

JOHN S. KEEL,)	
Plaintiff,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
HALCOM C. ROBERTSON, JR., and)	
BARBARA B. ROBERTSON,	)	AT LAW. NO. 7787.
Defendants.)	

ANSWERS TO INTERROGATORIES:

Now comes the Defendant, BARBARA B. ROBERTSON, in the above styled cause, and for answer to the Interrogatories propounded to her by the Plaintiff, says as follows:

1. For answer to Interrogatory numbered 1, the Defendant says Barbara B. Robertson.
2. For answer to Interrogatory numbered 2, the Defendant says no.
3. For answer to Interrogatory numbered 3, the Defendant says 1801 Clearmont Street, Mobile, Alabama.
4. For answer to Interrogatory numbered 4, the Defendant says yes.
5. For answer to Interrogatory numbered 5, the Defendant says yes.
6. For answer to Interrogatory numbered 6, the Defendant says Halcom C. Robertson, III.

Barbara B. Robertson

Barbara B. Robertson, Defendant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned Notary Public, within and for said State and County, personally appeared Barbara B. Robertson, who first being duly sworn, says that the foregoing answer to Interrogatories propounded to her are true and correct.

Barbara B. Robertson

Sworn to and subscribed before
me this 8th day of January, 1968.

Alice L. Miller
Notary Public, Baldwin County, Alabama

I, the undersigned, one of the attorneys of record for the Defendants in the foregoing cause, do hereby certify that I have forwarded a copy of the foregoing answers to interrogatories to Chason, Stone & Chason, the attorneys of record for the Plaintiff, by placing a copy of the same in the United States Mail, properly addressed, with postage prepaid, this 8th day of January, 1968.

Glenn A. Chason, Jr.

FILED

JAN 9 1968

ALICE J. DUCK CLERK
REGISTRAR

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JURY LIST - DECEMBER TERM - DECEMBER 9, 1968

1. Allen, Thomas L., Farmer, Gateswood
2. Avera, Leon W., Farmer, Foley
3. Beverly, John, Salesman, Robertsdale
4. Booner, Travis, Farmer, Elseanor
5. Britt, Cecil, Carpenter, Bay Minette
6. Brooks, Horace D., Farmer, Summerdale
7. Bryers, Rudolph H., Brookley Field, Bay Minette
8. Calloway, Thomas Andrew, Seafood Dealer, Gulf Shores
9. Chandler, Jack, Newport, Bay Minette
10. Colgin, Ned, Farmer, Summerdale
11. Creamer, Henry, City Employee, Fairhope
12. Dawson, Roy S., Livestock Dealer, Robertsdale
13. Fell, Russell, Civil Service, Lillian
14. Fell, Walter, Mechanic, Bon Secour
15. Flowers, Edward, Farmer, Bay Minette
16. Guthrie, Hersey, Farmer, Bon Secour
17. Hall, John Sr., Carpenter, Loxley
18. Hammond, Walter W., Grocer, Robertsdale
19. Head, Charlie, Jr., Farmer, Stapleton
20. Hooper, Angelo, Clerk, Fairhope
21. James, Dayton, Farmer, Foley
22. Kane, James, Farmer, Loxley
23. Koehler, Charles G., Jr., Banker, Elberta
24. Kriss, Frank, Farmer, Silverhill
25. Little, Bernie, Mechanic, Bay Minette
26. Lundberg, Carl, Newport, Bay Minette
27. Mason, Jimmy, Salesman, Fairhope
28. Mathews, Charles L., F.C.A., Robertsdale
29. McDaniel, Schuler, Farmer, Robertsdale
30. Quinney, Bruce, Mobile Public Work, Daphne
31. Singleton, Art, Public, Rosinton
32. Soesbe, John R., Mechanic, Foley
33. Stripline, Fred, Television Repair, Robertsdale
34. Thomas, Jennings, Farmer, Foley
35. Venson, Cecil, Civil Service, Stapleton
36. Volovsky, Jimmie, Mechanic, Robertsdale
37. Waters, Orville Clyde, Merchant, Bay Minette
38. Yarbrough, George C., Jr., International Paper Co., Bay Minette
39. Amos, Willie, Clerk, Silverhill
40. Conway, James, Mobile Construction, Daphne
41. Gill, R. A., Oil Co., Robertsdale

41
5
36
12
24

P XXXXX XXXXX XX
D XXXXX XXXXX XX

IN THE CIRCUIT COURT - LAW SIDE

You are hereby commanded to summon HALCOM C. ROBERTSON, JR., and BARBARA B. ROBERTSON, to appear before the Circuit Court of said County, to be held at the place of holding the same, within thirty days from service of this process, then and there to answer the complaint of JOHN S. KEEL.

