

CHASON & STONE
ATTORNEYS AT LAW
BAY MINETTE, ALABAMA

JOHN CHASON
NORBORNE C. STONE, JR.
JOHN EARLE CHASON

PHONE 937-2191

July 24, 1963

5464

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

Dear Mrs. Duck:

Re: Demonbreun vs. Kerr

Would you please enter the appearance of this firm as attorneys for the Defendant in the above case. The firm of Inge, Twitty & Duffy now appear as counsel for the Defendant and that firm will no longer represent the Defendant.

Thanking you for your attention to this request,
we are

Yours very truly,

CHASON & STONE

By: 

NCS:by

cc: Mr. T. A. Savignac, Claims Examiner
Northwestern National Insurance Company
P. O. Box 2071
Milwaukee 2, Wisconsin

February 21, 1963

RICHARD E. DEMONEREUN, Plaintiff
 VS
 INA D. KERR, Defendant

IN THE CIRCUIT COURT OF BALDWIN
 COUNTY, ALABAMA AT LAW

CASE NO. Not Given

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

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on February 13, 1963
 I sent by registered mail in an envelope addressed as follows:

"Ina D. Kerr
 144 Greenwood Dr.
 Wichita, Kan."

"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:

" Ina D. Kerr
 144 Greenwood Dr.
 Wichita, Kan.

You will take notice that on February 13, 1963 the Sheriff of Montgomery
 County, Alabama, served upon me, in my official capacity, summons and complaint in a
 case entitled: RICHARD E. DEMONEREUN, Plaintiff VS INA D. KERR, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
 Case No. Not Given 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 13
 day of February 1963

Enclosure (1)

(Signed) Mrs. Agnes Baggett
 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 Feb 18 1963 I received the return card, showing
 receipt by the designated addressee of the aforementioned matter at Wichita —
 on 2-15-63 Washington Street Sta.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 21 day
 of February 1963

Mrs. Agnes Baggett
 Mrs. Agnes Baggett
 Secretary of State

Enclosures: Return Receipt Card and copy
 of Summons and Complaint.
 cc: Hon. J. Connor Owens, Jr.
 Attorneys at Law
 Dahlbert Bldg.
 Bay Minette, Ala.

SUMMONS AND COMPLAINT

CIRCUIT COURT, BALDWIN COUNTY

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. _____

FebruaryTERM, 1963

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Ina D. Kerr

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 Ina D. Kerr

_____, Defendant_____

by

Richard E. Demonbreun

_____, Plaintiff_____

Witness my hand this

11

day of

February

19

63.Richard E. Demonbreun, Clerk

RICHARD E. DEMONBREUN,
Plaintiff,

VS.

INA D. KERR,
Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

The Plaintiff claims of the Defendant the sum of \$1,500.00 as damages for that heretofore and on November 8th, 1962, the Plaintiff was operating his automobile on U.S. Highway 90, a public road in Baldwin County, Alabama, at a point thereon where said U.S. Highway 90 intersects Alabama Highway 59 at Robertsdale, Alabama, and at the same time and place, the Defendant so negligently operated her motor vehicle so as to force or cause the Plaintiff to leave the said Highway 90 and to collide with cement posts upon the Southerly shoulder of said U.S. Highway 90, and as a direct and proximate consequence of the negligence of the Defendant aforesaid, the Plaintiff's vehicle was damaged in that the front bumper, grill, front lights, right front side, right front door, hood, radiator and motor were bent, broken and torn, all to the damage of the Plaintiff in the amount claimed, wherefore this suit.

Donald F. Price
OF Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES &
JOHNSTON

J. Connor Owens, Jr.
J. CONNOR OWENS, JR.

Plaintiff demands that this cause be tried by jury.

FILED

FEB 11 1963

ALICE I. DICK, CLERK
REGISTER

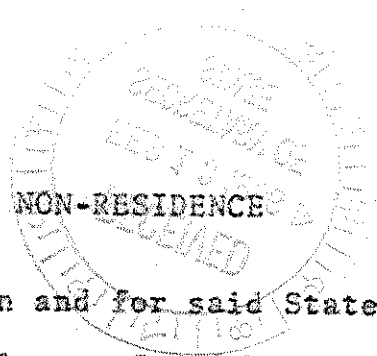
J. Connor Owens, Jr.

