

STATE OF ALABAMA )  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon DENNIS O. CASEY 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 CALVIN McARTHUR.

Witness my hand, this the 17 day of July, 1962.

Alvin D. Smith  
Clerk, Circuit Court, Baldwin  
County, Alabama.

CALVIN McARTHUR,  
Plaintiff,  
vs  
DENNIS O. CASEY,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW No. 5213

COUNT ONE

The Plaintiff claims of the Defendant the sum of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS, as damages, for that heretofore on, to-wit: May 22nd, 1962, the Plaintiff was operating a tractor by driving same in a westerly direction across U. S. Highway No. 90, at the intersection of said Highway No. 90 and County Road known as "Silverhill Air Field Road", in the corporate limits of the Town of Robertsdale, in Baldwin County, Alabama, where he had a right to be, and the Defendant, while operating an automobile in a northerly direction on or along said Highway No. 90, at said time and place, so negligently operated said automobile as to cause the same to run over, against or upon the tractor being operated by the Plaintiff; and the Plaintiff avers that as a proximate consequence of such negligence of the Defendant in the operation of said automobile, as aforesaid, the Plaintiff sustained personal injuries and damages as follows: Chest severely bruised and lacerated, Arms bruised and lacerated, Shoulder bruised and lacerated, Sustained internal injuries, and body severely bruised and lacerated, so that the Plaintiff was caused to incur med-

ical and hospital expenses and to suffer loss of time from his occupation; and that the said damages suffered by the Plaintiff, as aforesaid, was a direct and proximate consequence of the negligence of the said Defendant in the operation of said automobile, at the time and place, all to the damage of the Plaintiff, as aforesaid.

COUNT TWO

The Plaintiff claims of the Defendant the sum of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS, as damages, for that heretofore on, to-wit: May 22nd, 1962, the Plaintiff was operating a tractor by driving same in a westerly direction across U. S. Highway No. 90, at the intersection of County Road known as "Silverhill Air Field Road", in the corporate limits of the Town of Robertsedale, in Baldwin County, Alabama, where he had a right to be, and the Defendant, while operating an automobile in a northerly direction on or along said Highway No. 90, at said time and place wilfully or wantonly caused said automobile to run over, against or upon the tractor being operated by the Plaintiff; and the Plaintiff avers that as a proximate consequence of said wilful or wanton negligence of the Defendant in the operation of said automobile, as aforesaid, the Plaintiff sustained personal injuries and damages, as follows: Chest severely bruised and lacerated, Arms bruised and lacerated, Shoulder bruised and lacerated, Sustained internal injuries, and body severely bruised and lacerated, so that the Plaintiff was caused to incur medical and hospital expenses and to suffer loss of time from his occupation; and that the said damages suffered by the Plaintiff, as aforesaid, was a direct and proximate consequence of the wilful or wanton negligence of the Defendant in the operation of said automobile at the time and place, all to the damage of the Plaintiff, as aforesaid.

John P. Beebe,  
Attorney at Law,  
Robertsedale, Alabama.

Ex- 7-18-62

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FILED

JUL 17 1962

ALICE J. DUCK, CLERK  
REGISTER

John P. Beebe  
Attorney for the Plaintiff

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DENNIS O. CASEY  
Rt - 1 - Box 236  
- Dept. -  
Canton, Mass., U.S.A.

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RECEIVED IN OFFICE  
JUL 18 1962  
U. S. CUSTOMS, SAULT STE MARIE

EXECUTED BY SERVING A  
COPY OF THE WITHIN  
177 10/18

Bettye Frank  
Sec of State  
ala.

This the 18 day of July 1962  
H. A. DILLER  
 Sheriff Montgomery County  
 By Mitchell  
 Deputy Sheriff

The Clerk's clerk: 2  
miles at 10¢ per mile: 20  
of \$ 20  
W. E. Hudson, Jr.  
Montgomery, Ala.

CALVIN MCARTHUR,

Plaintiff,

vs.

DENNIS O'CASEY,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5203

NOTICE OF TAKING DEPOSITION UPON ORAL EXAMINATION

TO: HON. JOHN P. BEEBE, ATTORNEY AT LAW, ROBERTSDALE, ALABAMA,  
ATTORNEY FOR CALVIN MCARTHUR:

Please take notice that the Deposition Upon Oral Examination of Jim Hanley, a witness in the above styled cause, whose address is 219 Le Bouef Street, Algiers, Louisiana, will be taken on Thursday, January 10, 1963, at 10:00 A. M. Before Earle Christenberry, Jr., an authorized reporter, who is hereby designated as the officer before whom such deposition shall be taken, at the law offices of Porteous & Johnson, 925 Hibernia Bank Building, New Orleans, Louisiana.

Done this the 27 day of December, 1962.

CHASON & STONE

By: John Earle Chason  
Attorneys for Defendant

I, John Earle Chason, one of the attorneys of record for the Defendant in the above styled cause, do hereby certify that I have this day mailed a copy of the foregoing Notice Of Taking Of Deposition Upon Oral Examination to Hon. John P. Beebe, Attorney at Law, Robertsdale, Alabama, postage prepaid and properly addressed to him at his office in Robertsdale, Alabama.

