

BESSIE MAE BURNS, as
Administratrix of the
Estate of EVETT JAMES
PAGE, Deceased,

Plaintiff,

VS.

ORA M. QUINN and ROBERT
HAY, jointly and
individually,

Defendants.

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA

) AT LAW

)

)

)

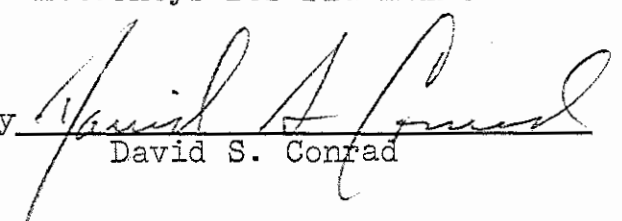
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CASE NO. 7880

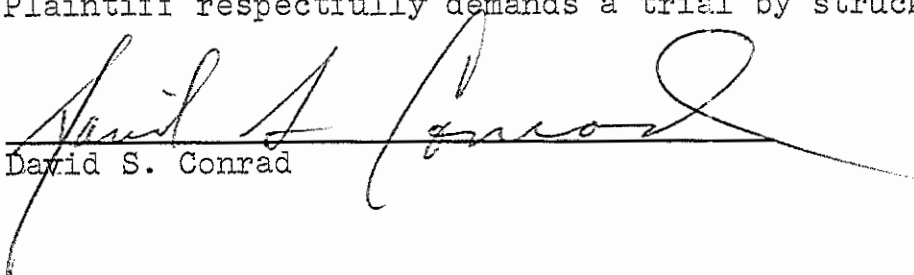
Plaintiff claims of the Defendants the sum of Fifty Thousand and 00/100 (\$50,000.00) Dollars for that heretofore and on, to-wit, the 19th day of August, 1967, while Evett James Page was a passenger in a car being driven in a northerly direction on and along Milwaukee at or near its intersection with Ohio Street, both public streets in the City of Robertsedale, Alabama, Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, so negligently operated a vehicle on Ohio Street at the time and place mentioned that it collided with the vehicle in which Evett James Page was a passenger and as a direct and proximate result of the negligence of the Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, Evett James Page received severe personal injuries in this: he was fatally injured, wherefore your Plaintiff seeks punitive damages.

TYSON, MARR AND FRIEDLANDER
Attorneys for Plaintiff

By


David S. Conrad

Plaintiff respectfully demands a trial by struck jury.


David S. Conrad

FILED

NOV 28 1967

ALICE J. DUCK CLERK
REGISTER

Defendants may be served:

Ora M. Quinn
Robertsdale, Alabama

Robert Hay
211 West Bayliss Street
Pensacola, Florida

Please serve Defendant Robert Hay through the Secretary of
State, Montgomery, Alabama.

Alia

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7880

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to SummonOra M. Quinn -.....

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.....Ora M. Quinn &

Robert Hay, Jointly & Individually....., Defendant.....

byBessie Mae Burns, as Administratrix of the Estate of Everett James Page, Deceased,

....., Plaintiff.....

Witness my hand this.....27th.....day of.....December.....19.67.....

Alia J. Quack, Clerk

Ex 12 / 29 / 67

No. 7880.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

BESSIE MAE BURNS, As Administratrix
of the Estate of Evett James Page,

Deceased.....

Plaintiffs

vs.

ORA M. QUINN & ROBERT HAY, Jointly

& Individually

Defendants

SUMMONS AND COMPLAINT

Filed Nov. 28, 1967 19.....

Alice J. Duck Clerk

Tyson, Marr & Friedlander

158 St. Louis St.

Mobile, Ala.

Plaintiff's Attorney

Defendant's Attorney

1109
Serve Secretary of State

Defendant lives at
Ora M. Quinn 6805 Larchmont Drive
North Highland, California

RECEIVED IN OFFICE

Received In Office

DEC 28 1967

DEC 28 1967

19.....

M. S. BUTLER, Sheriff

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 3 copies of
the within on Mable Quinn
Secretary of State of The State of
Alabama.