STATE OF ALABAMA

BALDWIN COUNTY

I
I
I

AFFIDAVIT OF NON-RESIDENCE



Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who being sworn did depose and say as follows:

That he is one of the attorneys for the Plaintiff in the foregoing cause, and that the Defendant, Ina D. Kerr, was on the date of the collision alleged in the Bill of Complaint, to-wit: November 8th, 1962, a nonresident of the State of Alabama and that her present Post Office address is 144 Greenwood Dr., Wichita, Kansas, and the Plaintiff prays that service of process upon the Defendant Ina D. Kerr may be had in accordance with the provisions of Code of 1940, Title 7, Sec. 199.

J. Connor Owens, Jr.
Attorney for Plaintiff

Sworn to and subscribed before me this the 11th day of February, 1963.

Alice L. Miller
Notary Public

INGE, TWITTY & DUFFY
LAWYERS

THOS. E. TWITTY
FRANCIS H. INGE (1902-1959)
RICHARD H. INGE
THOS. E. TWITTY, JR.
JAMES J. DUFFY, JR.
SYDNEY R. PRINCE, III

MERCHANTS NATIONAL BANK BUILDING
MOBILE, ALABAMA

MAILING ADDRESS:
P. O. BOX 1109
MOBILE, ALA.

CABLE ADDRESS:
TWINING
TELEPHONE:
HEMLOCK 3-5441

March 6, 1963

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

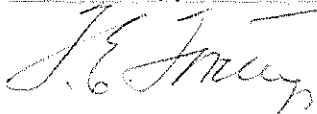
Re: Richard E. Demonbreun, Plaintiff
vs. Ina D. Kerr, Defendant

Dear Mrs. Duck:

I am enclosing herewith the original and one (1) copy of Defendant's answer in the above styled cause, which we request that you please file.

With kindest regards, I am

Cordially,



T. E. Twitty

For the Firm

TET/d
Encls. 2

RICHARD E. DEMONBREUN,)	
)	IN THE CIRCUIT COURT OF BALDWIN
Plaintiff,)	
)	COUNTY, ALABAMA
VS.)	
)	AT LAW
INA D. KERR,)	
)	NO. _____
<u>Defendant.</u>)	

DEFENDANT'S ANSWER TO COMPLAINT

Comes now the Defendant in the above styled cause and for answer to the Complaint therein, and to each count thereof, separately and severally, makes and files the following separate and several pleas:

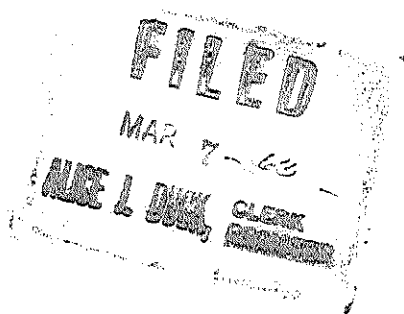
1. Not guilty.
2. Defendant denies the material allegations thereof.
3. Defendant pleads in short by consent the general issue with leave to offer in evidence any matters which would be admissible if specially pleaded.
4. Defendant says that the Plaintiff himself was negligent in and about the operation of his said automobile at the time and place of the matters and things complained of, and that said negligence of the Plaintiff proximately contributed to the injuries and damages claimed therein, wherefore the Plaintiff ought not to recover.

INGE, TWITTY & DUFFY

By

J. E. Miley

Attorneys for Defendant



RICHARD E. DEMONBREUN,
Plaintiff,

VS.

INA D. KERR,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5464.

The Plaintiff claims of the Defendant the sum of \$1,500.00 as damages for that heretofore and on November 8th, 1962, the Plaintiff was operating his automobile on U.S. Highway 90, a public road in Baldwin County, Alabama, at a point thereon where said U.S. Highway 90 intersects Alabama Highway 59 at Robertsdale, Alabama, and at the same time and place, the Defendant so negligently operated her motor vehicle so as to force or cause the Plaintiff to leave the said Highway 90 and to collide with cement posts upon the Southerly shoulder of said U.S. Highway 90, and as a direct and proximate consequence of the negligence of the Defendant aforesaid, the Plaintiff's vehicle was damaged in that the front bumper, grill, front lights, right front side, right front door, hood, radiator and motor were bent, broken and torn, all to the damage of the Plaintiff in the amount claimed, wherefore this suit.

