

Largest Verdict Of Kind

\$151,250 Awarded Mobilian In Mishap At State Docks

**Circuit Jury Gives
Decision In Case
Of Personal Injury**

By **TOM TAYLOR**
Register Staff Reporter

A Mobile Circuit Court jury yesterday awarded \$151,250 to John H. Hayles, 49, of Mobile for injuries suffered in a fork-lift accident at the State Docks Feb. 16, 1959.

It was the largest verdict ever returned in a personal injury suit in Mobile Circuit Court.

The verdict came after a three-day trial before Judge William C. Taylor. The jury reached its verdict in about one hour. It was returned against the Hyster Co., Inc., of Portland, Ore., manufacturers of the fork-lift and Brumgart Equipment Co. of Birmingham, the dealer who had sent the machine to the State Docks for demonstration.

Hayles, represented by Attys. Robert T. Cunningham and D. Richard Bounds, had sought \$250,000. Witnesses testified that he suffered permanent paralysis from the waist down as a result of the accident.

Hayles, who is confined to a wheel chair, testified that he was operating the fork-lift as a State Docks employe when a piece of timber fell from it and crushed his back. His attorneys argued that the defendants were negligent in not supplying the lift with head guard over the driver.

Defense attorneys contended that the head guard was not an essential part of the equipment.

The defendants were represented by Attys. Robert F. Adams, Charles B. Bailey Jr., James J. Duffy Jr. and Dan T. McCall Jr., of Mobile and Atty. Sam Burr of Birmingham.