

COLLINS, GALLOWAY & MURPHY

ATTORNEYS AT LAW  
958 DAUPHIN STREET  
MOBILE, ALABAMA 36604

FRED G. COLLINS  
THOMAS M. GALLOWAY  
M. THOMAS MURPHY (1924-1956)  
JAMES H. LACKEY

September 19, 1967

P. O. Box 4492  
TELEPHONE  
432-0568  
AREA CODE 205

Mrs. Alice Duck  
Clerk, Circuit Court  
Baldwin County Court House  
Bay Minette, Alabama

Re: Barginer  
vs: Rylee, et als  
Case No. 7415

Dear Mrs. Duck:

Enclosed please find the original and one copy of  
answers to interrogatories being filed on behalf the  
Defendant Harry Gordon Rylee.

Sincerely yours,

COLLINS, GALLOWAY & MURPHY

BY: 

Fred G. Collins

FGC/brm

Encls.

cc: w/encls. Hon. Augustine Meaher, III

LYONS, PIPES & COOK

ATTORNEYS AT LAW

2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III

WALTER M. COOK

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

AUGUSTINE MEAHER, III

JAMES B. KIERCE, JR.

WESLEY PIPES

36601

AREA CODE 205

TEL. 432-4483

P.O. DRAWER 2525

February 6, 1968

Mrs. Alice Duck, Clerk  
Circuit Court  
Baldwin County Court House  
Bay Minette, Alabama

Re: Barginer v. Rylee, et al  
Case No. 7415

Dear Mrs. Duck:

The above case has been settled and will not be tried on February 14, 1968. On behalf of the plaintiff we ask that this case be dismissed and the Court costs taxed against defendant Hall. Please forward your Court costs bill to the Honorable Fred G. Collins.

Very truly yours,

LYONS, PIPES AND COOK

*Augustine Meaher III*

Augustine Meaher, III

AM/bn

cc: Mr. Fred G. Collins  
Attorney at Law  
P.O. Box 4492  
Mobile, Alabama 36601

*note: Please sign and return*

**LYONS, PIPES & COOK**

ATTORNEYS AT LAW

25TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H. LYONS (1900-1957)

36601

AREA CODE 205

SAM W. PIPES, III

TEL. 432-4483

WALTER M. COOK

P. O. DRAWER 79

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

WILLIAM F. HORSLEY

AUGUSTINE MEAHER, III

March 10, 1967

*7W. 7415*

Mrs. Alice J. Duck  
Clerk Circuit Court  
Baldwin County Court House  
Bay Minette, Alabama

Re: Barginer v. Rylee, et al  
Case No.

Dear Mrs. Duck:

We enclose the complaint in the above case and interrogatories for both defendants. Please advise us when service has been obtained.

Yours very truly,

LYONS, PIPES AND COOK

*Augustine Meaher III*

Augustine Meaher, III

AM/bt

enc.

CY BARGINER,

Plaintiff,

vs.

) IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

) AT LAW

HARRY GORDON RYLEE,  
WRENCHER HALL, a/k/a  
RENCHEH HALL, JOHN DOE,  
RICHARD ROE and X, a  
person, firm, individually,  
association or partnership,  
who was the owner of the  
automobile that collided  
with the plaintiff's vehicle  
at the time and place complained  
of in this suit, whose name is  
otherwise unknown but which will  
be added by amendment when ascer-  
tained, JOHN DOE, RICHARD ROE and  
X, a person, firm, individual, asso-  
ciation or partnership who was the  
master, principle, or employer of  
HARRY GORDON RYLEE at the time and  
place complained of in this suit,  
whose name is otherwise unknown  
but which will be added by amendment  
when ascertained, separately and  
severally,

Defendants.

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

#### COUNT ONE

Plaintiff claims of the defendants, separately and severally, the sum of, to-wit, NINE HUNDRED AND NO/100 (\$900.00) DOLLARS as damages for that on, to-wit, May 23, 1966, defendant Harry Gordon Rylee while acting as an agent, servant or employee of defendant Wrencher Hall, a/k/a Rencher Hall, and while acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a motor vehicle on Milwaukee Street, a public street in the City of Robertsdale, County of Baldwin, State of Alabama, at or near the intersection of said street with Alabama Highway No. 104, a public road in said City, said County and said State, that the motor vehicle then and there operated by defendant Harry Gordon Rylee collided with the plaintiff's motor vehicle which was then and there being operated on said Milwaukee Street, at said time and place and as a proximate result of the negligence of the defendants as aforesaid, the plaintiff's automobile was bent,

broken, smashed, the trunk lid was smashed, the rear bumper was bent, the front end was knocked out of alignment, and the vehicle was otherwise rendered permanently less valuable, and plaintiff was deprived of the use thereof for a period of time, all to plaintiff's damages as aforesaid, WHEREFORE PLAINTIFF SUES.