Donald F. Pierce
Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES &
JOHNSTON

J. Connor Owens, Jr.
J. CONNOR OWENS, JR.

Plaintiff demands that this cause be tried by jury.

J. Connor Owens, Jr.

FILED

FEB 11 1963

ALICE I. DUCK, CLERK
REGISTER

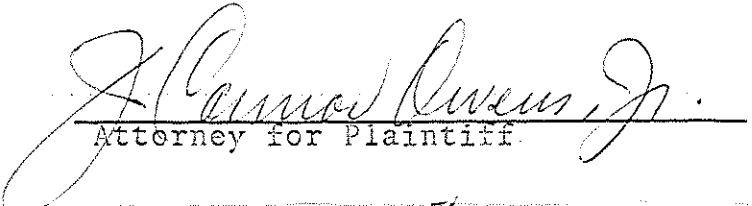
231

STATE OF ALABAMA
BALDWIN COUNTY

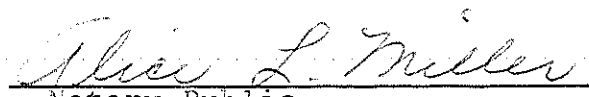
I
I
I
AFFIDAVIT OF NON-RESIDENCE

Before me, the undersigned authority in and for said State and County, personally appeared J. Connor Owens, Jr., who being sworn did depose and say as follows:

That he is one of the attorneys for the Plaintiff in the foregoing cause, and that the Defendant, Ina D. Kerr, was on the date of the collision alleged in the Bill of Complaint, to-wit: November 8th, 1962, a nonresident of the State of Alabama and that her present Post Office address is 144 Greenwood Dr., Wichita, Kansas, and the Plaintiff prays that service of process upon the Defendant Ina D. Kerr may be had in accordance with the provisions of Code of 1940, Title 7, Sec. 199.


Attorney for Plaintiff

Sworn to and subscribed before me this the 11th day of February, 1963.


Notary Public

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. _____

February TERM, 1963

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Ina D. Kerr

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 Ina D. Kerr

_____, Defendant

by Richard E. Demonbreun

_____, Plaintiff

Witness my hand this 11 day of February 1963.

Exp-2-13-63

Allice J. [Signature], Clerk

No. 5464

Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Richard E. Demonbruen

Plaintiffs

vs.

Ina D. Kerr

Defendants

SUMMONS and COMPLAINT

Filed

FILED

, 19

FEB 11 1963

, Clerk

ADOLPH DICK, CLERK

J. Connor Owens, Jr.
Donald F. Pierce
of counsel:
Hand, Arendall, Bedsole, Greaves
& Johnston

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

FEB 13 1963

RECEIVED IN OFFICE

M. S. BUTLER, Sheriff

Feb 12, 1963

Sheriff

I have executed this summons

this _____, 19

by leaving a copy with

Executed by serving _____ copies of

_____ on Reynolds Raggett
Secretary of State of the State of

This on 13 day of Feb 1963

Sheriff of Montgomery County

M. S. Butler,

By J. P. Ragsdale D. S.

The Sheriff claims 2

at 10c per mile for a mile

70

M. S. Butler

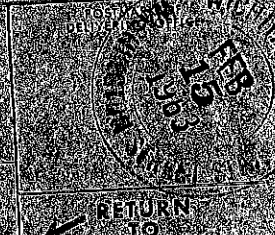
Montgomery County

Sheriff

Deputy Sheriff

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



INSTRUCTIONS TO ADDRESSEE
Place address on back of
envelope and return to
Post Office of origin

RETURN
TO

REGISTERED NO.
54079

CERTIFIED NO.

INSURED NO.

SECRETARY OF STATE
MONTGOMERY, ALABAMA

CITY, ZONE AND STATE

POD FORM 38 (1-1-68)

251-16-1-68

RICHARD D. DEMONTELLA VS. JANA D. KERR

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to address ☐ Show address where delivered ☐ Not Given
(Additional charges required for this delivery)

RETURN RECEIPT

Received the numbered article described on other side.

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

Mrs. J. D. Kerr

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DELIVER TO ADDRESSEE ONLY

DATE DELIVERED

ADDRESS WHERE DELIVERED (omit if not applicable)

2-15-63

U.S. MAIL