

203

VAINUS HANKINS,

Plaintiff,

VS.

C. D. DEATON, Individually
and doing business as DEATON
TRUCK LINE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

NO. _____

INTERROGATORIES TO BE PROPOUNDED TO THE DEFENDANT
UNDER SECTION 7764 OF THE 1923 CODE OF ALABAMA.

1. Is the Deaton Truck Line the correct name of the company that owned the truck which was involved in a wreck on the Robertsdale-Silverhill Highway in Baldwin County, Alabama, on the night of September 20, 1935, and is C. D. Deaton the sole owner of this company? If the Deaton Truck Line is not the correct name of the said company, please give its correct name and answer fully whether it is a corporation, an individual venture or a partnership. If it is an individual venture, give the correct name and address of the owner and if a partnership, the names and addresses of each and all of the partners.

2. Give the name of the party who was operating the truck of the Deaton Truck Line at the time it was involved in a wreck or accident between Robertsdale and Silverhill in Baldwin County, Alabama, on the night of September 20, 1935, and explain fully what connection he had with the Deaton Truck Line on the said date.

3. In what business was the motor truck of the Deaton Truck Line engaged on the night of September 20, 1935, when it was in a wreck between Robertsdale and Silverhill in Baldwin County, Alabama? That is, explain what was being hauled and for whom the trip was being made at the time of the said wreck?

J. T. T. Blachman
Attorney for Plaintiff.

AFFIDAVIT.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. Blackburn, who, after being by me first duly and legally sworn, deposes and says: That he is attorney for the Plaintiff in the above entitled cause and that the answers to the foregoing interrogatories, if well and truly made, will be material testimony for the Plaintiff in the said cause.

J. B. Blackburn

Sworn to and subscribed before
me on this the 47th day of October, 1935.

Chas. L. Simon

Notary Public, Baldwin County, Alabama.

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Oct 1935
of the within to in
indisputably as
the time
Being
Sheriff,
Baldwin County, Ala.
Deputy Sheriff.

INTERROGATORIES TO BE PROPOUNDED TO THE DEFENDANT.

VAINUS HANKINS,
Plaintiff,

VS.

C. D. DEATON, Individually and
doing business as DEATON TRUCK
LINE,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NO 203.

Filed on this the 42 day of Oct-
ober, 1935.

Robert Duck

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon C. D. Deaton, Individually and doing business as Deaton Truck Line, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Vainus Hankins.

Witness my hand this 4th day of October, 1935.

Ruby L. Leach

Clerk of the Circuit Court of
Baldwin County, Alabama.

[illegible]

VAINUS HANKINS.

Plaintiff,

VS.

C. D. DEATON, Individually and
doing business as DEATON TRUCK
LINE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. _____.

1. The Plaintiff claims of the Defendant the sum of Twenty-five Hundred Dollars damages, for that heretofore on to-wit, September 20, 1935, the Defendant's agent, servant or employee, while acting within the line and scope of his authority, so negligently operated a motor truck on a public road in Baldwin County, Alabama, to-wit, the paved Robertsdale-Silverhill Road, at a point about one and three-tenths miles West of the intersection of the said road with the Robertsdale-Foley Road that the same was run upon or against the truck in which Plaintiff was riding and as a proximate consequence thereof Plaintiff's middle finger on his left hand was crushed and broken, three teeth knocked out, his chest crushed, he was made sick and sore, caused to suffer great physical pain and mental anguish and caused to incur doctor bills and

other expenses. Plaintiff avers that his injuries were proximately caused and the consequent damages suffered as the results of the negligence of the agent, servant or employee of the Defendant while acting within the line and scope of his employment in and about the management and operation of the said motor truck.

