

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO: ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Wyman L. Hallman 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 same, then and there to answer the complaint of George M. Catrett, a minor, suing by George F. Catrett as his Father and next friend.

Witness my hand this 24 day of August, 1961.

W. J. Shack
Clerk

Exp 8-24-61

GEORGE M. CATRETT, A Minor,
suing by George F. Catrett
as his Father and next
friend,

Plaintiff,

vs.

WYMAN L. HALLMAN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW


COUNT ONE:

The Plaintiff claims of the Defendant the sum of One Thousand Dollars (\$1,000.00) as damages for that, on to-wit: August 2, 1961, at a point about five (5) miles Southwest of Bay Minette on U. S. Highway 31, in Baldwin County, Alabama, the Defendant so negligently operated a motor vehicle on such highway at said time and place as to cause or allow the same to run into or against an automobile in which the Plaintiff was riding as a passenger at said time and place and as a proximate result of the negligence of such Defendant the Plaintiff was seriously injured as follows: he had a deep cut on his right hand; his finger on the right hand was seriously injured; he suffered much pain and mental anguish; he received many bruises and abraisions; and he was caused to incur doctors and medical expenses in and about the treatment of his said injuries, all to the damages of the Plain-

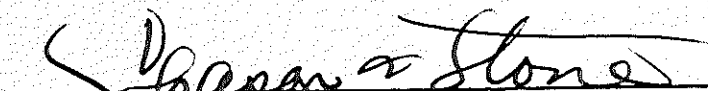
tiff, hence this suit in the above mentioned sum.

COUNT TWO:

The Plaintiff further claims of the Defendant the sum of One Thousand Dollars (\$1,000.00) as damages for that, on to-wit: August 2, 1961, at a point about five (5) miles Southwest of Bay Minette on U. S. Highway 31 in Baldwin County, Alabama, the Defendant wantonly injured the Plaintiff by wantonly causing a motor vehicle which he was then and there driving to run into or against the automobile in which the Plaintiff was riding as a passenger at said time and place and as a proximate result of such wantonness the Plaintiff was injured in this: he had a deep cut on his right hand; his finger on the right hand was seriously injured; he suffered much pain and mental anguish; he received many bruises and abrasions; and he was caused to incur doctors and medical expenses in and about the treatment of his said injuries, all to the damage of the Plaintiff, hence this suit in the above mentioned sum.


Attorneys for Plaintiff

Plaintiff demands a trial of this cause
by a jury.


Attorneys for Plaintiff

FILED

AUG 24 1961

ALICE I. DICK, CLERK
REGISTER

THE STATE OF ALABAMA

CIRCUIT COURT

~~HOUSTON~~ COUNTY
BALDWIN

To Any Sheriff of the State of Alabama—Greeting: YOUR ARE HEREBY COMMANDED TO SUMMON—

Bobby Lott, whose street address is, 320 N. 19th Avenue, Hattiesburg,

Mississippi

to appear within thirty days from the service of this writ in the Circuit Court of said County, at the place of

holding the same, and plead, answer or demur to the complaint of Rita Faye Baker, a Minor

Suing by Her Father, Dale Baker, As Next Friend

Witness my hand this 4 day of Oct 1961

Alice J. Duck, Clerk

COMPLAINT

RITA FAYE BAKER, A MINOR
SUIING BY HER FATHER, DALE
BAKER, AS NEXT Plaintiff.
FRIEND

vs.

BOBBY LOTT
Defendant.

COUNT ONE:

Plaintiff's Attorney.

The plaintiff, a minor suing by her Father, Dale Baker, as next friend claims of the defendant \$10,000.00 as damages for that on to-wit October 28, 1960 while plaintiff was riding as a passenger in an automobile being driven on Highway No. 64, a public highway in Baldwin County, Alabama, at a point near Bell Forest when then and there the defendant so negligently operated another vehicle he was then driving as to cause the same to collide with the automobile in which plaintiff was riding and as a proximate result of the defendant's negligence the plaintiff received serious bodily injuries; she was bruised and contused; she was made sick and sore; she was injured internally and externally; she suffered great pain and mental anguish and continues to suffer great pain and mental anguish; she was permanently injured; she suffered a great shock to her nervous system; she suffered a great loss of blood; her face was badly gashed and she is permanently disfigured; she was caused to incur medical, hospital and doctors' bills, all as a proximate result of the defendant's negligence. Wherefore plaintiff sues.

