

1346

GEORGE ALBERT

PLAINTIFF

VS

W. D. GRUBBS ET AL

DEPENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Now comes the Defendant W. D. Grubbs, and demurs to the Plaintiff's complaint, heretofore filed in this cause, and to each count thereof separately and severally says:

1.

That said count does not state a cause of action.

2.

That said count affirmatively shows that it is barred by the statutes of limitation.

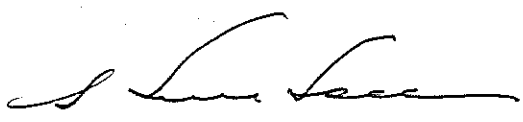
3.

That said count affirmatively shows that it is barred by the Statutes of Limitations of one year.

FILED

Oct. 25, 1950

ALICE J. DUCK, Clerk


Attorney for the Defendant, W. D. Grubbs

1346

GEORGE ALBERT

PLAINTIFF

VS

W. D. GRUBBS, ET AL,

DEFENDANT

DEMURRERS

FILED

OCT 25 1950

ALICE A. DUCK, Clerk

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.

Next

TERM, 1949

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You Are Hereby Commanded to Summon Leo Leon Morgan, W.D. Grubbs, and
Good House Keeping Appliance Company

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 Leo Leon Morgan,
W.D. Grubbs, and Good House Keeping Appliance Company, Defendant

by George Albert

, Plaintiff

Witness my hand this 21 day of September 1949

Alfred H. Smith

, Clerk.

No. _____

Page _____

THE STATE of ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

vs.

Plaintiffs

Defendants

SUMMONS and COMPLAINT

Filed _____, 194_____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co.

Defendant lives at

W D Smith - 3109 Emogene st

RECEIVED IN OFFICE

- 194 -

_____, Sheriff

I have executed this summons

this _____, 194_____

by leaving a copy with

Sheriff

Deputy Sheriff

'AMENDED COMPLAINT'

GEORGE ALBERT	I
PLAINTIFF	I
VS	I
LEO LEON MORGAN, W.D. GRUBBS, & GOOD HOUSE KEEPING APPLIANCE COMPANY, INC., A CORPORATION,	I
DEPENDANTS.	I

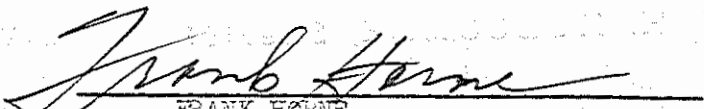
COUNT ONE:

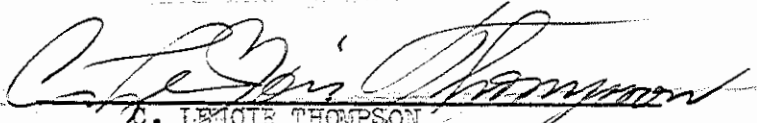
Plaintiff claims of the Defendants ONE THOUSAND (\$1,000.00) DOLLARS as damages for that he avers that on, to-wit, September 25, 1948, the agent, servant or employee of the Defendants, W.D. GRUBBS, in charge or control of the operation of an automobile truck on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, while acting within the line or scope of his employment as such agent, servant or employee, negligently ran said automobile truck into, upon or against an automobile in which Plaintiff was riding on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, and by reason thereof and as the proximate result and consequence thereof plaintiff received personal injuries in this, to-wit: Plaintiff was internally injured and permanently injured; his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts and contusions, his physical stamina was impaired and permanently impaired, he was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure his said wounds and injuries and the Plaintiff avers his injuries were the proximate consequence of the negligence of Leo Leon Morgan, the agent, servant, or employee of the Defendants who was then and there acting within the line and scope of his employment; hence this suit.

