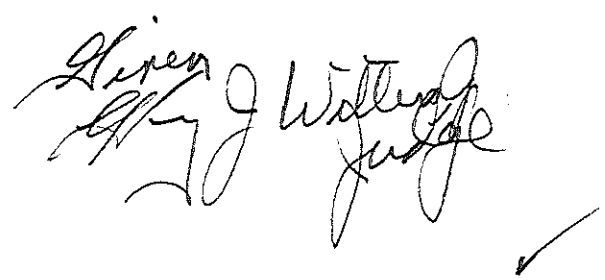


DEFENDANT'S JURY CHARGE NO. 1

I charge you, ladies and gentlemen of the jury, that you cannot return a verdict in favor of the plaintiff for any medical expenses allegedly incurred as a result of the accident made the basis of this complaint.

Steven J. Welling
Judge



DEFENDANT'S JURY CHARGE NO. 2

The Court charges the jury that if you believe from the evidence that Plaintiff was injured as a proximate result of a mere accident, then your verdict should be for the Defendant.

Ervin
Walter
Judge

✓

DEFENDANT'S JURY CHARGE NO. 3

If you are reasonably satisfied from all the evidence in this case that the plaintiff was guilty of negligence which proximately contributed to the ~~collision~~^{accident} complained of, then you cannot find for the plaintiff under count one of this complaint.

Defendant
Walter
Judge

DEFENDANT'S JURY CHARGE NO. 4

If you are reasonably satisfied from the evidence that the plaintiff was guilty of contributory negligence, the plaintiff cannot recover for any initial simple negligence of the defendant.

Richard W. Winters
Judge

DEFENDANT'S JURY CHARGE NO. 5

If you are reasonably satisfied from the evidence that the plaintiff was guilty of contributory negligence, even in the slightest degree, then the plaintiff cannot recover for any initial simple negligence of the defendant.

Richard J. Walters, Jr.
Judge

DEFENDANT'S JURY CHARGE NO. 6

If, after a full and careful consideration of the evidence, any individual juror is not reasonably satisfied from the evidence that the plaintiffs were negligently injured, then you cannot find for the plaintiffs.

GIVEN _____ REFUSED ✓

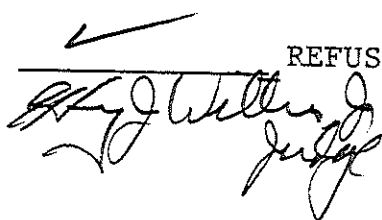
Hy J. Walters, Jr.
Judge

DEFENDANT'S JURY CHARGE NO. 7

The court charges the jury that under the law of Alabama, the burden is upon the plaintiff in a negligence action such as this to establish negligence to the reasonable satisfaction of the jury by affirmative proof, and negligence will not be inferred by merely showing that an accident occurred resulting in injuries or damages to the plaintiff. You must be reasonably satisfied from all of the evidence that such negligence on the part of the defendant proximately caused the accident and the plaintiff's alleged injuries or damages. If the plaintiff has failed to do this, then you cannot return a verdict for the plaintiff and against the defendant.

GIVEN

REFUSED


Judge

✓

DEFENDANT'S JURY CHARGE NO. 8

If, after a full and careful consideration of the evidence, any individual juror is not reasonably satisfied from the evidence that the plaintiff was negligently injured, then you cannot find for the plaintiff.

Referred
Walter, Jr. Judge

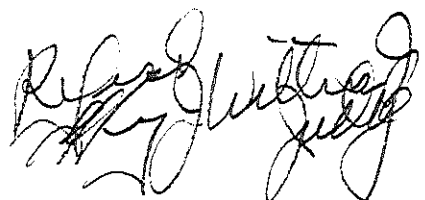
DEFENDANT'S JURY CHARGE NO. 12

The burden of proof is upon the plaintiff to show that the proximate cause of the plaintiff's damages were the direct result of the negligence of the defendant; if you are not reasonably satisfied from the evidence in this case that the plaintiff has proven such negligence on the part of the defendant as being the proximate cause of the plaintiff's damages, your verdict should be for the defendant.

