

Bethany Jenkins

5165

05.

JURY LIST - FALL SESSION - SEPT. 10, 1962

Horace Chapin

- ~~1. Barton, John, Sr., Merchant, Bay Minette~~
- ~~2. Beasley, Newton P., Mechanic, Bay Minette~~
- ~~3. Roley, Willie, Carpenter, Bay Minette~~
- ~~4. Keuler, Jake W., Farmer, Loxley~~
- ~~5. Knowles, Kenneth, Brookley Field, Bay Minette~~
- ~~6. Klein, John P., Farmer, Elberta~~
- ~~7. Knowles, J. Frank, Clerk, Bay Minette~~
- ~~8. Stimpson, Carl, Clay Products, Fairhope~~
- ~~9. Steele, Ira, Mail Clerk, Fairhope~~
- ~~10. Sturges, Frank III, Alcoa, Spanish Fort~~
- ~~11. Tindal, Kendrick N., Contractor, Bay Minette~~
- ~~12. Tindall, Horace A., Farmer, Gulf Shores~~
- ~~13. Trawick, Cecil, Farmer, Stapleton~~
- ~~14. Singleton, Art, Public, Rosinton~~
- ~~15. Nelson, Martin, Cleaners, Fairhope~~
- ~~16. Pacey, Paul G., Farmer, Fairhope~~
- ~~17. Morse, Wilson W., Civil Service, Foley~~
- ~~18. McKibbin, W.G., Woodhaven Dairy, Fairhope~~
- ~~19. Bishop, George O., Merchant, Fairhope~~
- ~~20. Booth, Robert E., Laborer, Fairhope~~
- ~~21. Byrd, Claude, Newport, Bay Minette~~
- ~~22. Cabiness, Marvin, Laborer, Bay Minette~~
- ~~23. Carlisle, D.C., Newport, Bay Minette~~
- ~~24. Chandler, Sidney, Bank Clerk, Silverhill~~
- ~~25. Cooper, Claude, Farmer, Rosinton~~
- ~~26. Cooper, Nolan P., Merchant, Rosinton~~
- ~~27. Greener, Henry, City Employee, Fairhope~~
- ~~28. Deloach, Percy, Farmer, Bay Minette~~
- ~~29. Good, John, Jr., Farmer, Elberta~~
- ~~30. Hammond, Walter W., Grocery, Robertsedale~~
- ~~31. Hastie, Joe H., Merchant, Stockton~~
- ~~32. Hill, Calvin, Farmer, Belforest~~
- ~~33. Jackson, Thomas K., Farmer, Daphne~~
- ~~34. Johnson, Coy L., Laborer, Bay Minette~~
- ~~35. Jones, Clifton, Real Estate, Robertsedale~~
- ~~36. Kasuba, Stanley J., Insurance, Fairhope~~
- ~~37. Frank, George, Farmer, Elberta~~
- ~~38. Garner, Clifton, Carpenter, Bay Minette~~
- ~~39. Lunsford, Albert A., Teacher, Foley~~
- ~~40. McClain, Cecil E., Elec Co., Robertsedale~~
- ~~41. York, D.W., Farmer, Foley~~
- ~~42. Tunstall, Solomon, Laborer, Stockton~~
- ~~43. Mund, Thos G., Fisherman, Gulf Shores~~
- ~~44. McDill, Sam C., Farmer, Bay Minette~~
- ~~45. Malone, Lawrence L., Automobile Dealer, Bay Minette~~
- ~~46. Beasley, Wilson C., Store Owner, Bay Minette~~
- ~~47. Noonan, Edward D., Jr., Newport, Bay Minette~~
- ~~48. Stuart, Harold, Cleaners, Bay Minette~~
- ~~49. Langham, Tommy M., Merchant, Bay Minette~~
- ~~50. Foster, Walter H., Ford Dealer, Bay Minette~~
- ~~51. Friel, William E., Agriculture, Bay Minette~~
- ~~52. Moorner, Uhle S., Laborer, Bay Minette~~
- ~~53. Duck, Horace Harold, Laborer, Bay Minette~~
- ~~54. Powell, Shirley, Post Office, Bay Minette~~
- ~~55. Hodges, Willie Lee, Sawmill, Bay Minette~~

P XXVXX XXXXX

D XXXXX XXXXX

BERTHA JERKINS,

Plaintiff,

vs.

J. H. CHAFIN and MACK  
TAYLOR CHAFIN,

Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

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 said complaint does not allege that the Defendants negligently injured the Plaintiff.
3. That said complaint does not allege any duty owing by the Defendants to the Plaintiff.
4. That the Plaintiff does not allege that she was gainfully employed at the time of her accident.
5. That the complaint does not allege how much time the Plaintiff lost from her regular employment.