Done this the 27 day of December, 1962.

FILED

JAN 7 1963

ALICE J. DUCK, CLERK  
REGISTER

John Earle Chason  
John Earle Chason

August 2, 1962

CALVIN McARTHUR, Plaintiff  
VS  
DENNIS O. CASEY, Defendant

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA AT LAW

CASE NO. 5203

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

I, Bettye Frink, Secretary of State, hereby certify that on  
I sent by registered mail in an envelope addressed as follows:

July 18, 1962

" Dennis O. Casey  
Rt. 1, Box 936  
Cantonment, Fla."

"Registered Mail—  
Return Receipt Requested  
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of  
the State of Alabama in words and figures as follows:

" Dennis O. Casey  
Rt. 1, Box 936  
Cantonment, Fla."

You will take notice that on July 18, 1962 the Sheriff of Montgomery  
County, Alabama, served upon me, in my official capacity, summons and complaint in a  
case entitled: CALVIN McARTHUR, Plaintiff VS DENNIS O. CASEY, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW  
Case No. 5203 a true copy of which summons and complaint is attached hereto  
and the said service upon me as Secretary of State of the State of Alabama has the force and  
effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 18  
day of July 1962

Enclosure (1)

(Signed) Bettye Frink  
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed  
as above set forth had attached to it a true copy of the summons and complaint in the above-styled  
cause.

I further certify that on Jul 23 1962 I received the return card, showing  
receipt by the designated addressee of the aforementioned matter at Cantonment —a  
on Jul 20 1962

WITNESS MY HAND and the Great Seal of the State of Alabama this the 2 day  
of August 1962

*Bettye Frink*

Bettye Frink  
Secretary of State

Enclosures: Return Receipt Card and copy  
of Summons and Complaint.


cc: Hon. John P. Beebe  
Attorney at Law  
Robertsedale, Ala.

STATE OF ALABAMA )  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon DENNIS O. CASEY 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 CALVIN McARTHUR.

Witness my hand, this the 17 day of July, 1962.

  
Clerk, Circuit Court, Baldwin  
County, Alabama.

CALVIN McARTHUR,  
Plaintiff,  
vs  
DENNIS O. CASEY,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW No. 5203

COUNT ONE

The Plaintiff claims of the Defendant the sum of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS, as damages, for that heretofore on, to-wit: May 22nd, 1962, the Plaintiff was operating a tractor by driving same in a westerly direction across U. S. Highway No. 90, at the intersection of said Highway No. 90 and County Road known as "Silverhill Air Field Road", in the corporate limits of the Town of Robertsdale, in Baldwin County, Alabama, where he had a right to be, and the Defendant, while operating an automobile in a northerly direction on or along said Highway No. 90, at said time and place, so negligently operated said automobile as to cause the same to run over, against or upon the tractor being operated by the Plaintiff; and the Plaintiff avers that as a proximate consequence of such negligence of the Defendant in the operation of said automobile, as aforesaid, the Plaintiff sustained personal injuries and damages as follows: Chest severely bruised and lacerated, Arms bruised and lacerated, Shoulder bruised and lacerated, Sustained internal injuries, and body severely bruised and lacerated, so that the Plaintiff was caused to incur med-

ical and hospital expenses and to suffer loss of time from his occupation; and that the said damages suffered by the Plaintiff, as aforesaid, was a direct and proximate consequence of the negligence of the said Defendant in the operation of said automobile, at the time and place, all to the damage of the Plaintiff, as aforesaid.

COUNT TWO

The Plaintiff claims of the Defendant the sum of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS, as damages, for that heretofore on, to-wit: May 22nd, 1962, the Plaintiff was operating a tractor by driving same in a westerly direction across U. S. Highway No. 90, at the intersection of County Road known as "Silverhill Air Field Road", in the corporate limits of the Town of Robertsdale, in Baldwin County, Alabama, where he had a right to be, and the Defendant, while operating an automobile in a northerly direction on or along said Highway No. 90, at said time and place wilfully or wantonly caused said automobile to run over, against or upon the tractor being operated by the Plaintiff; and the Plaintiff avers that as a proximate consequence of said wilful or wanton negligence of the Defendant in the operation of said automobile, as aforesaid, the Plaintiff sustained personal injuries and damages, as follows: Chest severely bruised and lacerated, Arms bruised and lacerated, Shoulder bruised and lacerated, Sustained internal injuries, and body severely bruised and lacerated, so that the Plaintiff was caused to incur medical and hospital expenses and to suffer loss of time from his occupation; and that the said damages suffered by the Plaintiff, as aforesaid, was a direct and proximate consequence of the wilful or wanton negligence of the Defendant in the operation of said automobile at the time and place, all to the damage of the Plaintiff, as aforesaid.

John P. Beebe,  
Attorney at Law,  
Robertsdale, Alabama.

