

Bernice Harville  
vs  
Redus Akers

6503

JURY LIST - MARCH 14, 1966

1. Pierce, Herman, Farmer, Summerdale
2. Mikkelsen, Robert, Savings & Loan, Robertsdale
3. Jones, Dolphus S., Farmer, Lottie
4. Keldorfer, William E., County Emp., Elberta
5. Marco, Fred, Farmer, Belforest
6. McKenzie, Floyd W., Farmer, Fairhope
7. Middleton, Frank, Truck, Loxley
8. Heidelberg, Joe, Jr., Farmer, Robertsdale
9. Middleton, Laverne, Businessman, Loxley
10. Avera, Leon W., Farmer, Foley
11. Averitt, Chester C., Appliance Repair, Foley
12. Baker, Louis, Peoples Fertilizer, Foley
13. Barner, W.M., Farmer, Foley
14. Bendix, Mike, Mechanic, Fairhope
15. Bergman, Albert, Farmer, Foley
16. Blackwell, Earl, Merchant, Foley
17. Boeschen, Arthur, Farmer, Bay Minette
18. Boykie, William E., Laborer, Robertsdale
19. Bryant, George E., Farmer, Stockton
20. Chafin, J. Horace, Truck Driver, Perdido
21. Childress, Calvin, Farmer, Summerdale
22. Clay, Ray, Farmer, Fairhope
23. Langston, Hedge, Chemist, Bay Minette
24. Harrison, Bibb, Farmer, Fairhope
25. Drew, Norman Lee, Mechanic, Bay Minette
26. Engel, Edward W., Farmer, Summerdale
27. Schultz, Carl, R.R. Emp., Foley
28. Styron, Theo, Farmer, Foley
29. Thomas, Jennings, Farmer, Foley
30. Weeks, Elliot, Mechanic, Mag Spgs
31. Weeks, Ellis, Laborer, Mag. Spgs.
32. Wiggins, James, Civil Service, Stapleton
33. ~~James, Lonnie, Salesman, Bay Minette~~
34. James, Lonnie, Salesman, Bay Minette
35. Jones, Harold P., Merchant, Bay Minette
36. DeLoach, Percy, Farmer, Bay Minette
37. Crook, Prince, Warehouseman, Bay Minette
38. Conway, William, Brookley Field, Bay Minette
39. Langham, Lloyd, Merchant, Bay Minette
40. Lynd, Joe E., Plumber, Bay Minette
41. Miller, Ernest, Ala. Power Co., Bay Minette
42. Hinterlighter, Daniel C., Clerk, Bay Minette
43. Knight, Robert W., Clerk, Bay Minette
44. Kinsey, Elmer D., Jr., Farmer, Foley
45. Engel, George, Farmer, Summerdale

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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 Redus M. Akers 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 Bernice W. Harvill.

Witness my hand this 6 day of May, 1965.

  
Clerk

BERNICE W. HARVILL,  
Plaintiff,

vs.

REDUS M. AKERS,  
Defendant.

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

COUNT 1:

The Plaintiff claims of the Defendant the sum of Twenty-Five Thousand Dollars (\$25,000.00) as damages for that on, to-wit: November 22, 1964, at the intersection of Hand Avenue and 5th Street in Bay Minette, Baldwin County, Alabama, Hand Avenue also being known as Highway No. 59, the Defendant negligently drove an automobile into or against an automobile in which the Plaintiff was riding and as a proximate result of the negligence of such Defendant the Plaintiff was injured in this: she received a severe injury to her neck and back; she received injuries to her head, multiple bruises and abrasions and was permanently injured; she suffered severe pain and mental anguish and continues to suffer such pain in her neck and back; such

injuries affected her nervous system and she cannot sleep except with aid of drugs; she was caused to incur large medical and hospital expenses and is still incurring such medical expenses; she was gainfully employed at the time and has been unable to continue her previous occupation and has lost several months from her employment, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

COUNT 2:

The Plaintiff further claims of the Defendant the further and additional sum of Two Thousand Five Hundred Dollars (\$2,500.00) as damages for that on, to-wit: November 22, 1964, at the intersection of Hand Avenue and 5th Street in Bay Minette, Baldwin County, Alabama, Hand Avenue also being known as Highway No. 59, the Defendant negligently drove an automobile into or against an automobile owned by the Plaintiff and as a proximate result of the negligence of such Defendant the automobile owned by the Plaintiff was injured in this: its left side, left fenders, radiator and body were badly bent and damaged; its transmission was damaged; the windshield and headlights were damaged, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

  
Attorney for Plaintiff

Plaintiff demands a trial  
of this cause by a jury.

  
Attorney for Plaintiff

EX-5-10-65

FILED  
MAY  
ALICE L. DICK, CLERK  
REGISTER

BERNICE W. HARVILL,

Plaintiff,

-vs-

REDUS M. AKERS,

Defendant.