This the 27 day of Dec, 1967

Sheriff of Montgomery County

M. S. Butler,

By W. L. Mason D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for

serving 1 process(es) and \$1.00

travel expense on each of 1 Sheriff

process(es) or a total of \$2.50
Deputy Sheriff

W. L. Mason Deputy Sheriff

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7880

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

.....Ora M. Quinn and Robert Hay jointly and individually.....

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.....

.....Ora M. Quinn and Robert Hay, jointly and individually..... Defendant.....

byBessie Mae Burns, as Administratrix of the Estate of the late Everett James Page, deceased

....., Plaintiff.....

Witness my hand this.....28.....day of.....November..... 19.67..

.....*Bessie Mae Burns*..... Clerk

Ex 21-1-67

No.....7880....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT.

..... BESSIE MAE BURNS, as Administratrix
of the Estate of EVETT JAMES PAGE
deceased

Plaintiffs

vs.

..... ORA M. QUINN and ROBERT HAY

Defendants

SUMMONS AND COMPLAINT

Filed 11-28-67 19.....

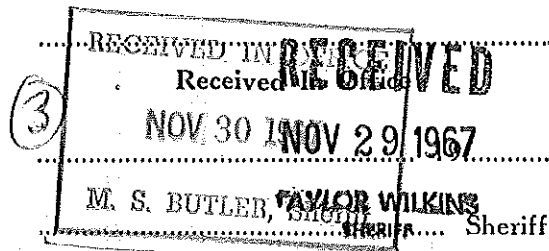
..... Alice J. Duck Clerk

..... Tyson, Marr & Friedlander

Plaintiff's Attorney

.....
Defendant's Attorney

879
Defendant lives at



I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 3 copies of
the within on Mable Amos
Secretary of State of The State of
Alabama.

This the 1 day of Dec 19 67

Sheriff of Montgomery County

M. S. Butler,

By W. L. Moson D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for

serving 1 process(es) and \$1.00

travel expense on each of Sheriff

process(es) or a total of \$2.50
Deputy Sheriff

W. L. Moson Deputy Sheriff

BESSIE MAE BURNS, as
Administratrix of the
Estate of EVETT JAMES
PAGE, Deceased,

Plaintiff,

VS.

ORA M. QUINN and ROBERT
HAY, jointly and
individually,

Defendants.

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE NO. 7880

Plaintiff claims of the Defendants the sum of Fifty Thousand and 00/100 (\$50,000.00) Dollars for that heretofore and on, to-wit, the 19th day of August, 1967, while Evett James Page was a passenger in a car being driven in a northerly direction on and along Milwaukee at or near its intersection with Ohio Street, both public streets in the City of Robertsdale, Alabama, Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, so negligently operated a vehicle on Ohio Street at the time and place mentioned that it collided with the vehicle in which Evett James Page was a passenger and as a direct and proximate result of the negligence of the Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, Evett James Page received severe personal injuries in this: he was fatally injured, wherefore your Plaintiff seeks punitive damages.

TYSON, MARR AND FRIEDLANDER
Attorneys for Plaintiff

By David S. Conrad
David S. Conrad

Plaintiff respectfully demands a trial by struck jury.

David S. Conrad
David S. Conrad

FILED

NOV 28 1967

196

LAW OFFICES
TYSON, MARR AND FRIEDLANDER
158 ST. LOUIS STREET
MOBILE, ALABAMA

ALICE J. DUCK

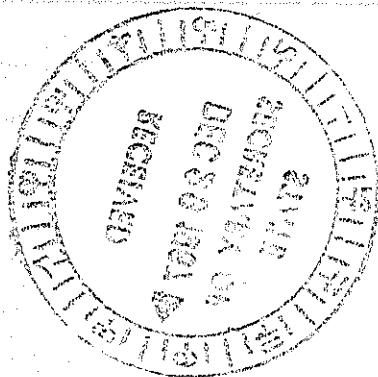
CLERK
REGISTER

Defendants may be served:

Ora M. Quinn
Robertsdale, Alabama

Robert Hay
211 West Bayliss Street
Pensacola, Florida

Please serve Defendant Robert Hay through the Secretary of
State, Montgomery, Alabama.



BESSIE MAE BURNS, as	)	IN THE CIRCUIT COURT OF
administratrix of the estate of)	
Evelt James Page, deceased,	)	BALDWIN COUNTY, ALABAMA
)	
Plaintiff,	)	AT LAW
)	
v.)	
)	
ORA M. QUINN and ROBERT)	
HAY, jointly and individually,)	
)	
Defendants.	)	CASE NO. 7880

— — — — —

Defendant Robert Hay, for answer to the complaint, sayeth:

1. He is not guilty of the matters alleged therein.

Lawrence H. Hipsh, Sr.
 Lawrence H. Hipsh, Sr.
 314 South Baylen Street
 Pensacola, Florida 32501
 Attorney for Defendant Robert Hay

I HEREBY CERTIFY that a copy hereof has been furnished to David S. Conrad, Esq., Tyson, Marr & Friedlander, 158 St. Louis Street, Mobile, Alabama, Attorneys for Plaintiff, by mail this 29th day of December, 1967.

Filed 12-30-67
Accepted
- Clerk -

Lawrence H. Hipsh, Sr.
 Lawrence H. Hipsh, Sr.
 Attorney for Defendant Robert Hay

BESSIE MAE BURNS, as
Administratrix of the
Estate of EVETT JAMES
PAGE, Deceased,

Plaintiff,

VS.

ORA M. QUINN and ROBERT
HAY, jointly and indiv-
idually,

Defendants.

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

*

*

*

*

CASE NO. 7880


PLEA IN ABATEMENT


Comes now one of the defendants in the above-styled cause, Ora M. Quinn, separately and severally, and appears solely and specially for the purpose of filing the following plea in abatement and for no other purpose, and, pleading in abatement, assigns the following separate and several grounds of abatement to the plaintiff's complaint and each count thereof, separately and severally:

1. This suit cannot be maintained, but must be abated because the alleged deceased, Evett James Page, was a minor at the time of his alleged death and this action was brought within six months after the alleged death, hence said action cannot be maintained by the Administratrix of the Estate of said Evett James Page, deceased.

2. This suit cannot be maintained, but must be abated because the alleged deceased, Evett James Page, was a minor at the time of his alleged death, therefore proceedings in this action must be maintained under the provisions of Title 7, Section 119, Code of Alabama 1940, as last amended and not by the Administratrix of the Estate

of Evett James Page, deceased, or other personal representative of the deceased minor child.


Donald F. Pierce



Larry U. Sims

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES AND JOHNSTON

STATE OF ALABAMA)
COUNTY OF MOBILE)

Before me, the undersigned Notary Public in and for said County in said State, personally appeared Larry U. Sims, who, being by me first duly sworn, doth depose and say that the facts set forth in the foregoing Plea in Abatement are true and correct.

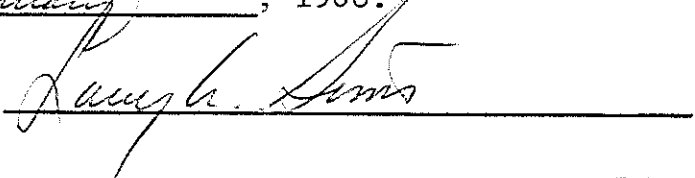

Larry U. Sims

Subscribed to and sworn before me on this 23rd day
of January, 1968.


Notary Public, Mobile County, Alabama

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing pleading to David S. Conrad, Esquire, Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to Mr. Conrad at his office in Mobile, Alabama on this, the 23rd day of January, 1968.



FILED

JAN 24 1968

ALICE J. DUCK CLERK
REGISTER


BESSIE MAE BURNS, as	)	IN THE CIRCUIT COURT OF
Administratrix of the)	
Estate of EVETT JAMES	)	BALDWIN COUNTY, ALABAMA
PAGE, Deceased,)	
Plaintiff,	)	AT LAW
v.)	
ORA M. QUINN and ROBERT HAY,)	
jointly and individually,)	
Defendants.	)	CASE NO. 7880

MOTION TO STRIKE

Comes now the defendant Robert Hay in the above styled cause and shows unto this Honorable Court the following:

1. That the defendant Robert Hay nor his attorney, Lawrence H. Hipsh, Sr., has ever received notice of any interrogatories being propounded to the said defendant Robert Hay on November 20, 1967, or, in fact, at any other time.
2. That said interrogatories are required to be served on the party to whom they are addressed or his attorney of record by the Clerk of said Court wherein interrogatories are filed, by sending such copy by mail, postage prepaid, to either one of them at their place of residence in compliance with Title 7, Section 478, Code of Alabama.
3. The plaintiff has failed to instruct the Clerk to send such copy of said interrogatories via mail or otherwise and continues to fail to so instruct the Clerk.

