

Plaintiffs request jury charge No. 1

The Court charges the jury that it is for you to determine from the evidence the nature, extent and duration of the Plaintiff's injuries. If you are reasonably satisfied from the evidence that the Plaintiff has suffered permanent disfigurement and that such injuries are proximately resulted from the wrongs complained of, then you should include in your verdict such sum as you determine to be reasonable compensation for such injuries.

*Refused*  
*W. J. Winters, Jr.*  
*Judge*

Plaintiffs request jury charge No. 2

The Court charges the jury that the law has no fixed monetary standard to compensate for physical pain and mental anguish. The elements of damage are left to your good sound judgment and discretion as to what amount would reasonably and fairly compensate the Plaintiff for such physical pain and mental anguish as you find from the evidence the Plaintiff did suffer. If you are reasonably satisfied from the evidence that the Plaintiff has undergone mental anguish and suffering as a proximate result of the injury in question, you should award a sum which will reasonably and fairly compensate her for such mental anguish and suffering and for any mental anguish which you are reasonably satisfied from the evidence that she is reasonably certain to suffer in the future.

Referred  
L. J. Walters, Jr.  
Judge

Defendant's Requested Charge No. \_\_\_\_\_

The Court charges the Jury that if you are reasonably satisfied from the evidence in this case that the plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac, was guilty of negligence which proximately contributed to her injuries, even in the slightest degree, you must return a verdict for the defendant, Clarence Otis Morris, in her case.

Refused  
Walter D  
Judge

✓

Defendant's Requested Charge No. \_\_\_\_\_

The Court charges the Jury that if you find for the Plaintiffs, you may not award any damages for past or future medical expenses.

*Refused*  
*H. J. Wilton, Jr.*  
*Judge*

Defendant's Requested Charge No. \_\_\_\_\_

All normal children 14 years of age and above are conclusively presumed by law to possess that maturity of discretion which belongs to adults of ordinary prudence; and the general rules of law applicable to adults also apply to them.

If you are reasonably satisfied from the evidence that the Plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac, at the time of the occasion complained of was a normal child 14 years of age or older, then you would consider and determine whether or not she was guilty of contributory negligence.

*Refused*  
*L. J. Williams*  
*Judge*

Defendant's Requested Charge No. \_\_\_\_\_

The Court charges the Jury that in this, as in all civil cases, the burden of proof is on the Plaintiffs, Grace Anna Cambron, a/k/a Grace Anna Salac, and Mary Adele Olts, to reasonably satisfy the Jury from the evidence in the case of the truth of the material allegations of their complaints before they are entitled to recover, and this burden remains on the Plaintiffs throughout the trial.

*Refused*  
*Walter*  
*Judge*

Defendant's Requested Charge No. \_\_\_\_\_

A driver of a vehicle must keep a lookout for those who are also using the highway and must exercise due care to anticipate the presence of others upon the highway. A motor vehicle driver is chargeable with knowledge of what a prudent and vigilant operator would have seen, and is contributorily negligent if she fails to discover a vehicle which she could have discovered in time to avoid the injury.

Refused  
W. J. Walters  
Judge

Defendant's Requested Charge No. \_\_\_\_\_

The Court charges the Jury that prior to being accepted and sworn as jurors in this case, you were examined as to your competency and qualifications to act as jurors and as a part of such examination, each of you answered all the questions asked of you. The answers show that you are competent and qualified to act as jurors, and the parties of this suit accepted you as jurors on the face of your answers. The answers you made then in regard to your competency, qualifications, fairness, lack of prejudice, and freedom from passion and sympathy, are as binding on you now as they were then, and you should remain so until you are finally discharged from further consideration of this case.

Refused  
L. J. Winters  
Judge



Defendant's Requested Charge No. \_\_\_\_\_

You are the sole judges of the evidence and the credibility of the witnesses. You may accept or reject any part of the testimony of any witness and you should accept only the testimony you consider worthy of belief. In determining the weight to be accorded the testimony of any witness, you may consider the demeanor of the witness while on the witness stand; his apparent candor or evasion or the existence or non-existence of any bias or interest.

Refused  
By J. W. [Signature]  
Judge

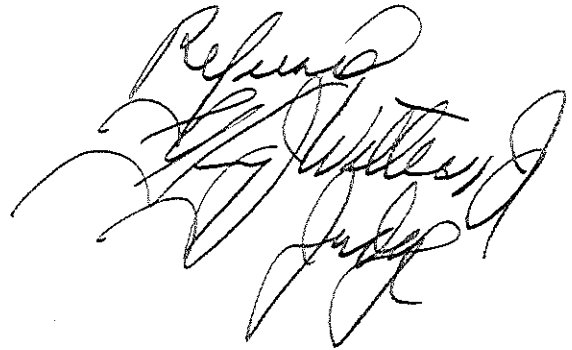
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The Court charges the jury that it is for you to determine from the evidence the nature, extent and duration of the Plaintiff's injuries. If you are reasonably satisfied from the evidence that the Plaintiff has suffered permanent disfigurement and that such injuries are proximately resulted from the wrongs complained of, then you should include in your verdict such sum as you determine to be reasonable compensation for such injuries.

Refused  
W. J. Walters  
Judge

Plaintiffs request jury charge No. 2

The Court charges the jury that the law has no fixed monetary standard to compensate for physical pain and mental anguish. The elements of damage are left to your good sound judgment and discretion as to what amount would reasonably and fairly compensate the Plaintiff for such physical pain and mental anguish as you find from the evidence the Plaintiff did suffer. If you are reasonably satisfied from the evidence that the Plaintiff has undergone mental anguish and suffering as a proximate result of the injury in question, you should award a sum which will reasonably and fairly compensate her for such mental anguish and suffering and for any mental anguish which you are reasonably satisfied from the evidence that she is reasonably certain to suffer in the future.

A handwritten signature in black ink, appearing to be "Reynolds" followed by a large, stylized flourish that includes the word "Judge" written vertically.

Defendant's Requested Charge No. \_\_\_\_\_

Contributory negligence is negligence on the part of the plaintiff that proximately contributes to her alleged injuries. If you are reasonably satisfied from the evidence that the plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac, was guilty of contributory negligence at the time and place complained of in her complaint, the plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac, cannot recover in this lawsuit and your verdict must be for the defendant in her case.

*Refused*  
*[Signature]*  
*Judge*

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Defendant's Requested Charge No. \_\_\_\_\_

The Court charges the Jury that if you are reasonably satisfied from the evidence in this case that the plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac, was guilty of negligence which proximately contributed to her injuries, even in the slightest degree, you must return a verdict for the defendant, Clarence Otis Morris, in her case.



Robert H. Walters  
Judge

Defendant's Requested Charge No. \_\_\_\_\_

The Court charges the Jury that if you are reasonably satisfied from the evidence that the Plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac, was operating her motor vehicle at a negligent and excessive speed under the circumstances which existed at the time and place complained of in her complaint and that such negligence proximately contributed to her injuries and damages, then you cannot return a verdict for the Plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac.

*Presented*  
*By William J.*  
*Judge*

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Defendant's Requested Charge No. \_\_\_\_\_

The Alabama Rules of the Road consist of a number of statutes enacted into law by your legislature regulating the flow of traffic on the highways of this State.

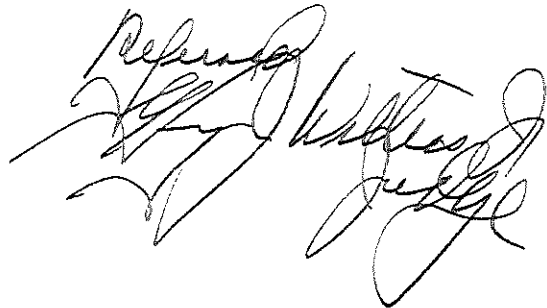
The violation of certain of these Rules of the Road by persons using the public highways is prima facie negligence only. This means that the violation of such a rule is presumed to be negligence but such a violation is not under all circumstances negligence, and it is a jury question whether such a violation in a particular case is negligence. Should you determine that the violation of such a statute is negligence, such negligence in order to be actionable as a defense on the part of the defendant must proximately cause or proximately contribute to the injuries complained of by the plaintiff.

I will now read one of these statutes to you. The fact that I read this statute is no indication that this statute has been violated or that such violation is negligence, or that any such violation proximately caused or proximately contributed to the injuries complained of by the plaintiff. It is for you to decide whether or not the statute is applicable, whether or not it has been violated, and whether or not such violation is negligence, and whether or not any such violation proximately caused or proximately contributed to the injuries complained of

by the plaintiff, Grace Anna Cambron, a/k/a Grace Anna Salac, depending upon what you find the facts to be.

Title 32, Section 32-5-91(a) of the Code of Alabama in regard to restrictions as to speed states as follows:

Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width and highway and of any other conditions then existing and no person shall drive any vehicle upon a highway at such speed as to endanger the life, limb, or property of any person.

A handwritten signature in cursive script, likely belonging to a judge, positioned on the right side of the page. The signature is written in dark ink and is somewhat stylized and difficult to decipher.



Defendant's Requested Charge No. \_\_\_\_\_

In arriving at a verdict in this case, you must not permit sympathy, prejudice or emotion to influence you.

Refused  
L. J. Williams  
Judge

✓

Defendant's Requested Charge No.           

The Court charges the Jury that mere proof of the occurrence of the accident raises no presumption of negligence on the part of the defendant, Clarence Otis Morris.

*Refused*  
*W. J. Westinghouse*  
*Judge*

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