Alfred Brock
CLERK

[illegible]

Defendants.)

The Plaintiff, JOHN S. KEEL, claims of the Defendants the sum of Twenty-five Thousand Dollars (\$25,000.00) as damages for that, on heretofore-to-wit, October 18, 1966, the Defendant, Halcom C. Robertson, Jr., a minor, who was then and there acting as the agent, servant or employee of the Defendant Barbara B. Robertson, so negligently operated a motor vehicle on U. S. Highway 98, a public road in Baldwin County, Alabama, at a point approximately 1.5 miles North of the City Limits of Fairhope,

Alabama, as to cause or allow the same to run into, upon and against an automobile in which Kathleen W. Keel, who was then and is now the wife of the Plaintiff, was riding as a passenger and as a proximate consequence and result of the negligence of the Defendant, Halcom C. Robertson, Jr., aforesaid, the said Kathleen W. Keel suffered severe and permanent personal injuries and was made sick, sore and lame. As a proximate consequence of the injuries and sickness of the Plaintiff's wife, the Plaintiff lost the services and society of his said wife for a long period of time, and will likely continue to lose her said services and society for a long time, and the Plaintiff was put to great trouble, inconvenience and expense for medicine, medical attention, care and nursing in and about his efforts to heal and cure his said wife's injuries and sickness; wherefore, he brings this suit and asks judgment in the above amount.

COUNT TWO:

The Plaintiff claims of the Defendants the sum of Four Thousand Dollars (\$4,000.00) as damages for that, on heretofore, to-wit: October 18, 1966, the Defendant, Halcom C. Robertson, Jr., a minor, who was then and there acting as the agent, servant or employee of the Defendant Barbara B. Robertson, so negligently operated a motor vehicle on U. S. Highway 98, a public road in Baldwin County, Alabama, at a point approximately 1.5 miles North of the City Limits of Fairhope, Alabama, as to cause or allow the same to run into, upon and against an automobile belonging to the Plaintiff and as a proximate consequence and result of the negligence of the Defendant Halcom C. Robertson, Jr., aforesaid, the automobile of the Plaintiff was bent, broken and damaged, wherefore

he brings this suit and asks judgment in the above amount.

Lawrence H. Hipsch, Sr.

LAWRENCE H. HIPSH, SR.
314 South Baylen Street
Pensacola, Florida
Attorney for Plaintiff

JURY DEMAND

Plaintiff demands a jury trial of this cause.

Lawrence H. Hipsch, Sr.

LAWRENCE H. HIPSH, SR.
Attorney for Plaintiff

PLAINTIFF'S ADDRESS:

Post Office Box 622
Daphne, Alabama

PLAINTIFFS' ADDRESS:

1901 Clearmont Street
Mobile, Alabama

FILED

OCT 18 1967

ALICE J. BECK
CLERK
REGISTER

NOTICE: VISITORS
1201 CRESTMONT STREET

WILLIAM J. BROWN, CLERK

BY MAILING, ADDRESS:

Deputy Visiting
Board Office Box 655
BY MAILING, ADDRESS:

1110

Bald
Hulcum C. Robertson
~~7901 Crestmont~~
Not home N/F
7th College
Marion Military College

BY MAILING, ADDRESS: 7901 CRESTMONT STREET

JURY DEMAND

RECORDED FOR BY MAILING
LAWRENCE H. HIBSEN, SR.

Lawrence H. Hibsen, Sr.

RECORDED FOR BY MAILING
LAWRENCE H. HIBSEN, SR.
314 SOUTH EAVES STREET

Lawrence H. Hibsen, Sr.

the bridge and take judgment in the above amount.

