

ETHEL VAN MIDDLESWORTH, as
Administratrix of the Estate
of GERALD VAN MIDDLESWORTH,
deceased,

Plaintiff,

vs.

EDGAR JESSE BRANTLEY,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5176

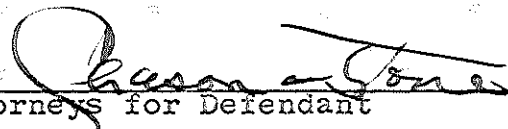
Comes the Defendant in the above styled cause and demurs
to the Complaint filed in said cause and each and every count
thereof, separately and severally, and assigns the following
separate and several grounds, viz:

1. That said complaint does not state a cause of action.
2. That count one of said complaint does not allege any
duty owing by the Defendant to the Plaintiff.
3. That count one of the complaint does not state that
the Defendant negligently injured the Plaintiff's intestate.
4. That said complaint does not allege that the accident
occurred in Baldwin County, Alabama.
5. That count two of said complaint does not allege that
the Defendant wantonly injured the Plaintiff's intestate.
6. That count two of said complaint does not allege that
the Defendant wantonly allowed the automobile that he was driving
to injure the Plaintiff's intestate.

FILED

JUL 2 1932

ALICE J. DICK, CLERK
REGISTER


Attorneys for Defendant

DEMURRER

* * * * *

ETHEL VAN MIDDLESWORTH, as
Administratrix of the Estate
of GERALD VAN MIDDLESWORTH,
deceased,

Plaintiff,

vs.

EDGAR JESSE BRANTLEY,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 5176

* * * * * **FILED** * * * * *

JUL 12 1922

ALICE J. DUCK, CLERK
REGISTER

ETHEL VAN MIDDLESWORTH, as
Administratrix of the Estate
of Gerald Van Middlesworth,
deceased,

Plaintiff,

vs.

EDGAR JESSE BRANTLEY,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

PLEA:

Comes the Defendant in the above styled cause and for
plea to count one of the complaint filed in said cause says:

1. Not guilty.

2. That at the time and place complained of in said
count the Plaintiff's intestate was guilty of negligence which
was the proximate cause of his injuries and damages, hence the
Plaintiff cannot recover in this action.

Pherson & Stone

Attorneys for Defendant

FILED

AUG 2 1962

ALICE J. DUCK, CLERK
REGISTER

5176

ETHEL VAN MIDDLESWORTH, as
Administratrix of the Estate
of Gerald Van Middlesworth,
deceased,

Plaintiff,

vs.

EDGAR JESSE BRANTLEY,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

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PLEAS

* * * * *

FILED

AUG 2 1962

ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon EDGAR JESSE BRANTLEY to appear and answer, plead or demur, within thirty days from the service hereof, to Bill of Complain filed against him in Circuit Court, at Law, of said state and county, by Ethel Van Middlesworth, as Administratrix of the Estate of Gerald Van Middlesworth, deceased, as Plaintiff against Edgar Jessee Brantley, as Defendant, and at the same time to make return hereunder.

Witness my hand this the 19 day of June, 1962.


REGISTER

ETHEL VAN MIDDLESWORTH, as)	IN THE CIRCUIT COURT OF
Administratrix of the Estate)	
of Gerald Van Middlesworth,)	BALDWIN COUNTY, ALABAMA
deceased,)	
)	AT LAW
PLAINTIFF)	
)	
VS.)	5176
)	
EDGAR JESSE BRANTLEY,)	
)	
DEFENDANT)	

COUNT ONE:

Plaintiff claims of the defendant \$50,000.00 for that on, to-wit, June 28, 1961, the Defendant, Edgar Jesse Brantley, negligently caused or allowed an automobile which he was then and there operating on a public highway, to-wit, On Alabama Highway # 104 at a point approximately three miles northwest of Silverhill, Baldwin County, Alabama, to run upon or against Gerald Van Middlesworth, the Plaintiff's intestate, as a proximate result of which negligence the Plaintiff's said intestate was so injured that he died then and there as a proximate result of his said injuries.

COUNT TWO:

Plaintiff claims of the Defendant \$50,000.00 for that on, to-wit, June 28, 1961, the Defendant wantonly injured the Plaintiff's intestate, Gerald Van Middlesworth, by wantonly causing or allowing an automobile, which said Defendant was then and there driving on a public highway, to-wit, On Alabama Highway # 104 at a point approximately three miles northwest of Silverhill, Baldwin County,

Page Two

Alabama, to run upon or against Plaintiff's said intestate and as a proximate result of which said wanton conduct, the Plaintiff's said intestate was so injured that he died then and there as a proximate result of his said injuries.

BAILEY & LACEY

BY: *Ernest R. Bailey*
Attorneys for Plaintiff

Plaintiff demands a trial by jury of the above styled cause.

BAILEY & LACEY

BY: *Ernest R. Bailey*
Attorneys for Plaintiff

FILED

JUN 19 1962

ALICE J. DUCK, CLERK
REGISTER

EN. 6-20-62

#3176

Received on 19 day of June 1962
d on 20th day of June 1962
served a copy of the within 29C
Edgar Jesse Brantley
y service on _____

TAYLOR WILKINS, Sheriff
By Fred Seibert D. S.
Daphne

Sheriff claims 54 miles at
Ten Cents per mile Total \$ 5.40
TAYLOR WILKINS, Sheriff
BY Seibert
DEPUTY SHERIFF

BILL OF COMPLAINT

ETHEL VAN MIDDLESWORTH, AS
Administratrix of the Estate of
Gerald Van Middlesworth, deceased,

Plaintiff

vs

EDGAR JESSE BRANTLEY,

Defendant

Defendant resides in Daphne, Ala.

FILED
JUN 19 1962

ERNEST M. BAILEY
RICHARD C. LACEY

ATTORNEY AT LAW

~~CLERK~~ ~~SHORES~~, ALABAMA

ALICE J. DUCK, CLERK
REGISTER

Fairhope,