

AVIATOR WILL FACE SUIT FOR SUTTON DEATH

ALEX KARR ASKS \$50,000 DAMAGES FOR DEATH OF SON IN AEROPLANE CRASH AT SUTTON, TWO YEARS AGO.

The sum of \$50,000 damages for the death of his son, Aber Brian Karr, killed in an aeroplane crash at Sutton, on Aug. 24, 1919, is asked in an action brought by Alex Karr of Fargo, against Edward Axberg, aviator, formerly of Enderlin, but now of Fargo.

The complaint alleges that the defendant at the time was operating an aeroplane for hire and that in consideration of \$20 he agreed to safely transport the plaintiff's son in a twenty minute flight over Sutton and vicinity. The complaint cites that by reason of negligence and carelessness the aviator lost control of the aeroplane in attempting to perform feats and revolutions beyond his skill, causing the plane to crash to the ground resulting in injuries to Brian Karr from which he died shortly afterwards.

The complaint further alleges that the machine operated by Axberg was defective, weak, improperly constructed and assembled, and that the materials of which it was constructed were defective and of insufficient strength and rigidity.

The case probably will be tried at the February term of the Cass county district court.