LYONS, PIPES AND COOK  
Attorneys for Plaintiff

By: Augustine Meaher III  
Augustine Meaher, III

Defendants may be served as follows:

Harry Gordon Rylee  
Route 3  
Demopolis, Alabama

Wrencher Hall  
Greensboro  
Alabama

FILED

MAR 16 1967

CLERK  
AUG 1 1967

CY BARGINER, : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY, ALABAMA  
VS: : AT LAW  
HARRY GORDON RYLEE, et als, :  
Defendants. : CASE NO. 7 4 1 5

Comes now the Defendant Harry Gordon Rylee and for answer to the interrogatories heretofore propounded to him says as follows:

1. a. Harry Gordon Rylee.
2. b. No. 10 Jones Trailer Court, Selma, Alabama.
  - c. Galleon, Alabama
  - d. 35 years of age.
2. a. Yes.
  - b. Not applicable.
3. a. Yes.
  - b. Not applicable.
  - c. Several years before the accident.
  - d. Defendant refuses to answer this question on the grounds that same would be utterly immaterial.
  - e. See 3 d.
4. a. As previously stated, I was the owner.
5. a. I was in and about my employment pulling a truck.
6. a. No.
7. a. I was driving a 1963 Peterbuilt truck, Motor No. 352352, Serial No. 15217, pulling a Great Dane trailer, year model 1956.
  - b. Very little damage sustained.
  - c. The brakes, signal devices, steering apparatus, tires, lighting equipment and horn were all in very good condition.
  - d. I checked the brakes, signal devices, steering apparatus, tires and lights on my truck every day.
8. a. I was heading south in order to pick up a load of potatoes.

b. I had left South Greensboro that morning of the accident.

c. I was going to the Robert L. Burner Company to pick up a load of potatoes.

d. I was on a contract haul for Rencher Hall.

e. I was pulling Mr. Hall's trailer to have it loaded with potatoes. Mr. Hall is located on Highway 69 South in Greensboro, Alabama.

f. Other than Mr. Hall, I don't know except maybe the man who was selling the potatoes.

9. a. Yes.

c. I was traveling south on Highway 59 which I understand is Milwaukee Street.

d. South on Highway 59.

e. No.

f. Not applicable.

g. Several blocks.

h. Yes.

i. A traffic control light which has red and green and amber lights to control the movement of traffic through the intersection.

j. Yes.

10. a. Yes.

b. Highway 59 North of the intersection of Highway 104 is four lanes, and the vehicle operated by Garland Pounders was located in the westernmost of the two lanes for Southbound traffic when I first saw it. He was stopped behind another southbound vehicle. With reference to the point of impact, the vehicle he was operating would have been slightly west and slightly north.

c. He would have probably been roughly 10 to 15 feet from the place of the impact when I first saw the vehicle operated by Pounders.

d. I was probably 80 feet or maybe a little bit more from the point of impact when I first observed the vehicle operated by Pounders.

e. The impact occurred North of the center of the intersection and West of a line drawn through the center of the intersection, the line running North and South.

11. a. I was operating my truck Southwardly in the Eastern lane of the two lanes for Southbound traffic and when I was about 80 feet North of the intersection, or maybe a little bit more, I observed or there came to my attention two cars stopped in the Westernmost of the two lanes for Southbound traffic. The Pontiac operated by Pounders was stopped behind the first car. I continued to proceed Southwardly, and when I was about 50 feet behind the Pontiac operated by Pounders, it suddenly pulled to its left in order to get from behind the first car stopped in the lane, and the traffic light was then green for North and Southbound traffic, but the Pontiac pulled into the lane of traffic immediately in front of me and stopped. I immediately blew my horn and applied my brakes, almost simultaneously, and skidded about 20 feet before the impact occurred. The impact occurred when the Pontiac was about half way into the lane that I had been traveling in.

b. The driver of the Plaintiff's vehicle failed to stay in his own proper lane and moved out of the lane he had been operating his car in into the lane in which I was operating my truck at a time when it was hazardous to change lanes.

c. Changing lanes of traffic at a time when it was hazardous to do so, and bringing his vehicle to a stop immediately after changing lanes without any necessity for so doing.

d. Nothing.

e. See answers to other subdivisions of this question.

