

1744

APPOINTMENT OF GUARDIAN AD LITEM

MARY JANE THOMSEN,

Plaintiff,

VS.

JULIAN LITTLE, a minor,

Defendant.

I

I

I

I

I

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. 1744

In this cause it is made to appear to the Court by the Plaintiff that the Defendant, Julian Little, is an infant over fourteen years of age; that a summons on the complaint in this cause was served upon the minor on the 14th day of December, 1951; it further appearing that Tolbert M. Brantley is in all respects a suitable person to act as Guardian ad litem for said infant and the said Tolbert M. Brantley having filed his consent, in writing, to act as such it is now therefore ORDERED by the Court that Tolbert M. Brantley be, and he is hereby, appointed Guardian ad litem in this cause for the said infant Defendant.

Witness my hand, this the 4th day of April, 1952.

Tolbert M. Brantley
Judge of the Circuit Court

ACCEPTANCE

I, Tolbert M. Brantley, hereby accept the above appointment as Guardian ad litem and consent to act as such in the above cause.

Witness my hand, this the 4th day of April, 1952.

Tolbert M. Brantley
Guardian ad litem

RECORDED

FILED

SEP 20 1952

ALICE I. BUCH. Clerk

[Handwritten signature]

ANSWER TO AMENDED COMPLAINT

MARY JANE THOMSEN,

Plaintiff,

VS.

JULIAN LITTLE, a minor,

Defendant.

I

I

I

I

I

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. 1744

Comes now the Defendant and for answer to the Plaintiff's amended complaint says:

1. That he is not guilty.

Albert M. Brantley
Guardian ad Litem for Julian Little, a minor.

ANSWER TO AMENDED COMPLAINT

MARY JANE THOMSEN,

Plaintiff,

VS.

JULIAN LITTLE, a miner,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. 1744

FILED

FILED

SEP 20 1952

CLERK
A. DUCK, Clerk

MARY JANE THOMSEN,

Plaintiff, | IN THE CIRCUIT COURT OF

vs. |

BALDWIN COUNTY, ALABAMA.

JULIAN LITTLE, a minor,

AT LAW.

Defendant. |

Comes the plaintiff in the above entitled cause and files herewith her amended complaint, which is as follows:

AMENDED COUNT ONE

Plaintiff claims of the defendant, Julian Little, a minor, sixteen (16) years of age, the sum of SEVEN HUNDRED FIFTY and no/100 (\$750.00) DOLLARS damages for that on, to-wit, the 10th day of September, 1951 the defendant so negligently operated an automobile westwardly on U. S. Highway 31, a public highway in Bay Minette, Alabama, approximately in front of Little Motor Company, as to run the same into, upon or against the automobile of the plaintiff which she was then and there operating on said U. S. Highway 31, as a proximate result of which negligence, plaintiff's automobile was badly bent and broken; the left front and side of said automobile was crushed, the radiator was damaged, the steering apparatus was broken, and plaintiff's automobile was otherwise damaged and she was caused to lose the use of it for the period from to-wit, September 14, 1951 to to-wit, October 10, 1951.

WHEREFORE, plaintiff sues and claims damaged in the aforesated sum.

Johnston, McBae & Johnston
Attorneys for the Plaintiff

Plaintiff demands a trial by jury in the above entitled cause.

Johnston, McBae & Johnston
Attorneys for the Plaintiff

was the sum paid
for the Plaintiff
and acc^y \$350.00
for Damages.

1744

Thos E. Hinch
Treasurer

RECORDED

Filed; March 4, 1952.

Jeffrey M. Adams
Judge

MARY JANE THOMSEN,

Plaintiff,

vs.

JULLIAN LITTLE, A minor,

Defendant.

I

I

I

I

I

IN THE CIRCUIT COURT OF

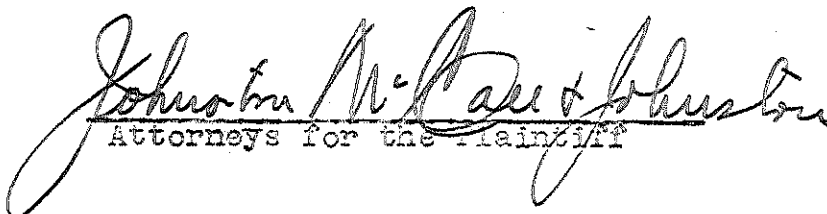
BALDWIN COUNTY, ALABAMA.