2. The Plaintiff claims of the Defendant the sum of Twenty-five Hundred Dollars for damages, for that heretofore on to-wit, September 20, 1935, Defendant's motor truck was being operated on a public road in Baldwin County, Alabama, namely the paved Robertsdale-Silverhill Road at a point about one and three-tenths miles West of the intersection of the said road with the Robertsdale-Foley Highway when the truck in which Plaintiff was riding was run against, over or upon by the Defendant's motor truck which was then and there being driven by the Defendant's agent, servant or employee, while acting within the line and scope of his authority, on his left or wrong side of the road and as a proximate result thereof Plaintiff was injured as follows: The middle finger on his left hand was crushed and broken, three teeth knocked out, his chest crushed, he was made sick and sore, caused to suffer great physical pain and mental anguish and caused to incur doctor bills and other expenses. Plaintiff avers that the said injuries and damages were the proximate consequence of the aforesaid negligence of the Defendant's servant, agent or employee while acting within the line and scope of his employment in and about the operation of the Defendant's said motor truck.

3. The Plaintiff claims of the Defendant the sum of Twenty-five Hundred Dollars as damages, for that on to-wit, the 20th day of September, 1935, while riding in a truck traveling in a westerly direction along the paved Robertsdale-Silverhill public road in Baldwin County, Alabama, at a point about one and three-tenths miles West of the intersection of the said road and the Robertsdale-Foley public road when the truck in which he was riding was run into, over or upon by the Defendant's motor truck which was then and there being operated or driven in an easterly direction on the left or wrong side of the said road by the Defendant's

agent, servant or employee, who was then and there acting within the line and scope of his employment and as a proximate result thereof the Plaintiff was injured as follows: The middle finger on his left hand was crushed and broken, three teeth knocked out, his chest crushed, he was made sick and sore, caused to suffer great physical pain and mental anguish and caused to incur doctor bills and other expenses. Plaintiff avers that his said injuries and damages were caused by the negligence of the said agent, servant or employee of the Defendant while acting within the line and scope of his employment in and about the management and operation of the said motor truck.

J. B. T. Blackburn
Attorney for Plaintiff.

Plaintiff demands a trial of said cause by jury.

J. B. T. Blackburn
Attorney for Plaintiff.

Filed
65
within 28
days

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SUMMONS AND COMPLAINT.

1935
by of the within with
Deaton Individually
business as
Line Sheriff,
Cullman County, Ala.
Peral
for Sheriff.
Cullman Co
Ala.

VAINUS HANKINS,
Plaintiff,
VS.
C. D. DEATON, Individually and
doing business as DEATON TRUCK
LINE, Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NO 203.

Filed on this the 4th day of Oct-
ober, 1935.

Robert L. Duck
Clk.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

Circuit Court, Baldwin County

203

James Hankins

PLAINTIFF

VS.

C O Dutton and Estate Trust Co

DEFENDANT

BILL OF COST

CLERK'S FEES		Dollars	Cts.	AMOUNT BROUGHT FORWARD		\$	Cts.
Issuing Summons and Complaint	\$1 25	1	25	Transcript to Supreme Court, 15c per			
Copies of same, when over 200 words,				hundred words			
15c per 100	30		30	Copies, 5c per hundred words			
Issuing Alias Summons and Complaint	1 25			Citation to Appellee in Appeal, 20c per			
Entering Sheriff's Return on Summons				hundred words			
and Complaint	20		20	Certificate with Seal, 50c. Without Seal	25		
Docketing Cause 25c. Ent. Appearance, 20c	45		45	Witness Certificate	25		
Subpoena for Witness	30		30	Taking Bond Not Above Mentioned	75		
Making Certificate of Judgment	50		50	Entering Order of Court not above named	30		
Filing	10		10	Administering Oath	25		
Trial and Incidents	75		75	Taking Bond for Costs of Non-Resident			
Entering Judgment, or copy of same	30		30	Plaintiff	75		
Order for Continuance	10		10	Copy of any paper not above named, 15c			
Issuing Execution	50		50	per hundred words			
Docketing Execution	25		25	Filing Writ of Prohibition and Entering			
Issuing copy of same	50		50	Return	15		
Entering Sheriff's Return on Execution,				Issuing Writ of Prohibition	75		
15c per hundred words	20		20	Issuing copies of same, 15c per 100 words			
Final Record, 15c per hundred words				Filing Mandamus and Entering Return	15		
Order for Alias Summons and Complaint	30	3	00	Issuing Writ of Mandamus	75		
Order to Dismiss Cause	30		30	Issuing copies of same, 15c per 100 words			
Order to Set Aside Dismissal	30		30	Total Clerk's Fees			
Order Overruling Motion to Set Aside		6	75	SHERIFF'S FEES			
Dismissal	75		75	Serving and Returning Summons	\$1 50		
Order Granting New Trial	30		30	Serving and Returning Subpoenas	65		
Order Overruling Motion for New Trial	30		30	Collecting Execution for Costs	1 50		
Order Overruling Motion for Continuance	30		30	Serving and Returning Sci. Fa. Notice, etc.	65		
Order Overruling Motion to Set Aside				Executing Writ of Possession	2 50		
Default	30		30	Levyng Attachment	3 00		
Order for Notice to Non-Resident De-				Entering and Returning Attachment	25		
fendant	30		30	Entering and Returning Execution	25		
Issuing Notice for Publication and Copy				Summoning and Returning Garnishee	1 50		
20c per hundred words				Taking and Approving Garnishee Bond	75		
Order to Give Security for Costs	30		30	Serving and Returning Writs	1 50		
Order to Give Additional Bond	30		30	Serving and Returning Summons on			
Order to Execute Writ of Inquiry	30		30	Forcible Entry	1 00		
Order of Sale in Attachment	30		30	Executing Writ of Restitution in such cases	2 00		
Order for Leave to Amend Complaint	30		30	Taking and Approving Bonds of Every			
Order for Leave to Amend Pleas	30		30	Kind	1 00		
Order for Leave to Amend Writ of Process	30		30	Taking and Approving Claim Bond	1 00		
Order for Attachment for Witness	30		30	Taking and Approving Forthcoming Bond	1 00		
Filing Deposition	10		10	Taking and Approving Bail Bond	1 00		
Issuing Commission to Take Deposition	75		75	Taking and Approving Plaintiff's Deti-			
Issuing copy of same, per hundred words	15		15	nue Bond	1 00		
Issuing Copy of Interrogatories, 15c per				Taking and Approving Defendant's Deti-			
hundred words, but not less than	50		50	nue Bond	1 00		
Endorsing each Pet. Deposition Opened	10		10	Making Deed	2 50		
Taking Bond in Garnishment on Summons	75		75	Serving Attachment for Contempt of Court	1 50		
Summons to Garnishee	50		50	Collecting Money on Execution			
Copies of same, 20c per hundred words				Empanelling Jury	75		
Notice to Defendant in Garnishee on Sum-				Sheriff's Commission for Property Sold			
mons, and copy, per hundred words	20		20	under Attachment			
Swearing Garnishee and Recording An-				Seizing Personal Property on Writ of			
swer, 15c per hundred words, but not				Detinue	3 00		
less than	50		50	Total Sheriff's Fees			
Filing Attachment	10		10	RECAPITULATION			
Issuing Attachment Writ and Taking Bond	1 00		1 00	Judgment			
Issuing Copies of Attachment Writ, 15c				Interest			
per hundred words				Clerk's Fees			
Filing Certiorari and Entering Return	15		15	Sheriff's Fees			
Taking Certiorari Bond and Filing Same	75		75	Justice's Fees			
Issuing Writ of Certiorari	75		75	Constable's Fees			
Issuing copies of same, 15c per 100 words				Witnesses' Fees			
Issuing Writ of Scieri Facias, or Notice				Commissioners' Fees			
in Nature of	75		75	Printer's Fees			
Issuing copies of same, 15c per 100 words				Stenographer's Fees	5 00		
Taking Supersedeas Bond and Filing same	75		75	Answer of Garnishee			
Taking Appeal Bond and Filing same	75		75	Trial Tax	3 00		
TOTAL FORWARDED				Total	\$		

Received payment this day of 193

ATTEST

Clerk Circuit Court, Baldwin County, Ala,