JOHN S. KEEL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
	X	AT LAW
HALCON C. ROBERTSON,	X	
JR., et al.,	X	CASE NO. 7787
	X	
Defendants.	X	

ORDER GRANTING MOTION TO APPOINT
GUARDIAN AD LITEM

The Plaintiff in the above styled cause having heretofore filed a Motion to have a Guardian ad Litem appointed to represent and protect the interest of the Defendant, Halcon C. Robertson, Jr., and the same having been called to the attention of the Court and the Court having considered the same and it appearing to the Court that said Defendant is a minor; it is, therefore,

ORDERED and DECREED by the Court that said Motion be, and the same is hereby, granted.

It is further ORDERED and DECREED by the Court that J. Connor Owens, Jr., Esquire, a practicing attorney of the Alabama Bar be, and he is hereby, appointed as Guardian ad Litem for the Defendant, Malcon C. Robertson, Jr., in this case.

Done this 12th day of December, 1968.

J. J. Owens
Circuit Judge

Filed 12.12.68
D. J. Owens
Clerk

JOHN S. KEEL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	
HALCOM C. ROBERTSON, JR.,	X	BALDWIN COUNTY, ALABAMA
and BARBARA B. ROBERTSON,	X	
Defendants.	X	AT LAW CASE NO. 7787
	X	

Comes now the Plaintiff in the above styled cause, by his attorneys, and amends the Complaint heretofore filed by him in said cause so that the said shall read as follows:

JOHN S. KEEL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	
HALCON C. ROBERTSON, JR.	X	BALDWIN COUNTY, ALABAMA
and BARBARA B. ROBERTSON,	X	
Defendants.	X	AT LAW CASE NO. 7787
	X	

COUNT ONE:

The Plaintiff, JOHN S. KEEL, claims of the Defendants the sum of Twenty-five Thousand Dollars (\$25,000.00) as damages for that, on heretofore, to-wit, October 18, 1966, the Defendant, Halcon C. Robertson, Jr., a minor, who was then and there acting as the agent, servant or employee of the Defendant Barbara B. Robertson, so negligently operated a motor vehicle on U. S. Highway 98, a public road in Baldwin County, Alabama, at a point approximately 1.5 miles North of the City Limits of Fairhope, Alabama, as to cause or allow the same to run into, upon and against an automobile in which Kathleen W. Keel, who was then and is now the wife of the Plaintiff, was riding as a passenger and as a proximate consequence and result of the negligence of the Defendant, Halcon C. Robertson, Jr., aforesaid, the said Kathleen

W. Keel suffered severe and permanent personal injuries and was made sick, sore and lame. As a proximate consequence of the injuries and sickness of the Plaintiff's wife, the Plaintiff lost the services and society of his said wife for a long period of time, and will likely continue to lose her said services and society for a long time, and the Plaintiff was put to great trouble, inconvenience and expense for medicine, medical attention, care and nursing in and about his efforts to heal and cure his said wife's injuries and sickness; wherefore, he brings this suit and asks judgment in the above amount.

LAWRENCE H. HIPSH, SR.

and

CHASON, STONE & CHASON

By: 

Attorneys for Plaintiff

The Plaintiff respectfully
demands a trial by jury of
this cause.

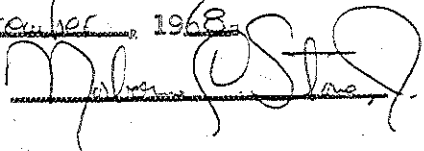
CHASON, STONE & CHASON

By: 

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 5 day of December, 1968.



FILED

DEC 5 1968

ALICE J. DUCK

CLERK
REGISTER

ALICE J. DUCK
CLERK
REGISTER

DEC 5 1968

FILED

4987

Handwritten signature

WE THE JURY FIND FOR THE
DEFENDANTS.

FOR ALAN
Eric [Signature]

JOHN S. KEEL,

Plaintiff,

vs.

HALCON C. ROBERTSON,
JR., et al.,

Defendants.