PRESTWOOD & PRESTWOOD

By James M. Prestwood
Attorneys for Plaintiff

Plaintiff demands a trial by jury.

James M. Prestwood
Attorneys for Plaintiff

FILED

OCT 4 1961

ALICE J. DUCK, CLERK
REGISTER

JEANNIE RUTH STINSON,
a minor, who sues by
and through her father
and next friend, PERCY
LEE STINSON,

Plaintiff,

vs.

JAMES H. KELLY,

Defendant.


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

I Case No. 4826


COMPLAINT

Plaintiff, through her father and next friend, claims of the Defendant, the sum of Fifty Thousand and No/100 (\$50,000.00) Dollars as damages, for that, heretofore, on to-wit, the 12th day of June, 1961, the defendant so negligently operated an automobile on one of the Public Highways in Baldwin County, State of Alabama, to-wit, Highway 31 at or near the Stapleton Post Office in the Community of Stapleton, Alabama in Baldwin County, that the said automobile was run upon or against the Plaintiff, a minor child of Seven (7) Years of age, who was then and there a pedestrian on said Highway at said place, and as a proximate consequence and result ~~thereof~~ ^{of the aforesaid negligence}, Plaintiff was injured and made sick and sore, she was bruised and injured internally and externally and was hospitalized and forced to undergo medical treatments and an operation or operations and she was permanently disfigured and scarred because of said operations and she also suffered injuries to her back and she has suffered great physical pain and mental anguish and her nervous system was greatly impaired and shocked, and she will continue to suffer great physical pain and mental anguish and shock to her nervous system and Plaintiff has been permanently injured and her health has been permanently impaired and her capacity to earn a livelihood in the future has been impaired, and her capacity to lead a full and enjoyable life has been greatly impaired, all to her damage as a direct and

proximate result of the aforesaid negligence of the defendant,
wherefore Plaintiff bring this suit and asks judgment in the
above amount.


Robert E. McDonald, Jr.
509 First National Bank Bldg.
Mobile, Alabama
Attorney for the Plaintiff

Plaintiff respectfully demands a trial by Jury.


Robert E. McDonald, Jr.
509 First National Bank Bldg.
Mobile, Ala.
Attorney for the Plaintiff.

Please serve Defendant by Registered
Mail through the Secretary of State
of Alabama pursuant to Title 7,
Sec. 199, 1957 Supplement, Code
of Alabama, 1940.

Defendant's Address:

James H. Kelly
234 Beardsley Street
Bridgeport, Connecticut

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,

Baldwin County.

}

Circuit Court, Baldwin County

No. 4826

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES H. KELLY

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

JAMES H. KELLY

, Defendant

by JEANNIE RUTH STINSON, a minor who sues by and through her father and next

friend, PERCY LEE STINSON

, Plaintiff

Witness my hand this 21st day of August 1961

Alice J. Duck, Clerk

Exp-8-23-61
on Sec- of State

No. 4826

Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

JEANNIE RUTH STINSON, a minor who
sues by and through her father
and next friend, PERCY LEE STINSON,

Plaintiffs

vs.

JAMES H. KELLY

Defendants

Summons and Complaint

Filed August 21, 1961

Alice J. Duck Clerk

Robert E. McDonald, Jr.

509 1st Nat'l. Bank Plaintiff's Attorney
Mobile, Ala.

Defendant's Attorney

1546
RECEIVED IN OFFICE

Defendant lives at
AUG 23 1961

M. S. BUTLER
Received In Office

(3)

19____

_____, Sheriff

I have executed this summons

this _____ 19____

by leaving a copy with

Executed by serving 3 copies of
the within on Bettyetunk
Secretary of State of The State of
Alabama.

