

JOHN F. PIMPERL

X

Plaintiff

X

IN THE CIRCUIT COURT OF

vs

X

BALDWIN COUNTY, ALABAMA

NEEDHAM RIVERS

X

AT LAW

N2. 5822

Defendant

X

The plaintiff claims of the defendant the sum of Fifteen Hundred (\$1500.00) Dollars for that, heretofore, on to-wit: August 29, 1963, at approximately 6:50 P.M. on Baldwin County road No. 61 about ten miles from Bay Minette and about one-half mile from U. S. Highway 31 plaintiff's 1955 1½ Ton Chevrolet truck was being driven in a southerly direction on said Baldwin County road No. 61, which is a public highway in Baldwin County, Alabama, where said truck had a right to be, when the defendant, Needham Rivers so negligently operated the heavily loaded automobile truck which he was then and there driving, as to cause, permit or allow his said automobile truck, to collide with the automobile truck of the plaintiff herein and as the proximate result and consequence of the defendant's negligence as aforesaid, the plaintiff's said automobile truck was then and there damaged as follows:

Striking the automobile truck of the plaintiff on the left side of the truck whereby the door of said plaintiff's truck was damaged and the defendant's truck then struck the body of plaintiff's truck damaging same and striking the left side immediately in front of the left rear wheels bending the frame of said truck; breaking the left rear spring and spring shackles, driving the rear axle out from under said plaintiff's truck and bending the axle housing and damaging two truck tires, wheels and rear axle housing, together with the vacuum shift line, battery, drive shaft yoke and other items about said automobile truck constituting total damage of the said motor vehicle.

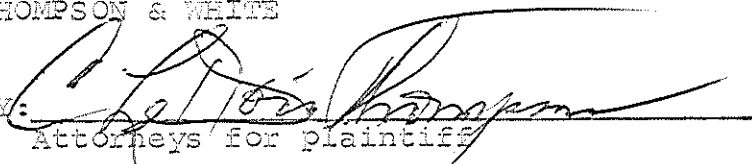
Further, the plaintiff was deprived of the use of his automobile truck which was used in and about his business for a long period of time, to-wit: from August 29, 1963, until September 21, 1963, in the total amount of \$1500.00.

And plaintiff alleges that all of his said damages were the direct and proximate consequence and result of the defendant's

negligence in and about the operation of his said automobile truck
at the time and place heretofore set forth, all to the damages of
the plaintiff in the amount of \$1500.00.

Hence, this suit.

THOMPSON & WHITE

BY: 

Attorneys for plaintiff

JOHN F. PIMPERL

Plaintiff

vs

NEEDHAM RIVERS

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

Comes the plaintiff in the above styled cause and propounds the following interrogatories to the defendant, Needham Rivers:

1. State your name.
2. Are you the defendant in this cause?
3. Where do you live?
4. Were you driving a pulpwood truck in Baldwin County on August 29th about 6:50 P.M. at a point on County Road 61 about ten miles from Bay Minette and about one-half mile from U. S. Highway 31?
5. Which direction were you driving at the time and place noted?
6. Was your truck loaded or empty?
7. Did you have a collision with a truck, property of Mr. John F. Pimperl?
8. Following the accident, did you observe your skid marks prior to the point of collision?
9. Did you observe the skid marks made by the truck owned by Mr. John F. Pimperl prior to the point of collision?
10. What caused your truck to pull nearer to the left side of the road just prior to the collision?
11. What part of Mr. Pimperl's truck did your truck collide with?
12. What part of Mr. Pimperl's truck was damaged most heavily?
13. Can you state the speed of your truck immediately prior to the collision?
14. How far did your skid marks, if any, show on the blacktop prior to the point of collision?
15. Do you own the vehicle you were driving?
16. If you did not own it, and were buying it, state who you were buying it from.
17. If you were not buying it, but were employed to drive it, state the name of your employer.

18. If you were employed by anyone, state whether or not you are presently employed by that same party.

19. If not, give the name of your present employer.

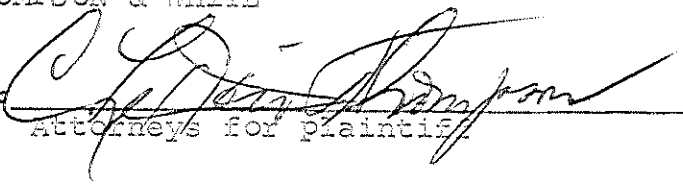
20. Give the names and addresses of every person who was with you on the truck you were driving.

