

JURY LIST - MARCH 9, 1964.

1. Beck, Charles C., Businessman, Lillian
2. Blalock, Greene C., Carpenter, Fairhope
3. Bloch, Herman, Farmer, Elberta
4. Malone, T.E., Merchant, Fairhope
5. Mason, Jimmy, Salesman, Fairhope
6. Mosley, Rufus, Farmer, Stapleton
7. Eslava, Clarence, Farmer, Mag. Spgs.
8. Haden, James T., Salesman, Robertsdale
9. Quinley, Wilburn, Farmer, Bay Minette
10. Rhodes, Charles R., Farmer, Foley
11. Rhodes, Larkin T., Jr., Farmer, Bay Minette
12. Rieben, Ray, Paper Mill, Bay Minette
13. Roberson, Mutt, Laborer, Robertsdale
14. Lazzari, Anglo, Farmer, Belforest
15. Lazzari, Joe, Jr., Farmer, Belforest
16. Lazzari, John, Farmer, Belforest
17. Lager, J.E., Salesman, Foley
18. Little, W.F., Mgr. Bell Tele. Commercial, Spanish Fort
19. Robinson, Dale L., Ins. Agt., Foley
20. Sanders, E. Frank, Banker, Foley
21. Andress, Herbert E., Farmer, Foley
22. Dickey, O.L., Butcher, Robertsdale
23. Crosby, James W., Bookkeeper, Foley
24. Arnould, M.L., Floor Finisher, Robertsdale
25. Barton, John, Jr., Newport, Bay Minette
26. Thompson, Albert M., Merchant, Bay Minette
27. Wenzel, Emmett O., Merchant, Gulf Shores
28. Woodward, C.H., Merchant, Fairhope
29. Wright, Justice D., Forester, Stapleton
30. Boan, Jessie Forest, Farmer, Stapleton
31. Bung, Floyd, Merchant, Fairhope
32. Oblak, John, Jr., Farmer, Silverhill
33. Leiterman, Nick, Civil Service, Elberta
34. Smith, Clinton, Defense Worker, Bay Minette
35. Suddith, Jack, Officer Manager, Bay Minette
36. Bosby, Eugene, Construction Worker, Fairhope
37. Bryant, Nathan, Clerk, Fairhope
38. Denton, Alphonse, Carpenter, Fairhope
39. Lamar, Reuben, Laborer, Foley
40. McReynolds, Leon, Labor Worker, Bay Minette
41. Moore, Jessie, Court House, Bay Minette
42. Wilson, Frank E., Brookley Field, Daphne
43. Tullios, Abe, Brookley Field, Fairhope
44. Nix, Herbert, Reserve Fleet, Bay Minette

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D XXXXX XXXXX X

J. E. KENNEDY, JR.,  
Plaintiff,  
VS.  
CALVIN H. KING AND  
W. H. KING,  
Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
AT LAW. NO. 5-45-3

C O U N T   O N E .

The plaintiff claims of the defendants the sum of ELEVEN HUNDRED AND NO/100ths (\$1,100.00) DOLLARS, as damages, for that, heretofore, on, to-wit: the 29th day of November, 1962, at about 7:15 o'clock, P. M., plaintiff's automobile, a 1959 Chevrolet 2-door Sedan was being operated by his wife, Elsie L. Kennedy on a public highway in Baldwin County, Alabama, to-wit: the Styx River Road, about .5 of a mile East of Stapleton, Alabama, and the defendant, CALVIN H. KING, who was then and there an agent, servant, or employee of the defendant, W. H. KING, acting within the line and scope of his employment as such, so negligently operated an automotive vehicle which he was then and there driving as to cause, permit or allow said vehicle to run into, upon or against plaintiff's said automobile, and, as a proximate consequence thereof, plaintiff/<sup>automobile</sup>sustained the following injuries and damages, to-wit:

The whole left side of plaintiff's automobile was demolished; the frame was bent and damaged; the windshield was bent and damaged; the wheels on the left side were bent and damaged; the windows on the left side were shattered; and plaintiff was deprived of the use of his said automobile for a long period of time, to-wit: sixty days; all to his damage as aforesaid.

