

1259

STATE OF ALABAMA }
BALDWIN COUNTY }

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon FRED WHEELER HAGEN, 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 MILLARD D. DAWKINS JR., a minor, by CLARA MAY DAWKINS, his mother and next friend.

WITNESS my hand this the 19th day of October, 1948.

Alice L. such
Clerk

MILLARD D. DAWKINS JR.,
a minor, by CLARA MAY
DAWKINS, his mother and
next friend.

PLAINTIFF

VS

FRED WHEELER HAGEN

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

1.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND (\$2000.00) DOLLARS as damages, for that heretofore, on to-wit, July 21, 1948, the Plaintiff was riding in an automobile along highway number 3, a public highway in Baldwin County, Alabama, at a point approximately one mile South of Foley, and then and there the Defendant negligently ran an automobile into or against the automobile in which the Plaintiff was riding and thereby and as a proximate result and consequence of the negligence of the part of the Defendant, the Plaintiff was injured as follows:

His face bruised and lacerated; his chest injured;
his leg injured; his arms injured; he was internally

injured; he was permanently injured; he was caused to incur doctor bills; he was caused to incur hospital bills; he was caused to lose time from his work; hence this suit.

2.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND (\$2000.00) DOLLARS as damages, for that heretofore, on to-wit, July 21, 1948, the Plaintiff was riding in an automobile along highway number 3, a public highway in Baldwin County, Alabama, at a point approximately one mile South of Foley, and then and there the Defendant negligently ~~ran~~^{drove} an automobile into or against the automobile in which the Plaintiff was riding and thereby and as a proximate result and consequence of the negligence of the part of the Defendant, the Plaintiff was injured as follows:

His face bruised and lacerated; his chest injured; his leg injured; his arm injured; he was internally injured; he was permanently injured; he was caused to incur doctor bills; he was caused to incur hospital bills; he was caused to lose time from his work; hence this suit;

3.

The Plaintiff claims of the Defendant TWO THOUSAND (\$2000.00) DOLLARS, as damages, and that heretofore on to-wit, July 21, 1948, the Plaintiff was riding in an automobile along highway number 3, a public highway in Baldwin County, Alabama, at a point approximately one mile South of Foley; that the Defendant at said time and place willfully or wantonly injured the Plaintiff by running said automobile which he was then and there driving into, upon, or against the automobile in which the Plaintiff was riding; whereby and as a proximate result and consequence thereof, the Plaintiff was injured as follows:

His face bruised and lacerated; his chest injured; his leg injured; his arm injured; he was internally injured; he was permanently injured; he was caused to incur doctor bills; he was cause to incur hospital bills; he was caused to lose time from his work; hence this suit;

PM Mundie
Stm Lee
Attorneys for Plaintiff

Plaintiff demands trial by Jury.

PM Mundie
Stm Lee
Attorneys for Plaintiff

no 1259

Received in Sheriff's Office
this 30 day of Oct, 1948
TAYLOR WILKINS, Sheriff

MILLARD D. DAWKINS JR., a minor,
by CLARA MAY DAWKINS, his mother
and next friend.

PLAINTIFF

VS

FRED WHEELER HAGEN

DEFENDANT

Executed this 3 day of Mar
1948 by Serving a Copy of the Within Writ
on Fred Wheeler Hagen

E O Maxwell Sheriff
By H H H H H D.S.

FILED

OCT 29 1948

ALICE J. DUCK, Clerk

IN THE
CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA
AT LAW

Now comes the Defendant and demurs to the Complaint and each count thereof separately and severally and as grounds therefor assigns the following:

1. The Complaint states no cause of action.
2. Complaint does not allege any duty owed by the Defendant to the Plaintiff.

/Attorney for Defendant

MILLIARD D. DAWKINS, JR.,
A Minor,
BY CLARA MAE DAWKINS, His
Mother and Next Friend,

Plaintiff,

vs

FRED WHEELER HAGAN,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

DE M U R R E R

FILED

NOV 18 1948

ALICE J. DUCK, Clerk

JACK CRENSHAW

ATTORNEY AT LAW

FIRST NATIONAL BANK BUILDING

MONTGOMERY, ALABAMA

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