

W. L. STOKES,

Plaintiff,

Vs.

CLARA EDNA RICHTER,

Defendant.

* IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

* AT LAW

* CASE NO: 8062

DEMURRER

Comes now the Defendant, Clara Edna Richter, in the above styled cause and Demurs to each Count of Plaintiff's Complaint, and for separate and several grounds of Demurrer, sets down and assigns, separately and severally, the following:

1. It is not alleged with sufficient certainty where said accident occurred.
2. It is not alleged with sufficient certainty when said accident occurred.
3. For aught that appears, Plaintiff had no right to be where he was at the time and place of said accident.
4. No facts are alleged to show that Defendant owed Plaintiff any duty at the time and place of said accident and breached the same, thereby proximately causing him damage and injury.
5. For aught that appears the Defendant owed Plaintiff no duty at the time and place of said accident.
6. Said count is vague and indefinite.
7. Said Count states no cause of action against the defendant.
8. The alleged negligence of the defendant is not set forth with certainty.
9. The averments of negligence are merely the conclusions of the plaintiff, with no facts alleged in support thereof.

FOREMAN & BROWN,
Attorneys for Defendant

BY Pete Sintz
Pete Sintz

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3rd day of April, 1968 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, and first class postage prepaid.

FILED

APR 4 1968

ALICE J. DUCK CLERK
REGISTER

April 1, 1968

W. L. STOKES, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

VS

CLARA EDNA RICHTER, Defendant

CASE NO. 8,062

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on March 25, 1968
I sent by certified mail in an envelope addressed as follows:

"Clara Edna Richter
401 SE Madison Avenue
Madison, Florida 32340"

"Certified 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:

"Clara Edna Richter
401 SE Madison Avenue
Madison, Florida 32340"

You will take notice that on March 25, 1968 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: W. L. STOKES, Plaintiff VS CLARA EDNA RICHTER, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 8,062 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 25th
day of March, 1968

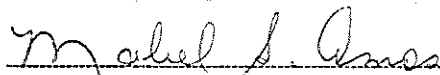
Enclosure (1)

(Signed) Mabel Amos
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 April 1, 1968 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at TROY, KS.
on March 28, 1968

WITNESS MY HAND and the Great Seal of the State of Alabama this the 1st day
of April, 1968


Mabel Amos
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
CC: Honorable Norbone C. Stone, Jr.
Chason, Stone & Chason
157 Hoyle Avenue
Bay Minette, Alabama 36507

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 Clara Edna Richter 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 W. L. Stokes.

Witness my hand this 22nd day of March, 1968.

Alice J. Lick
Clerk

W. L. STOKES,

Plaintiff,

vs.

CLARA EDNA RICHTER,

Defendant.

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X

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

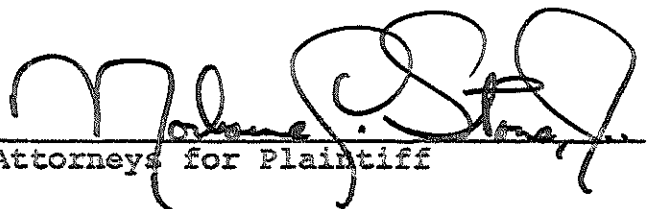
8062

COUNT ONE:

The Plaintiff claims of the Defendant Fifteen Hundred Dollars (\$1,500.00) as damages for that on heretofore, to-wit, the 22nd day of June, 1967, the Defendant so negligently operated a motor vehicle on Alabama Highway No. 59 at its intersection with U. S. Highway 31 near Stapleton in Baldwin County, Alabama as to cause or allow the same to run into, upon and against a motorcycle belonging to the Plaintiff and as a proximate consequence and result of the negligence of the Defendant aforesaid, the motorcycle of the Plaintiff was so badly bent, broken and damaged

as to render the same a total loss; all to the damage of the Plaintiff wherefore he brings this suit and asks judgment in the above amount.

CHASON, STONE & CHASON

By: 
Attorneys for Plaintiff

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

CHASON, STONE & CHASON

By: 
Attorneys for Plaintiff

The Defendant is a non-resident of the State of Alabama residing at 401 SE Madison Avenue, Madison, Florida.

Service on Secretary of State under Title 7, Section 199, Code of Alabama of 1940, As Amended.

STATE OF ALABAMA

BALDWIN COUNTY

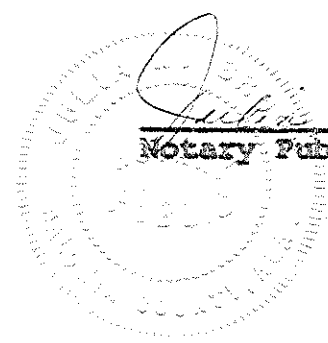
Before me, the undersigned authority, personally appeared Norborne C. Stone, Jr., who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That he is one of the attorneys for the Plaintiff W. L. Stokes in the above styled cause. That he is informed and believes

and upon such information and belief alleges that the Defendant Clara Edna Richter is a non-resident of the State of Alabama residing at 401 SE Madison Avenue, Madison, Florida. That this affidavit is being made for the purpose of securing service of process upon the Defendant Clara Edna Richter under and by virtue of the provisions of Title 7, Section 199 of the Code of Alabama of 1940, as amended.

M. T. STOKES,
 AS.
 CLARA EDNA RICHTER,
 Defendant.
 Sworn to and subscribed before me
 on this the 22nd day of March,
 1968.
 Notary Public, Baldwin County, Alabama.