12. a. This has already been answered.

b. There was no change in course of travel if by this is meant the direction of travel.

c. Already answered.

13. a. No.

b. No.



14. a. Yes.

b. Yes.

c. I am not sure but I know I skidded about 20 feet.

d. Approximately 20 miles an hour.

e. I can't be sure but I skidded about 20 feet so I assume the vehicle traveled a little bit more than 20 feet since it traveled some after I applied the brakes before it started skidding. Neither vehicle moved appreciably after the impact.

f. Applied my brakes.

15. a. The front of my vehicle and the rear of the Plaintiff's vehicle.

b. None.

c. Hardly any appreciable distance.

d. Hardly any appreciable distance.

e. I don't remember seeing any skid marks.

16. a. I don't recall my speed 300 feet from the point of impact but probably 20 to 25 miles an hour.

b. c. d. e. f. I was traveling approximately 20 miles an hour as I approached the intersection. When I was about 50 feet from the point of impact the Plaintiff's vehicle moved suddenly from his own lane into the lane I was operating my vehicle in and I immediately began the process of stopping, and by the time I was 25 feet from the impact I am sure had slowed up some, to maybe 15 to 20 miles per hour, and was probably not traveling over 5 to 10 miles an hour at the moment of impact.

17. a. Stopped.

b. c. d. e. f. g. h. The vehicle of the Plaintiff was stopped, and when I was about 50 feet from it it moved suddenly, but at a speed of not more than 5 or 10 miles an hour probably in a direction from the right hand lane for Southbound traffic to the left hand lane for Southbound traffic and again came to an immediate stop before impact.

18. a. I blew my horn when I saw him moving from the right hand lane to the left hand lane.

b. Already answered.

c. Probably 45 to 50 feet from the point of impact.

d. There was no signal for stopping or turning given by either driver, although the Plaintiff's brake lights came on just after he moved suddenly from his own lane into the lane in which I was traveling.

e. I was unable to stop because I was too close to the back of the Plaintiff's vehicle when it moved suddenly out of his own lane into my lane, and at a time when I was too close to him and constituted an immediate hazard to his movement.

19. a. No.

Harry Gordon Rylee  
Harry Gordon Rylee

COLLINS, GALLOWAY & MURPHY

BY: Fred G. Collins

Fred G. Collins  
ATTORNEYS FOR ABOVE NAMED DEFENDANT

STATE OF ALABAMA:

COUNTY OF Dallas:

Personally appeared before me, the undersigned authority in and for said State and County, Harry Gordon Rylee, known to me and who being by me first duly sworn doth depose and say that the foregoing answers to interrogatories are true and correct to the best of his knowledge, information and belief and upon such knowledge, information and belief he avers said answers to be true and correct.

Harry Gordon Rylee  
Harry Gordon Rylee

Subscribed and sworn to before me on this the 12<sup>th</sup> day of September, 1967.

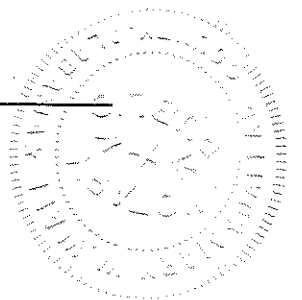
Henry W. Hall  
Notary Public

FILED

SEP 20 1967

ALB 1 DUE

CLERK  
SHERIFF



CY BARGINER,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	
VS:	:	BALDWIN COUNTY, ALABAMA
HARRY GORDON RYLEE,	:	AT LAW
WRENCHER HALL, a/k/a	:	
RENCHER HALL, etc.,	:	
Defendants.	:	CASE NO. 7 4 1 5

Comes now Harry Gordon Rylee and Rincher Hall, Defendants in the above entitled cause, and move to strike from Count One of the Complaint heretofore filed the following allegation:


".....and Plaintiff was deprived of the use thereof for a period of time,....."

And in support of said motion respectfully shows unto the Court as follows:

1. It does not appear from any allegation in said Complaint that the Plaintiff's vehicle was a commercial vehicle.
2. There being no allegation in the complaint that Plaintiff's vehicle was a commercial vehicle or a vehicle being used commercially the Plaintiff would not be entitled to recover for loss of use thereof.