WHEREFORE, the defendant moves this Honorable Court to strike plaintiff's motion for judgment nil dicit and instruct the plaintiff to send to the defendant or his attorney a copy of the interrogatories they wish answered and they will be answered forthwith.


 LAWRENCE H. HIPSH, SR.
 Hopkins, Hipsh & Wilson
 314 South Baylen Street
 Pensacola, Florida
 Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have on this 14th day of August, 1968, 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.

Lawrence H. Hipsh Sr.
LAWRENCE H. HIPSH, SR.

FILED

AUG 15 1968

ALICE J. BUCK CLERK
REGISTER

December 4, 1967

BESSIE MAE BURNS, AS ADMINISTRATRIX OF THE
ESTATE OF EVETT JAMES PAGE, DECEASED,
Plaintiff

VS

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

ROBERY HAY, et al, Defendants

CASE NO. 7,880

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on December 1, 1967
I sent by certified mail in an envelope addressed as follows:

"Robert Hay
211 West Bayliss Street
Pensacola, Florida 32505"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of
the State of Alabama in words and figures as follows:

"Robert Hay
211 West Bayliss Street
Pensacola, Florida 32505

You will take notice that on December 1, 1967 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: BESSIE MAE BURNS, AS ADMINISTRATRIX OF THE ESTATE OF EVETT
JAMES PAGE, DECEASED, Plaintiff VS ROBERT HAY, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 7,880 a true copy of which summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and
effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 1st
day of December, 1967

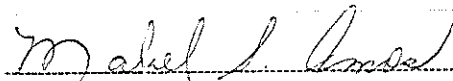
Enclosure (1)

(Signed) Mabel Amos
Secretary of State

I further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint in the above-styled
cause.

I further certify that on December 4, 1967 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at NOT LEGIBLE
on December 2, 1967

WITNESS MY HAND and the Great Seal of the State of Alabama this the 4th day
of December, 1967



Mabel Amos
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
CC: Honorable David S. Conrad
Tyson, Marr & Friedlander
158 St. Louis Street
Mobile, Alabama 36602

January 15, 1968

BESSIE MAE BURNS, AS ADMINISTRATRIX OF THE
ESTATE OF EVETT JAMES PAGE, DECEASED,
Plaintiff

VS

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

ORA M. QUINN, et al, Defendants

CASE NO. 7,880

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on January 4, 1968
I sent by certified mail in an envelope addressed as follows:

" Ora M. Quinn
6805 Larchmont Drive
North Highlands, California 95660"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of
the State of Alabama in words and figures as follows:

" Ora M. Quinn
6805 Larchmont Drive
North Highlands, California 95660

You will take notice that on December 29, 1967 ^{ALIAS} the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: BESSIE MAE BURNS, AS ADMINISTRATRIX OF THE ESTATE OF EVETT JAMES
PAGE, DECEASED VS ORA M. QUINN, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 7,880 a true copy of which ^{ALIAS} summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and
effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 4th
day of January, 1968

Enclosure (1)

(Signed) Mabel Amos
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the ^{ALIAS} summons and complaint in the above-styled
cause.

I further certify that on January 15, 1968 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at PLACE NOT GIVEN
on January 10, 1968

WITNESS MY HAND and the Great Seal of the State of Alabama this the 15th day
of January, 1968

Mabel S. Amos

Mabel Amos
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.

CC: Honorable David S. Conrad
Tyson, Marr and Friedlander
158 St. Louis Street
Mobile, Alabama 36601

BESSIE MAE BURNS, as	)	IN THE CIRCUIT COURT OF
Administratrix of the)	
Estate of EVETT JAMES	)	BALDWIN COUNTY, ALABAMA
PAGE, Deceased,)	
Plaintiff,	)	AT LAW
v.)	
ORA M. QUINN and ROBERT HAY,)	
jointly and individually,)	
Defendants.	)	CASE NO. 7880

ANSWERS TO PLAINTIFF'S INTERROGATORIES

Comes now the defendant Robert Hay in the above styled cause, and for answer to plaintiff's interrogatories says:

1. (a) Robert M. Hay, 28, 211 West Bayliss Street, Pensacola, Florida, none.
- (b) Yes, except for middle initial "M".
- (c) Robert M. Hay
 - (1) N/A
 - (2) N/A
- (d) Robertsdale, Alabama, 8-19-67, dusk dark.
2. (a) Person.
- (b) N/A
- (c) N/A
3. (a) Ford, Galaxie 500, 1964, two door hardtop, blue and white.
- (b) Robert M. Hay, 211 West Bayliss Street, Pensacola, Florida.
- (c) Ora M. Quinn, Sacramento, California.
- (d) Whole right side of vehicle destroyed.
- (e) \$805.74, Muldon Motors, Inc., 111 East Wright Street, Pensacola, Florida.
- (f) All damages repaired and the amount of the bill was \$805.74.
- (g) To the best of my knowledge they were all working properly and I have no knowledge if they were used at the time of the accident as I was not present.

(h) Vehicle had frequent inspections by its owner, its tires were replaced about eight months prior to the accident.

4. (a) The owner was not the driver, the owners aunt, Ora M. Quinn, was the driver. She was en route to pick up her brother so he could go to the hospital with her in Foley, Alabama.

(b) Self-employed.

(c) Her own.

(d) No knowledge.

5. (a) No knowledge.

(b) Personal.

(c) Mrs. Quinn, my aunt, was going to her brother's house to see if he would go to the hospital with her in Foley, Alabama.

(d) Mrs. Quinn had departed from Robertsdale, Alabama.

(e) I was told her destination was her brother's house in Robertsdale, Alabama, and then on to the hospital in Foley, Alabama.

(f) N/A

(g) N/A

(h) I was not notified until several hours after the accident and did not go to Robertsdale until the next morning.

6. (a) (b) (c) (d) (e) No knowledge.

7. (a) (1) (2) (3) (b) (c) (d) (e) No personal knowledge.

8. (a) (b) (c) (d) (e) (f) No personal knowledge.

9. (a) (b) (c) (d) (e) No personal knowledge.

10. (a) (b) (c) (d) No personal knowledge.

11. (a) (b) (c) (d) (e) (f) (g) (h) (i) No personal knowledge.

12. (a) (b) (c) No personal knowledge.

13. (a) (b) (c) No personal knowledge.

14. (a) (b) (c) (d) No personal knowledge.

15. (a) Right front side of my automobile with the front of the other vehicle.

(b) None.

16. (a) (b) (c) (d) (e) No personal knowledge.

17. (a) (b) (c) (d) (e) (f) (g) (h) No personal knowledge.

18. (a) (b) (c) (d) No personal knowledge.

19. (a) (b) (c) (d) No personal knowledge.

20. (a) (b) (c) (d) (e) No personal knowledge.

21. Yes.

22. No personal knowledge.

23. (a) No.

(b) (c) (d) No personal knowledge.

24. No personal knowledge.

25. No personal knowledge.

26. (a) (b) No personal knowledge.

27. The front of the vehicle moderately damaged.

28. No personal knowledge.

29. No personal knowledge.

30. No personal knowledge.

31. No personal knowledge.

32. No personal knowledge.

33. No personal knowledge.

34. No personal knowledge.

35. None.

36. Yes. In the offices and in the presence of my attorney,

Lawrence H. Hipsh, Sr.

37. In my statement previously made, there is contained in the statement that my aunt had permission to drive my vehicle. This was a presumption on my part and I have since learned that my aunt picked the car keys up at this defendant's grandmother's home without ever asking me if it was all right. My aunt, Mrs. Quinn, had never used my vehicle or even requested the use of my vehicle from me personally.

38. Yes.

39. Honorable discharge.

40. No personal knowledge.

41. No personal knowledge.

42. No.

43. I do not have a copy of the statement but you should be able to get a copy of the statement from Mrs. Quinn's insurance company as it was her adjuster who was employed by Crawford and Company here in Pensacola who took the statement, in which is contained the discrepancies mentioned above.

44. No knowledge.

45. No knowledge.

46. No knowledge.

47. No knowledge.

48. No knowledge.

49. No knowledge.

50. No knowledge.

51. No knowledge.

52. No knowledge.

53. N/A

54. No knowledge.

55. (a) (b) No knowledge.

56. (a) (b) No knowledge.

57. (a) (b) (c) No knowledge.

58. (a) No knowledge.

(b) No.

59. 1 and 2 N/A


Robert M. Hay, Defendant

STATE OF FLORIDA)

COUNTY OF ESCAMBIA)

Before me personally appeared Robert M. Hay, who, being first duly sworn, stated that he is the defendant in the above cause and that the foregoing answers to interrogatories are true.

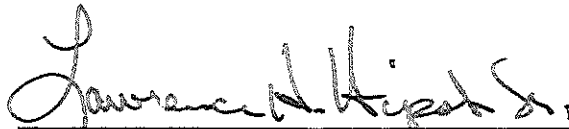
Sworn to and subscribed before me this 26th day of August, 1968.


Notary Public

My commission expires: 4-23-71

CERTIFICATE OF SERVICE

I hereby certify that I have on this 26th day of August, 1968,
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.



LAWRENCE H. HIPSH, SR.

Hopkins, Hipsh & Wilson
314 South Baylen Street
Pensacola, Florida
Attorneys for Defendant

FILED
AUG 27 1968
WILLIAM J. LOCK CLERK
REGISTER

BESSIE MAE BURNS, as Administratrix
of the Estate of EVETT JAMES PAGE,
Deceased,

Plaintiff,

VS.

ORA M. QUINN and ROBERT HAY, jointly
and individually,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Defendants.

CASE NO. 7880

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 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.

TYSON, MARR AND FRIEDLANDER
Attorneys for Plaintiff

By David S. Conrad
David S. Conrad

A copy of these interrogatories was served by mail in accordance with Title 7, Section 349, Subsection 1 and Subsection 2 of the Code of Alabama 1958 Recompiled (Cumulative Pocket Part), on the 16th day of August, 1968.

David S. Conrad

STATE OF ALABAMA)
COUNTY OF MOBILE)

Personally appeared before me, _____, the undersigned authority, David S. Conrad, 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.

David S. Conrad

Subscribed and sworn to before me on this the _____ day of _____, 196_____.

Notary Public, Mobile County, Alabama

RECEIVED

SEP 4 1968

TAMM OR WILKINS
SHERIFF

4972
no. 7848
Dessie Mae Burns
As Adm.

vs.

Ora M. Quinn
6X arendall

FILED

AUG 28 1968

ALICE J. DUCK

CLERK
REGISTER

To be served on
Hand Arendall, Bedsole
Breaves & Johnston

Received 5 Day of Sept 1968
and on 6 Day of Sept 1968
I served a Copy of the within
on Hand, Arendall, Bedsole
Breaves & Johnston
by service on Jm Arendall, City
Pastor

RAY D. BRIDGES, Sheriff

By M. C. Hennessey, S.

BY

SEP 5 9 08 AM
REC'D. SHERIFF
MOBILE COUNTY

BESSIE MAE BURNS, as Administratrix
of the Estate of Evett James Page,
Deceased,

Plaintiff,

VS.

ORA. M. QUINN and ROBERT HAY,
Jointly and Individually,
Defendants.

) IN THE CIRCUIT COURT

) OF BALDWIN COUNTY,

) ALABAMA

) AT LAW

CASE NO. 7880

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 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.

FILED

AUG 20 1968

ALICE J. DUCK

CLERK
REGISTER

TYSON, MARR AND FRIEDLANDER
Attorneys for Plaintiff

By

David S. Conrad
David S. Conrad

STATE OF ALABAMA)
COUNTY OF MOBILE)

Personally appeared before me, Charles H. Hest, the undersigned authority, David S. Conrad, 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.

August, 1968, Subscribed and sworn to before me on this the 19th day of

Charles H. Hest
Notary Public, Mobile County, Alabama

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No. ~~7880~~.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

~~Gra H. Quinn and Robert Hay jointly and individually~~
.....
.....

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.....

~~Gra H. Quinn and Robert Hay, jointly and individually~~....., Defendant.....

by ~~Bessie Mae Turner, as administratrix of the Estate of William P. Turner, deceased~~
....., Plaintiff.....

Witness my hand this.....~~28~~.....day of.....~~November~~.....19~~47~~..

W. J. ... Clerk

No..... Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

BESSIE MAE BURNS, as
Administratrix of the
Estate of EVETT JAMES
PAGE, Deceased,

Plaintiff,

VS.

ORA M. QUINN and ROBERT
HAY, jointly and
individually,

Defendants.

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE NO. 7880

Plaintiff claims of the Defendants the sum of Fifty Thousand and 00/100 (\$50,000.00) Dollars for that heretofore and on, to-wit, the 19th day of August, 1967, while Evett James Page was a passenger in a car being driven in a northerly direction on and along Milwaukee at or near its intersection with Ohio Street, both public streets in the City of Robertsedale, Alabama, Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, so negligently operated a vehicle on Ohio Street at the time and place mentioned that it collided with the vehicle in which Evett James Page was a passenger and as a direct and proximate result of the negligence of the Defendant Ora M. Quinn, the agent, servant or employee of Defendant Robert Hay, while acting within the line and scope of her authority as such, Evett James Page received severe personal injuries in this: he was fatally injured, wherefore your Plaintiff seeks punitive damages.

TYSON, MARR AND FRIEDLANDER
Attorneys for Plaintiff

By David S. Conrad
David S. Conrad

Plaintiff respectfully demands a trial by struck jury.

David S. Conrad

FILED

NOV 28 1967

ALICE J. DUCK

CLERK
REGISTER

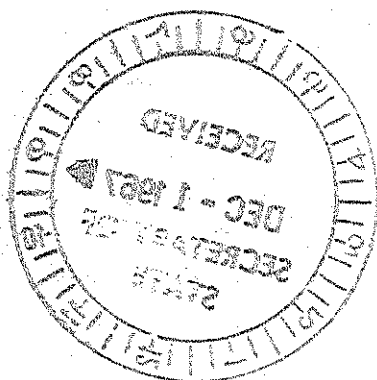
Defendants may be served:

Ora M. Quinn
Robertsdale, Alabama

Robert Hay
211 West Bayliss Street
Pensacola, Florida

Please serve Defendant Robert Hay through the Secretary of
State, Montgomery, Alabama.

6884



January 5, 1968

Mrs. Mable Amos
Secretary of State
Montgomery, Alabama

Re: Iela Bailey vs: Robert Hay et al

Case No. 7853

Bessie Mae Burns vs: Robert Hay et al

Case No. 7854 and

Bessie Mae Burns etc. vs: Robert Hay

et al, Case No. 7880

Dear Mrs. Amos:

Please note that on the 20th day of November, 1967, we mailed you a Summons and Complaint in the above styled cases along with 3 copies and a check made payable to the Secretary of State in each case, directing service to be had on Robert Hay. Service was had on said Robert Hay and return was made to this office.

The attorneys then requested that we perfect service on Ora M. Quinn whom they learned was residing at 6805 Larchmont Drive, North Highland, California. We again mailed an original and three copies of the summons and complaint along with a check for \$5.00 in each case, directing that summons and complaint be served on Ora M. Quinn. Your return that was received today shows that service was again had on Robert Hay, which is an error.

You will find enclosed herewith your returned copies and request that they will be served on Ora M. Quinn as directed in the summons.

