Lloyd D. Carlton and as a proximate result of the negligence of the said defendant the said Lloyd D. Carlton was injured and damaged as follows: He was made sick, sore and lame; he was caused to suffer a concussion and his brain was seriously and permanently injured and damaged; he was unconscious for a long period of time and he was caused to spend much time in a hospital in and about the treatment of his injuries. Plaintiff avers that the injuries to the said Lloyd D. Carlton were the result of the negligence of the said defendant in the operation of her said automobile at said time and place, hence this suit.

Plaintiff demands a trial by jury of said cause.

X. R. O.
Attorney for Plaintiff

64-11-12-63

FILED
NOV 6 1963
ALICE L. DICK CLERK
REGISTER

ceived 10 day of Nov 1963

on 12 day of Nov 1963

ceived a copy of the within D & C

Catherine T. Gilchrist

service on _____

TAYLOR WILKINS, Sheriff
By W. A. Zolbert D. S.

omc

CASE NO. 5802

LEONARD L. CARLTON, aa Guardian
of LLOYD D. CARLTON, a non
compos mentis,

Plaintiff

vs:

CATHERINE T. GILCHRIST
Longfellowille,
Defendant.

James R. Owen, Atty.

LEONARD L. CARLTON, as Guardian	:	IN THE CIRCUIT COURT OF
of Lloyd D. Carlton, a non compos	:	BALDWIN COUNTY, ALABAMA
mentis,	:	
Plaintiff,	:	AT LAW
vs.	:	
CATHERINE T. GILCHRIST,	:	
Defendant.	:	CASE NO. 5802

Comes the Defendant in the above cause and for answer to the Complaint, files the following separate and several pleas:

1. Not Guilty.
2. At the time and on the occasion complained of, Lloyd D. Carlton was himself guilty of negligence which proximately contributed to his injury and damage, therefore the Plaintiff should not recover in this action.
3. At the time and on the occasion complaint of, Lloyd D. Carlton was negligently walking on the main traveled portion of a paved highway without a light and the Defendant says that this negligence proximately contributed to his injury and damage, therefore the Plaintiff should not recover in this action.
4. At the time and on the occasion complained of, the Plaintiff was negligently walking against traffic on the paved or traveled portion of a public highway at night without keeping a lookout for his own safety and the Defendant says that this negligence proximately contributed to Lloyd D. Carlton's injury and damage, therefore the Plaintiff should not recover in this action.

JOHNSTON, JOHNSTON & COURTNEY
Attorneys for Defendant.

BY

William E. Johnston
WILLIAM E. JOHNSTON

P.O. Box 550

FILED

DEC 4 1963

ALICE L. DUCK, CLERK
REGISTER

LEONARD L. CARLTON, as guardian)
of Lloyd D. Carlton, a non compos)
mentis,)

Plaintiff,)

VS.)

CATHERINE T. GILGRIST,)

Defendant.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5802

AMENDED COMPLAINT

Now comes the plaintiff in the above styled cause and shows unto the court and your honor that since the commencement of this action the said Lloyd D. Carlton has been restored to his sanity and that he should now be substituted as the real party plaintiff in this action and, therefore, the plaintiff amends the complaint to substitute Lloyd D. Carlton as plaintiff in said cause and further amends the said complaint as follows:

LLOYD D. CARLTON,)

Plaintiff,)

VS.)

CATHERINE T. GILGRIST,)

Defendant.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5802

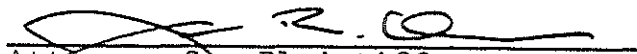
COMPLAINT

The plaintiff claims of the defendant Fifty Thousand Dollars (\$50,000.00) for that heretofore on to-wit, October 5, 1963, at a point on Highway 31 in Bay Minette, Alabama, approximately 50 feet West of the National Guard Armory Building, so negligently operated an automobile so as to cause it to run into, upon or against the said plaintiff and as a proximate result of the negligence of the said defendant, the plaintiff was injured and damaged as follows: He was made sick, sore and lame, he was caused to suffer a concussion and his brain was seriously and permanently injured and damaged; he was unconscious for a long period of time; his right leg was broken and he was caused to spend much time in a hospital in and about the treatment of his injuries and to pay large amounts of money for doctor, hospital and medical bills. Plaintiff avers that

all of his said injuries were the result of the negligence of the said defendant in the operation of her said automobile at said time and place, hence this suit.


Attorney for Plaintiff

Plaintiff demands a trial by jury
of said cause.


Attorney for Plaintiff

FILED

SEP 11 1964

AME L. DUCK, CLERK
REGISTER

JAMES R. OWEN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA 36507

November 11, 1964

Mrs. Alice J. Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Please dismiss the case of Lloyd D. Carlton vs.
Catherine Gilchrist and send me a bill for the court costs.

Yours very truly,



JAMES R. OWEN

JRO/ers

FILED

NOV. 11 1964

ALICE J. DUCK, CLERK
REGISTER