Refused to sign
Refused to sign
Refused to sign

DEFENDANT'S JURY CHARGE NO. 13

Ladies and Gentlemen of the jury, the court will now instruct you on the law of damages. The burden is on the plaintiff to reasonably satisfy you from the evidence of the truthfulness of his claim. If after a consideration of all of the evidence in this case, you are not reasonably satisfied of the truthfulness of the plaintiff's claim, your verdict should be for the defendant. In this event you would go no further. This would end your deliberations. On the other hand, if after a consideration of all the evidence in the case you are reasonably satisfied of the truthfulness of the plaintiff's claim, your verdict should be for the plaintiff. In this event it will be necessary for you to arrive at an amount to be awarded in the verdict from which I will read to you and describe later in my charge. I now give you the following rules of law to assist you in your deliberations in arriving at an amount in the event you find for the plaintiff. Plaintiff makes two statements of his claim. By these statements he claims compensatory and punitive damages.

A handwritten signature in cursive script, likely belonging to the judge, located at the bottom right of the page.

DEFENDANT'S JURY CHARGE NUMBER 14.

I CHARGE YOU, MEMBERS OF THE JURY, THAT A SHOWING OF AN UNFORTUNATE RESULT DOES NOT IN AND OF ITSELF RAISE AN INFERENCE OF NEGLIGENCE.

*James
Walter
Judge*

2

DEFENDANT'S JURY CHARGE NUMBER 16.

THE BURDEN IS UPON THE PLAINTIFF, IF HE IS TO RECOVER,
TO ESTABLISH NEGLIGENCE TO YOUR REASONABLE SATISFACTION.
UNDER ALL THE EVIDENCE IT IS WITHIN THE PROVINCE OF THE
JURY TO FIND THAT THE INJURY TO THE PLAINTIFF, IF ANY, WAS
THE RESULT OF AN UNAVOIDABLE ACCIDENT, IN WHICH CASE THERE
WOULD BE NO LIABILITY ON THE PART OF THE DEFENDANT.

*Given
by J. Walters
Judge*

DEFENDANT'S JURY CHARGE NUMBER 17.

I CHARGE YOU, MEMBERS OF THE JURY, THAT IF YOU ARE
REASONABLY SATISFIED THAT THE INJURY TO THE PLAINTIFF,
IF ANY, WAS THE RESULT OF AN UNAVOIDABLE ACCIDENT, THEN
YOU MUST RETURN A VERDICT FOR THE DEFENDANT, ROBERT STUART.

Referred to Walter J. Judge

DEFENDANT'S JURY CHARGE NO. 21

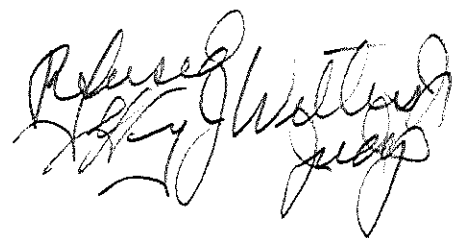
In awarding damages in any case your verdict must not be based on mere speculation or conjecture but must be based upon the evidence and the just and reasonable inferences shown thereby.

*Gavin
Walter, J.
Judge*

PLAINTIFF'S REQUESTED CHARGE NO. 1

NEGLIGENCE IS THE DOING OF SOME ACT OR THE FAILURE TO DO SOME
ACT, PERFORM SOME ACT WHICH AN ORDINARILY PRUDENT PERSON
UNDER LIKE OR SIMILAR CIRCUMSTANCES WOULD OR WOULD NOT DO.

Birmingham Railway Light & Power Company
vs. Bason
68 Southern 49

A handwritten signature in cursive script, appearing to read "Robert G. [unclear]". The signature is written in dark ink and is located in the bottom right corner of the page.

PLAINTIFF'S REQUESTED CHARGE NO. 2

THE COURT INSTRUCTS THE JURY THAT NEGLIGENCE IS THE FAILURE TO DO WHAT AN ORDINARILY PRUDENT PERSON WOULD HAVE DONE UNDER THE CIRCUMSTANCES, OR THE DOING OF THAT WHICH AN ORDINARILY PRUDENT PERSON WOULD NOT HAVE DONE.

Alabama Consol. Coal & Iron vs. Heald
Adm'r 53 Southern 162

A handwritten signature in cursive script, appearing to read "James G. Winters, Jr.", is located in the bottom right corner of the page.