COLLINS, GALLOWAY & MURPHY


BY:

  
Fred G. Collins

ATTORNEYS FOR ABOVE NAMED DEFENDANTS

#### CERTIFICATE OF SERVICE

I do hereby certify that I have on this 2<sup>nd</sup> day of May, 1967, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, and first class postage prepaid.



**FILED**  
MAY 3 1967  
ALBANY, NEW YORK

CY BARGINER,

Plaintiff,

vs.

HARRY GORDON RYLEE,  
WRENCHER HALL, a/k/a  
RENCHER HALL, JOHN DOE,  
RICHARD ROE and X, a  
person, firm, individual,  
association or partnership,  
who was the owner of the  
automobile that collided  
with the plaintiff's vehicle  
at the time and place complained  
of in this suit, whose name is  
otherwise unknown but which will  
be added by amendment when ascer-  
tained, JOHN DOE, RICHARD ROE and  
X, a person, firm, individual, asso-  
ciation or partnership who was the  
master, principle, or employer of  
HARRY GORDON RYLEE at the time and  
place complained of in this suit,  
whose name is otherwise unknown  
but which will be added by amendment  
when ascertained, separately and  
severally,

Defendants.

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

) CASE NO. 7414

#### COUNT ONE

Plaintiff claims of the defendants, separately and severally, the sum of, to-wit, NINE HUNDRED AND NO/100 (\$900.00) DOLLARS as damages for that on, to-wit, May 23, 1966, defendant Harry Gordon Rylee while acting as an agent, servant or employee of defendant Wrencher Hall, a/k/a Rencher Hall, and while acting within the line and scope of his authority as such agent, servant or employee, so negligently operated a motor vehicle on Milwaukee Street, a public street in the City of Robertsedale, County of Baldwin, State of Alabama, at or near the intersection of said street with Alabama Highway No. 104, a public road in said City, said County and said State, that the motor vehicle then and there operated by defendant Harry Gordon Rylee collided with the plaintiff's motor vehicle which was then and there being operated on said Milwaukee Street, at said time and place and as a proximate result of the negligence of the defendants as aforesaid, the plaintiff's automobile was bent,

SUMMONS AND COMPLAINT

3-16-67  
MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7415

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Harry Gordon Rylee and Wrencher Hall, a/k/a  
Rencher Hall

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 Harry Gordon Rylee,  
Wrencher Hall, a/k/a Rencher Hall, et al....., Defendant.s...

by Cy Barginer.....  
....., Plaintiff.....

Witness my hand this 16th day of March 1967.....

Alice J. Duck Clerk

Ex 4-3-67

No. 7415

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

CY BARGINER

Plaintiffs

vs.

HARRY GORDON RYLEE, ET AL

Defendants

1. SUMMONS AND COMPLAINT

2. INTERROGATORIES

Filed March 16, 1967

Alice J. Duck

Clerk

Lyons, Pipes & Cook- P.O. Craver 79  
Mobile, Ala.

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

REC

Received In Office

MAR 16 1967

TAYLOR WILKINS, Sheriff

have executed this summons

this 3 April 1967

by leaving a copy with

Harry Gordon Rylee.

EXECUTED

This the 3 day of April 1967

WILSON BAKER, Sheriff

Deputy Sheriff

Mileage 10

Sheriff

Deputy Sheriff

broken, smashed, the trunk lid was smashed, the rear bumper was bent, the front end was knocked out of alignment, and the vehicle was otherwise rendered permanently less valuable, and plaintiff was deprived of the use thereof for a period of time, all to plaintiff's damages as aforesaid, WHEREFORE PLAINTIFF SUES.

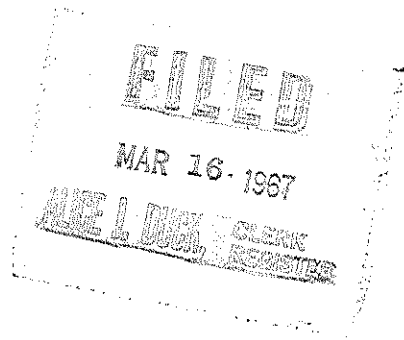
LYONS, PIPES AND COOK  
Attorneys for Plaintiff

By: Augustine Meaher III  
Augustine Meaher, III

Defendants may be served as follows:

Harry Gordon Rylee  
Route 3  
Demopolis, Alabama

Wrencher Hall  
Greensboro  
Alabama



CY BARGINER,

Plaintiff,

vs.

HARRRY GORDON RYLEE,  
WRENCHER HALL, a/k/a  
RENCHEH HALL, JOHN DOE,  
RICHARD ROE and X, a  
person, firm, individual,  
association or partnership,  
who was the owner of the  
automobile that collided  
with the plaintiff's vehicle  
at the time and place complained  
of in this suit, whose name is  
otherwise unknown but which will  
be added by amendment when ascer-  
tained, JOHN DOE, RICHARD ROE and  
X, a person, firm, individual, asso-  
ciation or partnership who was the  
master, principle, or employer of  
HARRY GORDON RYLEE at the time and  
place complained of in this suit,  
whose name is otherwise unknown  
but which will be added by amendment  
when ascertained, separately and  
severally,

Defendants.

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

CASE NO. 7415

INTERROGATORIES TO THE DEFENDANT  
WRENCHER HALL

COMES NOW the plaintiff in the above entitled cause and  
desiring the testimony of Wrencher Hall propounds to the said  
defendant the following Interrogatories as provided Under Section  
477, et. seq. of Title 7 of the Code of Alabama to be answered by  
him in writing under oath:

1. a. What is your full and complete name?  
b. What is your present address?  
c. What was your address on May 23, 1966?
2. a. Were you the driver of a Peterbuilt truck bearing  
1966 Alabama license tag number FH4-2697 which was  
involved in an accident on May 23, 1966, on Milwaukee  
Street at the intersection of Alabama Highway #104 in  
the City of Robertsedale, County of Baldwin, State of  
Alabama?  
b. If answer to 2-a is negative, give the full name and ad-  
dress of the operator of said Peterbuilt truck at the time  
of the accident made the basis of this suit?

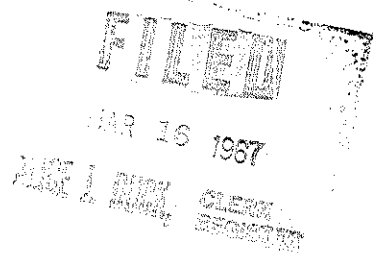


3. a. Were you the owner of a Peterbuilt truck bearing 1966 Alabama license tag number FH4-2697 which was involved in an accident on May 23, 1966, on Milwaukee Street at the intersection of Alabama Highway #104 in the City of Robertsdale, County of Baldwin, State of Alabama?
- b. If answer to 3-a is negative, give the full name and address of the owner of said Peterbuilt truck?
- c. If answer to 3-a is affirmative, when did you acquire said Peterbuilt truck?
- d. If answer to 3-a is affirmative, from whom did you acquire said Peterbuilt truck?
- e. If answer to 3-a is affirmative, where did you acquire said Peterbuilt truck?
4. a. Did you hold any interest in a Peterbuilt truck bearing 1966 Alabama license tag number FH4-2697 which was involved in an accident on May 23, 1966, on Milwaukee Street at the intersection of Alabama Highway #104 in the City of Robertsdale, County of Baldwin, State of Alabama?
- b. If answer to 4-a is affirmative, what was the nature of this interest?
- c. If answer to 4-a is affirmative, when and under what circumstances did you acquire said interest?
5. a. Explain fully and in detail all circumstances by which Harry Gordon Rylee was operating your Peterbuilt truck at the time of the accident made the basis of this suit?
- b. Was said Peterbuilt truck being operated with your permission or consent at the time of the accident made the basis of this suit?
- c. If answer to 5-b is negative, explain in detail all circumstances by which Harry Gordon Rylee gained possession of said truck and operated the same without your permission or consent?
- d. If answer to 5-b is negative, did you report to any police agency that said truck was being operated without your permission or consent, and if you answer in the affirmative, give the full particulars of your report including to whom it was made and the approximate time at which it was made?
- e. Had Harry Gordon Rylee used said Peterbuilt truck without your permission or consent on any occasion prior to the accident made the basis of this suit?
- f. If answer to 5-e is affirmative, what were the circumstances surrounding each of said occasions, and what if any, corrective action was taken by you on each of said occasions.
6. a. Prior to this accident, when was the last time this truck was in your possession?
- b. Prior to this accident, when and to whom did you surrender possession of this truck?

- c. Subsequent to this accident, when was the truck returned to your possession?
  - d. Subsequent to this accident, who returned this truck to your possession?
  - e. When you surrendered possession of your truck prior to this accident, did you give the user any special instructions on the operation of the vehicle?
  - f. If answer to 6-e is affirmative, what was the nature and content of these instructions?
  - g. If answer to 6-e is affirmative, were the instructions oral or written, and at what place were these instructions communicated or delivered to the user of your truck?
  - h. For what reason or reasons did you surrender possession of this truck prior to the accident, made the basis of this suit?
7. a. At the time of the accident made the basis of this suit was Harry Gordon Rylee operating this Peterbuilt truck on your business or behalf.
- b. What is the nature of your business or employment?
- c. What is the full name and address of your employer as of May 23, 1966?
8. a. Prior to the accident made the basis of this suit, when did you entrust Harry Gordon Rylee with the ignition key to the truck involved in this accident?
- b. Is the ignition key to the Peterbuilt truck involved in this accident normally kept in your possession?
- c. If answer to 8-b is negative, who customarily holds possession of the ignition key to the Peterbuilt truck involved in this accident?
- d. Where did you keep the ignition key to the Peterbuilt truck involved in this accident, at such time as the key was not actually on your person?

LYONS, PIPES AND COOK  
Attorneys for Plaintiff

By: Augustine Meaher III  
Augustine Meaher, III



STATE OF ALABAMA

COUNTY OF MOBILE

Personally appeared before me, a Notary Public in and for said County and State, the undersigned Augustine Meaher, III having been by me first duly sworn, deposes and says that he is of Counsel for the Plaintiff and as such has authority to make this Affidavit and that answers to the foregoing Interrogatories if well and truly made will be material testimony for the plaintiff upon the trial of this cause.

Augustine Meaher III  
Augustine Meaher, III

Subscribed and sworn to before me this the 15th day of  
March, 1967.

Bruce Lyle Burnet  
NOTARY PUBLIC

Defendant Wrencher Hall may be served:

Wrencher Hall  
Greensboro  
Alabama

CY BARGINER,

Plaintiff,

vs.

HARRY GORDON RYLEE,  
WRENCHER HALL, a/k/a  
RENCHER HALL, JOHN DOE,  
RICHARD ROE and X, a  
person, firm, individual,  
association or partnership,  
who was the owner of the  
automobile that collided  
with the plaintiff's vehicle  
at the time and place complained  
of in this suit, whose name is  
otherwise unknown but which will  
be added by amendment when ascer-  
tained, JOHN DOE, RICHARD ROE and  
X, a person, firm, individual, asso-  
ciation or partnership who was the  
master, principle, or employer of  
HARRY GORDON RYLEE at the time and  
place complained of in this suit,  
whose name is otherwise unknown  
but which will be added by amendment  
when ascertained, separately and  
severally,

Defendants.

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

) CASE NO. 7415

INTERROGATORIES TO THE DEFENDANT  
HARRY GORDON RYLEE

COMES NOW the plaintiff in the above entitled cause and desiring the testimony of Harry Gordon Rylee propounds to the said defendant the following Interrogatories as provided Under Section 477, et. seq. of Title 7 of the Code of Alabama to be answered by him in writing under oath:

1. a. What is your full and complete name?  
b. What is your present address?  
c. What was your address on May 23, 1966?  
d. What is your date of birth?
2. a. Were you the driver of a Peterbuilt truck bearing 1966 Alabama license tag number FH4-2697 which was involved in an accident on May 23, 1966, on Milwaukee Street at the intersection of Alabama Highway #104 in the City of Robertsdale, County of Baldwin, State of Alabama?