Received 6 day of May 1965  
and on 10 day of May 1965  
I served a copy of the within Q & C  
on Redus M. Akers

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By W. A. Talbert D. S.

om

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SUMMONS AND COMPLAINT

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FILED

MAY 10 1965

ALICE L. DICK, CLERK  
REGISTERED

CHASON, STONE & CHASON  
ATTORNEYS AT LAW  
P. O. Box 120  
BAY MINETTE, ALABAMA

BERNICE W. HARVILL,	)	
	Plaintiff,	)
VS.		)
		)
REDUS M. AKERS,	)	AT LAW
	Defendant.	)
		NO. 6503

DEMURRER

Now comes the defendant, by his attorneys, and demurs to the original complaint in this cause and to each and every count thereof, separately and severally, and as grounds of such demurrer assigns, separately and severally, the following:

1. It does not state a cause of action.
2. The allegations of the complaint are conclusions of the pleader.
3. The allegations of the complaint are vague, indefinite and uncertain.
4. No facts are alleged to show how or in what way the plaintiff was permanently injured.
5. The allegations of the complaint are vague, indefinite and uncertain in that no facts are alleged to show the period of time lost by the plaintiff from her employment.
6. The allegations of the complaint are vague, indefinite and uncertain in that no facts are alleged to show whether the plaintiff was the driver of or a passenger in her said automobile.

FILED

JUN 3 1965

AUDIE L. THICK, CLERK  
REGISTER

J. B. BLACKBURN  
JAMES R. OWEN  
Attorneys for Defendant

By

*J. B. Blackburn*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 6503

BERNICE W. HARVILL, X  
Plaintiff, X IN THE CIRCUIT COURT OF  
vs. X BALDWIN COUNTY, ALABAMA  
REDUS M. AKERS, X AT LAW NO. 6503  
Defendant. X

AMENDED COMPLAINT

Comes the Plaintiff in the above styled cause and amends her Complaint filed in said cause so that the same shall read as follows:

COUNT 1:

The Plaintiff claims of the Defendant the sum of Twenty-Five Thousand Dollars (\$25,000.00) as damages for that on, to-wit: November 22, 1964, at the intersection of Hand Avenue and 5th Street in Bay Minette, Baldwin County, Alabama, Hand Avenue also being known as Highway No. 59, the Defendant negligently drove an automobile into or against an automobile in which the Plaintiff was riding as a passenger and as a proximate result of the negligence of such Defendant the Plaintiff was injured in this: she received a severe injury to her neck and back; she received injuries to her head, multiple bruises and abrasions and was permanently injured; she suffered severe pain and mental anguish and continues to suffer such pain in her neck and back; such injuries affected her nervous system and she cannot sleep except with aid of drugs; she was caused to incur large medical and hospital expenses and is still incurring such medical expenses; she was gainfully employed at the time and because of such injury she cannot now carry on her business in such a manner as to earn any substantial sum of money and her earnings have thereby been greatly reduced, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

BERNICE W. HARVILL,

Plaintiff,

vs.

REDUS M. AKERS,

Defendant.

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AMENDED COMPLAINT

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BERNICE W. HARVILL,

Plaintiff,

vs.

REDUS M. AKERS,

Defendant.

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AMENDED COMPLAINT

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FILED

NOV 24 1965

Alice J. Duck, CLERK  
REGISTER

CHASON, STONE & CHASON  
ATTORNEYS AT LAW  
P. O. Box 120  
BAY MINETTE, ALABAMA

We the jury find for the Plaintiff in the amount  
of \$2,000.00

Edward W. Engel

Foreman -  
We, the jury, find for the Plaintiff and  
award her damages at \$2,000.00.

Edward W. Engel  
Foreman

BERNICE W. HARVILL,	X		
Plaintiff,	X	IN THE CIRCUIT COURT OF	
vs.	X	BALDWIN COUNTY, ALABAMA	
REDUS M. AKERS,	X	AT LAW	NO. 6503
Defendant.	X		

AMENDED COMPLAINT

Comes the Plaintiff in the above styled cause and amends Count 1 and 2 of such Complaint so that the same shall read as follows:

COUNT 1:

The Plaintiff claims of the Defendant the sum of Twenty-Five Thousand Dollars (\$25,000.00) as damages for that on, to-wit: November 22, 1964, at the intersection of Hand Avenue and 5th Street in Bay Minette, Baldwin County, Alabama, Hand Avenue also being known as Highway No. 59, the Defendant negligently drove an automobile into or against an automobile in which the Plaintiff was riding as a passenger and as a proximate result of the negligence of such Defendant the Plaintiff was injured in this: she received a severe injury to her neck and back; she received injuries to her head, multiple bruises and abrasions and was permanently injured; she suffered severe pain and mental anguish and continues to suffer such pain in her neck and back; such injuries affected her nervous system and she cannot sleep except with aid of drugs; she was caused to incur large medical and hospital expenses and is still incurring such medical expenses; she was gainfully employed at the time and has been unable to continue her previous occupation and has lost several months from her employment, all to the damage of the Plaintiff in the

sum above mentioned, hence this suit.

COUNT 2:

The Plaintiff further claims of the Defendant the further and additional sum of Two Thousand Five Hundred Dollars (\$2,500.00) as damages for that on, to-wit: November 22, 1964, at the intersection of Hand Avenue and 5th Street in Bay Minette, Baldwin County, Alabama, Hand Avenue also being known as Highway No. 59, the Defendant negligently drove an automobile into or against an automobile owned by the Plaintiff in which the Plaintiff was riding as a passenger and as a proximate result of the negligence of such Defendant the automobile owned by the Plaintiff was injured in this: its left side, left fenders, radiator and body were badly bent and damaged; its transmission was damaged; the windshield and headlights were damaged, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.

FILED

JUL 27 1965

ALICE L. DUCK, CLERK  
REGISTER

*James Stone Carson*  
Attorney for Plaintiff

6503

BERNICE W. HARVILL,  
Plaintiff,

vs.

REDUS M. AKERS,  
Defendant.

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AMENDED COMPLAINT

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FILED  
JUL 27 1967  
FBI - MEMPHIS