COUNT TWO:

Plaintiff claims of the Defendants ONE THOUSAND (\$1,000.00) DOLLARS

as damages for that he avers that on, to-wit, September 25, 1948, the agent, servant or employee of the Defendants, W.D. GRUBBS, in charge or control of the operation of an automobile truck on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, while acting within the line or scope of his employment as such agent, servant or employee, willfully or wantonly injured Plaintiff by wilfully or wantonly running said automobile truck into, upon or against an automobile in which Plaintiff was riding on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, and by reason thereof and as the proximate result and consequence thereof plaintiff received personal injuries in this, to-wit: Plaintiff was internally injured and permanently injured; his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts and contusions, his physical stamina was impaired and permanently impaired, he was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure his said wounds and injuries and the Plaintiff avers his injuries were the proximate consequence of the negligence of Leo Leon Morgan, the agent, servant, or employee of the Defendants who was then and there acting within the line and scope of his employment; hence this suit.


FRANK HORNE


C. LENCIER THOMPSON
(ATTORNEYS FOR PLAINTIFF)

RECEIVED

SEP 27 1948

U.S. DEPT. OF JUSTICE

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W. H. HOLCOMBE, Sheriff

By W. H. Holcombe D.S.

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By W. H. Holcombe D.S.

Received in Sheriff's Office
this 21 day of Sept, 1944
TAYLOR WILKINS, Sheriff

568
1346
Original
GEORGE ALBERT
PLAINTIFF
VS
LEO LEON MORGAN, W.D.-GRUBBS,
& GOOD HOUSE KEEPING APPLIANCE
COMPANY, INC., A CORPORATION.
DEFENDANTS.

Amended Complaint
FILED
SEP 21 1949
ALICE J. DUCK, Clerk

Frank Horne
Atmore, Ala.
C. LeNoir Thompson
Bay Minette, Ala.
Attorneys for Plaintiff.

BALDWIN
So.

22876

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,)
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.

Next

TERM, 1949

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You Are Hereby Commanded to Summon Leo Leon Morgan, W.D. Grubbs, and

Good House Keeping Appliance Company

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 Leo Leon Morgan,

W.D. Grubbs, and Good House Keeping Appliance Company, Defendant....

by George Albert

Plaintiff....

Witness my hand this 21 day of September 1949

W. J. H. H. H. H. H.

Clerk.

Page _ _ _ _ _

CIRCUIT COURT

Plaintiffs

vs.

Defendants:

SUMMONS and COMPLAINT

Filed _____, 194_____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co.

Defendant lives at

WD Grubbs - 3109 Emogene St
RECEIVED IN OFFICE

194

_____, Sheriff

I have executed this summons

this _____, 194____
by leaving a copy with _____

Sheriff

Deputy Sheriff

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSE KEEPING APPLIANCE
COMPANY, INC., A CORPORATION,

DEFENDANTS.

COUNT ONE:

Plaintiff claims of the Defendants ONE THOUSAND (\$1,000.00) DOLLARS as damages for that he avers that on, to-wit, September 25, 1948, the agent, servant or employee of the Defendants, W.D. GRUBBS, in charge or control of the operation of an automobile truck on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, while acting within the line or scope of his employment as such agent, servant or employee, negligently ran said automobile truck into, upon or against an automobile in which Plaintiff was riding on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, and by reason thereof and as the proximate result and consequence thereof plaintiff received personal injuries in this, to-wit: Plaintiff was internally injured and permanently injured; his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts and contusions, his physical stamina was impaired and permanently impaired, he was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure his said wounds and injuries and the Plaintiff avers his injuries were the proximate consequence of the negligence of Leo Leon Morgan, the agent, servant, or employee of the Defendants who was then and there acting within the line and scope of his employment; hence this suit.

COUNT TWO:

Plaintiff claims of the Defendants ONE THOUSAND (\$1,000.00) DOLLARS

as damages for that he avers that on, to-wit, September 25, 1948, the agent, servant or employee of the Defendants, W.D. GRUBBS, in charge or control of the operation of an automobile truck on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, while acting within the line or scope of his employment as such agent, servant or employee, willfully or wantonly injured Plaintiff by wilfully or wantonly running said automobile truck into, upon or against an automobile in which Plaintiff was riding on U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Alabama, and by reason thereof and as the proximate result and consequence thereof plaintiff received personal injuries in this, to-wit: Plaintiff was internally injured and permanently injured; his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts and contusions, his physical stamina was impaired and permanently impaired, he was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure his said wounds and injuries and the Plaintiff avers his injuries were the proximate consequence of the negligence of Leo Leon Morgan, the agent, servant, or employee of the Defendants who was then and there acting within the line and scope of his employment; hence this suit.