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO: 7787

MOTION

Comes now the Plaintiff in the above styled cause, by his attorneys, and moves this Honorable Court to appoint a guardian ad litem to represent and protect the interest of the Defendant, Halcon C. Robertson, one of the Defendants in this cause, and in support thereof respectfully represents and shows unto the Court as follows:

That the Defendant Halcon C. Robertson, Jr. is a minor.

Respectfully submitted,

CHASON, STONE & CHASON

By: 
Attorneys for Plaintiff

*Filed
12-12-68
Hickman
ccw*

JOHN S. KEEL,)	
	)	IN THE CIRCUIT COURT OF
Plaintiff,)	
vs.	)	BALDWIN COUNTY, ALABAMA
HALCON C. ROBERTSON, JR.,)	
and BARBARA B. ROBERTSON,	)	AT LAW. NO. 7787
Defendants.)	

ANSWER TO AMENDED COMPLAINT

Now come the Defendants in the above styled cause, separately and severally, and for answer to the amended complaint filed against them, and to each Count thereof, separately and severally, say as follows:

1. Not guilty.
2. The allegations of the complaint as amended are untrue.

OWENS AND PATTON

By: _____

Attorneys for Defendants.

I, the undersigned, one of the attorneys of record for the Defendants in the foregoing cause, do hereby certify that I have forwarded a copy of the foregoing answer to amended complaint to Chason, Stone and Chason, attorneys of record for the Plaintiff, by United States Mail, properly addressed, with postage prepaid, this 5th day of December, 1968.

FILED

DEC 5 1968

ALICE J. DUCK

CLERK
REGISTER

JOHN S. KEEL,

Plaintiff,

vs.

HALCOM C. ROBERTSON, JR.,
and BARBARA B. ROBERTSON,

Defendants.

)
) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA
)
) LAW SIDE. NO. 7787
)
)

ANSWER:

Comes the Defendants in the above styled cause, separately and severally, and for answer to the complaint heretofore filed against them, and to each Count thereof, separately and severally, says as follows:

1. Not guilty.

OWENS AND PATTON

By:

Harmon Owens, Jr.
Attorneys for Defendants.

I, the undersigned, one of the attorneys of record for the Defendants in the foregoing cause, do hereby certify that I have forwarded a copy of the foregoing answer to Chason, Stone and Chason, attorneys of record for the Plaintiff, by United States Mail, properly address, with postage prepaid, this 29th day of November, 1967.

Harmon Owens, Jr.

FILED

NOV 30 1967

ALICE J. DUCK

CLERK
REGISTER

JOHN S. KEEL,

Plaintiff,

vs.

HALCOM C. ROBERTSON, JR.
and BARBARA B. ROBERTSON,

Defendants.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 7787

INTERROGATORIES PROPOUNDED BY PLAINTIFF
TO DEFENDANT BARBARA B. ROBERTSON

Comes now the Plaintiff in the above styled cause, by his attorneys, an affidavit having been made as required by law, propounds the following interrogatories to the Defendant Barbara B. Robertson in the above styled cause:

1. Please state your correct name.

2. Please state whether you are also known as Mrs.

Halcom Robertson, Sr.

3. Please state your correct address.

4. Please state whether on October 18, 1966, you were the owner of a 1963 M.G. two door automobile bearing Alabama license number for the year 1966 of 2-25443.

5. If your answer to the last interrogatory is in the affirmative, please state if that automobile was involved in an accident on October 18, 1966 in Baldwin County, Alabama on U. S. Highway No. 98 at a point approximately 1.5 miles North of the City Limits of Fairhope in Baldwin County, Alabama.

6. If your answer to the last interrogatory is in the affirmative, please state who was operating the automobile at the time of the accident.