- b. If answer to 2-a is negative, give the full name and address of the operator of said Peterbuilt truck at the time of the accident made the basis of this suit?
3.
  - a. Were you the owner of a Peterbuilt truck bearing 1966 Alabama license tag number FH4-2697 which was involved in an accident on May 23, 1966, on Milwaukee Street at the intersection of Alabama Highway #104 in the City of Robertsdale, County of Baldwin, State of Alabama?
  - b. If answer to 3-a is negative, give the full name and address of the owner of said Peterbuilt truck?
  - c. If answer to 3-a is affirmative, when did you acquire said Peterbuilt truck.
  - d. If answer to 3-a is affirmative, from whom did you acquire said Peterbuilt truck?
  - e. If answer to 3-a is affirmative, where did you acquire said Peterbuilt truck?
4.
  - a. Did you hold any interest in a Peterbuilt truck bearing 1966 Alabama license tag number FH4-2697 which was involved in an accident on May 23, 1966, on Milwaukee Street at the intersection of Alabama Highway # 104 in the City of Robertsdale, County of Baldwin, State of Alabama?
  - b. If answer to 4-a is affirmative, what was the nature of this interest?
  - c. If answer to 4-a is affirmative, when and under what circumstances did you acquire said interest?
5.
  - a. Explain fully and in detail all circumstances by which you were operating a Peterbuilt truck not registered in your name at the time of the accident made the basis of this suit?
  - b. What is the full name and address of the person from whom you obtained the ignition key to the vehicle that you were operating at the time of the accident made the basis of this suit?
  - c. On what date and at what place did you acquire the ignition key to the vehicle that you were operating at the time of the accident made the basis of this suit?
6.
  - a. Were there any other occupants in the vehicle in which you were riding at the time of this accident?
  - b. If answer to 6-a is affirmative, what are the full names and addresses of the other occupants in this vehicle at the time of said accident?
7.
  - a. Describe completely and in detail the vehicle occupied by you 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. Describe the damage sustained by said vehicle?
  - c. What was the condition of the brakes, signal devices, steering apparatus, tires, and lighting equipment on said vehicle at the time of the accident made the basis of this suit?
  - d. When had the brakes, signal devices, steering apparatus, tires and lights on said motor vehicle last been inspected prior to said accident and by whom?
- 8.
- a. What was the purpose of the trip you were making at the time of the accident made the basis of this suit?
  - b. From what point and at what time had you departed?
  - c. What was your destination?
  - d. Were you performing a mission, errand or duty for anybody whatsoever?
  - e. If your answer to 8-d is affirmative, what was the nature of the mission, errand or duty which you were performing and what is the full name and address of the person for whom you were performing it?
  - f. What is the full name and address of each and every person or firm who had any interest whatsoever in the trip that was being made by you on the occasion of said accident, and what was the nature of said interest?
- 9.
- a. Did the accident made the basis of this suit occur at the intersection of Milwaukee Street and Alabama Highway #104 in the City of Robertsdale, County of Baldwin, State of Alabama?
  - b. If answer to 9-a is negative, what is the location at which the accident occurred?
  - c. On what street and in what direction were you traveling immediately prior to this accident?
  - d. On what street and in what direction was plaintiff's vehicle traveling immediately prior to this accident?
  - e. Was your view of the street on which you were traveling immediately before this accident obscured in any manner?
  - f. If answer to 9-E is affirmative, describe the object or matter that obscured your view?
  - g. What distance approximately, could you see ahead on the street which you were traveling immediately before this accident?
  - h. Were there any stop signs or other traffic controls located at the scene of this accident?
  - i. If answer to 9-h is affirmative, describe the sign or traffic control?

- j. If answer to 9-h is affirmative, was the sign or traffic control visible to traffic traveling on the street on which you were traveling at the time of this accident?
10. a. Did you see the vehicle operated by Garland Webster Pounders before the actual collision?
- b. If answer to 10-a is affirmative, where was the vehicle operated by Garland Webster Pounders located with reference to the point of impact in this accident when you first observed same prior to said accident?
  - c. How many feet was the motor vehicle in which plaintiff was riding from the place of 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 of the intersection at which this accident occurred?
11. 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 plaintiff's vehicle failed to do to avoid said accident?
  - c. Describe each and everything done by the driver of the plaintiff's vehicle which contributed to the cause of said accident?
  - d. Describe 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 plaintiff's vehicle on the occasion of this accident?
12. a. State fully, specifically, and in detail each and every act or thing done by the operator of the vehicle 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 course of travel made by the vehicle in which you were riding immediately prior to this accident?
  - c. Describe each change in the course of travel made by the plaintiff's vehicle immediately prior to this accident?

