

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT OF - LAW SIDE

TO: ANY SHERIFF OF THE STATE OF ALABAMA:

4300

You are hereby commanded to summon Robert W. Nofen 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 Harry R. Davis.

Witness my hand this 22 day of June, 1960.

*David W. Nofen*  
Clerk

|                  |   |                         |
|------------------|---|-------------------------|
| HARRY R. DAVIS,  | X |                         |
| Plaintiff,       | X | IN THE CIRCUIT COURT OF |
| vs.              | X |                         |
|                  | X | BALDWIN COUNTY, ALABAMA |
| ROBERT W. NOFEN, | X |                         |
| Defendant.       | X | AT LAW                  |

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Five Thousand Dollars (\$5,000.00) as damages for that, on, to-wit: July 10, 1959, the Defendant Robert W. Nofen so negligently operated a motor vehicle on U. S. Highway 31, at a point about 1500 feet East of the Spanish Fort Restaurant in Baldwin County, Alabama, as to cause or allow the same to run into, upon or against an automobile in which the Plaintiff and his wife, Margaret V. Davis, were riding and as the proximate result of such negligence the Plaintiff's wife was permanently and seriously injured as follows: she received severe injuries to her neck and back; she has been caused to partially lose the use of her arms and neck; she suffered a stiffness of her neck; she was caused to suffer severe pain and mental anguish; she has been confined to a hospital and has received considerable medical services and attention; the Plaintiff has incurred large doctor, hospital and medical expenses in and about the treatment of his wife's injuries; he suffered and will continue to suffer the loss of the services and

the consortium of his wife for a long period of time, all to the damages of the Plaintiff in the sum above mentioned.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Five Hundred Dollars (\$500.00) as damages for that on, to-wit: July 10, 1959, the Defendant so negligently operated a motor vehicle on U. S. Highway 31, at a point approximately 1500 feet East of the Spanish Fort Restaurant in Baldwin County, Alabama, as to cause or allow the same to run into, or against an automobile owned by the Plaintiff and which he was then and there driving, at said time and place, and as a proximate result of the negligence of such Defendant, the Plaintiff's automobile was damaged in this: the trunk of the automobile was smashed; the frame was bent; the rear bumpers and fenders were bent; all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

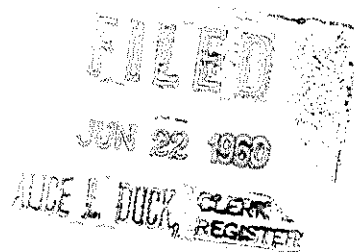
Sharon & Stone  
Attorneys for Plaintiff

Plaintiff demands a trial of this cause  
by jury.

Sharon & Stone  
Attorneys for Plaintiff,

Defendant's Address:

Robert W. Nofen  
318 Washington Avenue  
Highwood, Illinois



1083

RECEIVED IN OFFICE  
JUN 24 1960  
M. S. BUTLER, Sheriff

(3)

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

This the 24 day of June 1960

Sheriff of Montgomery County  
M. S. Butler,

By R. S. Butler D. S.

The Sheriff claims 2  
miles at 10c per mile for a total  
of \$ 20  
M. S. Butler, Sheriff  
Montgomery County, Ala.

HARRY R. DAVIS,  
Plaintiff,

vs.

ROBERT W. NOFEN,  
Defendant

\*\*\*\*\*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

\*\*\*\*\*

SUMMONS AND COMPLAINT

\*\*\*\*\*

FILED  
JUN 22 1960  
ALICE E. DUCK, CLERK  
COURT

LAW OFFICES  
CHASON & STONE  
BAY MINETTE, ALABAMA

HARRY R. DAVIS,  
Plaintiff,

VS.

ROBERT W. NOFEN,  
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW NO. \_\_\_\_\_.