This the 23 day of August 1961

Sheriff of Montgomery County

M. S. Butler,

By Pro D. S.

The Sheriff claims 2

files at 10c per mile for a total

\$ 20

M. S. Butler, Sheriff

Montgomery County, Ala.

Sheriff

Deputy Sheriff

ARMBRECHT, JACKSON, McCONNELL & DeMOUY
LAWYERS

MERCHANTS NATIONAL BANK BUILDING

MOBILE, ALABAMA

WM. H. ARMBRECHT
THEO. K. JACKSON
JOHN W. McCONNELL, JR.
MARSHALL J. DeMOUY
WM. H. ARMBRECHT, III
RAE M. CROWE
BROOK G. HOLMES
W. BOYO REEVES

MAILING ADDRESS
P. O. BOX 290
MOBILE, ALA.

CABLE ADDRESS
SEALAW

TELEPHONE
HEMLOCK 3-1891

December 13, 1961

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

Re: Jeannie Ruth Stinson, et al
v. James H. Kelley;
Case No. 4826

Percy Lee Stinson
v. James H. Kelley;

Dear Mrs. Duck:

We have reached an agreement with the plaintiff's attorney, Mr. Robert E. McDonald, Jr., to continue the argument on demurrers in the captioned cases from December 19, until the next motion day. If this action is not agreeable with the Court, please notify the writer.

Thanking you for your attention to this matter,
I remain,

Very truly yours,

ARMBRECHT, JACKSON, McCONNELL & DeMOUY

By Brook G. Holmes
BROOK G. HOLMES

BGH
jb

cc: Mr. Robert E. McDonald, Jr.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

PROBATE COURT

Letters of Guardianship Over the Estate of

Jeannie Ruth Stinson

_____, a minor, under the age of fourteen years,
_____, a minor, _____ the age of fourteen years,
_____, a minor, _____ the age of fourteen years,
_____, a minor, _____ the age of fourteen years,
_____, a minor, _____ the age of fourteen years,

Lee Stinson

are hereby granted to _____, who has duly
qualified and given bond as required by law, and is authorized to discharge all the functions attached to said
guardianship.

Dated this 20th day of July A. D., 1962.

/s/ W. R. Stuart Judge of Probate

By Harry M. D'Olive, Chief Clerk

Code 1923—Sec. 9595

FILED
AUG 1 1962
CLERK
REGISTER

STATE OF ALABAMA
BALDWIN COUNTY

I, W. R. Stuart, Judge of the Probate Court in and for said County and State, do hereby certify that the within and foregoing is a true, correct and complete copy of Letters of Guardianship as issued to Lee Stinson of the person and Estate of Jeannie Ruth Stinson, a Minor, as the same appear of record in my office, and that the same are still in full force and effect.

Witness my hand and the Seal of said Court, this 20th day of July 1962.

W. R. Stuart
Judge of Probate.
By: *Harry M. D'Almeida* Chief Clerk

No. _____

The State of Alabama,
BALDWIN COUNTY

PROBATE COURT

ESTATE OF

Deceased.

LETTERS OF GUARDIANSHIP TO

note civil

JEANNIE RUTH STINSON,
a minor, who sues by
and through her father
and next friend, PERCY
LEE STINSON,

Plaintiff,

vs.

JAMES H. KELLY,

Defendant.

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

Case No. 4826

D E M U R R E R

Comes now the Defendant and demurs to Plaintiff's complaint as a whole, and to each and every count thereof, separately and severally, upon the following separate and several grounds:

1. Said count wholly fails to state a cause of action.
2. The allegations contained in said count are vague, uncertain and indefinite.
3. The allegations in said count are vague, misleading and confusing and do not apprise the Defendant of what he is called upon to defend.
4. For aught that appears from the allegations of said count, there was no legal duty owing from the Defendant to the Plaintiff therein.
5. For aught that appears there was no breach of any legal duty owing from the Defendant to the Plaintiff therein.
6. Said count seeks to set out the quo modo con-

stituting the negligence without sufficient facts alleged in support thereof.

