

ERNEST MORTON HAUSER, a : IN THE CIRCUIT COURT OF
minor, by and through his
father and next friend, BALDWIN COUNTY, ALABAMA
SHALER HAUSER,

Plaintiffs, : AT LAW

-versus-

SIDNEY WILLS CROMER and :
ANDREW CROMER, Separately CASE NO. 6892
and Severally,

Defendants. :

COUNT ONE

The plaintiffs claim of the defendants, separately and severally, the sum of TWO HUNDRED THOUSAND AND NO/100 (\$200,000.00) DOLLARS, for that heretofore and on to-wit the 12th day of July, 1965, the plaintiff was riding as a passenger in a motor vehicle being operated by the defendant, Sidney Wills Cromer, an agent, servant or employee of the defendant, Andrew Cromer, and said motor vehicle was being operated on Alabama Highway 135 at a point to-wit, 528 feet North of the intersection of Alabama Highway 182 and Alabama Highway 135, both of said highways being public roads in the County of Baldwin, State of Alabama, and at said time and place as aforesaid, the defendant, Sidney Wills Cromer, an agent, servant or employee of the defendant, Andrew Cromer, while acting within the line and scope of his employment as such agent, servant or employee, wantonly injured the plaintiff by so wantonly operating the aforesaid vehicle so as to cause it to run into, upon, over and against a pine tree and as a direct and proximate result of the aforesaid wanton misconduct of the defendant, Sidney Wills Cromer, an agent, servant or employee of the defendant, Andrew Cromer, while acting within the line and scope of his employment as such agent, servant or employee, the

plaintiff was wantonly injured in that he received extremely extensive lacerations of most of his face, especially his forehead, left cheek, left scalp, and extremely destructive series of lacerations and avulsions of his left ear, fractures of the skull, facial bones and right forearm, avulsions of the soft tissues of his left cheek, much of the tissue of his left ear was completely destroyed, a depressed fracture of the frontal bone (lower forehead), persistent infection, multiple severe injuries including multiple lacerations of the face, forehead, ear, scalp, nose, left cheek and mouth, as well as multiple compound fractures of the orbits, maxilla and frontal bone, there was also a fracture of the radius and ulna on the right; he was made sick and sore, suffered physical pain and mental anguish, and will continue to suffer pain and mental anguish in the future, he was made extremely nervous, HENCE THIS SUIT.

LYONS, PIPES AND COOK
Attorneys for the Plaintiffs,

By: 

Gordon B. Kahn

Defendants may be served at:

Uniontown, Alabama.

Plaintiffs respectfully request that an additional copy of the Summons and Complaint be served upon Andrew Cromer as father of Sidney Wills Cromer who is believed to be a minor over the age of Fourteen (14) years.

Entered 3-14-66
W. L. Light
John Perry
by C. W. Foster
CR

FILED

MAR 7 1966

ALICE J. DUCK, CLERK
REGISTER

Executed this the 10 day of
February 1966, by
 leaving a copy of the within

S. F. C.
with Richard A. & the Crown
St. Andrew's Crown separately
and separately.
Sheriff Perry County, Ala.
By W. K. Perkins, D. S.

Sheriff..... W. C. C. C. County, Ala.

W. K. Peckham, D. S.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 6892

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Sidney Wills Cromer & Andrew Cromer, Separately

& Severally

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 Sidney Wills

Cromer and Andrew Cromer, separately & Severally, Defendant

by Ernest Morton Hauser, a minor by and through his father and next friend,

Shaler Hauser, Plaintiff

Witness my hand this 7th day of March 1966

Alice J. Shuck
Clerk

RECEIVED

No. 6892

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ERNEST MORTON HAUSER, a minor by
and through his father and next
friend, SHALER HAUSER,

Plaintiffs

vs.

SIDNEY WILLS CROMER & ANDREW CROMER,
Separately & Severally Defendants

SUMMONS AND COMPLAINT

Filed March 7, 1966

Alice J. Duck Clerk

Lyons, Pipes & Cook
Attention: Hon. Gordon B. Kahn
P.O. Drawer 79
Mobile, Ala. Plaintiff's Attorney

Defendant's Attorney

JUN 1 1966

Defendant lives at

TAYLOR WILKINS
SHERIFF

RECEIVED
Received in Office

MAR 7 1966 19.....

TAYLOR WILKINS, Sheriff

I have executed this summons

this 3-14 1966

by leaving a copy with

Sub
Andrew Cromer
Separately and
Severally as
Father of Sidney
Willis Cromer

W. L. Perry, Sheriff

C. L. Perry, Deputy Sheriff

ERNEST MORTON HAUSER, a : IN THE CIRCUIT COURT OF
minor, by and through his
father and next friend, BALDWIN COUNTY, ALABAMA
SHALER HAUSER,

Plaintiff,

AT LAW

-VS-

SIDNEY WILLS CROMER and
ANDREW CROMER, Separately
and Severally,

CASE NO. 6892.

