

STATE OF ALABAMA)
)
COUNTY OF BALDWIN)

561

PAUL J. HENDERSON, JR.,)
)
a minor under the age)
of 14 years, suing by his)
next friend and father,)
PAUL J. HENDERSON,)
PLAINTIFF.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

VS

AT LAW. NO.....

ALBERT JOSEPH ALLEGRI,)
DEFENDANT.)

COMPLAINT

COUNT ONE-

The plaintiff claims of the defendant the sum of One Thousand (\$1,000.00) Dollars as damages, for that heretofore, on to-wit, the 31st day of December, 1939, the defendant so negligently operated an automobile at or near the intersection of a public highway and U. S. Highway number 90, a public highway, said intersection being near the farm of Jason Malbis and approximately four and five tenths (4.5) miles east of the intersection of U. S. Highways number 90 and 31, in Baldwin County, Alabama, that the same was caused to collide with, run upon, or against an automobile in which plaintiff was riding while said automobile was then and there traveling east on or upon said U. S. Highway number 90 and crossing or attempting to cross said intersection, and as a proximate consequence thereof, plaintiff was severely bruised, cut, and disfigured, was caused to suffer mental and physical pain, suffering, and shock, and caused to incur large expense by way of doctor's bills and medicine, all to his damage as aforesaid.

COUNT TWO-

Plaintiff claims of the defendant the sum of One Thousand (\$1,000.00) Dollars as damages, for that heretofore, on to-wit, the 31st day of December, 1939, the defendant was driving an automobile at or near the intersection of a public highway and U. S. Highway number 90, a public highway, said intersection being near the farm of Jason Malbis and approximately

four and five tenths (4.5) miles east of the intersection of U. S. Highways number 90 and 31, in Baldwin County, Alabama, carelessly and heedlessly in wilful and wanton disregard of the rights or safety of others and with knowledge that he would very likely injure or damage the persons or property of others thereby, so wilfully or wantonly operated same as to cause it to collide with, run upon, or against an automobile, in which plaintiff was riding while said automobile was then and there traveling east on or upon said U. S. Highway number 90 and crossing or attempting to cross said intersection and as a proximate consequence thereof, plaintiff was severely bruised, cut, and disfigured, was caused to suffer mental and physical pain, suffering, and shock, and caused to incur large expense by way of doctor's bills and medicine, all to his damage as aforesaid.

Howell & Johnston
ATTORNEYS FOR PLAINTIFF

Defendant's address:

Daphne,
Baldwin County, Alabama.

RECORDED 561

SUMMONS & COMPLAINT

Received in Sheriff Office this
6th day of February 1940
W.A. Stuart Sheriff

PAUL J. HENDERSON, JR., a minor,
Plaintiff,

Vs.

ALBERT JOSEPH ALLEGRI,
Defendant.

Executed this 7th
day of Feb 1940 by
serving a copy of
within summons on
Albert Joseph Allegri

W.A. Stuart
Sheriff

By B.J. Kucera
D.S.

We the Jury find
for the Defendant
Signed
J.B. Smith

Filed this 5th day February 1940
R.S. Duck
Clerk-Register

PAUL J. HENDERSON, JR., a
Minor under fourteen years
of age, by his next friend,
and father, Paul J. Henderson,

Plaintiff,

VS.

ALBERT JOSEPH ALLEGRI,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

And now comes the Defendant, and for answer to the Plaintiff's complaint,
and to each count thereof, separately and severally, says:

1. That he is not guilty of the facts therein alleged.
2. That the facts therein alleged are untrue.

BEEBE & HALL,

By: Sam Hall
Attorneys for Defendant.

ANSWER:

PAUL J. HENDERSON, JR.,
Plaintiff,

VS.

ALBERT JOSEPH ALLEGRI,
Defendant.

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

Filed August 22, 1940
R.S. Duck, Clerk

PAUL J. HENDERSON, JR.,
a minor under the age of
14 years, suing by his
next friend and father,
PAUL J. HENDERSON,

Plaintiff,

VS.

ALBERT JOSEPH ALLEGRI,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Now comes the Defendant and demurs to the Plaintiff's complaint
and to each count thereof, separately and severally, and as ground for
said demurrer says:

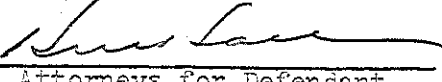
1. That said count does not state a cause of action.
2. For aught that appears the Plaintiff was guilty of negli--
gence which proximately caused the injuries complained of.
3. That said count charges the act and not the injuries as
being willful and wanton.

BEEBE & HALL,

By: 
Attorneys for Defendant.

Defendant demands a trial by Jury.

BEEBE & HALL,

By: 
Attorneys for Defendant.

DEMURRER:

PAUL J. HENDERSON, JR.,

Plaintiff,

VS.

ALBERT JOSEPH ALLEGRI,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

Filed March 4, 1940
R.S. Dyer, Clerk

THE STATE OF ALABAMA, }
Baldwin County.

No. 561

CIRCUIT COURT

February, 1940 193

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon ALBERT JOSEPH ALLEGRI

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in
the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against

ALBERT JOSEPH ALLEGRI Defendant by PAUL J. HENDERSON, JR., a minor
under fourteen years of age, by his next friend and father, Paul J. Henderson
Plaintiff

Witness my hand this 5th day of February, 1940 193

R. S. Dush
By Paul J. Henderson, Jr., Deputy Clerk.

COMPLAINT

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

HOWELL & JOHNSTON

Plaintiff's Attorney.

No. _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

VS. PLAINTIFF _____

DEFENDANT _____

Summons and Complaint

Filed, _____ 193 _____

_____, Clerk.

Defendant Lives at _____

Plaintiff's Attorney. _____

Defendant's Attorney _____

RECEIVED IN OFFICE

_____, 193 _____

_____, Sheriff

I have executed this Writ

this _____, 193 _____

by leaving a copy of the within Summons and
Complaint with _____

_____, Sheriff.

_____, Deputy Sheriff.