FILED

APR 25 1962

ALICE J. DUCK, CLERK  
REGISTER

*Shannon Stone*  
Attorneys for Defendants

5068

BERTHA JERKINS,

Plaintiff,

vs.

J. H. CHAFIN and MACK  
TAYLOR CHAFIN,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

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DEMURRER

\*\*\*\*\*

BERTHA JERKINS,

Plaintiff,

vs.

J. H. CHAFIN and MACK  
TAYLOR CHAFIN,

Defendants.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

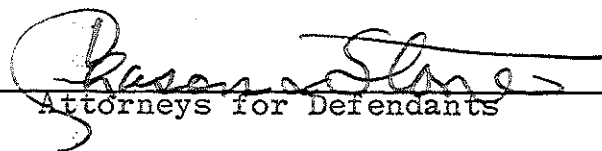
BALDWIN COUNTY, ALABAMA

AT LAW

Come the Defendants in the above styled cause, separately and severally, and file the following separate and several pleas to the complaint filed in said cause, viz:

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

57648

BERTHA JERKINS,  
Plaintiff,

vs.

J. H. CHAFIN and MACK  
TAYLOR CHAFIN,  
Defendants.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

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FILED

AUG 11 1962

ALICE J. DUCK, CLERK  
REGISTER

*We the jury find in behalf  
of the Plaintiff. In the amount of  
\$1,000.00*  
*Robert E. Booth*

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon J. H. Chafin and Mack Taylor Chafin 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 the same, then and there to answer the complaint of Bertha Jerkins.

WITNESS my hand this 7 day of March, 1962.

Alice J. Buck  
Clerk

Ent-3-19-62  
\* \* \* \* \*

BERTHA JERKINS, *Ferguson,*  
Plaintiff,

VS.

J. H. CHAFIN and MACK  
TAYLOR CHAFIN,  
Defendants.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

5068

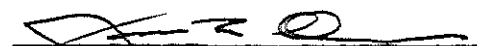
C O M P L A I N T

COUNT ONE

The Plaintiff claims of the Defendant TEN THOUSAND DOLLARS (\$10,000.00) for that heretofore on to-wit, December 31, 1961, the Plaintiff was driving her automobile along U. S. Highway 31, a public highway in Baldwin County, Alabama, at a point about four-tenths of a mile North of the City Limits of Bay Minette, Alabama, at a point where the said Highway is intersected by the Stuckey Lumber Company Road and while she was lawfully traveling upon said highway in a Northerly direction in said automobile, which was her property, the Defendant, Mack Taylor Chafin, who was then and there an agent, servant or employee of the Defendant, J. H. Chafin, acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a motor vehicle so as to cause the same to run into, upon or against

the automobile which Plaintiff was driving at said time and place and as a proximate consequence of the negligence of the said Defendant, Mack Taylor Chafin, who was then and there acting as the agent, servant or employee of the Defendant, J. H. Chafin, and who was then and there acting within the line and scope of his authority as such agent, servant or employee, the Plaintiff's automobile was completely demolished; she was injured as follows: she was made sick and sore; she has suffered and is suffering excruciating mental pain and anguish; her health and physical stamina were permanently impaired and she has been permanently injured in her neck and back; she suffered a whiplash injury of the neck and lumbar vertebra; she lost much time from her regular employment and was confined to a hospital for a period of time of approximately two weeks; she was caused to incur great medical and doctor bills in and about the treatment of her said injuries; she has been unable to perform her regular household duties and has been put to much trouble and expense in and about the treatment of her said injuries.

Plaintiff further avers that all of her injuries and damages set forth above were proximately caused by the negligence of the Defendant, Mack Taylor Chafin, who was then and there an agent, servant or employee of the Defendant, J. H. Chafin, and acting within the line and scope of his authority, as such agent, servant or employee, at the time and place of the collision.

  
Attorney for Plaintiff

Plaintiff respectfully demands a trial  
by jury of said cause.

  
Attorney for Plaintiff

FILED

MAR 67 1962

ALICE J. DUCK, CLERK  
REGISTER

COMPLAINT

5068

BERTHA JERKINS,

Plaintiff,

VS.

J. H. CHAFIN and MACK  
TAYLOR CHAFIN, *aka James*

Defendants.

Received 7 day of May 1962

and on 19 day of March 1962

I served a copy of the within D. C. C.

J. H. Chafin, Mack

Taylor Chafin

By service on Mack Taylor Chafin

3-12-62 J. H. Chafin 3-19-62

TAYLOR WILKINS, Sheriff

By W. A. Talbot D.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

MAR 7 1962

ALICE J. DUCK, CLERK  
REGISTER

JAMES R. OWEN

ATTORNEY AT LAW

BAY MINETTE, ALABAMA