

THOMAS W. SMITH, a minor,
suing by and through James C.
Smith as his father and next
friend,

Plaintiff,

vs.

BYRON D. BAUER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 6537

Comes the Defendant in the above styled cause and for
plea to the Complaint filed in said cause, says:

1. Not guilty.

FILED

JUN 7 1963

ALICE L. DUCK, CLERK
REGISTER

Chas. Stone & Casen
Attorneys for Defendant

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THOMAS W. SMITH, a minor,
suing by and through James C.
Smith as his father and
next friend,

Plaintiff,

vs.

BYRON D. BAUER,

Defendant.

X
X
X
X)
X
X
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

TO: John Chason, Attorney at Law

WILL YOU PLEASE TAKE NOTICE that you have this day been appointed as Guardian ad Litem to represent the above named Byron D. Bauer, who is a minor seventeen years of age, at a hearing to be had in the above styled cause on this day, in which cause Thomas W. Smith, a minor, suing by and through James C. Smith as his father and next friend, has claimed damages of the Defendant Byron D. Bauer in the sum of Ten Thousand Dollars (\$10,000.00).

You are hereby required to appear and protect the interest of the said Byron D. Bauer at any hearing to be had in said cause.

Given under my hand this 7th day of June, 1965.

Jeffrey A. Madaleno
Circuit Judge

I hereby accept the appointment of Guardian ad Litem for Byron D. Bauer, a minor, and I hereby agree to represent and protect his interest at any hearing to be had in the above styled cause. I hereby deny each and every allegation contained in the Complaint and demand proof thereof. For further plea to the Complaint the Defendant says: Not guilty.

Witness my hand this the 7th day of June, 1965.

John Chason
Guardian ad Litem

FILED
JUN 7 1965
MADE A. DUK, CLERK
REGISTER

THOMAS W. SMITH, a minor,
suing by and through James C.
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Plaintiff,

vs.

BYRON D. BAUER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO _____

Now comes the Plaintiff, Thomas W. Smith, suing by and through his father, James C. Smith as his next friend and claims of the Defendant, Byron D. Bauer, Ten Thousand Dollars (\$10,000) damages for that on, to-wit, the 27th day of June, 1964 at the intersection of the Flowers Road and the Bon Secour Road, three and one-half ($3\frac{1}{2}$) miles South and two miles West of the center of the City of Foley in Baldwin County, Alabama, the Plaintiff, Thomas W. Smith was riding in an automobile driven by the said Byron D. Bauer and then and there the said Byron D. Bauer did willfully and wantonly run through or across the intersection of said roadway at a high rate of speed at which time and place the said Byron D. Bauer did not have a clear view of the intersecting highway, the vision being blocked by tall corn growing near the intersection and as the result of such willful and wanton conduct, negligently ran the automobile he was driving into, upon or against another automobile and thereby as a proximate result and consequence thereof, willfully and wantonly injured the said Thomas W. Smith in that his face was crushed; his legs were broken, he suffered severe abrasions, cuts and contusions; he suffered shock; that he was hospitalized; that he suffered permanent injury and disfigurement; that he has spent large sums for medical and hospital treatment, all to his damage as aforesaid.

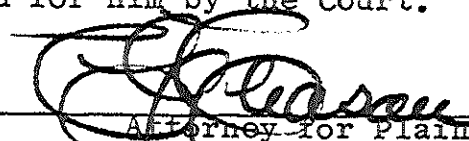
Plaintiff further shows that the defendant, Byron D. Bauer is under the age of twenty-one years and demands that a Guardian Ad Litem be appointed for him by the Court.

FILED

JUN 7 1965

ALICE L. DUCK, CLERK
REGISTER

383


Attorney for Plaintiff

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 65-37

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Byron D. Bauer

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.....

.....Byron D. Bauer....., Defendant.....

by Thomas W. Smith, a minor suing by and through James C. Smith as his father and
next friend,..... Plaintiff.....

Witness my hand this.....7th.....day of.....June.....1965.....

Alice J. Duck..... Clerk

No..... Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

..... Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

..... 19.....

....., Sheriff

I have executed this summons

this 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff