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Miss M. J. J. J.  
1000 1st St. N.E.  
Albuquerque, N.M.  
Albuquerque, N.M.  
315 1st St. N.E.  
Albuquerque, N.M.

Message  
Reply

DATE:

November 1, 1964

FILE NO:

PRIORITY

- ☐ URGENT!  
☐ SOON AS POSSIBLE  
☐ NO REPLY NEEDED

ATTENTION:

SUBJECT:

Albuquerque, N.M.  
Albuquerque, N.M.  
Albuquerque, N.M.

To: Mr. J. J.

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Mr. J. J. J. J.  
Clark, Circuit Court  
by Kinette, Alabama

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Letter of 10/21/64 with all of documents together  
with copy of same and summons for filing and serving.

SIGNED:

DATE OF REPLY:

REPLY TO:

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Y

SIGNED:

RECIPIENT: WRITE REPLY. RETURN WHITE TO SENDER. KEEP THIS PINK COPY.

OWENS & PATTON  
ATTORNEYS AT LAW  
DAHLBERG BUILDING  
P. O. BOX 729  
BAY MINETTE, ALABAMA - 36507

J. CONNOR OWENS, JR.  
WALTER S. PATTON

TELEPHONE NO. 937-4661

September 22, 1967

Mrs. Alice J. Duck  
Clerk of Circuit Court  
Bay Minette, Alabama

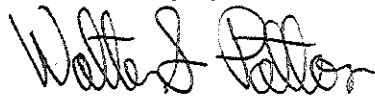
Subject: Wm. Weninegar, vs. Simon Curtis Hadley  
Law Side. No. 6282

Dear Mrs. Duck:

This is with reference to the above styled matter and to request that you please withdraw this firm as attorneys for the defendant, Simon Curtis Hadley, in this cause.

Thank you for your aid and consideration in this matter.

Sincerely yours,

  
Walter S. Patton

WSP:am

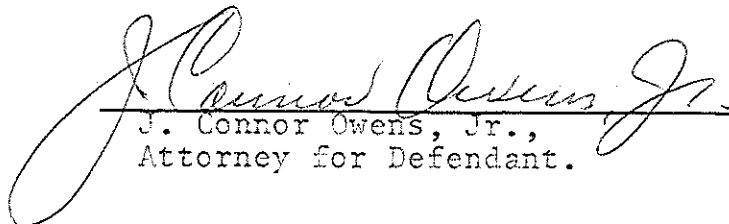
CC: Mr. John V. Duck  
Attorney at Law  
P. O. Box "Y"  
Fairhope, Alabama

WILLIAM WENINEGAR,	)	
	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	
vs.	)	BALDWIN COUNTY, ALABAMA
SIMON CURTIS HADLEY,	)	
	)	LAW SIDE.
Defendant.	)	

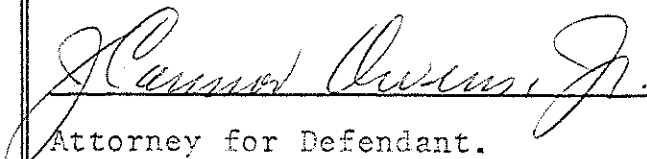
DEMURRER:

Now comes the Defendant, by his Attorney, and demurs to the Complaint filed in this cause, and as grounds therefor, assigns the following, both separately and severally:

1. The Complaint does not state a cause of action.
2. The Complaint does not allege with sufficient certainty the point or place where the alleged accident occurred.
3. The Complaint does not allege with sufficient certainty, the damages suffered by the automobile of the Plaintiff.
4. The allegation that the Plaintiff's said automobile was badly bent, broken and otherwise damaged, is vague and indefinite.

  
 J. Connor Owens, Jr.,  
 Attorney for Defendant.

Defendant demands that this cause  
 be tried by Jury.

  
 Attorney for Defendant.

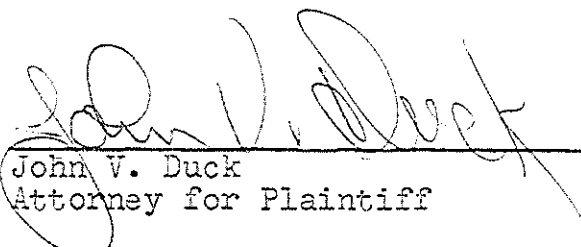
**FILED**  
 11-25-2024  
 ADEI DICK, CLERK  
 REGISTER

WILLIAM WENINEGAR,  
Plaintiff,  
VS.  
SIMON CURTIS HADLEY,  
Defendant.

: IN THE CIRCUIT COURT OF  
: BALDWIN COUNTY, ALABAMA  
: AT LAW  
:  
: CASE NO. 6282

COUNT ONE

The Plaintiff claims of the Defendant, the sum of to-wit, FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS, damages for that heretofore and on to-wit, the 16th day of February, 1964, the Plaintiff's automobile was being operated on or along U. S. Highway 90 West, at or near the Gulf Service Station near the Thunderbird Inn at Spanish Fort, Alabama, said U. S. Highway 90 West, being then and there a public highway in the County of Baldwin, Alabama, that at said time and place the Defendant did so negligently operate a motor vehicle along said highway as to cause or allow the same to collide with the Plaintiff's said automobile and as a proximate result and natural consequence of the negligence of the Defendant as aforesaid, the Plaintiff's said automobile was badly bent, broken, crushed and otherwise damaged, all to the damages of the Plaintiff, hence this suit.

  
John V. Duck  
Attorney for Plaintiff

Defendant may be served at:

307 Clay Street  
Bay Minette, Alabama

**FILED**

Nov A 1964

AUCE I. DUCK, CLERK  
REGISTER

WILLIAM WENINEGAR,

Plaintiff,

VS.

SIMON CURTIS HADLEY,

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

)

) CASE NO. \_\_\_\_\_

### INTERROGATORIES TO DEFENDANT

Comes the Plaintiff in the above styled cause, and desiring the testimony of the Defendants, propounds the following interrogatories to be answered separately and severally in the manner and form provided by law, viz:

1. (a) State your correct name, age, residence address and business address.

(b) Is your name correctly stated in the complaint on file in this cause?

(c) If you state that your name is not correctly stated, then state the correct way that you could be designated as a party Plaintiff or a party Defendant in an action at law:

(1) At the time that the accident which is made the basis of this suit occurred;

(2) At the time that you answer these interrogatories.

(d) When and where did said accident occur, giving date and hour?

2. (a) State whether you are a person, firm, or corporation.

(b) If you state that you are a partnership, then state the name of each and every member or partner composing said partnership, and the name under which the partnership does business.

(c) If you state that you are a corporation, state on what date you were incorporated and at what place.

3. (a) Describe completely and in detail the vehicle occupied or owned by you or of which you were in charge on the occasion of the accident made the basis of this suit, stating in your answer the make, model, year, and body style of same.

(b) State the name and address of the owner of said motor vehicle on the date of the accident.

(c) State the name and address of the driver of said vehicle on said occasion.

(d) Describe completely and in detail every item of damage sustained by said vehicle.

(e) Give the amount of each repair estimate obtained on said damage and give the name and address of the person making said repair estimate.

(f) State whether or not any of said damage was repaired, and, if so, give the amount of the repair bill and the name and address of the person, firm, or corporation who made said repairs.

(g) Describe the condition of the brakes, stoplights, turn indicator or other signal device, steering apparatus, tires, and lighting equipment on said motor vehicle at and immediately prior to the time of the accident made the basis of this suit; state whether they were in proper working order and if they were used at the time of the accident.

(h) When had the brakes, signal device, steering apparatus, lights, and tires on said motor vehicle last been inspected prior to said accident and by whom?

4. (a) If you have stated that the owner of the vehicle which collided with the vehicle in which Plaintiff was riding was not the driver on the occasion of said accident, explain fully and in detail the presence of the driver in said vehicle.

(b) State who was the employer of the driver of the vehicle which collided with the vehicle in which Plaintiff was riding at the

- of said accident.
- (c) State on whose business or behalf said driver was acting at the time of said accident.
  - (d) State the hours of work which said driver had at the time of said accident.
5. (a) State the number of persons occupying the motor vehicle which collided with the vehicle in which Plaintiff was riding and state specifically how and in what manner each of said occupants were located in said vehicle on said occasion.
- (b) Was the trip a personal or business trip for you or the driver of your car?
  - (c) State fully the purpose of the trip you were making at the time of the accident made the basis of this suit.
  - (d) From what point had you departed?
  - (e) What was your destination?
  - (f) Were you performing a mission, errand, or duty for anybody whatsoever? If so, state the nature of same and the name and address of the person for whom you were performing it.
  - (g) Give the name and address of each and every person or firm who had any interest whatsoever in the trip that was being made by the driver of the vehicle which collided with the Plaintiff on the occasion of said accident, and state the nature of said interest and the connection of said person or firm with the trip.
  - (h) Where did you go and what did you do immediately after the accident occurred?
6. Prepare and attach to your answers to these interrogatories a map portraying the scene of the accident and the physical objects involved in the accident made the basis of this suit and designate on said map the following:
- (a) The point of impact and skid marks leading up to and from same;
  - (b) The resting place of the vehicles after the accident;
  - (c) Where you were located when you first saw the Plaintiff's vehicle;
  - (d) Where the Plaintiff's vehicle was located when first seen by you;
  - (e) The placement of any other vehicles or physical objects which had anything to do with said accident.
7. (a) State whether or not the accident made the basis of this suit occurred at an intersection of streets or avenues, and if so, then state:
- (1) At what intersection of streets or avenues said accident occurred;
  - (2) Whether any buildings or objects were located within any of the four corners of the intersection which would obscure the vision of any person approaching the intersection;
  - (3) State how far you, in your judgement, could see to the left and right of each of the streets when you approached from a point of fifty feet from said intersection.
- (b) Describe the locus of said accident with reference to the contour of the land, the grade or curve of the road, highway or intersection, and any physical structures located within two hundred feet of the place of the accident:
  - (c) Were there any obstructions to your view? Describe in detail.
  - (d) Describe any traffic controls located at the scene of the accident and the operation of same, stating the directions in which said traffic signs, signals or controls faced, and state the color of the control light facing your vehicle and that facing Plaintiff's vehicle as you entered the area controlled by said signal.
  - (e) Did your vehicle stop at the traffic signal or sign prior to the accident?
8. (a) State where the motor vehicle in which Plaintiff was riding was located with reference to the point of the impact in the accident made the basis of this suit when you first observed same immediately prior to said accident.
- (b) Did you see the motor vehicle in which Plaintiff was riding before the actual collision.

(c) How many feet was the motor vehicle in which Plaintiff was riding from the place of the impact when you first observed same?

(d) How many feet were you from the point of impact when you first observed the vehicle in which Plaintiff was riding?

(e) Where did the impact occur with reference to the center line of the street on which the vehicle in which Plaintiff was traveling?

(f) Where did the impact occur with reference to the right edge of the street on which your vehicle was traveling?

9. (a) State specifically and in detail exactly how the accident made the basis of this suit occurred and describe chronologically the events that occurred leading up to same as seen by you.

(b) Describe each and everything which the driver of the vehicle in which Plaintiff was riding failed to do to avoid said accident.

(c) Describe each and everything done by the driver of the vehicle in which Plaintiff was riding which contributed to the cause of said accident.

(d) State each and everything done by you or which you omitted to do, which contributed proximately to cause the accident.

(e) Describe each negligent act or omission of the driver of the vehicle in which Plaintiff was riding on said occasion.

10. (a) State whether or not any of the occupants in any of the vehicles involved in the accident made the basis of this suit were intoxicated or drinking intoxicating beverages at the time of the said accident.

(b) Give the name and address of each of said persons who were drinking or who were intoxicated.

(c) State what each of said persons was drinking, where he or she had obtained same, the quantity or amount consumed, and the time and place where same was drunk.

(d) Had you consumed any alcoholic beverages within the last 24 hours stating when, where, and what and how much you drank?

11. State, according to your best judgment the speed of the vehicle in which Plaintiff was riding at the following points:

(a) When you first observed same prior to the accident made the basis of this suit;

(b) At a point 300 feet from the place where the impact occurred;

(c) At a point 200 feet from the place where the impact occurred;

(d) At a point 100 feet from the place where the impact occurred;

(e) At a point 50 feet from the place where the impact occurred;

(f) At a point 25 feet from the place where the impact occurred;

(g) At a point 10 feet from the place where the impact occurred;

(h) At the point of impact;

(i) Immediately after the impact;

12. (a) State in what direction and along what street or avenue each of the motor vehicle involved in the accident made the basis of this suit was traveling on the occasion of said accident.

(b) State in your best judgment, in number of feet, the width of each of said streets or avenues or highways.

(c) If either of the vehicles involved in the accident made the basis of this suit was engaged in making a turn from a direct line of travel, describe same, and the course followed with reference to the center of the intersection and also the four corners of same, and with reference to the center line of the street, avenue or highway on which said motor vehicle had been traveling prior to said turn.

13. (a) State fully, specifically and in detail each and every act or thing done by the operator of the vehicle owned or occupied by you at the time of the accident made the basis of this suit during the last 100 feet of said vehicle's approach to the point of said collision, stating in your answer the chronological order in which said operator did each of said acts or things.

(b) Describe each change in the course of travel made by the vehicle in which Plaintiff was riding immediately prior to said accident.

- (c) Describe each change in the course of travel made by the vehicle in which you were riding immediately prior to the accident made the basis of this suit.
14. (a) State whether or not the brakes on the vehicle occupied by you or owned by you at the time of the accident sued on were applied prior to the collision.
- (b) If so, state in your best judgment the speed in miles per hour said vehicle was traveling at the moment the brakes were applied.
- (c) State in your best judgment the distance in number of feet said vehicle traveled from the moment the brakes were applied until said collision occurred.
- (d) State in your best judgment the distance in number of feet said came to a stop after the occurrence of the accident made the basis of this suit.
15. (a) State specifically what portion of the vehicles involved in the accident made the basis of this suit first came in contact with each other, stating which part of the several vehicles came into contact with which part of the others.
- (b) Describe the portions which next came in contact after the initial impact.
16. (a) State in your best judgment the distance each of the vehicles involved in the accident made the basis of this suit traveled on said occasion from the moment of the collision to the point where each of said vehicles first came to a stop immediately thereafter.
- (b) In what direction did each of said motor vehicles move from the point of said collision until they came to a complete stop?
- (c) Describe each and every skid mark which led up to the point of collision.
- (d) Describe each and every skid mark which extended from the point of collision toward the place where either of the motor vehicles involved in the accident came to rest.
- (e) Locate the point where each motor vehicle came to rest with reference to the point of impact, the center of the intersection, the four corners of same and the right edge of the street on which it had been traveling.
17. State the speed of the motor vehicle which you owned or occupied or were in charge of according to your best judgment, at the following points:
- (a) When you were within a distance of 300 feet from the point of impact in the accident made the basis of this suit;
- (b) When you were 200 feet from the point of impact;
- (c) When you were 100 feet from the point of impact;
- (d) When you were 50 feet from the point of impact;
- (e) When you were 25 feet from the point of impact;
- (f) When you were 10 feet from the point of impact;
- (g) At the time of said impact;
- (h) When you first observed the other vehicle involved in said accident.
18. (a) State whether any horn or other signal was given as a warning by the operator of any of the vehicles involved in the accident made the basis of this suit prior to the time of the collision.
- (b) If so, describe each of said signals given by each respective driver specifically and in detail.
- (c) State how far distant from the point of collision each vehicle was located at the time said signal was given.
- (d) If any signals forstopping or turning were given by each driver immediately prior to said collision, describe same, and state how far distant from the point of impact said signal was given by each driver respectively.
19. (a) State whether or not there was any other vehicles or pedestrians at or near the scene of the accident at the time of and immediately prior to the occurrence of same.
- (b) If so, state the number of such other vehicles and pedestrians and



where they were located with reference to the point of the accident at the moment same occurred.

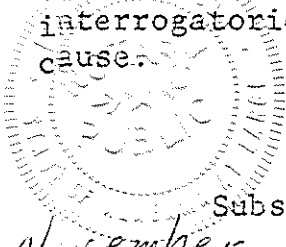
- (c) State whether or not any of the other vehicles or pedestrians located at or near the scene of the accident played any part, or contributed in any manner, to cause the collision made the basis of this suit.
  - (d) Give the name and address of each driver or owner of each of said vehicles and said pedestrians.
20. (a) Did you make any statements in the presence of the operator of any of the vehicles involved in the collision made the basis of this suit following the occurrence of same?
- (b) If so, state when, where, and what was said by you.
  - (c) Did the operator of the vehicle in which Plaintiff was riding make any statement in your presence following the occurrence of the accident, and if so, state when, where, and what was said by said driver.
  - (d) Give the name and address of each and every person who was present when the accident made the basis of this suit occurred.
  - (e) Give the name and address of each and every person who was present when any statements were made either by you or the driver of the vehicle in which Plaintiff was riding following the occurrence of the accident made the basis of this suit.
21. Did the driver of your vehicle possess a currently valid drivers license at the time of the accident?
22. Did the said drivers license have any restrictions thereon? If so, please list them.
23. On and shortly prior to the date of the accident, did the driver of the vehicle colliding with Plaintiff or the vehicle in which Plaintiff was riding:
- (a) Normally wear glasses?
  - (b) Did said driver have his glasses on at the time of the accident?
  - (c) Was the said driver's eyesight 20/20 or normal? If not, please explain.
  - (d) Did the vision of said driver in anyway contribute to, cause, or affect the collision or accident? How?
24. Describe the condition of visibility as to darkness, etc. at the time of the accident.
25. Describe the weather conditions at the time of the accident.
26. (a) Describe the condition of the surface of the road, as to type of pavement, smooth or rough, etc.
- (b) Was the road wet or dry?
27. Please state what damage you observed to the vehicle in which Plaintiff was riding, stating where the damage was and its extent.
28. Please state in detail the condition of Plaintiff as you observed it immediately prior to the accident, at the time, of the accident and immediately after the accident.
29. How far was your vehicle from the Plaintiff when you first applied your brakes?
30. Did your brakes take hold immediately?
31. How hard did you apply your brakes?
32. In approximately how many feet will your vehicle stop with a full application of the brakes traveling at the speed you were going at the time of the accident?
33. Please state the names and addresses of all persons who have furnished statements, signed or unsigned to you, your representative, or attorney or adjuster, or any other person in regard to this accident.
34. Describe the position that and where your automobile was in relation to the center line of the road when you first knew that you had hit the vehicle the Plaintiff was riding in.
35. State how many automobile accidents you have been involved in giving the time, date, and description of each.
36. Have you recently reviewed any signed statements you have made in regard to this accident? If so, when, where, and in the presence of whom?