LAWRENCE C. HIPSH, SR.

and

CHASON, STONE & CHASON

By:

Malone Stone
Attorneys for Plaintiff

FILED

NOV 21 1967

ALICE J. DUCK

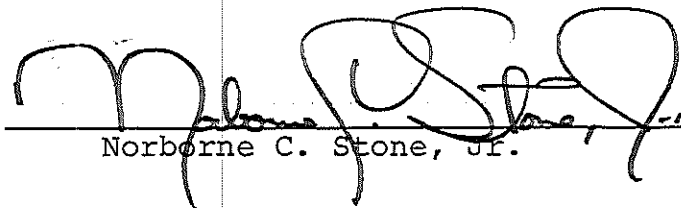
CLERK
REGISTER

STATE OF ALABAMA

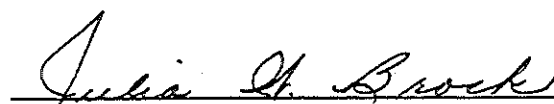
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Norborne C. Stone, Jr., who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That he is one of the attorneys of record for the Plaintiff in the above styled cause which is now pending in the Circuit Court of Baldwin County, Alabama, At Law. That the answers to the foregoing interrogatories, if well and truly made, will be material evidence for the Plaintiff in said cause.


Norborne C. Stone, Jr.

Sworn to and subscribed before me
on this the 21st day of November,
1967.


Notary Public, Baldwin County, Alabama

*Servic accepted this 11/21/67.
J. Connor Owens, Jr.
Atty for defendants.*

FILED

NOV 21 1967

ALICE J. DUCK CLERK
REGISTER

7787

JOHN S. KEEL,

Plaintiff,

vs.

HALCOM C. ROBERTSON, JR., and
BARBARA B. ROBERTSON,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 7787

* * * * *

INTERROGATORIES PROPOUNDED BY
PLAINTIFF TO DEFENDANT BARBARA
B. ROBERTSON.

* * * * *

JOHN S. KEEL,)	
	)	IN THE CIRCUIT COURT OF
Plaintiff,)	
vs.	)	BALDWIN COUNTY, ALABAMA
HALCOM C. ROBERTSON, JR.,)	
and BARBARA B. ROBERTSON,	)	LAW SIDE. NO. 7787.
Defendants.)	

DEMURRER:

Comes the Defendants in the above styled cause, separately and severally, and demur to the complaint as a whole and to each count of the complaint filed herein, separately and severally, and for separate and several grounds of demurrer, sets down and assigns, separately and severally, the following:

1. That it does not state facts sufficient to constitute a cause of action against the defendants.
2. For that negligence is therein alleged merely as a conclusion of the pleader.
3. For that it is vague, indefinite and uncertain, in that it does not apprise the defendants with sufficient certainty against what act or acts of negligence defendants are called on to defend.
4. For that it does not appear with sufficient certainty what duty, if any, these defendants may have owed to the plaintiff.
5. For that it does not appear with sufficient certainty wherein these defendants violated any duty owed by defendants to the plaintiff.
6. For that it does not sufficiently appear that these defendants owed any duty to the plaintiff which defendants negligently failed to perform.
7. For that the averments set up, if true, do not show any liability on the part of the defendants.
8. For that the pleader sets out in what said negligence consisted and the facts so set out do not show negligence.

9. For that there does not appear sufficient causal connection between the defendants' said breach of duty and plaintiff's injuries and damages.

10. No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence of breach of duty on the part of the defendants.

11. It is not alleged with sufficient certainty where said accident occurred.

12. For aught that appears, plaintiff had no right to be where plaintiff was at the time and place of said accident.

13. It is not alleged that the negligence complained of proximately caused the accident and the injuries and damages complained of.

14. For that said count is duplicitous.

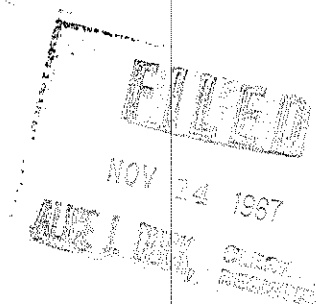
OWENS AND PATTON

By:

Harmon Owens, Jr.
Attorneys for Defendants.

I, the undersigned, one of the attorneys of record for the defendants, in the foregoing cause, do hereby certify that I have this day forwarded to Lawrence H. Hipsh, Sr., 314 South Baylen Street, Pensacola, Florida, the attorney of record for the plaintiff, a copy of the foregoing demurrer, this 14th day of November, 1967, by United States Mail, properly addressed, with postage prepaid.

Harmon Owens, Jr.