PLAINTIFF'S REQUESTED CHARGE NO. 3

NEGLIGENCE IS THE WRONGFUL DOING OF AN ACT OR THE WRONGFUL OMISSION TO ACT, WHICH RESULTS IN DAMAGES, BUT WITHOUT INTENT TO DO WRONG OR CAUSE DAMAGE. UNDER THIS DEFINITION IT IS NOT NECESSARY, ONLY DOES THE LAW REQUIRE THAT THE INTENT TO DO WRONG OR AN INTENT TO CAUSE INJURY SHOULD BE SHOWN.

Alabama Consol. Coal & Iron v. Heald
Adm'r 53 Southern 162

A handwritten signature in cursive script, appearing to read "Robert J. ...", is located in the bottom right corner of the page.

PLAINTIFF'S REQUESTED CHARGE NO.

4

THE COURT CHARGES THE JURY THAT IF, UNDER THE EVIDENCE, THEY ARE REASONABLY SATISFIED THAT THE DEFENDANT WAS GUILTY OF NEGLIGENCE AS CHARGED IN THE COMPLAINT AND AS A PROXIMATE CONSEQUENCE OF SUCH NEGLIGENCE, PLAINTIFF WAS INJURED, THEN IT IS YOUR DUTY TO RETURN A VERDICT IN FAVOR OF THE PLAINTIFF.

Thomas v. Carter
117 Southern 634

PLAINTIFF'S REQUESTED CHARGE NO. 5

THE COURT CHARGES THE JURY THAT IF THEY FIND FOR THE PLAINTIFF THEY WOULD GIVE THE PLAINTIFF SUCH DAMAGES AS WILL COMPENSATE HIM FOR ALL OF THE INCONVENIENCES, PHYSICAL PAIN OR SUFFERING OR MENTAL ANGUISH PROXIMATELY CAUSED BY THE DEFENDANT'S WRONGFUL ACT.

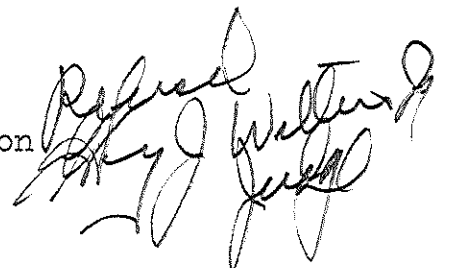
Snedecor v. Pope
39 Southern 318

*Revised
W. H. Winters
Judge*

PLAINTIFF'S REQUESTED CHARGE NO. 6

IF YOU SHOULD FIND THE ISSUE IN FAVOR OF PLAINTIFF, YOUR VERDICT SHOULD CONSIDER, IN DETERMINING WHAT WOULD FAIRLY COMPENSATE HIM FOR THE INJURIES PROXIMATELY RECEIVED BY HIM, ANY MENTAL AND PHYSICAL PAIN, OR ANY TROUBLE AND EXPENSE IN AND ABOUT NURSING AND CARING FOR SUCH INJURIES AND ANY PAIN THAT HE MAY SUFFER IN THE FUTURE ON ACCOUNT OF SUCH INJURIES, AND ANY PERMANENT INJURIES THAT HE HAS RECEIVED, PROVIDED YOU BELIEVE FROM THE EVIDENCE ALL OF THESE ITEMS PROXIMATELY RESULT FROM THE NEGLIGENCE OF DEFENDANT AS CLAIMED IN THE COMPLAINT, AND PROVIDED SAID SUM DOES NOT EXCEED THE SUM CLAIMED IN THE COMPLAINT.

Birmingham Ry. L & P. Co. vs. Bason
68 Southern 49

A handwritten signature in cursive script, appearing to read "Rufus W. Walters". The signature is written in dark ink and is located in the bottom right corner of the page.

PLAINTIFF'S REQUESTED CHARGE NO. 7

THE COURT CHARGES THE JURY, IF THEY FIND FOR THE PLAINTIFF
THEY SHOULD AWARD HIM SUCH DAMAGES AS WILL COMPENSATE HIM
FOR PAIN AND SUFFERING WHICH HE HAS UNDERGONE, AND WILL IN
THE FUTURE UNDERGO ^{of any} ON ACCOUNT OF HIS INJURIES, IF THE JURY
ARE REASONABLY SATISFIED FROM THE EVIDENCE THAT HE HAS BEEN
CAUSED SUFFERING, AND WILL IN THE FUTURE BE CAUSED TO SUFFER
PAIN, ON ACCOUNT OF HIS INJURIES.

L. H. ...
W. J. ...
Judge