

ELSIE L. KENNEDY,

Plaintiff,

VS.

CALVIN H. KING AND
W. H. KING,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NO.

5454

C O U N T O N E

The plaintiff claims of the defendants the sum of TEN THOUSAND (\$10,000.00) DOLLARS as damages, for that, heretofore, on, to-wit: the 29th day of November, 1962, at about 7:15 o'clock, P. M., while the plaintiff was operating an automobile on a public highway, in Baldwin County, Alabama, to-wit: the Styx River Road, about .5 of a mile East of Stapleton, Alabama, 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 operating 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 sustained the following injuries and damages, to-wit:

Plaintiff's face was lacerated and bruised; she was caused to suffer severe bruises and strains about her body; plaintiff's back and spine were permanently injured; she suffered a concussion of the brain; her head was painfully bruised; her nerves were injured and damaged and continue to be injured and painful; she was caused to suffer prolonged and intense pain and will continue to do so; she was permanently injured; she was caused to be put to great expense and inconvenience for medical attention, doctor's bills, x-rays, hospital bills and other medical treatment and expenses, in an effort to heal and cure her injuries; and she will ~~probably~~ be caused to suffer further expenses in the future for proper medical attention; all to her damage as aforesaid;

And plaintiff avers that she sustained all of her aforesaid injuries and 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 the automobile which plaintiff was driving; hence this suit.

Telfair J. Mashburn
TELF. J. MASHBURN
Attorney for Plaintiff

Plaintiff demands a jury trial of this cause.

Telfair J. Mashburn
ATTORNEY FOR PLAINTIFF

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

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO.

5454

ELSIE L. KENNEDY,

Plaintiff,

VS.

CALVIN H. KING AND
W. H. KING,

Defendants.

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

CIRCUIT COURT, BALDWIN COUNTY

No. 5454

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 Elsie L. Kennedy

Plaintiff

Witness my hand this 6th day of February 19 63

Ed-2-8-63

Alice J. Luck, Clerk

No. 5454

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THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

ELSIE L. KENNEDY

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

Feb. 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 Feb 18, 1963

Sheriff claims 29.48 miles at

Ten Cents per mile Total \$2.948

TAYLOR WILKINS, Sheriff

BY DEPUTY SHERIFF

Taylor Wilkins Sheriff

W. O. Garner Deputy Sheriff

Stapleton

ELSIE L. KENNEDY

Plaintiff,

vs.

CALVIN H. KING and
W. H. KING,

Defendants.

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 from the Defendants to the Plaintiff.
4. That the allegation that she will probably be caused to suffer further expenses in the future for proper medical attention claims speculative damages.


Attorneys for Defendants

5454

ELSIE L. KENNEDY,
Plaintiff,

vs.

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

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

DEMURRER

FILED
MAR 5 1963
ALICE L. DICK, CLERK
REGISTER

NO. 5454
Nouglas Kennedy vs Calvin King
JURY LIST - FALL SESSION - SEPTEMBER 9, 1963