STATE OF ALABAMA)
 (IN THE CIRCUIT COURT - LAW SIDE
BALDWIN COUNTY :)

TO ANY SHERIFF OF THE STATE OF ALABAMA * * * GREETINGS:

You are hereby commanded to summon HALCOM C. ROBERTSON, JR., and BARBARA B. ROBERTSON, to appear before the Circuit Court of said County, to be held at the place of holding the same, within thirty days from service of this process, then and there to answer the complaint of JOHN S. KEEL.

WITNESS my hand this 18 day of October, 1967.

[Signature]
CLERK

COMPLAINT

JOHN S. KEEL,)		
	)	Plaintiff,)
))
vs.))
))
HALCOM C. ROBERTSON, JR.,))
and BARBARA B. ROBERTSON,))
	)	Defendants.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW CASE NO. 7787

COUNT ONE:

The Plaintiff, JOHN S. KEEL, claims of the Defendants the sum of Twenty-five Thousand Dollars (\$25,000.00) as damages for that, on heretofore, to-wit, October 18, 1966, the Defendant, Halcom C. Robertson, Jr., a minor, who was then and there acting as the agent, servant or employee of the Defendant Barbara B. Robertson, so negligently operated a motor vehicle on U. S. Highway 98, a public road in Baldwin County, Alabama, at a point approximately 1.5 miles North of the City Limits of Fairhope,

Alabama, as to cause or allow the same to run into, upon and against an automobile in which Kathleen W. Keel, who was then and is now the wife of the Plaintiff, was riding as a passenger and as a proximate consequence and result of the negligence of the Defendant, Halcom C. Robertson, Jr., aforesaid, the said Kathleen W. Keel suffered severe and permanent personal injuries and was made sick, sore and lame. As a proximate consequence of the injuries and sickness of the Plaintiff's wife, the Plaintiff lost the services and society of his said wife for a long period of time, and will likely continue to lose her said services and society for a long time, and the Plaintiff was put to great trouble, inconvenience and expense for medicine, medical attention, care and nursing in and about his efforts to heal and cure his said wife's injuries and sickness; wherefore, he brings this suit and asks judgment in the above amount.

COUNT TWO:

The Plaintiff claims of the Defendants the sum of Four Thousand Dollars (\$4,000.00) as damages for that, on heretofore, to-wit: October 18, 1966, the Defendant, Halcom C. Robertson, Jr., a minor, who was then and there acting as the agent, servant or employee of the Defendant Barbara B. Robertson, so negligently operated a motor vehicle on U. S. Highway 98, a public road in Baldwin County, Alabama, at a point approximately 1.5 miles North of the City Limits of Fairhope, Alabama, as to cause or allow the same to run into, upon and against an automobile belonging to the Plaintiff and as a proximate consequence and result of the negligence of the Defendant Halcom C. Robertson, Jr., aforesaid, the automobile of the Plaintiff was bent, broken and damaged, wherefore

he brings this suit and asks judgment in the above amount.

Lawrence H. Hipsh, Sr.
LAWRENCE H. HIPSH, SR.
314 South Baylen Street
Pensacola, Florida
Attorney for Plaintiff

JURY DEMAND

Plaintiff demands a jury trial of this cause.

Lawrence H. Hipsh, Sr.
LAWRENCE H. HIPSH, SR.
Attorney for Plaintiff

PLAINTIFF'S ADDRESS:

Post Office Box 622
Daphne, Alabama

Def't
PLAINTIFFS' ADDRESS:

1901 Clearmont Street
Mobile, Alabama

FILED

OCT 18 1967

ALICE J. DECK CLERK
REGISTER

18 day of Oct. 1967

20 day of Oct. 1967

served a copy of the within

1. Holcom C. Robertson;
Barbara B. Robertson;

service on

TAYLOR WILKINS, Sheriff

By M. Busley

RETURNED 10-23-67
Holcom C. Robertson
Not found in my County after diligent search and inquiry.

L. RAY D. BRIDGES, Sheriff

By M. Busley D. S.

FILED

OCT 18 1967

ALICE J. DUFF

CLERK
REGISTER

L. Hapelle

Busley 4454
720.7787

John S. Aree

20/20 vs

Holcom C. Robertson
Barbara B. Robertson