

ALICE P. WYLLIE, \*  
Plaintiff \*  
vs. \* IN THE CIRCUIT COURT OF  
BALDWIN  
\* ~~MOBILE~~ COUNTY, ALABAMA  
JOSEPH H. GRADLE, \*  
AT LAW  
\*  
Defendant \* CASE NO: 7257

TO: Hon. Norborne Stone, Jr.  
Attorney at Law  
Bay Minette, Alabama  
Please take notice that at 1:30 P.M. on the 10th day  
of January, 19 67 in the office of Chason, Stone & Chason  
situated at Bay Minette, Alabama the defendant will  
take the deposition of Alice P. Wyllie, whose  
address is P. O. Box 678, Fairhope, Ala. upon oral ex-  
amination pursuant to an Act of the Legislature of the State  
of Alabama, designated as Action No:375, Regular Session 1955,  
Approved September 8, 1966, before JOHN MANDEVILLE, an  
officer authorized to administer oaths in the County of  
Mobile, State of Alabama, duly authorized to take depositions  
and swear witnesses in said County, in said State. The oral  
examination will continue from day to day until completed  
and you are invited to attend and cross-examine.

LYONS, PIPES AND COOK  
Attorneys for Defendant.

C E R T I F I C A T E

By: Augustine Meaher III  
Augustine Meaher, III

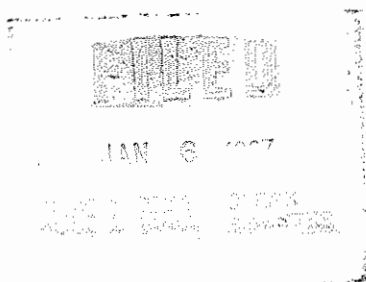
I, Augustine Meaher, III, attorney for the defendant  
in the above styled cause, do hereby certify that I have served  
a copy of the foregoing notice to take the deposition upon oral  
examination of Alice P. Wyllie, by mailing the  
same to Hon. Norborne Stone, Jr., attorney of record  
for the plaintiff in the said cause at Mobile County, Alabama,  
on this the 5th day of January, 19 67.

NOTE TO CLERK:

Augustine Meaher III  
Augustine Meaher, III

Please issue subpoena to \_\_\_\_\_,  
\_\_\_\_\_, Alabama.

Yours truly,



ALICE P. WYLLIE, ) IN THE CIRCUIT COURT OF  
Plaintiff, ) BALDWIN COUNTY, ALABAMA  
vs. ) AT LAW  
JOSEPH H. GRADLE, )  
Defendant. ) CASE NO: 7264  
7257

Comes now the defendant in the above entitled cause, and demurrs to the plaintiff's complaint, and as grounds for said demurrer sets down and assigns the following; separately and severally:

1. Said count fails to allege the violation of any duty owed by the defendant to the plaintiff.
2. Said count fails to allege facts showing the violation of any duty owed by the defendant to the plaintiff.
3. For aught that appears from said count, the accident did not occur on a public street.
4. For aught that appears from said count, the plaintiff was not at a place where she had a legal right to be at the time and place complained of.
5. For that the location of the plaintiff at the time and place complained of is not sufficiently alleged.
6. For aught that appears, the accident did not occur on a public sidewalk.
7. For aught that appears, the plaintiff was a trespasser at the time and place complained of.
8. For that the location of the alleged accident is not sufficiently set forth.
9. For aught that appears from said count, the injuries and damages suffered by the plaintiff were not the proximate result of any act or failure to act on the part of the defendant.
10. For that said count fails to allege any causal connection between the alleged negligence of this defendant and the alleged damages of the plaintiff.

LYONS, PIPES AND COOK  
Attorneys for the Defendant

By: 

Walter M. Cook

By: 

Augustine Meaher, III

FILED

DEC 2 1986

RECEIVED

549

Walter M. Cook is designated trial council for this  
cause.

