

JIMMIE VAUGHN, a Minor
suing by Howard Vaughn,
as his Father and next
friend,

Plaintiff,

vs.

FRANCES WOLFE and MARION
WAYNE WOLFE,

Defendants.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 6200

Come the Defendants in the above styled cause and demur
to the Complaint filed in said cause and assign the following
separate and several grounds viz:

1. That said Complaint does not state a cause of action.
2. That said Complaint attempts to set out the quo modo
of the wanton negligence of the Defendants and such Complaint
fails to sufficiently set out acts showing wanton negligence.
3. The allegation in said Complaint that the Defendants
drove the automobile in a reckless and wanton manner does not
properly charge wanton negligence.
4. The allegation in the Complaint that the Defendants'
automobile was driven at a wantonly excessive rate of speed is
but a conclusion of the pleader and fails to allege the speed
that such automobile was being driven.

Wm. Stone & Mason
Attorneys for Defendants

The Defendants demand a trial of this cause by a jury.

Wm. Stone & Mason
Attorneys for Defendants

JIMMIE VAUGHN, a Minor suing by
Howard Vaughn, as his Father and
next friend,

Plaintiff,

VS.

FRANCES WOLFE and MARION WAYNE
WOLFE,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 6200

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DEMURRER

* * * * *

FILED

OCT 8 1934

WELLS

JIMMIE VAUGHN, a minor,
suing by HOWARD VAUGHN,
as his father and next
friend,

Plaintiffs,

vs.

FRANCIS WOLFE and
MARION WAYNE WOLFE,

Defendants.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE NO. 6200

PLEA

Come the Defendants in the above styled cause and for
plea to the Complaint filed against them in said cause say:

1. Not guilty.


Attorneys for Defendants

FILED

MAY 8 1965

ALICE L. DUCK, CLERK
REGISTER

6200
JIMMIE VAUGHN, a minor,
suing by HOWARD VAUGHN,
as his father and next
friend,

Plaintiffs,

-vs-

FRANCIS WOLFE and
MARION WAYNE WOLFE,

Defendants.

PLEA

FILED

MAY 8 1935

ALICE J. DICK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 6200

Now come the plaintiffs in the above styled cause and show unto the court that the defendant, Marion Wayne Wolfe, is a minor under the age of eighteen years and that a guardian ad litem should be appointed to defend him in this action.

~~Attorney for Plaintiffs~~

In this cause it appearing to the court that the defendant, Marion Wayne Wolfe, is a minor and should have a guardian ad litem appointed for him; it is, therefore, ordered that John E. Chason, Attorney at Law, Bay Minette, Alabama, be appointed to represent and defend the said defendant in this cause.

DATED this 4th day of June, 1965.

Filed 6. 4-65
Kings French
Clark

J. Fair J. Marlbury
Judge

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Francis Wolfe and Marion Wayne Wolfe 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 the same, then and there to answer the complaint of Jimmie Vaughn, a minor, suing by Howard Vaughn, as his father and next friend.

WITNESS my hand this 23 day of September, 1964.

Alice J. Quirk
Clerk

The defendant's address is Route 2,
Bon Secour, Foley, Alabama.

* * * * *

JIMMIE VAUGHN, a minor, suing
by Howard Vaughn, as his father
and next friend,

Plaintiff,

VS.

FRANCIS WOLFE and MARION WAYNE
WOLFE,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA


AT LAW

(20)

COMPLAINT

The plaintiff claims of the defendants the sum of Ten Thousand Dollars (\$10,000.00) for that heretofore on to-wit, September 28, 1963, the defendant, Marion Wayne Wolfe, who was then and there an agent, servant or employee of the defendant, Francis Wolfe, acting within the line and scope of his authority as such agent, servant or employee, wantonly injured the plaintiff, Jimmie Vaughn, by driving a motor vehicle in a reckless and wanton manner ^{or} and at a wantonly excessive rate of speed so as to cause the said automobile, in which the plaintiff was a passenger, to run into,

upon or against a dirt bank on the east side of Baldwin County Road No. 65 at its intersection with Baldwin County Road No. 48 West in Baldwin County, Alabama, and as a proximate result of the wanton negligence of the said defendant at said time and place, the said plaintiff was wantonly injured in this, to-wit, his ^{left}~~right~~ ankle was broken; he was made sick, sore and nervous; it was necessary for him to have an operation performed on his ankle; he suffered many abrasions and bruises and was put to much discomfort and time in and about the healing of his said injuries, hence this suit.


Attorney for Plaintiff

FILED

SEP 23 1964

Alice I. Duck, CLERK
REGISTER

EX- 9-2464

6200

received 23 day of Sept 4
id on 24 day of Sept 4
served a copy of the within DOC
n Francis Wolpe
Marion Wayne Wolfe
By service on _____

TAYLOR WILKINS Sheriff
By [Signature] D.S.

[Signature]

Sheriff claims 144 miles at
Ten Cents per mile Total \$ 14.40
TAYLOR WILKINS Sheriff
BY [Signature] DEPUTY SHERIFF

Jimmie Vaughn, a
minor swing by Howard
Vaughn, as his father
& next friend,

VS -

Francis Wolpe &
Marion Wayne Wolfe
and the jury find
for the defendant

Foreman
Robert Ryan