Frank Horne
FRANK HORNE

C. L. B. Thompson
C. L. B. THOMPSON
(ATTORNEYS FOR PLAINTIFF)

RECORDED COPY FILED

FILED

SEP 21 1948

OFFICE OF THE CLERK

Approved for filing
by the Clerk of the Court
C. L. B. Thompson
Attorney at Law
Frank Horne

FILED
GEORGE WILSON

DECEMBER 22
GOVERNMENT, INC., A CORPORATION
3 GOOD HOME REMEDY BUILDING
1201 PINE STREET, A.D. CHICAGO

AS

100 1347

462

VS.

1998

~~5107 Bengawan~~

SEP 21 1949

Frank Horne
Atmore, Ala.
C. LeNoir Thompson
Bay Minette, Alabama
Attorneys for Plaintiff

Works for Buggitt &
Transfer Co. & Livery Co.
in Birmingham.

[illegible][illegible]

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon

W. D. Grubbs to appear at the next term of the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of George Albert.

Witness my hand this 13th day of May, 1949.

W. D. Grubbs
CLERK

GEORGE ALBERT
PLAINTIFF

C O M P L A I N T

W. D. GRUBBS
DEFENDANT

I VS. I

COUNT ONE: The plaintiff claims of the defendant the sum of ONE THOUSAND (\$1,000.00) DOLLARS as damages for in this, that on, to-wit, the 25th. day of September, 1948, the agent, servant or employee of the defendant acting within the line and scope of his authority as such at a point on highway number 31 about eight miles east of the Town of Bay Minette, and in Baldwin County, Alabama, negligently drove an automobile truck over on or against an automobile truck belonging to the plaintiff and being at that time driven by the said plaintiff and as a proximate consequence thereof plaintiff was internally injured and permanently injured; his nervous system was greatly shocked and impaired was permanently shocked and impaired; he was made sick and sore for a long period of time, his physical stamina was impaired and permanently impaired, he was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure his said wounds and injuries,

and the plaintiff avers his injuries were the proximate consequence of the negligence of Leo Leon Morgan, the agent, servant or employee of the defendant who was then and there acting within the line and scope of his employment; hence this suit.


Attorney for plaintiff

The plaintiff demands a trial by jury.


Attorney for plaintiff

266
SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
LAW SIDE. NO. 1346.

GEORGE ALBERT, PLAINTIFF
VS.
W. D. GRUBBS, DEFENDANT

FILED 5-13-49.

Alice L. Welch
CLERK

1309 Emogene L.

Frank G. Horne
Attorney at Law
Atmore, Ala.

GEORGE ALBERT

PLAINTIFF

VS

LEO IRON MORGAN, W. D.
GRUBBS, AND GOOD HOUSES
KEEPING APPLIANCE CO.,
INC., A CORPORATION,

DEFENDANTS

IN THE CIRCUIT COURT OF
DALEWIN COUNTY, ALABAMA,

AT LAW

NO. 1346 A

MOTION

TO THE HONORABLE H. M. SALL, JUDGE OF THE 28th JUDICIAL CIRCUIT:

Comes now the Plaintiff in the above styled cause and shows unto the Court that Interrogatories were propounded to the Defendant, W. D. Grubbs, in this matter more than sixty days ago. That he has wholly failed to answer these interrogatories.

Now comes the Plaintiff and moves the court to attach W. D. Grubbs, or cause him to answer fully in open court or tax him with such cost as may seem just and continue the cause for answers or enter a judgment by default, at the court's discretion.

Walters & Brantley

By: Robert M Brantley
Attorney for Movant

Mrs. Alice J. Luck,

Please serve a copy of this motion on W. D. Grubbs at 3109 Emogene Street, Mobile 18, Alabama.

EXECUTED

This 22nd day of April 1954

by serving a copy of the within on

W. D. Grubbs

W. H. HOLCOMBE, Sheriff
Mobile County, Ala.

By: W. H. Morgan D.S.

CHARGE SHEET
FILED
BY
DATE
CITY
COUNTY
STATE

IN THE COUNTY OF
STATE OF
IN THE COURT OF

1346A

267

GEORGE ALBERT
PLAINTIFF

VS

LEO LEON MORGAN, W. D. CRUBBS,
AND GOOD HOUSEKEEPING APPLIANCE
CO., INC., A CORPORATION,
DEFENDANT

MOTION

FILED
APR 19 1954
MAY 1, 1954

88

RECEIVED BY THE COURT'S CLERK

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GEORGE ALBERT,	I	
Plaintiff,	I	
vs.	I	IN THE CIRCUIT COURT OF
W. D. GRUBBS, et al.,	I	BALDWIN COUNTY, ALABAMA
Defendants.	I	AT LAW NO. 1346
	I	

INTERROGATORIES PROPOUNDED TO THE PLAINTIFF BY THE
DEFENDANTS, LEON MORGAN AND W. D. GRUBBS

Come now the Defendants, Leon Morgan and W. D. Grubbs, by their attorneys, and affidavit having been made by Norborne C. Stone, Jr., one of the attorneys of record for the Defendants, and propound the following interrogatories to the Plaintiff, George Albert:

1. Please state your correct name, age and present address.
2. Where are you presently employed and how long have you been so employed?
3. Were you employed on September 25, 1948?
4. By whom were you employed on said date?
 - (a) If you state that you were employed on September 25, 1948, by someone other than yourself please state how long you had been employed by that person on that date.
 - (b) Please state your duties of employment.
 - (c) If you state in answer to Interrogatory Number 4.(c) that you were a salesman please state what you sold and whether on a commission or on consignment.
 - (d) Please state whether or not you maintained a route as such a salesman and, if so, the area covered by that route.
 - (e) Please state whether or not the area East of Bay Minette, Alabama, where this accident occurred was part of your route or whether it was your duty to travel in or over said area as an employee and, if so, how often it was necessary that you be at this particular point.
 - (f) Please state how long you had been driving the truck which you were driving on September 25, 1948, in your capacity that day.

5. If your answer to Interrogatory Number 4. was that you were self-employed please state how long you had been doing the particular kind of work that you were doing on September 25, 1948.

(a) Were you engaged in selling bakery products?

(b) If so, were the bakery products owned by you?

(c) If you state that the bakery products were not owned by you please state who was the owner.

6. Were you engaged in your then employment on September 25, 1948, at the time of the accident complained of?

(a) If so, what time of day or night did you go to work and how long had you been working when this accident happened?

(b) What was the last stop that you made for business purposes before this accident?

(c) What was the last stop you made for any purpose before this accident?

(d) Where did you stop?

7. Had you been to Mobile, Alabama, prior to this accident?

(a) If so, when did you arrive in Mobile?

(b) How long were you there?

(c) When did you leave (state the hour that you left)?

(d) Did you stop at any place or time between Mobile and the point of the accident and, if so, for how long?

8. Was there anyone in the truck with you at the time of the accident?

(a) If so, please give their name and present address.

9. Were you operating a truck at the time of the accident?

(a) If so, please state the make and model.

(b) How long had you been driving this truck?

10. If you were operating a panel truck please state whether the truck contained bakery products.

(a) If so, state in detail the products in the truck and the quantity of each.

(b) Did you own these products?

(c) If you answer that you did own them state in detail where and from whom you purchased the products and the value of the several items.

11. Please state the number of miles or the approximate mileage that your said vehicle had been driven.

12. Was the vehicle in which you were riding in good repair prior to the collision?

13. Were the brakes upon your vehicle in good repair prior to the accident?

14. Was the steering wheel of your vehicle in good repair prior to the accident?

15. Did the brakes fail or give way prior to the accident?

(a) If so, please state the true facts as to what occurred.

16. Did the steering wheel fail to work properly prior to the accident?

(a) If so, please state the true facts in detail.

17. Was your vehicle out of control prior to the accident, either by way of failing to respond to the brakes or the steering wheel?