DEMURRERS

Now comes the Defendant, by his attorney, and demurs to the Bill of Complaint filed in this cause and to each count thereof, and as grounds therefor, assigns the following separately and severally:

1. That said Complaint does not state a cause of action.
2. That Count 1 of said Complaint does not state a cause of action.
3. That Count 2 of said Complaint does not state a cause of action.
4. That Count 1 of said Complaint does not allege that said accident took place on a public road in Baldwin County, Alabama.
5. That Count 2 does not allege that said accident took place on a public road in Baldwin County, Alabama.
6. That Count 1 does not allege the nature of the injury to the neck and back of Margaret V. Davis.
7. That said Count 1 of said Complaint does not allege the nature of the injuries to the neck of Margaret V. Davis.
8. That said Count 1 does not allege the length of time that the said Margaret V. Davis was confined to the hospital.
9. That the allegation that the said Margaret V. Davis has been caused to partially lose the use of her arms and neck is a conclusion of the pleader.
10. That Count 1 does not set out the nature of the loss of services which were to be performed by the said Margaret V. Davis for the Plaintiff.
11. That Count 1 does not set forth the length of time that the Plaintiff will suffer the loss of services and the consortium of his wife.

12. That Count 2 of said Complaint does not allege the age and the make of the vehicle which the Flaintiff owns.

  
Attorney for Defendant

FILED  
AUG 1 1962  
ALICE J. DUCK, Clerk

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
AT LAW NO. 4308.

HARRY R. DAVIS,  
Plaintiff,  
VS.  
ROBERT W. NOTEN,  
Defendant.

DEMURRERS

FILED  
AUG 1 1960  
ALICE J. DUCK, Clerk

LAW OFFICES OF  
J. CONNOR OWENS, JR.  
101 COURTHOUSE SQUARE  
BAY MINETTE, ALABAMA

July 7, 1960

HARRY R. DAVIS, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA AT LAW

VS

ROBERT W. NOFEN, Defendant

CASE NO. 4300

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Bettye Frink, Secretary of State, hereby certify that on June 27, 1960  
I sent by registered mail in an envelope addressed as follows:

" Robert W. Nofen  
318 Washington Avenue  
Highwood, Illinois"

"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:

" Robert W. Nofen  
318 Washington Avenue  
Highwood, Illinois"

You will take notice that on June 24, 1960 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: HARRY R. DAVIS, Plaintiff VS ROBERT W. NOFEN, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

Case No. 4300 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 27  
day of June 1960

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 July 6, 1960 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Highland Park, Ill.  
on July 2, 1960

WITNESS MY HAND and the Great Seal of the State of Alabama this the 7 day  
of July 1960

*Bettye Frink*

Bettye Frink  
Secretary of State

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

cc: Honorable John Chason  
Chason & Stone  
Attorneys at Law  
Arcade Bldg.  
Bay Minette, Alabama


STATE OF ALABAMA  
BALDWIN COUNTY

IN THE CIRCUIT COURT OF - LAW SIDE

TO: ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Robert W. Nofen 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 Harry R. Davis.

Witness my hand this 22 day of June, 1960.

  
Clerk

HARRY R. DAVIS,

Plaintiff,

vs.

ROBERT W. NOFEN,

Defendant.

I

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

COUNT ONE:

The Plaintiff claims of the Defendant the sum of Five Thousand Dollars (\$5,000.00) as damages for that, on, to-wit: July 10, 1959, the Defendant Robert W. Nofen so negligently operated a motor vehicle on U. S. Highway 31, at a point about 1500 feet East of the Spanish Fort Restaurant in Baldwin County, Alabama, as to cause or allow the same to run into, upon or against an automobile in which the Plaintiff and his wife, Margaret V. Davis, were riding and as the proximate result of such negligence the Plaintiff's wife was permanently and seriously injured as follows: she received severe injuries to her neck and back; she has been caused to partially lose the use of her arms and neck; she suffered a stiffness of her neck; she was caused to suffer severe pain and mental anguish; she has been confined to a hospital and has received considerable medical services and attention; the Plaintiff has incurred large doctor, hospital and medical expenses in and about the treatment of his wife's injuries; he suffered and will continue to suffer the loss of the services and



the consortium of his wife for a long period of time, all to the damages of the Plaintiff in the sum above mentioned.