37. Have you said anything in a signed statement that has not been covered in answering these interrogatories? If so, what?
38. Have you ever been in the armed service?
39. If so, what type of discharge did you receive from the armed forces?
40. State the name and last known address of the eye-witness or anyone who knows something about the occurrence of the accident.
41. Are any of these witnesses personally acquainted with you, and if so, in what way and for how long?
42. Do you suffer from night-blindness?
43. Attach a copy of your written statement to your adjuster or investigator you made concerning this accident to the answers to these interrogatories.
44. If you have not already answered, what remarks were made by the Plaintiff at the scene of the accident and to whom were they made?
45. Was there any debris on the highway, if so, describe it and show where it was by making a diagram. (Attach same to answer)
46. On what part of the road did the impact take place?
47. Did any of the vehicles in the accident have their lights on at the time of the accident?
48. Where did each vehicle come to rest after the accident with reference to the point of impact?
49. State in detail the exact position of your vehicle on your position when you first observed the other vehicle in this accident, and state your distance from it in feet.
50. State in detail the exact amount of artificial lighting at the scene of the accident at the time the accident occurred.
51. Please state in your own words the facts and circumstances of this accident, giving who was involved, how it happened, what caused the accident and the results.
52. Did the driver of your vehicle suffer from any physical defects or illnesses such as poor vision, deafness, muteness, seizures, paralysis or other, stating in detail.
53. Had you taken any medicines, drugs, narcotics, or tranquilizers within the last 24 hours prior to the accident, if so, designate and explain.
54. Was the radio in your car playing at the time of the accident?
55. (a) Were your windows open or closed at the time of the accident?  
(b) Was the air conditioning unit in your car in operation at the time of the accident?
56. (a) How far had the driver of your car driven on the day of the accident?  
(b) How much rest had he had in the preceeding 24 hours?
57. (a) Was the driver of your car charged with a traffic violation or any criminal charge growing out of this accident?  
(b) How did said driver plead in the charge made against you?  
(c) What was the decision or order made by the court on said charge or case?
58. (a) Were pictures made of the accident or any of the persons or vehicles involved, if so, by whom?  
(b) Do you or your insurance company or attorney have such pictures?
59. If the defendant answering these interrogatories is a corporation, please:
  1. State the name of the person answering the interrogatories and and his position with the Defendant.
  2. Please state the names of each person in the employ of the Defendant who has personal knowledge of the facts inquired about, and his address and position with the company, and who has furnished what information upon which these answers are based and prepared.

STATE OF ALABAMA)  
COUNTY OF MOBILE)

Personally appeared before me, Frankie H. Wilson, the undersigned authority, John V. Duck, who being by me first duly sworn, deposes and says:

That he is the attorney of record for the Plaintiff in the above styled cause, and as such is authorized to make this affidavit for the plaintiff, and that the answers of the Defendants to the foregoing interrogatories will be material testimony for the Plaintiff in said cause.

  
John V. Duck

Subscribed and sworn to before me on this the 2<sup>nd</sup> day of

November, 1964.

Frankie H. Wilson  
Notary Public, Mobile County, Alabama

state at large

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, Baldwin County

No. ....

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon SIMON CURTIS HADLEY

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.....

SIMON CURTIS HADLEY

....., Defendant.....

by WILLIAM WENINEGAR

..... Plaintiff.....

Witness my hand this.....11.....day of.....Nov.....1964

William Weninegar..... Clerk

Ex-11-4-64

No. 6284

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

WILLIAM WENINEGAR

Plaintiffs

vs.

SIMON CURTIS HADLEY

Defendants

SUMMONS AND COMPLAINT

*Interrogatories*

Filed **FILED** 19.....

NOV 4 1964

Clerk

ALICE L. DUCK CLERK  
REGISTER

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

307 Clay Street  
Bay Minette, Alabama

Received In Office

11/3 1964

Sheriff

I have executed this summons

this 11-4 1964

by leaving a copy with

*Simon Curtis Hadley*

Sheriff claims 6

copies at

Ten Cents per mile for a

TAYLOR WILKINS

BY

*Taylor Wilkins*  
DEPUTY SHERIFF

*Taylor Wilkins* Sheriff

*W. A. Talbot* Deputy Sheriff

3 miles north of Bay