FILED

DEC 2 1954

WALTER M. COOK, CLERK  
DEPT. OF JUSTICE

11 550

|                   |   |                         |
|-------------------|---|-------------------------|
| ALICE P. WYLLIE,  | ) | IN THE CIRCUIT COURT OF |
| Plaintiff,        | ) | BALDWIN COUNTY, ALABAMA |
| vs.               | ) | AT LAW                  |
| JOSEPH M. GRADLE, | ) |                         |
| Defendant.        | ) | CASE NO. 7257           |

Comes now the defendant in the above entitled cause,  
and demurrs to the plaintiff's complaint as last amended, and  
as grounds for said demurrer sets down and assigns the following;  
separately and severally:

1. Said count fails to allege the violation of any  
duty owed by the defendant to the plaintiff.
2. Said count fails to allege facts showing the  
violation of any duty owed by the defendant to the plaintiff.
3. For aught that appears from said count, the accident  
did not occur on a public street.
4. For aught that appears from said count, the plaintiff  
was not at a place where she had a legal right to be at the  
time and place complained of.
5. For that the location of the plaintiff at the time  
and place complained of is not sufficiently alleged.
6. For aught that appears, the accident did not occur  
on a public sidewalk.
7. For aught that appears, the plaintiff was a tres-  
passer at the time and place complained of.
8. For that the location of the alleged accident is not  
sufficiently set forth.
9. For aught that appears from said count, the injuries  
and damages suffered by the plaintiff were not the proximate  
result of any act or failure to act on the part of the defendant.

10. For that said count fails to allege any causal connection between the alleged negligence of this defendant and the alleged damages of the plaintiff.

LYONS, PIPES AND COOK  
Attorneys for the Defendant

By: Walter M. Cook  
Walter M. Cook

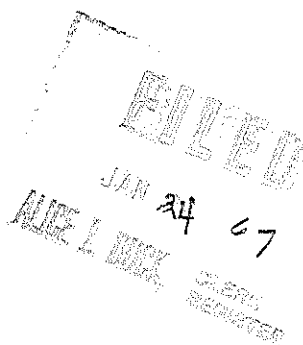
By: Augustine Meagher III  
Augustine Meagher, III

Walter M. Cook is designated trial counsel for this cause.

**CERTIFICATE OF SERVICE**

I do hereby certify that I have on this 23  
day of February, 1967, served a  
copy of the foregoing pleading on counsel for all  
parties to this proceeding by mailing the same  
by United States mail, properly addressed, and  
first class postage prepaid.

Augustine Meagher III



|                   |   |                         |
|-------------------|---|-------------------------|
| ALICE P. WYLLIE,  | X |                         |
| Plaintiff,        | X | IN THE CIRCUIT COURT OF |
|                   | X | BALDWIN COUNTY, ALABAMA |
| vs.               | X | AT LAW                  |
| JOSEPH H. GRADLE, | X |                         |
| Defendant.        | X |                         |

AMENDED COMPLAINT

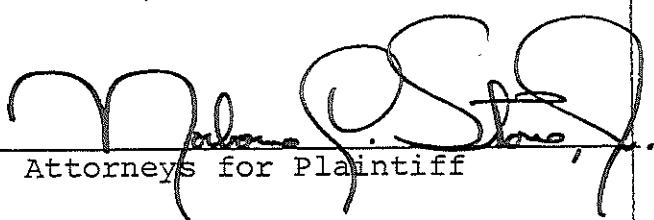
Comes now the Plaintiff in the above styled cause, by her Attorneys, and amends the Complaint heretofore filed in this cause so that the same shall read as follows:

|                   |   |                         |
|-------------------|---|-------------------------|
| ALICE P. WYLLIE,  | X |                         |
| Plaintiff,        | X | IN THE CIRCUIT COURT OF |
|                   | X | BALDWIN COUNTY, ALABAMA |
| vs.               | X | AT LAW                  |
| JOSEPH M. GRADLE, | X |                         |
| Defendant.        | X |                         |

The Plaintiff claims of the Defendant Fifty Thousand Dollars (\$50,000.00) as damages for that on heretofore, to-wit, the 4th day of March, 1966, the Defendant so negligently operated an automobile on Section Street, in Fairhope, Baldwin County, Alabama, immediately in front of the United States Post Office and on the public street or sidewalk in front thereof, as to cause or allow said automobile to run into, upon and against the Plaintiff and as a proximate consequence and result of the negligence of the Defendant aforesaid the Plaintiff suffered personal injuries in this: her back and spine was permanently damaged, she was caused to suffer and did suffer great pain and suffering; she was required to be hospitalized and to undergo an operation on her back;

she continues to suffer great pain and mental anguish, she was caused and is still caused to lose much sleep; she is unable to perform her household duties and responsibilities; she can no longer engage in the physical activities in which she engaged prior to said accident; she was caused to incur hospital, doctor and drug bills in and about the care and treatment of her injuries; it has become necessary that she have a maid to assist her in her housekeeping; she is no longer able to be employed at the job or occupation which she had prior to said accident; all to her damage, wherefore she brings this suit and asks judgment in the above amount.