21. Were you burning your lights at the time of the accident?

22. How many clearance lights did you have on your truck at the time of the accident?

23. State the location of these lights on the truck.

THOMPSON & WHITE

BY: 

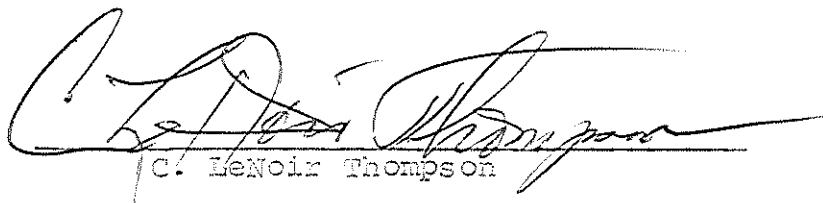
Attorneys for plaintiff

STATE OF ALABAMA

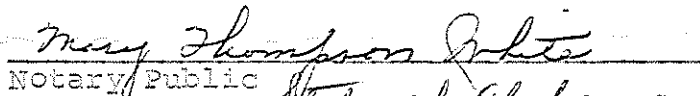
BALDWIN COUNTY

Before me, the undersigned Notary Public, in and for said State and County, personally appeared C. LeNoir Thompson, who being by me first duly sworn, deposes on oath and says as follows:

My name is C. LeNoir Thompson and I am one of the attorneys of record for the plaintiff in the above entitled cause, and as such, I am authorized to make this affidavit. I further state that the answer of the defendant to the foregoing interrogatories will, if truthfully made, be material evidence for the plaintiff on the trial of said cause.


C. LeNoir Thompson

Subscribed and sworn to before me by the said C. LeNoir Thompson on this the 12th day of December, 1963.


Notary Public State of Alabama
at Large

SUMMONS AND COMPLAINT

Circuit Court, Baldwin County

The State of Alabama,
Baldwin County.

No. 5822

TERM, 19__

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon NEEDHAM RIVERS

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

NEEDHAM RIVERSby JOHN F. PIMPERL

Defendant

Witness my hand this 16th day of Dec 1963
Alice J. Duck, Clerk

El-12-17-63

No. 2822

Page

The State of Alabama

Baldwin County

CIRCUIT COURT

JOHN F. PIMPERL

Plaintiffs

NEEDHAM RIVERS

Defendants

1. Summons and Complaint

2. *Interrogatories*

Filed 19

DEC 16 1963

Clerk

ALICE J. DUCK, CLERK
REGISTER

RECEIVED

DEC 17 1963

SHERIFF'S OFFICE

Thompson & White
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
2303 Duke Avenue
Mobile, Alabama

Received In Office

Dec 16 1963

Sheriff

I have executed this summons

this Dec 17 1963

by leaving a copy with

Needham Rivers

Ray L. Bridges
Sheriff

H. L. Halley
Deputy Sheriff

JOHN F. PIMPERL,

Plaintiff,

vs

NEEDHAM RIVERS,

Defendant.

Q

Q

Q

Q

Q

Q

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NUMBER 5872

Come now Lyons, Pipes & Cook and Chason, Stone & Chason, Attorneys for the Defendant in the above styled cause, and appear specially for the purpose of filing this suggestion and for no other different object or purpose and suggest to this Honorable Court that the Defendant in the above styled cause, Needham Rivers, departed this life on the 5th day of January, 1964, after service upon him of a copy of the Summons and Bill of Complaint filed against him in this cause but before the expiration of thirty days from the date thereof.

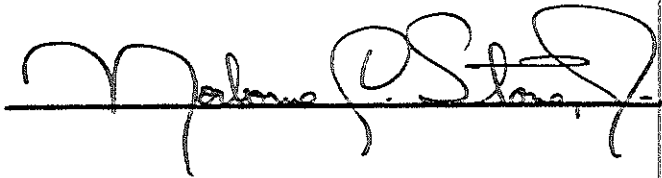
WHEREFORE, this action should be abated.

Respectfully submitted,

LYONS, PIPES & COOK

and

CHASON, STONE & CHASON

By: 

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Norborne C. Stone, Jr., who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is Norborne C. Stone, Jr. and he executed the foregoing suggestion of death on behalf of the Defendant in

that certain cause now pending in the Circuit Court of Baldwin County, Alabama, and docketed as Case Number 5872, wherein John F. Pimperl is the Plaintiff and Needham Rivers is the Defendant. That he is informed and believes and upon such information and belief, alleges that the facts alleged in the foregoing instrument are true and correct.



Sworn to and subscribed before me
on this the 16th day of January,
1964.


Notary Public, Baldwin County, Alabama

FILED

JAN 17 1964

ALICE L. DUCK, CLERK
REGISTER