

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 Howard Vaughn.

WITNESS my hand this 23 day of September, 1964.

Alice D. Duck
Clerk

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


* * * * *

HOWARD VAUGHN,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
FRANCIS WOLFE and MARION WAYNE)	AT LAW
WOLFE,)	<u>6201</u>
)	
Defendants.)	

COMPLAINT

The plaintiff claims of the defendants the sum of Fifteen Hundred Dollars (\$1500.00) 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 Jimmie Vaughn, a minor child of the plaintiff, by driving a motor vehicle in a reckless and wanton manner and at a wantonly excessive rate of speed so as to cause the said automobile, in which the plaintiff's minor child 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, and as a proximate result of the

wanton negligence of the said defendant at said time and place, the said plaintiff's minor child was wantonly injured in this, to-wit, his 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 the plaintiff was put to much expense for doctors, hospitals and medical bills in and about the healing of his said minor child's injuries, hence this suit.


Attorney for Plaintiff

FILED

SEP 28 1964

ALICE L. DUCK, CLERK
REGISTER

EX-9-24-64

Case No 6201

Howard Vaughn

vs.

Francis Wolfe &
Marion Wayne Wolfe

Received 23 day of Sept 1944
and on 24 day of Sept 1944
I served a copy of the within D & C
on Francis Wolfe
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 _____
DEPUTY SHERIFF

RECEIVED
23
REGISTER

HOWARD VAUGHN,

Plaintiff,

vs.

FRANCES WOLFE and MARION
WAYNE WOLFE,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 6201

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.


Attorneys for Defendants

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


Attorneys for Defendants

FILED

OCT 8 1964

MADE A PUBLIC RECORD

HOWARD VAUGHN,

Plaintiff,

vs.

FRANCES WOLFE and MARION
WAYNE WOLFE,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE NO. 6201

* * * * *

DEMURRER

* * * * *

FILED

3 1964

ALABAMA

HOWARD VAUGHN,

Plaintiff,

vs.

FRANCIS WOLFE and
MARION WAYNE WOLFE,

Defendants.

X

X

IN THE CIRCUIT COURT OF

X

BALDWIN COUNTY, ALABAMA

X

LAW SIDE

No. 6201

X

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 1935

ALICE J. DICK, CLERK
REGISTER

6201

HOWARD VAUGHN,

Plaintiff,

-VS-

FRANCIS WOLFE and
MARION WAYNE WOLFE,

Defendants.

PLEA

FILED

MAY 1961

ALICE L. DUCK, CLERK
REGISTER

HOWARD VAUGHN,

Plaintiff,

VS.

FRANCIS WOLFE and
MARION WAYNE WOLFE,

Defendants.

IN THE CIRCUIT COURT OF


BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6201

MOTION TO APPOINT GUARDIAN AD LITEM

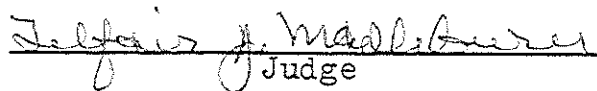
Now comes the plaintiff in the above styled cause and shows unto the court that the defendant, Marion Wayne Wolfe, is a minor under the age of eighteen years and that a guardian ad litem should be appointed to defend him in this action.


Attorney for Plaintiff

ORDER APPOINTING GUARDIAN AD LITEM

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 G. 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.


Judge

Filed
6-4-65
Ring Inmate
ccw

6201

JURY LIST - MAY 31, 1965

1. Anacker, Walter R., Farmer, Fairhope
2. Beaty, Raymond, Laborer, Fairhope
3. Beck, John, Mechanic, Foley
4. Broughton, Joe N., Merchant, Cross Roads
5. Bryhn, Vernon A., Farmer, Elberta
6. Carlisle, D.C., Newport, Bay Minette
7. Carlisle, Otis A., Newport, Bay Minette
8. Corley, Horace W., Brookley Field, Bay Minette
9. Crook, Prince, Laborer, Bay Minette
10. Drinkard, Everette B., Farmer, Bay Minette
11. Dusek, Frank J., Jr., Civil Service, Lillian
12. Ebert, Charles J., Jr., Ins. Agt., Foley
- ~~13. Ebert, Charles J., Jr., Ins. Agt., Foley~~
14. Fell, Frank, Mechanic, Elberta
15. Fell, Neal J., Farmer, Lillian
16. Frank, George, Farmer, Elberta
17. Gilbert, B.B., Mechanic, Bay Minette
18. Gilbert, Jimmy, Insurance, Robertsdale
19. Hall, Gerald B., Jr., Newport, Bay Minette
20. Hall, Origen, Club Operator, Bay Minette
21. Hamilton, Percy, Town of Bay Minette, Bay Minette
22. Harrison, Joseph M., Farmer, Fairhope
23. Henderson, James M., Farmer, Fairhope
24. Hobbs, William G., Merchant, Bay Minette
25. Hodges, Willie Lee, Sawmill, Bay Minette
- ~~26. Jones, Pierce E., Electrician, Stockton~~
27. Keuler, Albert, Salesman, Loxley
28. Keuler, Jake W., Farmer, Loxley
29. King, Horace E., Farmer, Mag. Spgs.
30. McCarthy, James G., Merchant, Bay Minette
31. Meszaros, Michael A., Retired, Elberta
32. Morse, Wilson W., Civil Service, Foley
33. Nix, B. Coles, Ag. Teacher, Foley
34. Palmer, James J., Farmer, Robertsdale
35. Pridgen, J. Phillip, Farm Adm., Bay Minette
36. Ryan, Robert, Newport, Bay Minette
37. Seaburn, James, Farmer, Foley
38. ~~Stimpson, Carl, Clay Products, Fairhope~~
39. Stimpson, Carl, Clay Products, Fairhope
40. Toler, Johnnie G., Electrician, Foley
41. Trawick, Walter, Laborer, Bay Minette
42. Underwood, Hilary H., Farmer, Foley
43. Vasut, Charles F., T.V. Repair, Robertsdale
44. Weekley, Willard A., Newport, Bay Minette
45. Wilson, John R., Auto. Dealer, Bay Minette
- ~~46. Wilson, John R., Auto. Dealer, Bay Minette~~
47. Mikkelsen, Roy, Farmer, Summerdale
48. Stuart, Harold, Cleaners, Bay Minette
49. Fuller, David, Motel, Spanish Fort- Daphne

P XXXXX XXXX

D XXXXX XXX