13. a. Had you consumed any intoxicating beverages, within the 12 hours next preceding the occurrence of this accident?
- b. If answer to 13-a is affirmative, at what time or times were the intoxicating beverages consumed?
- c. If answer to 13-a is affirmative, what was the nature and quantity of the intoxicating beverages consumed by you?
- d. Within the eight hours immediately preceding the time of this accident, were drugs of any type injected or otherwise introduced into your body?
- e. If answer to 13-d is affirmative, what type of drug injected or otherwise introduced into your body?
- f. If answer to 13-d is affirmative, at what time or times were the drugs injected or introduced into your bodies and in what quantities?
14. a. Were the brakes on the vehicle operated by you in good working order at the time of the accident made the basis of this suit?
- b. Did you apply the brakes on the vehicle operated by you prior to the collision?
- c. If answer to 14-b is affirmative, did the application of your brakes cause skid marks to be left on the surface of the street on which you were traveling?
- d. If answer to 14-b is affirmative, state the speed in miles per hour your vehicle was traveling at the moment the brakes were applied?
- e. If answer to 14-b is affirmative, how many feet did your vehicle travel from the moment the brakes were applied until the vehicle came to a stop after the occurrence of this accident?
- f. What action, if any, did you take to avoid striking the plaintiff's vehicle?
15. a. State specifically what portion of the vehicles involved in this accident first came in contact with each other?
- b. Describe the portions which next came in contact after the initial impact?
- c. What was the distance traveled by each of the vehicles involved in this accident from the point of impact to the point where each of said vehicles first came to stop?
- d. In what direction did each of said motor vehicles move from the point of impact until each came to a complete stop?



- e. Describe and locate each and every skid mark which lead up to the point of impact?
16. What was the speed of the motor vehicle operated by you at the following points:
- a. When you were 300 feet from the point of impact?
  - b. When you were 100 feet from the point of impact?
  - c. When you were 50 feet from the point of impact?
  - d. When you were 25 feet from the point of impact?
  - e. At the time of impact?
  - f. When you first observed the plaintiff's vehicle?
17. According to your best judgment, what was the speed of plaintiff's vehicle at the following points:
- a. When you first observed same prior to the accident made the basis of this suit?
  - b. At a point 150 feet from the point of impact?
  - c. At a point 75 feet from the point of impact?
  - d. At a point 50 feet from the point of impact?
  - e. At a point 25 feet from the point of impact?
  - f. At a point 10 feet from the point of impact?
  - g. At the time of impact?
  - h. Immediately after impact?
18. a. Was any horn or any other signal given as a warning by the operator of either vehicle involved in this accident prior to the time of the collision?
- b. If answer to 18-a is affirmative, describe each of said signals given by each respective driver specifically and in detail?
  - c. If answer to 18-a is affirmative, state how far distance from the point of impact each vehicle was located at the time said signal was given?
  - d. If any signals for stopping or turning were given by either driver immediately prior to said collision, describe said signal and state how far distance from the point of impact said signal was given?
  - e. Why did you not stop your vehicle before colliding with the plaintiff's vehicle?

19. a. Aside from the vehicles owned or operated by the parties to this law suit, were any other motor vehicles in any way involved in the accident made the basis of this suit?
- b. If answer to 19-a is affirmative, describe in detail the manner in which said other vehicles were involved in this accident?
- c. If answer to 19-a is affirmative, what is the full name and address of the owner and operator of each other vehicle involved in this accident?

LYONS, PIPES AND COOK  
Attorneys for Plaintiff

By: Augustine Meaher III  
Augustine Meaher, III

STATE OF ALABAMA

COUNTY OF MOBILE

Personally appeared before me, a Notary Public, in and for said County and State, the undersigned Augustine Meaher, III having been by me first duly sworn, deposes and says that he is of Counsel for the plaintiff and as such has authority to make this affidavit, and that answer to the foregoing interrogatories if well and truly made, will be material testimony for the plaintiff upon the trial of this case.

Augustine Meaher III  
Augustine Meaher, III

Sworn and subscribed before me this the 15 day of March,

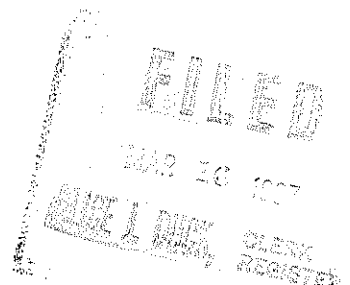
1967.

Belle Fay Bunch  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

Defendant Harry Gordon Rylee may be served:

Harry Gordon Rylee  
Route 3  
Demopolis, Alabama

# 10 Jones Trailer Ct.  
Selma, Ala.



RECEIVED  
3-18-67  
SHERIFF  
Hale County,  
Alabama

THE SHERIFF

CLAIMS 8  
MILES AT 10c PER  
MILE FOR A TOTAL  
OF \$ .80

Executed this 21 day of  
March 1967 by  
leaving a copy of the within with  
Rancho Hall  
Robert Buford D.S.

Sheriff