CHASON, STONE & CHASON

By:   
Attorneys for Plaintiff

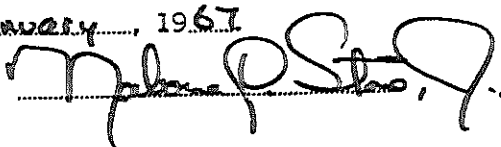
Plaintiff respectfully demands a trial of this cause by jury.

CHASON, STONE & CHASON

By: 

DEPARTMENT OF CLERKS  
COUNTY OF LOS ANGELES, CALIFORNIA

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 11 day of January, 1967.



FILED

JAN 11 1967

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ALICE P. WYLLIE,

Plaintiff,

VS.

JOSEPH H. GRADLE,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

\* \* \* \* \*

AMENDED COMPLAINT

\* \* \* \* \*

FILED

JAN 11 1967

ALICE A. DICK, CLERK  
REGISTER

CHASON, STONE & CHASON

ATTORNEYS AT LAW  
P. O. Box 120  
BAY MINETTE, ALABAMA



STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Joseph H. Gradle 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 same, then and there to answer the Complaint of Alice P. Wyllie.

Witness my hand this 14 day of Nov

1966.

Alice P. Wyllie  
Clerk

ALICE P. WYLLIE,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

JOSEPH H. GRADLE,

X

AT LAW

Defendant.

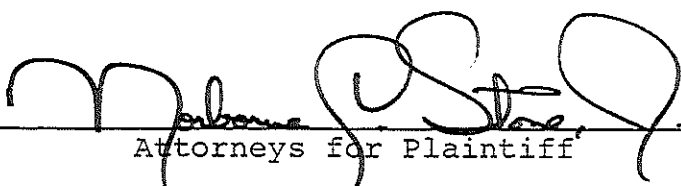
X

NO. 7257

The Plaintiff claims of the Defendant Fifty Thousand Dollars (\$50,000.00) as damages for that on heretofore, to-wit, the 4th day of March, 1966, the Defendant so negligently operated an automobile on Section Street, in Fairhope, Baldwin County, Alabama, immediately in front of the United States Post Office and on the public street or sidewalk in front thereof, as to cause or allow said automobile to run into, upon and against the Plaintiff and as a proximate consequence and result of the negligence of the Defendant aforesaid the Plaintiff suffered personal injuries in this: her back and spine were permanently damaged, she was caused to suffer and did suffer great pain and suffering;

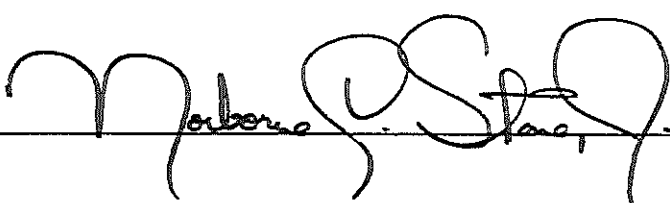
she was required to be hospitalized and to undergo an operation on her back; she continues to suffer great pain and mental anguish, she was caused and is still caused to lose much sleep; she is unable to perform her household duties and responsibilities; she can no longer engage in the physical activities in which she engaged prior to said accident; she was caused to incur hospital, doctor and drug bills in and about the care and treatment of her injuries; it has become necessary that she have a maid to assist her in her housekeeping; she is no longer able to be employed at the job or occupation which she had prior to said accident; all to her damage, wherefore she brings this suit and asks judgment in the above amount.

CHASON, STONE & CHASON

By:   
Attorneys for Plaintiff

Plaintiff respectfully demands a trial of this cause by jury.

CHASON, STONE & CHASON

By: 

FILED

Nov 19 1966

ALICE H. DUCK, CLERK  
REGISTERED

Executed  
Nov 19 1966  
Gayle Wilkins Sh  
Raymond D S

ALICE P. WYLLIE,  
Plaintiff,

vs.

JOSEPH H. GRADLE,  
Defendant.

Received 14 day of Nov. 1966  
and on 19 day of Nov. 1966  
I served a copy of the within S & C  
on Joseph H. Gradle  
By service on Sam S. Hyde

TAYLOR WILKINS, Sheriff  
By Roy Randall D. S.

SUMMONS AND COMPLAINT

Sheriff's claim 70 miles at  
Penalty 7.00  
BY Roy Randall  
DEPUTY SHERIFF

FILED

NOV 14 1966

AUDIE L. DUCK, CLERK  
REGISTER

CHASON, STONE & CHASON  
ATTORNEYS AT LAW  
P. O. Box 120  
BAY MINETTE, ALABAMA