

JURY LIST - APRIL CIVIL TERM - APRIL 10, 1972

1. Bishop, Ethel, Merchant, Fairhope *D1*
2. McGuire, Edith S., Housewife, Tensaw
3. Dorch, Alexander, Fisherman, Fairhope
4. Robinson, Marlene B., Housewife, Fairhope *D2*
5. Rost, Charles H., Mech. NAAS Pensacola, ~~Fairhope~~ *D4*
6. Parker, Gertrude M., Bkpr. Bald. Co. Sav. & Loan, Fairhope *D5*
7. Passmore, Lousie S., School Sec. Silverhill
8. Phillips, Martha L., Vanity Fair, Atmore
9. Pipkin, James E., PNAS Pensacola
10. Powell, John O., Kaiser Alumn. Bay Minette *P5*
11. Coleman, Carolyn F., Housewife, Bay Minette
12. Crosby, ~~Wm N.~~, Crosby Lbr. Co. Bay Minette
13. Davidson, Audrey N., Clk, West Bros, Bay Minette
14. McKenzie, Gene E., Purch Agt Pinto Island Mtls, Fairhope *P8*
15. Watts, McFarlan, Logger, Bay Minette *P7*
16. York, Annie H., Maid BOHS Bay Minette *P3*
17. Susie Graves, Housewife, Bay Minette *D8*
18. Long, Lee, Merc. Bay Minette
19. Lee, Richard E., Merc. Stockton *D3*
20. Leon, Willie, Musician Grant Hotel, Point Clear
21. Lewis, Dollie S., Housewife, Bay Minette *D7*
22. Hollingsworth, George H., Bob White Chev. Bay Minette *P3*
23. Smith, Sidney K., Retired, Lee St. Bay Minette *P7*
24. Stephens, Robert T., Acct. Chevron Asphalt, Fairhope
25. Vick, Lloyd, Janitor F'Hope High School, Fairhope
26. Washington, John Ed., Retired, Bay Minette *P6*
27. Clay, Ray, Ast. Cstdn. VAW Fairhope *P1*
28. Higgins, Robert, Salesman, Fairhope *P9*
29. McMillan, Raymond, Farmer, Stockton *D6*

Kennedy vs Green 9164

P XXXXX XXXX - 9

D XXXXX XXX - 8

*29
12
3) 1789*

Plaintiff,

VS

Defendants.

BALDWIN COUNTY, ALABAMA,

AT LAW

JUDGMENT

~~drawal of Plaintiff's demand for trial by jury and motion for~~

ORDERED, ADJUDGED AND DECREED BY THE COURT:

Defendants as set out in the Plaintiff's complaint.

and determine the amount of damages which the Plaintiff received

Judge

FILED

JAN 12 1971

ALICE J. DUCK

CLERK
REGISTER

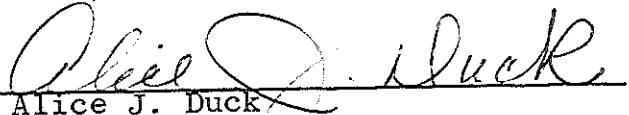
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Page 28

STATE OF ALABAMA)
BALDWIN COUNTY)

To any sheriff of the State of Alabama

You are hereby commanded to summon CLAUDE BARNETT and HUBERT GREEN, also sometimes known as HUDEY GREEN, to appear within thirty days from the service of this writ in the Circuit Court of Baldwin County, to be held for said County at the place of holding the same, then and there to answer the complaint of THOMAS WALLACE KENNEDY.

Witness my hand, this the 11th day of March, 1970.


Alice J. Duck
Circuit Clerk

THOMAS WALLACE KENNEDY,

Plaintiff

VS.

CLAUDE BARNETT and HUBERT GREEN,
also sometimes known as HUDEY GREEN,)

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW, NO. 9164

COUNT I

Plaintiff claims of the Defendants the sum of Ten Thousand Dollars (\$10,000.00) damages for that heretofore on, to-wit: the 12th day of March, 1969, at approximately 8:30 P.M., the Defendant, Claude Barnett was the owner and the Defendant, Hubert Green, also sometimes known as Hudey Green, was the manager and operator of that certain tavern and inn known as Lloyds located in Summerdale, Alabama and the said Defendants owed a duty to the Plaintiff, who was at the aforesaid date and time a business guest in the Defendants place of business, to protect him from insults, annoyances, dangers and injuries from their servants and other business guests and the Defendants so negligently operated their business at the aforesaid place and time that they allowed Herman Lowery, another business guest, to violently assault and batter the Plaintiff and as a proximate consequence of the aforesaid negligence of the Defendants at the aforesaid time and place, the Plaintiff was injured and damaged as follows; to-wit: The Plaintiff suffered

injuries to his head, body and limbs; his left arm was severely cut and the muscles, nerves and ligaments of his left arm were torn, lacerated, bruised and contused; his stomach and urinary bladder were cut and lacerated and his urinary bladder became infected; he was caused to lose a great deal of time from his work; his capacity to work and earn money has been permanently impaired; he has been made to incur considerable medical expenses in and about his efforts to heal and cure himself; he was caused to suffer physical pain and mental anguish and will be made to suffer in the future; all to the great damage of the Plaintiff in the aforesaid sum and all to his detriment for which he claims.