COUNT TWO:

The Plaintiff claims of the Defendant the sum of Five Hundred Dollars (\$500.00) as damages for that on, to-wit: July 10, 1939, the Defendant so negligently operated a motor vehicle on U. S. Highway 31, at a point approximately 1500 feet East of the Spanish Fort Restaurant in Baldwin County, Alabama, as to cause or allow the same to run into, or against an automobile owned by the Plaintiff and which he was then and there driving, at said time and place, and as a proximate result of the negligence of such Defendant, the Plaintiff's automobile was damaged in this: the trunk of the automobile was crushed; the frame was bent; the rear bumpers and fenders were bent; all the damage of the Plaintiff in the sum above mentioned, hence this suit.

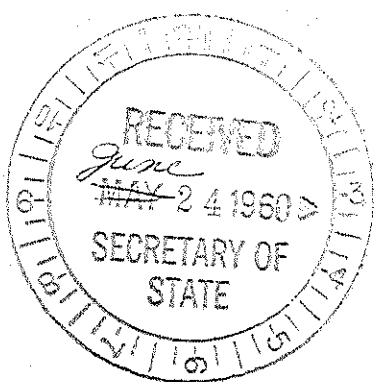
Chasana Stone  
Attorneys for Plaintiff

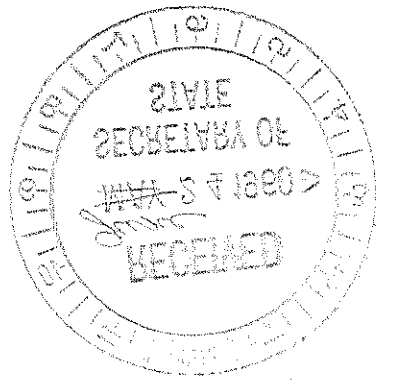
Plaintiff demands a trial of this cause by jury.

Chasana Stone  
Attorneys for Plaintiff,

Defendant's Address:

Robert W. Kofen  
318 Washington Avenue  
Highwood, Illinois





Plaintiff, Harry R. Davis

Defendant, Robert W. Nofen

IN THE CIRCUIT COURT OF

ALABAMA

IN THE CIRCUIT COURT OF

SUMMONS AND COMPLAINT

HARRY R. DAVIS,

vs.

ROBERT W. NOFEN,

Defendant.

IN THE CIRCUIT COURT OF

AT LAW

BALDWIN COUNTY, ALABAMA

SUMMONS AND COMPLAINT

FILED  
JUN 22 1930  
J. L. HIGGINS, CLERK

COMES AND:

whereas the plaintiff is the son of the defendant

the defendant is the son of the plaintiff

HARRY R. DAVIS,  
Plaintiff,

vs.

ROBERT W. NOFEN,  
Defendant.

IN THE CIRCUIT COURT OF

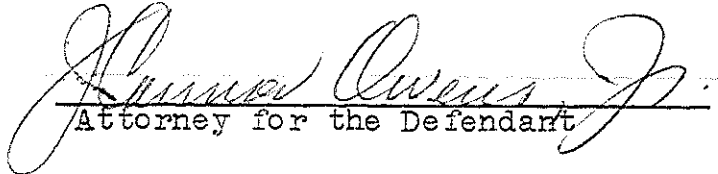
BALDWIN COUNTY, ALABAMA

AT LAW NO. \_\_\_\_\_.

Now comes the Defendant, by his attorney, and files this his answer to the Bill of Complaint, and to each count thereof, both separately and severally, and for answer says:

1. Not guilty.

2. That at the time and the place complained of in the Complaint, the Plaintiff was himself guilty of negligence which proximately contributed to his alleged injury and damages in that he so negligently operated his motor vehicle as to cause or allow the same to run into, upon or against the vehicle which the Defendant was operating.

  
Attorney for the Defendant

FILED  
OCT 27 1960

ALICE J. DUCK, Clerk

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
AT LAW NO. 413.22  
\*\*\*\*\*

HARRY R. DAVIS,  
Plaintiff,

vs.

ROBERT W. NOFEN,  
Defendant.  
\*\*\*\*\*

ANSWER  
\*\*\*\*\*

FILED  
OCT 27 1960  
ALICE J. DUCK, Clerk

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J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
Dahlberg Building  
DAY MINETTE, ALABAMA