AT LAW.

No. 1744

Comes the plaintiff in the above entitled cause and shows unto the Court that the defendant, JULIAN LITTLE, is a minor over the age of fourteen (14) years; that more than thirty (30) days have elapsed since the perfection of service of process upon him in this cause; that said minor defendant has no general guardian to represent him; and that said minor has failed to nominate a guardian ad litem to represent him herein.

WHEREFORE, the plaintiff moves the Court to select and appoint a person who is qualified to represent said minor in this cause in the capacity of an attorney.


Attorneys for the Plaintiff

RECORDED

FILED

MAR 4 1952

ALICE L. DICK, Clerk

MARY JANE THOMSEN

PLAINTIFF

VS

JULIAN LITTLE, A MINOR,

~~DEFENDANT~~

Ø

Ø

Ø

Ø

Ø

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 1744

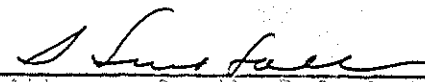
Now comes the Defendant and demurs to the Plaintiff Complaint, and for grounds thereof says:

1.

That said complaint does not state a cause of action.

2.

That said complaint does not set out the time the Plaintiff was caused to lose the use of her car.


Attorney for the Defendant

#174.12

RECORDED

MARY JANE THOMSEN

PLAINTIFF

VS

JULIAN LITTLE, A MINOR,

DEFENDANT

DEMURRERS

FILED

FEB 7 1952

ALICE A. DUCK, Clerk

MARY JANE THOMSEN,

Plaintiff,

vs.

JULIAN LITTLE, a minor,

Defendant.

IN THE CIRCUIT COURT OF

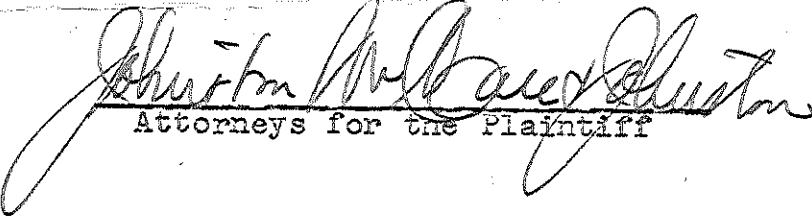
BALDWIN COUNTY, ALABAMA.

AT LAW.

Plaintiff claims of the defendant, Julian Little, a minor, sixteen (16) years of age, the sum of SEVEN HUNDRED FIFTY and no/100 (\$750.00) DOLLARS damages for that on, to-wit, the 10th day of September, 1951 the defendant so negligently operated an automobile westwardly on U. S. Highway 31, a public highway in Bay Minette, Alabama, approximately in front of Little Motor Company, as to run the same into, upon or against the automobile of the plaintiff which she was then and there operating on said U. S. Highway 31, as a proximate result of which negligence, plaintiff's automobile was badly bent and broken; the left front and side of said automobile was crushed, the radiator was damaged, the steering apparatus was broken, and plaintiff's automobile was otherwise damaged and she was caused to lose the use of it for a long period of time; WHEREFORE, plaintiff sues and claims damages in the aforestated sum.


Attorneys for the Plaintiff

Plaintiff demands a trial by jury in the above entitled cause.


Attorneys for the Plaintiff

FILED

DEC 12 1951

ALICE J. DUCK, Register

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1704

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Julian Little

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 _____

Julian Little

_____, Defendant....

by _____

Mary Jane Thomsen

_____, Plaintiff....

Witness my hand this 12th day of December 1951

W. J. Thomsen

_____, Clerk

RECORDED

No. 1244

Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

MARY JANE THOMSEN

Plaintiffs

vs.

JULIAN LITTLE

Defendants

SUMMONS and COMPLAINT

Filed 12th of Dec., 1951

Wm. J. Reese, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at _____

RECEIVED IN OFFICE

Dec. 12, 1951

Taylor Wilkins Sheriff

I have executed this summons

this Dec. 14, 1951
by leaving a copy with

Agnes Little as
Guardian of
Julian Little a
Minor
Julian Little

Taylor Wilkins Sheriff
George Hartley Deputy Sheriff

JOHNSTON, McCALL & JOHNSTON

LAWYERS

EIGHTH FLOOR FIRST NATIONAL BANK ANNEX

MOBILE, ALABAMA

July 8, 1955

MAILING ADDRESS:

P. O. BOX 550

MOBILE 4, ALABAMA

SAMUEL M. JOHNSTON
DAN T. McCALL, JR.
WILLIAM E. JOHNSTON
SAMUEL M. JOHNSTON, JR.
PERCY W. JOHNSTON, JR.