COUNT II

Plaintiff claims of the Defendants the sum of Ten Thousand Dollars (\$10,000.00) damages for that heretofore on, to-wit: the 12th day of March, 1969, at approximately 8:30 P.M., the Defendant, Claude Barnett was the owner and the Defendant, Hubert Green, also sometimes known as Hudey Green, was the manager and operator of that certain tavern and inn known as Lloyds located in Summerdale, Alabama and the said Defendants owed a duty to the Plaintiff, who was at the aforesaid date and time a business guest in the Defendants' place of business, to protect him from injuries from their servants and other business guests and the Defendants so negligently operated their business at the aforesaid place and time that they allowed Herman Lowery, another business guest, who was very intoxicated, violent and hostile toward the other business guests in said place of business, to violently assault and batter the Plaintiff and as a proximate consequence of the aforesaid negligence of the Defendants at the aforesaid time and place, the Plaintiff was injured and damaged as follows, to-wit: The Plaintiff suffered injuries to his head, body and limbs; his left arm was severely cut and the muscles, nerves and ligaments of his left arm were torn, lacerated, bruised and contused; his stomach and urinary bladder were cut and lacerated and his urinary bladder became infected; he was caused to lose a great deal of time from his work; his capacity to work and earn money has been permanently impaired; he has been made to incur considerable

medical expenses in and about his efforts to heal and cure himself; he was caused to suffer physical pain and mental anguish and will be made to suffer in the future; all to the great damage of the Plaintiff in the aforesaid sum and all to his detriment for which he claims.


Attorney for Plaintiff

Plaintiff respectfully demands a trial by Jury.


Attorney for Plaintiff

The Defendant, Claude Barnett may be served in Mobile County at Mobile Plastering Company, his place of business.

The Defendant, Hudey Green may be served in Summerdale, Alabama.

FILED

MAR 11 1970

ALICE J. DUCK CLERK
REGISTER

Served on Green & Barnes
5-14-70
Brown
Safes Byrd

Received 11 day of March 19 70
and on 24 day of March 19 70
I served a copy of the within S.C.
on Hudley Green & Claude
Barnett
By service on HUDEY GREEN 5/14/70
Ray J. Bridges
TAYLOR WILKINS, Sheriff
By H. F. Brown D. S.

C. J. Chason

ALICE J. DICK
CLERK
REGISTER

MAR 11 1970

FILED

9164
8051
Thomas Wallace
Kennedy
20-
24th Ave
Claude Barnett &
Hubert Green

We the jury added the Plaintiff's Damages
at \$1,500.00

James E. Lipkin
FOREMAN
Tom Kennedy

We the jury vote to compensate the
Plaintiff \$1,500

James E. Lipkin
Foreman

THOMAS WALLACE KENNEDY,
Plaintiff,

vs.

CLAUDE BARNETT and HUBERT GREEN,
also sometimes known as HUDEY GREEN,
Defendants.

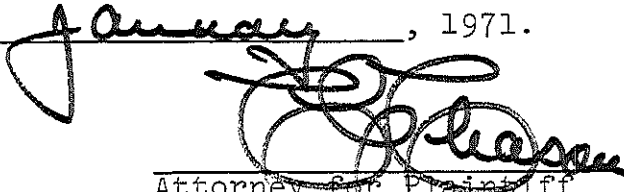
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA,
)
) AT LAW
)

9164

~~WITHDRAWAL OF DEMAND FOR TRIAL BY~~
~~JURY~~ AND MOTION FOR DEFAULT JUDGMENT

~~Comes the Plaintiff in the above styled cause and respectfully~~
~~withdraws his demand for a trial by jury in the above captioned~~
~~case.~~ Plaintiff ~~for~~ files this his Motion for Default
Judgment against Claude Barnett and Hubert Green, Defendants in
the above styled cause on the ground that more than thirty days
have elapsed since service of the summons and complaint upon said
defendants, and that said summons was duly served according to
law, and that said Defendants have failed to demur, plead or answer
the complaint in this cause to this date.

This 11 day of January, 1971.


Attorney for Plaintiff

FILED

JAN 12 1971

ALICE J. DUCK CLERK
REGISTER