7. There is no characterization of any alleged act of the Defendant as a negligent act.

8. For aught that appears Plaintiff was not at a place where she had a right to be.

9. For that it affirmative appears that Plaintiff, at the time of said accident, was at a place on said highway at which she had no right to be.

10. For aught appearing from the allegations of said count, there was no proximate cause between the alleged negligence of the Defendant and the alleged injury of the Plaintiff.

11. It affirmatively appears from the allegations of said count that there was no causal connection between the alleged negligence of the Defendant and the alleged injury of the Plaintiff.

12. For that negligence is averred as a mere conclusion of the pleader.

ARMBRECHT, JACKSON, McCONNELL & DeMOUY

By Brook G. Holmes
BROOK G. HOLMES

FILED
OCT 27 1961
ALICE J. DICK, CLERK
REGISTER

September 7, 1961

JEANNIE RUTH STINSON, a minor, who
sues by and through her father and
next friend, PERCY LEE STINSON, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

VS
JAMES H. KELLY, Defendant:

CASE NO. 4826

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

I, Bettye Frink, Secretary of State, hereby certify that on August 23, 1961
I sent by registered mail in an envelope addressed as follows:

" James H. Kelly
234 Beardsley Street
Bridgeport, Connecticut"

"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:

" James H. Kelly
234 Beardsley Street
Bridgeport, Connecticut

You will take notice that on August 23, 1961 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: JEANNIE RUTH STINSON, a minor, who sues by and through her father
and next friend, PERCY LEE STINSON, Plaintiff VS JAMES H. KELLY, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 4826 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 23
day of August 1961

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 Aug 30 1961 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Bridgeport Conn.
on 8-28-61

WITNESS MY HAND and the Great Seal of the State of Alabama this the 7 day
of September 1961

Bettye Frink

Bettye Frink
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
cc: Honorable Robert E. McDonald, Jr.
Attorney at Law
509 First National Bank Building
Mobile, Ala.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4826

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES H. KELLY

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

JAMES H. KELLY

, Defendant.

by JEANNIE REBE STINSON, a minor who sues by and through her father and next

friend, PERCY LEE STINSON

, Plaintiff.

Witness my hand this 21st day of August 1951.

Alice J. Luck, Clerk

JEANNIE RUTH SPINSON,
a minor, who sues by
and through her father
and next friend, PERCY
LEE SPINSON,

Plaintiff,

vs.

JAMES H. KELLY,

Defendant.

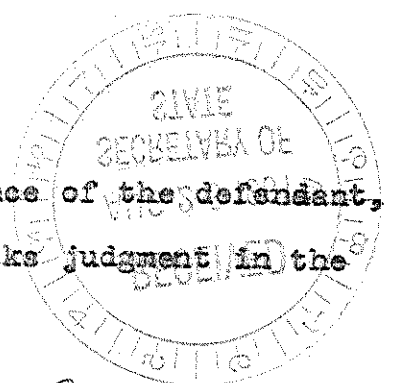
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

Case No. 4826

COMPLAINT

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proximate result of the aforesaid negligence of the defendant,
wherefore Plaintiff bring this suit and asks judgment in the
above amount.



Robert E. McDonald, Jr.
Robert E. McDonald, Jr.
509 First National Bank Bldg.
Mobile, Alabama
Attorney for the Plaintiff

Plaintiff respectfully demands a trial by Jury.

Robert E. McDonald, Jr.
Robert E. McDonald, Jr.
509 First National Bank Bldg.
Mobile, Ala.
Attorney for the Plaintiff.

Please serve Defendant by Registered
Mail through the Secretary of State
of Alabama pursuant to Title 7,
Sec. 199, 1957 Supplement, Code
of Alabama, 1940.

Defendant's Address:

James H. Kelly
234 Beardsley Street
Bridgeport, Connecticut