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

Dear Mrs. Duck:

Enclosed is our firm check for \$38.20. This is in payment of the court costs rendered in the case of Mary Jane Thomsen vs. Julian Little, Number 1744.

The judgment has been settled, and on my next trip to Bay Minette, I will cancel it as attorneys for the plaintiff.

Very truly yours,

Dan T. McCall, Jr.
Dan T. McCall, Jr.

DTM, jr/lgf

Encl.

cc: Mrs. Alice Miller
Bay Minette, Alabama

1744

Thomson

vs.

Little

Plainsville

Mary Jane Thompson vs
Julian R. R. R.
Civil Jury List

No.	Name	Occupation	Address
1.	ROSS FREEMAN, Plumber,	Robertsdale	5-
2.	CLYDE BURT, Laborer,	Bay Minette	32
3.	HAROLD SAYE, Farmer,	Loxley	34
4.	MAXWELL JEWELL, Merchant,	Foley	
5.	CLARENCE SCHRAM, Newport,	Bay Minette	48
6.	J. C. GRIMES, Produce Man,	Loxley	42
7.	CALVIN DELL, Farmer,	Belforest	
8.	T. J. VERDONSCHAF, Flower Grower,	Foley	41
9.	LEONARD TRIONE, Real Estate,	Daphne	
10.	CURTIS CAPPS, Ice Cream Parlor,	Bay Minette	
11.	GEORGE HERTEL, Farmer,	Elberta	44
12.	GILBERT COOPER, Farmer,	Rosinton	
13.	BROOKS BUSH, SR., School Bus Driver,	Crossroads	43
14.	WILLIAM S. ALEXANDER, Newport,	Bay Minette	
15.	MARVIN BEVERLY, Laborer,	Robertsdale	
16.	J. F. BEATY, Mechanic,	Fairhope	
17.	GRADY FAIRCLOTH, Merchant,	Magnolia Springs	46
18.	ANGELO LAZZARI, Farmer,	Belforest	
19.	BODNEY FELL, Butcher,	Foley	42
20.	M. A. LOVELL, JR., Farmer,	Loxley	45
21.	ELDO LEE, Carpenter,	Loxley	47
22.	A. E. COWLING, Retired Navy,	Seminole	
23.	V. A. COX, JR., Store Work,	Stockton	43
24.	J. A. MOTHERSHED, Farm,	Scottie	42
25.	H. R. HALL, Store Owner,	Fairhope	44
26.	CLYDE PERKINS, Newport,	Bay Minette	42
27.	ROBERT STEIGERWALD, Cleaning,	Foley	
28.	HANNIS HEAD, Ship Yard,	Stapleton	
29.	W. H. Foster, Mgr. Ford Place,	Bay Minette	
30.	Thomas L. Hoiles, Gulf Gas Agent,	Robertsdale	

27
 12
 15

P XXXXX XX/
 Q XXXXX XX

copy
received
exhibits

JOHNSTON, McCALL & JOHNSTON
LAWYERS
EIGHTH FLOOR FIRST NATIONAL BANK ANNEX
MOBILE, ALABAMA

SAMUEL M. JOHNSTON
DAN T. McCALL, JR.
WILLIAM E. JOHNSTON
SAMUEL M. JOHNSTON, JR.
PERCY W. JOHNSTON, JR.

MAILING ADDRESS:
P. O. BOX 550
MOBILE 4, ALABAMA

December 10, 1951

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

Dear Mrs. Duck:

Please find enclosed the complaint and interrogatories in the case of Mary Jane Thomsen vs. Julian Little, a minor. I will thank you to issue and attach a summons to the complaint, and have the same served on the defendant, along with a copy of the interrogatories.

The defendant, Julian Little, is a minor sixteen years of age. Please instruct the Sheriff to serve both the defendant, Julian Little, and his guardian, if he has no father or mother. After service has been had on the defendant and his guardian, please let me know when service ~~was~~ perfected.

Thanking you for your attention, I am

Yours very truly,


Dan T. McCall, Jr.

DTM, jr/lgf

Encl.

1744

FILED

DEC 12 1951

ALICE J. DUCK, Register