Defendants.

COMES NOW the Plaintiff in the above-mentioned cause
and amends his complaint filed herein so that the same
shall read as hereinafter set forth:

COUNT ONE

The Plaintiff claims of the defendants, separately and
severally, the sum of TWO HUNDRED THOUSAND AND NO/100
(\$200,000.00) DOLLARS, for that heretofore and on to-wit
the 6th day of July, 1965, the plaintiff was riding as a
passenger in a motor vehicle being operated by the defendant,
Sidney Wills Cromer, an agent, servant or employee of the
defendant Andrew Cromer, and said motor vehicle was being
operated on Alabama Highway 135 at a point to-wit, 528 feet
North of the intersection of Alabama Highway 182 and Alabama
Highway 135, both of said highways being public roads in the
County of Baldwin, State of Alabama, and at said time and place
as aforesaid, the defendant, Sidney Wills Cromer, an agent,
servant or employee of the defendant, Andrew Cromer, while
acting within the line and scope of his employment as such agent,
servant or employee, wantonly injured the plaintiff by so wantonly
operating the aforesaid vehicle so as to cause it to run into,
upon, over and against a pine tree and as a direct and proximate
result of the aforesaid wanton misconduct of the defendant,
Sidney Wills Cromer, an agent, servant or employee of the defendant,

Andrew Cromer, while acting within the line and scope of his employment as such agent, servant or employee, the plaintiff was wantonly injured in that he received extremely extensive lacerations of most of his face, especially his forehead, left cheek, left scalp, and extremely destructive series of lacerations and avulsions of his left ear, fractures of the skull, facial bones and right forearm, avulsions of the soft tissues of his left cheek, much of the tissue of his left ear was completely destroyed, a depressed fracture of the frontal bone (lower forehead), persistent infection, multiple severe injuries including multiple lacerations of the face, forehead, ear, scalp, nose, left cheek and mouth, as well as multiple compound fractures of the orbits, maxilla and frontal bone, there was also a fracture of the radius and ulna on the right; he was made sick and sore, suffered physical pain and mental anguish, and will continue to suffer pain and mental anguish in the future, he was made extremely nervous, HENCE THIS SUIT.

LYONS, PIPES AND COOK
Attorneys for the Plaintiff,

By: Gordon B. Kahn

Gordon B. Kahn

CERTIFICATE OF SERVICE
I do hereby certify that I have on this 12
day of July, 1956 served a
copy of the foregoing pleading on counsel for all
parties to this proceeding by mailing the same
by United States mail, properly addressed, and
first class postage prepaid.

Gordon B. Kahn

Filed
7-12-66
Clifford W. Quirk
clerk

ERNEST MORTON HAUSER,	X	
a minor, suing by and	X	IN THE CIRCUIT COURT OF
through his father and	X	
next friend, SHALER	X	
HAUSER,	X	
	X	
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
	X	
vs.	X	
	X	AT LAW
SIDNEY WILLS CROMER	X	
and ANDREW CROMER,	X	
separately and severally,	X	
	X	
Defendants.	X	CASE NO. 6892

ORDER APPOINTING GUARDIAN AD LITEM

It having been made to appear to the Court that the Defendant Sidney Wills Cromer was, at the time of the filing of this action against him, a minor, and that a Guardian Ad Litem should therefore be appointed for him; and it further appearing to the Court that J. Connor Owens, Jr., a practicing attorney in Bay Minette, Baldwin County, Alabama, is a suitable person to act as such Guardian Ad Litem, and that he should be appointed as such, it is, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, At Law, that J. Connor Owens, Jr. be, and he is hereby, appointed Guardian Ad Litem to represent and defend the interest of the said Sidney Wills Cromer in this cause.

Done this 9th day of December, 1966.

J. Connor Owens, Jr.
Circuit Judge

FILED

DEC 5 1966

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ERNEST MORTON HAUSER,
a minor, suing by and
through his father and
next friend, SHALER
HAUSER,

Plaintiff

v.

SIDNEY WILLS CROMER
and ANDREW CROMER,
separately and severally,

Defendants.