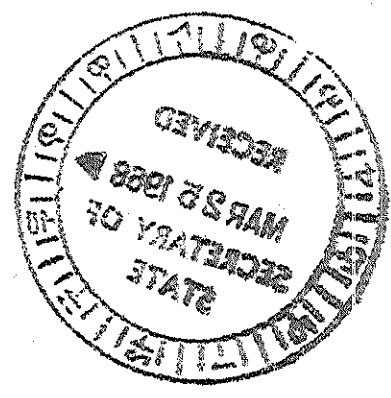
VERBALLY COMING AND COMPLAINANT
 Norborne C. Stone, Jr.
 MVR S S 1028
 FILED
 ALICE J. DUCK CLERK REGISTER



FILED

MAR 22 1968

ALICE J. DUCK CLERK REGISTER



and upon such information and belief alleges that the Defendant
 Clara Edna Richter is a non-resident of the State of Alabama re-
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 affidavit is being made for the purpose of securing service of
 process upon the Defendant Clara Edna Richter under and by virtue
 of the provisions of Title 7, Section 199 of the Code of Alabama

W. L. STOKES,
 Plaintiff,
 vs.
 CLARA EDNA RICHTER,
 Defendant.

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA

AT LAW
 SUMMONS AND COMPLAINT

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MAR 22 1968

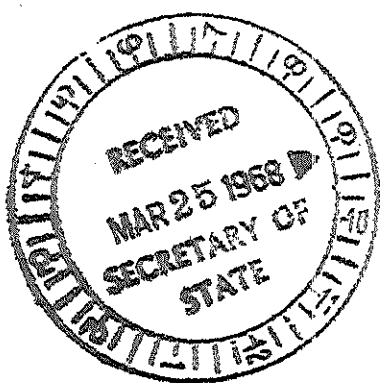
FILED

ALICE J. BUCK
 CLERK
 REGISTER

FILED

MAR 23 1968

ALICE J. BUCK
 CLERK
 REGISTER



STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

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Witness my hand this 22nd day of March, 1968.

Oliver J. Black
Clerk

W. L. STOKES,

Plaintiff,

vs.

CLARA EDNA RICHTER,

Defendant.

X

X

X

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

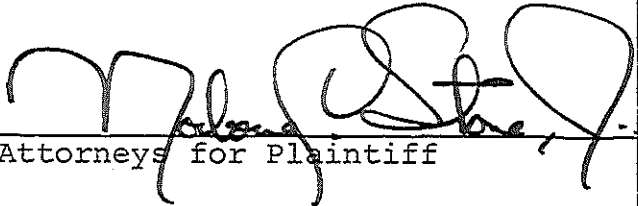
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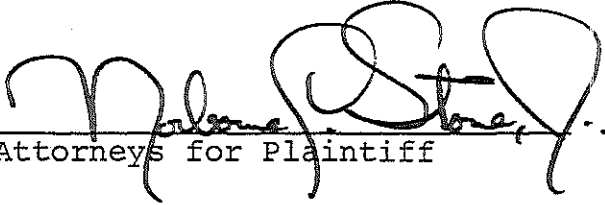
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CHASON, STONE & CHASON

By: 
Attorneys for Plaintiff

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CHASON, STONE & CHASON

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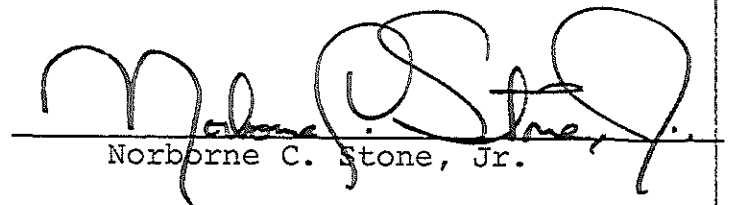
STATE OF ALABAMA

BALDWIN COUNTY

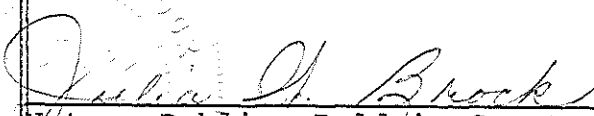
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and upon such information and belief alleges that the Defendant Clara Edna Richter is a non-resident of the State of Alabama residing at 401 SE Madison Avenue, Madison, Florida. That this affidavit is being made for the purpose of securing service of process upon the Defendant Clara Edna Richter under and by virtue of the provisions of Title 7, Section 199 of the Code of Alabama of 1940, As amended.


Norborne C. Stone, Jr.

Sworn to and subscribed before me
on this the 22nd day of March,
1968.


Notary Public, Baldwin County, Alabama.

FILED

MAR 22 1968

ALICE J. DUCK CLERK
REGISTER

2029

RECEIVED IN OFFICE
MAR 25 1968
M. S. BUTLER, Sheriff

3

Executed by serving 3 copies of
the within on Mable Ames,
Secretary of State of The State of
Alabama.
This the 25 day of March 1968

at Court of Montgomery County,
M. S. Butler,
By W. L. Moser D. S.

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each for
serving 1 process(es) and \$1.00
travel expense on each of 10
process(es) or a total of \$2.50

W. L. Moser Deputy Sheriff

8062

W. L. STOKES,
Plaintiff,

vs.

CLARA EDNA RICHTER,
Defendant.

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

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SUMMONS AND COMPLAINT

FILED

* * * * * MAR 22 1968 * * * * *

ALICE L. DICK, CLERK
CHASON, STOKES & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA