

RITA BANNISTER, whose
former husband J. L.
TOUCHBERRY abandoned her,
as mother and next friend
of EUGENE LEE TOUCHBERRY
her deceased minor son,

Plaintiff,

VS

JAMES LESLIE CAMPBELL, and
JAMES MITCHELL WEAVER,
jointly and individually

Defendants.

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

NO. 3221

COUNT ONE:

Plaintiff suing as the mother and next friend of Eugene Lee Touchberry, her deceased minor son, claims of the defendants the sum of Fifty Thousand and no/100 (\$50,000.00) Dollars as damages for that heretofore on, to-wit, the 13th day of February, 1956, the defendant, James Leslie Campbell, while acting within the line and scope of his employment, as agent, servant or employee of the defendant, James Mitchell Weaver, negligently parked a motor vehicle belonging to defendant, James Mitchell Weaver, approximately two and 2/10 miles north of U. S. Highway 98, on Highway No. 11, a public highway in Baldwin County, State of Alabama, at night and without lights thereby causing the vehicle in which the plaintiff's minor son was riding as a passenger, which said vehicle was then and there proceeding in a northwardly direction on said Baldwin County Highway No. 11 at said time and place, to collide with it, and as a direct and proximate result of the said negligence of the said James Leslie Campbell while acting within the line and scope of his employment as such as agent, servant or employee of the defendant, James Mitchell Weaver,

the plaintiff's minor son did receive injuries from which he died, hence this suit.

ATTORNEYS FOR PLAINTIFF

The defendants James Leslie Campbell and James Mitchell Weaver reside and may be served at McIntosh, Alabama.

The plaintiff demands a trial by jury.

ATTORNEYS FOR PLAINTIFF

Handwritten:
J. L. Campbell
J. M. Weaver
1955
83

RITA BANNISTER, whose former husband, J. L. TOUCHBERRY, abandoned her, as Mother and next friend of EUGENE LEE TOUCHBERRY, her deceased minor son,

Plaintiff,

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JAMES MITCHELL WEAVER, jointly
and individually,

Defendants.

IN THE CIRCUIT COURT OF
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AT LAW. NO. 3221

Comes the defendant, JAMES LESLIE CAMPBELL, and for answer to the complaint heretofore filed in said cause, and to each and every count thereof, separately and severally, says:

1. That he is not guilty.

Julian W. Mashburn Jr.
ATTORNEY FOR JAMES LESLIE CAMPBELL.

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Howell & Houston
By Edwin C. Houston
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RECORDED
INDEXED
JAN 10 1907
CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA
MOBILE

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3221

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon James Leslie Campbell and James

Mitchell Weaver, jointly and ~~and~~ 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

James Leslie Campbell & James Mitchell Weaver, Ind. and Jointly, Defendant

by Rita Bannister, whose former husband, J.L. Touchberry, abandoned her, as mother of Eugene Lee. Touchberry, her deceased minor son. Plaintiff

Witness my hand this 25th day of April 1957

Alvin J. [Signature] Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

~~Rita Bannister~~, whose former husband
~~abandoned her~~ J.L. Touchberry abandoned
her, as mother and next friend of Eugene
Lee Touchberry, her deceased ~~plaintiffs~~
vs.

James Leslie Campbell and

James Mitchell Weaver, Jointly
and individually Defendants

SUMMONS and COMPLAINT

Filed 4/25/57: , 19

Alice J. Duck, Clerk

FILED

APR 25 1957

ALICE L. DUCK, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

4-27-57, 1957

L. L. Touchberry, Sheriff
I have executed this summons

this 27th day of April, 1957
by leaving a copy with

James Mitchell Weaver
at 404 N. 1st St.
Wichita, Kansas
of Complaint on

James Leslie Campbell

James Mitchell Weaver
Jointly & individually

L. L. Touchberry, Sheriff

W. L. Touchberry, Deputy Sheriff