And plaintiff avers that he sustained all of his aforesaid damages as a proximate result and consequence of the negligence of the defendant, Calvin H. King, who was an agent, servant, or employee of the defendant, W. H. King, acting within the line and scope of his employment as such, in that the said CALVIN H. KING negligently caused, permitted or allowed said automotive vehicle, which he was then and there operating to run into, upon or against, plaintiff's said automobile; hence this suit.

Plaintiff demands a jury trial of this cause.

Jeffrey J. Madburn  
ATTORNEY FOR PLAINTIFF

Jeffrey J. Madburn  
ATTORNEY FOR PLAINTIFF

FILED  
FEB 6 1963  
ALICE J. DUCK, CLERK, REGISTER

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

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

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J. E. KENNEDY, JR.,  
Plaintiff,

VS.

CALVIN H. KING AND  
W. H. KING,  
Defendants.

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COMPLAINT.

Defendants live at Stapleton,  
Alabama.

FILED

FEB 6 1963

ALICE J. DUCK, CLERK  
REGISTER

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,  
BALDWIN COUNTY

No. 5453

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CALVIN H. KING and W.H. KING

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

CALVIN H. KING and W.H. KING

Defendant

by J.E. KENNEDY, JR.,

Plaintiff

Witness my hand this 6th day of February 19 63

Ed-2-8-63

*Oliver J. Duck*

Clerk

THE STATE OF ALABAMA  
BALDWIN COUNTY

## CIRCUIT COURT

J.E. KENNEDY, JR.

Plaintiffs

vs.

CALVIN H. KING and W.H. KING,

Defendants

## SUMMONS and COMPLAINT

Filed February 6, 1963

Alice J. Duck, Clerk

Telfair J. Mashburn

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

February 6, 1963  
Feb 14, 1963, Sheriff

I have executed this summons

this Feb 8, 1963

by leaving a copy with

W. H. King  
Calvin King 2-18-63

Sheriff claims ~~28~~ 48 miles at

Ten Cents per mile Total \$ 4.80  
TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

Taylor Wilkins Sheriff  
W. A. Saines Deputy Sheriff

Stapleton

J. E. KENNEDY, JR.,

Plaintiff,

vs.

CALVIN H. KING and W. H.  
KING,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

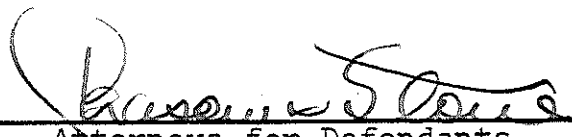
NO. \_\_\_\_\_

PLEAS

Come the Defendants in the above styled cause and file their separate and several pleas to the complaint filed in said cause, and say:

1. Not guilty.

2. At the time and place set out in the complaint, the Plaintiff himself was guilty of contributory negligence which was the proximate cause of his injuries and damages in that his agent, servant or employee, who was then and there acting within the line and scope of her authority as such, negligently drove an automobile into or against the automobile driven by Calvin H. King and such negligence was the proximate cause of the Plaintiff's injuries and damages, hence he cannot recover in this suit.

  
Attorneys for Defendants

FILED

JUL 29 1963

ALICE L. DUCK, CLERK  
REGISTER

5453

J. E. KENNEDY, JR.,  
Plaintiff,

vs

CALVIN H. KING and W. H.  
KING,  
Defendants.

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

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PLEAS

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*for favor of Plaintiff  
J.C. Mayhew*

ALICE J. DUCK  
CLERK

APR 29 1963

FILED

J. E. KENNEDY, JR.,

Plaintiff,

vs.

CALVIN H. KING and

W. H. KING,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. \_\_\_\_\_

DEMURRER:

Come the Defendants in the above styled cause and demur to the complaint filed in said cause, and assign the following separate and several grounds, viz:

1. That said complaint does not state a cause of action.
2. That the place where the accident occurred is not sufficiently set out.
3. That said complaint does not allege any duty owing by the Defendants to the Plaintiff.

  
Attorneys for Defendants

*Filed*  
*3-5-63*

5453

J. E. KENNEDY, JR.,  
Plaintiff,

vs

CALVIN H. KING and W. H.  
KING,

Defendants

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

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

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DEMURRER

\* \* \* \* \*

FILED  
MAR 5  
ALICE J. DUCK, CLERK