

THE STATE OF ALABAMA }  
BALDWIN }  
COUNTY }

CIRCUIT COURT

CASE NUMBER \_\_\_\_\_

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon....Roy. R. Morton, P. O. Box 160, .....  
Elberta, Alabama

to appear at the Present term of the Circuit Court, to be held for said County, at the place of holding  
the same, then and there to answer the complaint of L. P. Clemmons, hereto attached.

Witness my hand this 2nd day of February A. D. 1966.

*Alice J. [Signature]*  
Clerk.

COMPLAINT

L. P. CLEMMONS.....	} vs. {	ROY. R. MORTON,.....
.....		(Elberta, Alabama).....
Plaintiff..		Defendant..

6844

COUNT I

The Plaintiff.. claims of the Defendant. the sum of \$10,000.00 as damages for that heretofore on or about to-wit: December 18, 1965, while Plaintiff's minor son, Robert Earl Clemmons, was riding as a passenger in an automobile along and upon a public highway in Baldwin County, Alabama, namely: U. S. Highway #98 at a point about .9 miles West of Elberta; in said County and State, where he had a right to be, the defendant negligently drove an automobile truck into, over, upon or against the said automobile in which Plaintiff's said minor son was riding as aforesaid, and as a direct and proximate consequence of said negligence plaintiff's said minor son was seriously, painfully and permanently injured about the head, face, back, chest, ribs, limbs, knees, and body and his internal organs were bruised and damaged; he received a concussion to the brain; his radial nerves were contused or stretched; his chest was crushed; his head and scalp were cut and lacerated; his kidneys were bruised and locked; his face was injured and his speech impaired; his nerves and nervous system was impaired and he was in shock in the hospital for a long period of time and under the treatment of nurses and doctors and surgeons and will require future treatment; all with resultant damage to plaintiff as follows: plaintiff lost the services of his said son and became responsible for medical, hospital, Xray and other treatment of his said minor son; all to plaintiff's damage; hence this suit....

COUNT TWO

.....Plaintiff refers to and adopts all words and figures of Count One hereof, substituting the word "wantonly" for the word "negligently" wherever the same appears therein; and plaintiff avers that on the occasion complained of defendant wantonly injured plaintiff at the time and place and in the manner aforesaid and, as a proximate consequence of said wanton conduct, plaintiff suffered the damages aforesaid.

FILED

*[Signature]*  
Attorneys for Plaintiff  
*[Signature]*  
Plaintiff's Attorney.

A trial by jury is demanded in this cause.

STATE OF ALABAMA  
BALDWIN COUNTY

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 1966, by leaving a copy of the Within Summons and Complaint with Roy R. Morton, defendant, P.O. Box 160, Elberta, Alabama.

Sheriff

BY \_\_\_\_\_  
Deputy Sheriff

CASE NO. 6044	IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY ALABAMA
L.P. CLEMMONS,	Plaintiff
Vs.	
ROY R. MORTON,	Defendant.
SUMMONS AND COMPLAINT	
Defendant Roy R. Morton, may be served at Elberta, Alabama.	
FILED FEB 1966 ALICE L. DUCK, CLERK REGISTER	
E. M. FORD, JR. JACK H. MCGUIRE ATTORNEYS AT LAW 2600 - 7TH STREET P. O. BOX 146 TUSCALOOSA, ALA. ATTORNEYS FOR PLAINTIFF	

Served \_\_\_\_\_ day of \_\_\_\_\_ 1966  
at \_\_\_\_\_ day of \_\_\_\_\_ 1966  
with a copy of the within  
Roy R. Morton  
by \_\_\_\_\_  
Taylor Wilkins, Sheriff  
Jm Eastman  
Elberta

Sheriff's Office 84  
840  
Jm Eastman  
Deputy Sheriff

L. P. CLEMMONS, : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY, ALABAMA  
VS: :  
ROY R. MORTON, : AT LAW  
Defendant. : CASE NO. \_\_\_\_\_


Comes the Defendant in the above styled matter and  
for answer to the complaint heretofore filed and to each and  
every Count thereof jointly and separately, says as follows:

1. Not guilty.

CECIL G. CHASON

and

COLLINS, GALLOWAY & MURPHY

By:   
THOMAS M. GALLOWAY  
Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 1<sup>st</sup>  
day of Sept, 1966, 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.

FILED

SEP 2 1966

ALICE I. DUCK, CLERK  
REGISTER

L. P. CLEMMONS,  
Plaintiff,  
VS:  
ROY R. MORTON,  
Defendant.

: IN THE CIRCUIT COURT OF  
:  
: BALDWIN COUNTY, ALABAMA  
:  
: AT LAW  
:  
: CASE NO. \_\_\_\_\_

Comes the Defendant in the above styled matter and demurs to the Complaint heretofore filed and each and every Count thereof separately and severally upon the following separate and several grounds:

1. The same fails to state a cause of action against the Defendant.
2. The same attempts to allege wanton conduct on the part of the Defendant without alleging facts in support thereof.
3. The same is confusing and misleading.
4. The same does not advise the Defendant of what he is called upon to defend.
5. The same claims damages which are not alleged to have been incurred by the Plaintiff.