FILED

JUL 17 1962

ALICE J. DUCK, CLERK  
REGISTER

*John P. Beebe*  
Attorney for the Plaintiff

CALVIN McARTHUR,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
DENNIS O. CASEY,	X	AT LAW NO. 5203
Defendant.	X	
	X	

PLEA

Comes now the Defendant in the above styled cause, and for answer to the complaint heretofore filed in said cause, pleads, separately and severally, as follows:

1. Not guilty.

2. That the Plaintiff was guilty of negligence at the time and place complained of in his complaint which proximately contributed to his alleged damages in that the Plaintiff so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against the automobile which was then and there being driven by the Defendant, Dennis O. Casey, hence he should not recover.

3. For further plea and by way of recoupment, the Defendant, Dennis O. Casey, claims of the Plaintiff the sum of \$1,500.00 as damages for that, heretofore, on to-wit: May 22, 1962, at a point on U. S. Highway #90, at the intersection of said highway with the Silverhill Air Field Road, in the corporate limits of the Town of Robertsdale, Alabama, in Baldwin County, Alabama, the Plaintiff so negligently operated a motor vehicle as to cause or allow the same to run into, upon or against a motor vehicle driven by the Defendant Dennis O. Casey, and as a proximate result of such negligence the automobile of the Defendant was damaged in this: the front bumper and grill, headlights and their supports were bent, damaged and broken; the motor supports, fan blades and the radiator and its supports were bent, damaged and broken; both front fenders and their supports were bent, damaged and broken



and the Defendant lost the use of his said automobile for more than two weeks, all to the damage of the Defendant in the above sum.

CHASON & STONE

By:

John Earle Chason  
Attorneys for Defendant

FILED  
OCT 16 1962  
ALICE L. DOWD, CLERK  
REGISTERED

CALVIN McARTHUR,

Plaintiff,

vs.

DENNIS O. CASEY,

Defendant.

X

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5203

Comes now the Defendant in the above styled cause by his attorneys and demurs to the complaint filed in said cause and to each and every count thereof, separately and severally, and assigns the following separate and several grounds of demurrer, viz:

1. That said complaint does not state a cause of action.
2. That the facts alleged in Count One of said complaint do not show any duty owing by the Defendant to the Plaintiff.
3. That the allegations in said complaint that the Plaintiff was "where he had a right to be" are the conclusions of the pleader.
4. That said complaint does not allege the time of the day or night at which the accident occurred.
5. That it does not appear in Count Two that the Defendant wantonly injured the Plaintiff.
6. That no facts are alleged in Count Two showing that the Defendant wantonly injured the Plaintiff.

CHASON & STONE

By: John Earle Chason  
Attorneys for Defendant

Defendant demands a trial  
of this case by jury.

CHASON & STONE

FILED

AUG 8 1962

By: John Earle Chason  
Attorneys for Defendant

ALICE J. DUCK, CLERK  
REGISTER

JOHN P. BEEBE  
ATTORNEY AT LAW  
ROBERTSDALE, ALABAMA

July 16th, 1962

Mrs. Alice J. Duck, Clerk,  
Circuit Court, Baldwin County,  
Bay Minette, Alabama.

Dear Mrs. Duck:

I hand you herewith two suits both naming Dennis O. Casey as the Defendant. (Original and three copies of summon and complaint)

I am informed that the defendant, Dennis O. Casey, presently resides at Route One, Box 936, Cantonment, Florida.

I also enclose my check made payable to Bettye Frink, Secretary of State, in the sum of \$6.00 to perfect service of process upon the Defendant in accordance with the statutes.

Please enter the said cases on the docket in your office and mail to the Secretary of State for service.

Thanking you, I am

Sincerely yours,

A handwritten signature in cursive script, reading "John P. Beebe". The signature is written in dark ink and is positioned below the typed name "John P. Beebe". The signature is somewhat stylized, with a large loop at the beginning and a long, sweeping tail.

CALVIN MCARTHUR VS DENNIS O. CASEY

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE



Deliver ONLY to  
addressee



Show address where  
delivered

5203

(Additional charge required for these services)

RETURN RECEIPT

Received the numbered article described on other side

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*D. O. Casey*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

**DELIVER TO ADDRESSEE ONLY**

DATE DELIVERED

JUL 20 1962

ADDRESS WHERE DELIVERED (only if requested in item #1)

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300.

<p>RECEIVED JUL 22 1962 SECRETARY OF STATE</p>		<p>POST OFFICE JUL 20 12 M 1962 RETURN TO</p>
<p>INSTRUCTIONS: Complete this form and attach to the front of the envelope. Do not staple, gum, or otherwise fasten to the envelope. Do not use for other than official business.</p>		
REGISTERED NO. 50223	NAME OF SENDER SECRETARY OF STATE	
CERTIFIED NO.	STREET AND NO. OR P.O. BOX SECRETARY OF STATE	
INSURED NO.	CITY, ZONE AND STATE MONTGOMERY, ALABAMA	

POD Form 381  
Jan. 1958

GPO: 1958-1-745