

LEWIS H. GILES  
Plaintiff

-VS-

T. R. NORTHCUTT, and  
CRAWFORD NORTHCUTT,  
a minor, jointly and  
individually  
Defendant

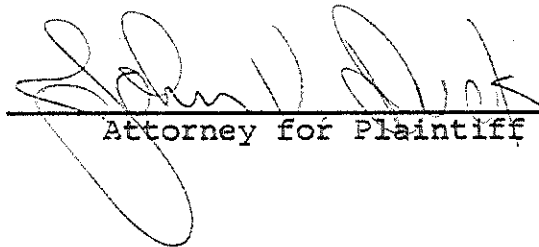
) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA  
) AT LAW  
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5981

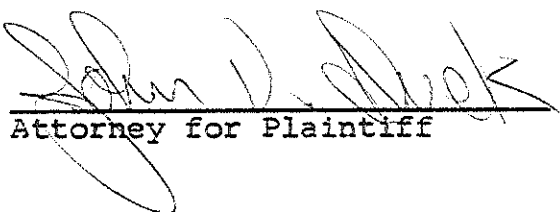
BILL OF COMPLAINT

COUNT ONE:

Plaintiff claims of the Defendants the sum of FIVE HUNDRED SIXTEEN and 96/100 DOLLARS (\$516.96) as damages for that heretofore and on to-wit, the 30th day of July, 1963, the Plaintiff was driving his automobile along or upon U. S. Highway No. 90 at a point thereon 600 feet north of Jims Truck Stop driveway, being then and there a public highway in Baldwin County, Alabama, the Defendant Crawford Northcutt, as agent, servant or employee of the Defendant, T. R. Northcutt, while acting within the line and scope of his employment, so negligently operated a motor vehicle, as to allow it to collide, run into or upon or against the Plaintiff's said automobile, and thereby and as the proximate result and consequence thereof, the Plaintiff's said automobile was greatly damaged or rendered less valuable, in that the frame was bent, and twisted, that the rear glass was smashed and knocked out, the rear tires were cut and torn, that the complete back end of said Plaintiff's automobile was bent, smashed, torn and otherwise damaged, that the frame was knocked out of alignment, and that the Plaintiff's automobile was otherwise bent, smashed, torn and damaged, all as a result of the negligence of the Defendants, as aforesaid.

  
Attorney for Plaintiff

Plaintiff demands a trial  
by Jury.

  
Attorney for Plaintiff

FILED

MAR 10 1964

ALICE J. DUCK, CLERK  
REGISTER

LEWIS H. GILES  
Plaintiff

-vs-

T. R. NORTHCUTT, and  
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Defendant

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA  
) AT LAW

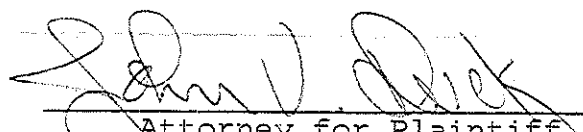
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Attorney for Plaintiff

Plaintiff demands a trial  
by Jury.

  
Attorney for Plaintiff

FILED

MAR 18 1964

ALICE L. DUCK, CLERK  
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. ~~Ex~~ 5981

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon T.R. Northcutt & Crawford Northcutt, a minor,  
Jointly & Individually

to 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, against T.R. Northcutt &  
Crawford Northcutt, a minor, jointly & individually Defendant.....

by LEWIS H. GILES,  
..... Plaintiff.....

Witness my hand this 19th day of March 1964.

Ex-11-28-64 Alice J. Luck Clerk

No....5981.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

LEWIS H. GILES

Plaintiffs

vs.

T.R. NORTHCUTT & CRAWFORD NORTHCUTT,

a minor, jointly & individually  
*Lovley, R. Q.* Defendants

SUMMONS AND COMPLAINT

Filed ...March 19,..... 1964....

Alice J. Duck

Clerk

Duck & Lacey

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

*3/19* 19*64*

Sheriff

I have executed this summons

this *28<sup>th</sup>* of *Mar* 19*64*

by leaving a copy with

*T.R. Northcutt*  
*Crawford Northcutt*

Sheriff claims *80* miles at

Ten Cents per mile Total \$ *8.00*

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

*Taylor Wilkins* Sheriff  
*Fred Seibert &*  
*W. M. Wil* Deputy Sheriff  
*Lovley*

LEWIS H. GILES,	X	
Plaintiff,	X	
Vs.	X	IN THE CIRCUIT COURT OF
T. R. NORTHCUTT, and	X	BALDWIN COUNTY, ALABAMA
CRAWFORD NORTHCUTT,	X	
a minor, jointly and	X	AT LAW
individually,	X	
Defendant.	X	

Comes now the Defendants and amends their answer by adding the following:

2.

The Defendants allege that the Plaintiff was himself guilty of negligence at the time and place alleged in the Complaint which proximately contributed to his alleged damages; that he so negligently operated his motor vehicle at said time and place so as to cause or allow the same to run over the center line of the highway so as to prevent the motor vehicle being driven by the Defendant, Crawford Northcutt, from passing him in the proper passing lane, thereby proximately contributing to his own alleged injuries and damages and hence he should not be allowed to recover in this suit.

3.

The Defendants allege that the Plaintiff was himself guilty of negligence at the time and place alleged in the Complaint which proximately contributed to his alleged damages in that the Plaintiff negligently and carelessly backed his motor vehicle into the highway in front of the motor vehicle being driven by the Defendant, Crawford Northcutt, and in addition thereto, drove in such an erratic manner so as to prevent the Defendant, Crawford, from passing the Plaintiff.

FILED

SEP 30 1964

AUDIE J. DICK  
CLERK  
REGISTER

WILTERS & BRANTLEY

BY:

*Sam J. Wilters*  
Attorney for Defendants

5981

LEWIS H. GILES,

Plaintiff,

Vs.

T. R. NORTHCUTT, and  
CRAWFORD NORTHCUTT,  
a minor, jointly and  
individually,

Defendant.

AMENDED ANSWER

FILED  
SEP 10 1964  
ALICE J. DICK, CLERK  
REGISTER

ANSWER

LEWIS H. GILES  
Plaintiff

-vs-

T. R. NORTHCUTT, and  
CRAWFORD NORTHCUTT,  
a minor, jointly and  
individually  
Defendant

Ø

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Ø

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5981

Comes now the Defendants in the above style cause and for  
answer to the Complainant's complaint says.

I.

That they are not guilty of the matter alleged therein.

WILTERS, BRANTLEY & NESBIT

FILED

APR 27 1966

ALBANY, ALA. CLERK  
RECORDED

by

James J. Wilters  
Attorney for Defendant

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. .... 5981

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by ~~LEWIS H. GILES,~~.....

..... Plaintiff.....

Witness my hand this ~~19th~~..... day of ~~March~~..... 1964.....

*Alice J. Lusk* Clerk