CECIL G. CHASON  
and  
COLLINS, GALLOWAY & MURPHY

BY:

  
Thomas M. Galloway  
ATTORNEYS FOR DEFENDANT

P. O. Box 4492  
Mobile, Alabama 36604

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW

958 DAUPHIN STREET

MOBILE, ALABAMA 36604

FRED G. COLLINS  
THOMAS M. GALLOWAY  
M. THOMAS MURPHY (1924-1956)

JAMES H. LACKEY

P. O. BOX 4492  
TELEPHONE  
432-0568  
AREA CODE 205

February 25, 1966

Mrs. Alice Duck, Clerk  
Circuit Court  
Baldwin County Court House  
Bay Minette, Alabama

Re: L. P. Clemmons  
vs: Roy R. Morton

Robert Earl Clemmons, a minor  
vs: Roy R. Morton

Dear Mrs. Duck:

I enclose herewith demurrers in each of the above styled cases.

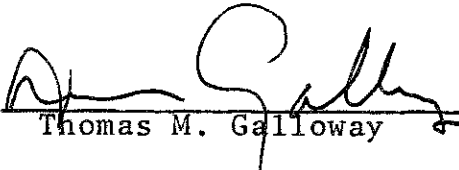
Would you please file these in each case. I do not have the case number at this time.

By copy of this letter I am forwarding to Mr. Ford, the attorney for the Plaintiff, copies of these demurrers.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

BY:

  
Thomas M. Galloway

TMG/brm

Encl.

cc: w/encls. Hon. Cecil G. Chason  
Hon. E. M. Ford, Jr.

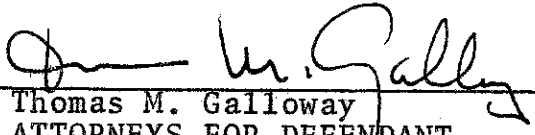
L. P. CLEMMONS, : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY, ALABAMA  
VS: :  
ROY R. MORTON, : AT LAW  
Defendant. : CASE NO. \_\_\_\_\_

Comes the Defendant in the above styled matter and demurs to the Complaint heretofore filed and each and every Count thereof separately and severally upon the following separate and several grounds:

1. The same fails to state a cause of action against the Defendant.
2. The same attempts to allege wanton conduct on the part of the Defendant without alleging facts in support thereof.
3. The same is confusing and misleading.
4. The same does not advise the Defendant of what he is called upon to defend.
5. The same claims damages which are not alleged to have been incurred by the Plaintiff.

CECIL G. CHASON  
and  
COLLINS, GALLOWAY & MURPHY

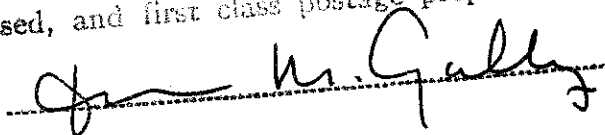
BY:

  
Thomas M. Galloway  
ATTORNEYS FOR DEFENDANT

P. O. Box 4492  
Mobile, Alabama 36604

**CERTIFICATE OF SERVICE**

I do hereby certify that I have on this 25<sup>th</sup> day of Jan, 1966, 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.



**FILED**

JAN 28 1966

ALICE L. DICK, CLERK  
REGISTERED

COLLINS, GALLOWAY & MURPHY  
ATTORNEYS AT LAW  
958 DAUPHIN STREET  
MOBILE, ALABAMA 36604

FRED G. COLLINS  
THOMAS M. GALLOWAY  
M. THOMAS MURPHY (1924-1956)  
JAMES H. LACKEY

August 31, 1966

P. O. BOX 4492  
TELEPHONE  
432-0568  
AREA CODE 205

Mrs. Alice Duck, Clerk  
Circuit Court  
Baldwin County Court House  
Bay Minette, Alabama

In re: John H. Burton  
vs: Roy Ruffett Morton  
Case No. 6821

Dear Mrs. Duck:

I enclose herewith answer to be filed in this matter.  
I am also enclosing herewith a letter relative to the subpoena  
of witnesses for trial in this matter which is set for Friday,  
September 16, 1966.

I also enclose an answer to be filed in the case of  
L. P. Clemmons v. Roy R. Morton. I do not know the case  
number in this case.

I also enclose an answer in the case of Robert Earl  
Clemmons, a minor v. Roy R. Morton. I do not know the case  
number in this case.

Would you please file the above answers in the appropriate  
case and also issue subpoenas as requested by attached letter.

Thank you very much.

Very truly yours,

COLLINS, GALLOWAY & MURPHY

By:   
Thomas M. Galloway

TMG/fs  
Encls: