

(6505)

JAMES E. HARVILL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
REDUS M. AKERS,	X	AT LAW
Defendant.	X	NO. 6505

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 Three Thousand Dollars (\$3,000.00) 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 the automobile which the Plaintiff was driving at said time and place and as a proximate result of the negligence of such Defendant the Plaintiff was injured in this: he received a severely sprained right wrist and injuries to his shoulders, he received multiple bruises and abrasions; his nose was injured and his glasses were broken, he was caused to incur medical expenses and suffered severe pain and mental anguish and he was caused to lose approximately one week from his 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 Five Thousand Dollars (\$5,000.00) 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 Bernice W. Harvill, the wife of the Plaintiff, was riding as a passenger and the said Bernice W. Harvill received severe injuries to her neck and back, her nervous system was affected so that she cannot sleep, her head was injured; she received multiple bruises and abrasions; she was permanently injured and the Plaintiff was caused to incur large medical and hospital expenses in and about the treatment of her injuries; she was rendered unable to perform her household duties and the Plaintiff has lost the consortium of his said wife, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.


Attorneys for Plaintiff

FILED
JUL 27 1965
ALICE A. DICK, CLERK
REGISTRATION

6505

JAMES E. HARVILL,
Plaintiff,

vs.

REDUS M. AKERS,
Defendant.

AMENDED COMPLAINT

FILED
JUL 27 1965
ALICE A. DUCK, CLERK
REGISTRAR

JAMES E. HARVILL,)	
)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
VS.)	
)	AT LAW
REDUS M. AKERS,)	NO. 6505
)	
Defendant.)	

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. 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 his employment.
5. 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 his said automobile.

FILED

JUN 8 1965

ALICE L. DICK, CLERK
REGISTER

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

By

J. B. Blackburn

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 James E. Harvill.

Witness my hand this 6 day of May, 1965.


Clerk

JAMES E. HARVILL,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
REDUS M. AKERS,	X	LAW SIDE
Defendant.	X	

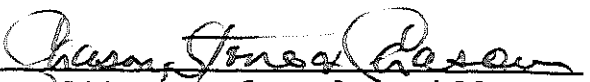
COUNT 1:

The Plaintiff claims of the Defendant the sum of Three Thousand Dollars (\$3,000.00) 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 the automobile in which the Plaintiff was riding and as a proximate result of the negligence of such Defendant the Plaintiff was injured in this: he received a severely sprained right wrist and injuries to his shoulders, he received multiple bruises and abrasions; his nose was injured and his glasses were broken, he was caused to incur medical expenses and suffered severe pain and mental anguish and he was caused to

lose time from his 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 Five Thousand Dollars (\$5,000.00) 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 Bernice W. Harvill, the wife of the Plaintiff, was riding and the said Bernice W. Harvill received severe injuries to her neck and back, her nervous system was affected so that she cannot sleep, her head was injured; she received multiple bruises and abrasions; she was permanently injured and the Plaintiff was caused to incur large medical and hospital expenses in and about the treatment of her injuries; she was rendered unable to perform her household duties and the Plaintiff has lost the consortium of his said wife, all to the damage of the Plaintiff in the sum above mentioned, hence this suit.


Attorneys for Plaintiff

Plaintiff demands a trial
of this cause by a jury.


Attorneys for Plaintiff

EX- 5-10-65

JAMES E. HARVILL,

Plaintiff,

-VS-

REDUS M. AKERS,

Defendant.

SUMMONS AND COMPLAINT

FILED

MAY 10 1965

ALICE L. DUCK, CLERK
REGISTER

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

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. Q. Talbert D. S.

om