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

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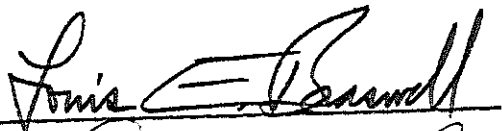
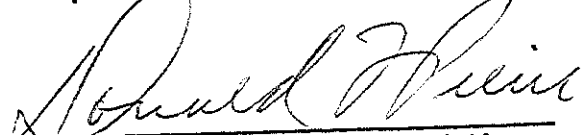
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Case No. 6892

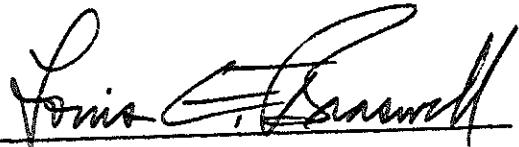
A N S W E R

Comes now the separate and several defendant Andrew Cromer, separately and severally, and for answer to each separate and several count of the complaint filed herein, separately and severally, assigns the following separate and several pleas, separately and severally:

1. Not guilty.
2. The material allegations thereof are untrue.

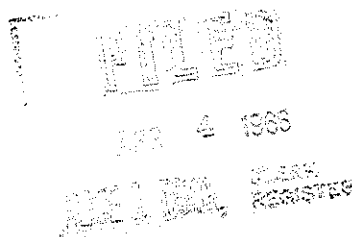


First National Bank Building
Mobile, Alabama

Defendant Andrew Cromer demands a trial by jury.



Of Counsel:

HAND, ARENDALL, BEDSOLE,
GREAVES & JOHNSTON



CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing answer to Gordon B. Kahn, Esquire, Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this the 1 day of April, 1966.

Louis E. Russell

ERNEST MORTON HAUSER, : IN THE CIRCUIT COURT OF
a minor, suing by and :
through his father and : BALDWIN COUNTY, ALABAMA
next friend, SHALER :
HAUSER, : AT LAW

Plaintiff :

v. :

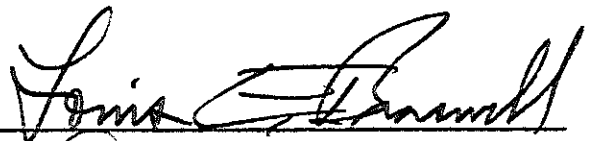

SIDNEY WILLS CROMER :
and ANDREW CROMER, :
separately and severally, :

Defendants. : Case No. 6892

A N S W E R

Comes now each of the separate and several defendants
in the above case, separately and severally, and for answer
to each separate and several count of the complaint filed
herein, as last amended, assigns the following separate
and several pleas, separately and severally:

1. Not guilty.
2. The material allegations thereof are untrue.



First National Bank Building
Mobile, Alabama

The Defendants demand a trial by jury.



Of Counsel: -

HAND, ARENDALL, BEDSOLE,
GREAVES & JOHNSTON

FILED

APR 11 1938

ALBANY, ALA.

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing answer to Gordon B. Kahn, Esquire, Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this the 15 day of July, 1966.

Louis E. Barwell

FILED

JUL 15 1966
MAE L. BUCK, CLERK
FEDERAL COURT

ERNEST MORTON HAUSER, : IN THE CIRCUIT COURT OF
a minor, suing by and :
through his father and : BALDWIN COUNTY, ALABAMA
next friend, SHALER :
HAUSER, : AT LAW

Plaintiff :

v. :

SIDNEY WILLS CROMER :
and ANDREW CROMER, :
separately and severally, :

Defendants. : Case No. 6892

A N S W E R

Comes now the separate and several defendant Sidney Wills Cromer, separately and severally, and for answer to each separate and several count of the complaint filed herein, separately and severally, assigns the following separate and several pleas, separately and severally:

1. Not guilty.
2. The material allegations thereof are untrue.

Louis E. Bassett

Donald J. Pierce
First National Bank Building
Mobile, Alabama

Defendant Sidney Wills Cromer demands a trial by jury.

Louis E. Bassett

Of Counsel:

HAND, ARENDALL, BEDSOLE,
GREAVES & JOHNSTON

FILED
7-7-55
CLERK
REGISTERED

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing answer to Gordon B. Kahn, Esquire, Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this the 5 day of July, 1966.

Louis E. Russell

FILED

JUL 7 1966

MOBILE, ALA.

ERNEST MORTON HAUSER,
a minor, suing by and
through his father and
next friend, SHALER
HAUSER,

Plaintiff,

vs

SIDNEY WILLS CROMER
and ANDREW CROMER,
separately and severally,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6892

MOTION:

Comes now the Plaintiff in the above styled cause, by his attorneys, and moves this Honorable Court to appoint a Guardian Ad Litem to defend this action for the Defendant Sidney Wills Cromer and as grounds therefor says:

That the said Sidney Wills Cromer was a minor at the time of the filing of the complaint in this cause against him.

Respectfully submitted,

LYONS, PIPES & COOK

and

CHASON, STONE & CHASON

By:

Attorneys for Plaintiff

FILED

DEC 9 1935

CLERK
REGISTER