Yours very truly,

Circuit Clerk, Baldwin County, Alabama

AJD/eb

Enclosure

cc: Tyson, Matt & Friedlander
158 St. Louis Street
Mobile, Alabama

LAW OFFICES

TYSON, MARR AND FRIEDLANDER

158 ST. LOUIS STREET

MOBILE, ALABAMA 36601

TELEPHONE 432-4534

JOHN M. TYSON
THOMAS M. MARR
MAURY FRIEDLANDER

CHARLES S. STREET
DAVID S. CONRAD

November 17, 1967

Mrs. Alice Duck
Clerk of the Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama

70.7880

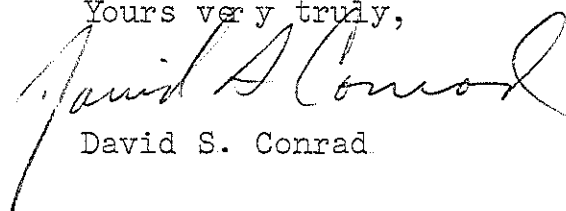
In Re: Bessie Mae Burns, as Administratrix
of the Estate of Evett James Page,
Deceased, vs Ora M. Quinn and
Robert Hay

Dear Mrs. Duck:

Please be kind enough to serve Defendant Ora M. Quinn at her address in Robertsdale, Alabama, and in addition thereto have Mr. Robert Hay of 211 West Bayliss Street, Pensacola, Florida, served through the Secretary of State in accordance with Title 7, Section 199 of the Code of Alabama 1958 Recompiled (1965 Cumulative Supplement to Volume Three).

Thank you very much for your cooperation in this matter.

Yours very truly,


David S. Conrad

DSC:mah
Encs

BESSIE MAE BURNS, as)
Administratrix of the)
Estate of EVETT JAMES)
PAGE, Deceased,)
BALDWIN COUNTY, ALABAMA

Plaintiff,)
AT LAW

VS.)

ORA M. QUINN and ROBERT HAY,)
jointly and individually,

Defendants.)
CASE NO. 7880

Comes now the Plaintiff in the above styled cause and shows unto this Honorable Court the following:

1. That on, to-wit, the 20th day of November, 1967, the Plaintiff propounded interrogatories to the Defendant Ora M. Quinn in this cause, through this Honorable Court, seeking answers to questions which are material to the within cause.

2. That said interrogatories were served upon the Defendant more than sixty (60) days prior to the date of the filing of this motion.

3. The Defendant has failed and refused to answer, and continue to fail and refuse to answer the said interrogatories.

WHEREFORE, the premises considered, Plaintiff moves this Honorable Court to enter a judgment nil dicit against the said Defendant, and Plaintiff prays for such other, further and different relief as to which she may be entitled in the premises.

TYSON, MARR AND FRIEDLANDER
Attorneys for Plaintiff

By *Paul H. Tyson*

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 12 day of Aug 1968, 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

AUG 12 1968

ALICE J. DUCK, CLERK
REGISTER

Paul H. Tyson

BESSIE MAE BURNS, as) IN THE CIRCUIT COURT OF
Administratrix of the)
Estate of EVETT JAMES) BALDWIN COUNTY, ALABAMA
PAGE, Deceased,)

Plaintiff,) AT LAW

VS.)

ORA M. QUINN and ROBERT HAY,)
jointly and individually,)

Defendants.) CASE NO. 7880

MOTION FOR JUDGMENT NIL DICIT

Comes now the Plaintiff in the above styled cause and shows unto this Honorable Court the following:

1. That on, to-wit, the 20th day of November, 1967, the Plaintiff propounded interrogatories to the Defendant Robert Hay in this cause, through this Honorable Court, seeking answers to questions which are material to the within cause.

2. That said interrogatories were served upon the Defendant more than sixty (60) days prior to the date of the filing of this motion.

3. The Defendant has failed and refused to answer, and continues to fail and refuse to answer the said interrogatories.

WHEREFORE, the premises considered, Plaintiff moves this Honorable Court to enter a judgment nil dicat against the said Defendant, and Plaintiff prays for such other, further and different relief as to which she may be entitled in the premises.

TYSON, MARR AND FRIEDLANDER
Attorneys for Plaintiff

By David R. Conrad

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 12 day of Aug, 1968, 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

AUG 12 1968

ALICE J. BUCK CLERK
REGISTER

David R. Conrad