- ~~1. Koch, William, Ideal Cement cost Controller, Spanish Ft.~~
- ~~2. Cooper, John L., Laborer, Bay Minette~~
3. Cox, Y.A., Jr., Farmer, Stockton
- ~~4. Garrett, Malcolm, Farmer, Belforest~~
5. Gates, Carl B., Farmer, Robertsedale
- ~~6. Gee, Luther, State Employee, Bay Minette~~
- ~~7. Hall, John, Sr., Carpenter, Loxley~~
8. Hayles, J. Otis, Farmer, Perdido
- ~~9. Hedge, Langston, Chemist, Bay Minette~~
- ~~10. Helms, Kenneth B., Civil Service, Elberta~~
- ~~11. Hinterlighter, Daniel G., Clerk, Bay Minette~~
- ~~12. Hoffman, Winfred C., Gov't Emp., Bay Minette~~
- ~~13. Landcaster, Eartis, Paperwood, Robertsedale~~
- ~~14. Larson, Arthur, Farmer, Rosinton~~
- ~~15. Lipscomb, Frederick A., Farmer, Mag. Spgs.~~
- ~~16. Little, Bernie, Mechanic, Bay Minette~~
17. Long, Fred, Brookley Field, Fairhope
18. Lowery, Robert, Dairyman, Fairhope
19. Mascaro, Edward, Corp. Secretary, Spanish Fort,
- ~~20. Mason, Arnold K., Farmer, Mag. Spgs.~~
- ~~21. McKenzie, J.D., Farmer, Robertsedale~~
- ~~22. Page, Glenn A., Jr., Ins., Bay Minette~~
23. Urbanch, Robert C., Brookley Field, Fairhope
- ~~24. Weeks, Ellis, Laborer, Mag. Spgs.~~
- ~~25. Wilcox, Roy E., Trk. Driver, Elberta~~
- ~~26. Kaiser, Paul, Jr., Farmer, Gulf Shores~~
27. Allegri, Angelo, Carpenter, Fairhope
- ~~28. Armstrong, William, Civil Service, Elberta~~
- ~~29. Baker, Lewis E., Foley Fert. Co., Foley~~
- ~~30. Barnhill, Charles W., Oil Dealer, Robertsedale~~
- ~~31. Bell, Bill, Brookley Field, Rosinton~~
- ~~32. Blackwell, Earl, Merchant, Foley~~
- ~~33. Boeschen, Arthur, Farmer, Bay Minette~~
- ~~34. Boone, DeWitt, Ideal Cement Cost Controller, Spanish Ft.~~
- ~~35. Bryant, Roy Woolf, Farmer, Bay Minette~~
- ~~36. Bryars, Charles Henry, Jr., Farmer, Stockton~~
- ~~37. Buck, Eddie, Shipyard, Robertsedale~~
38. Chafin, J. Horace, Trk. Driver, Perdido
- ~~39. Chesnick, Joe, Farmer, Robertsedale~~
- ~~40. Childress, Kenneth, Barber, Foley~~
- ~~41. Childress, Rube, Farmer, Loxley~~
- ~~42. Cocke, James, Jeweler, Fairhope~~
- ~~43. Conway, James, Mobile Construction, Daphne~~
- ~~44. Lipscomb, Ira, Farmer, Mag. Spgs.~~
- ~~45. Inge, McKinley, Clerk, Bay Minette~~
- ~~46. Smith, Samuel, Sr., Brookley Field, Daphne~~
47. Stephens, W. Henry, Millman, Stockton
- ~~48. Styron, Theo, Farmer, Foley~~
- ~~49. Graham, John C., Brookley Field, Bay Minette~~
- ~~50. Nassar, Emile J., Merchant, Bay Minette~~
- ~~51. Waters, Orville Clyde, Merchant, Bay Minette~~
- ~~52. Yarbrough, George C., Jr., International Paper Co., Bay Minette~~
- ~~53. Taylor, Tom, Forester, Bay Minette~~
- ~~54. Durant, Earl, Brookley Field, Bay Minette~~
55. Jones, Clifford, Oil & Gas Distribution, Bay Minette
- ~~56. Snowden, Forney N., Clerk, Bay Minette~~
- ~~57. Hall, Thomas B., Newport, Bay Minette~~
- ~~58. Kennedy, J.C., Ins. Agent, Bay Minette~~

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ELSIE L. KENNEDY,

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. That at the time and place complained of in the complaint, the Plaintiff herself was guilty of negligence which was the proximate cause of her injuries and damages, hence she cannot recover.


Attorneys for Defendants

FILED

JUL 29 1963

ALICE J. DUCK, CLERK
REGISTER

BK 41 p. 18-19

5452f

ELSIE L. KENNEDY,

Plaintiff,

vs

CALVIN H. KING and W. H.
KING,

Defendants.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. _____

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PLEAS

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FILED

JUL 29 1960

ALICE J. DUCK, CLERK
REGISTER