(a) If so, state the true facts in detail.

18. Did you have control and did you exercise such control over your vehicle up until the moment of the collision?

19. If your vehicle was out of control while it moved any distance prior to the accident, please state the approximate distance in feet that your vehicle moved while out of control prior to the accident.

20. Did you intentionally and purposefully steer your vehicle to cause it to travel the path which it traversed while moving a distance of 150 yards leading up to the point of collision?

21. What was the width and condition of the shoulder on your right hand side of the highway?

22. What was the width and condition of the shoulder on your left hand side of the highway?

23. In what general direction were you traveling as you approached the point of the accident?

24. Did you see any vehicles approaching the point of accident traveling in the opposite direction from that which you were traveling?

(a) If so, how many vehicles did you observe traveling in the opposite direction from you?

25. Did you see the defendant's truck on said occasion?

(a) If so, in which direction was the defendant's truck traveling when you saw it?

26. State the approximate distance in feet that separated your vehicle and the defendant's truck when you first saw said truck?

27. State the approximate distance in feet that separated your vehicle and the point of collision when you first saw the defendant's truck?

28. State the approximate distance in feet that separated the truck and the point of collision when you first saw the truck.

29. State the approximate distance in feet that your vehicle traveled from the moment you first saw the truck until the moment of the collision.

30. State the approximate distance in feet that the truck traveled from the moment you first saw it until the collision occurred.

31. Describe the course or path traveled by the truck from the moment you first saw it until it reached the point of collision.

32. Describe accurately and in detail the course or path traveled by your vehicle from the moment you first saw the defendant's truck until your vehicle reached the point of collision.

33. Did your vehicle travel to your left of the center of the highway?

(a) If so, to what extent did your vehicle travel on your left side of the center of the highway?

34. Was your vehicle broken or out of order or out of control when you drove your vehicle to the left of the center of the paved portion of the highway?

35. How fast was your vehicle traveling at the following points before reaching the point of the accident?

(a) 25 feet.

(b) 50 feet.

(c) 100 feet.

(d) 150 feet.

(e) 200 feet.

(f) 400 feet.

36. How fast was the defendant's vehicle traveling at the following points before reaching the point of the accident?

- (a) 25 feet.
- (b) 50 feet.
- (c) 100 feet.
- (d) 150 feet.
- (e) 200 feet.
- (f) 400 feet.

37. Did you turn your vehicle to the right and onto the shoulder on your right hand side of the road?

(a) If so, how far were you from the point of collision were you when you did so?

(b) How fast were you going?

(c) Did any portion of your vehicle except the right front wheels leave the paved portion? If so, state what part of your vehicle.

(d) How far did you travel on your right hand shoulder?

38. Did you turn your vehicle to the left across the center line of the highway prior to the accident?

(a) If so, was any part of your vehicle on the right hand shoulder when you made the turn?

(b) Did you lose control of your vehicle when you made the left hand turn?

(c) How far were you from the defendant's vehicle when you made the turn?

(d) How far were you from the point of collision when you made the turn?

(e) How fast were you going when you made the turn?

(f) Was there a road or driveway on your left leading into the highway at the point where you made the turn?

39. Did your vehicle turn over prior to coming in contact with the vehicle of the defendant?

(a) If so, how many times did it turn over?

(b) State the position in the highway of your vehicle when it began to turn over?

(c) Was your vehicle across the highway (perpendicular or approximately so to the centerline)?

(d) Did your vehicle roll to your right or left?

(e) How far was your vehicle from the point of the accident when it began to turn over?

(f) How far was your vehicle from the defendant's vehicle when it began to turn over?

(g) State in detail the position of your vehicle when it came to rest.

40. State what part of your vehicle came in contact with the defendant's vehicle.

41. What part of the defendant's vehicle came in contact with your vehicle?

42. Where did your vehicle come to rest after the collision?

43. Where did the defendant's vehicle come to rest after the collision?

44. Is your memory clear with reference to the events which preceded the accident?

(a) If not, state when your memory became impaired.

45. How did you leave the scene of the accident?

46. Have you been informed that your answers to these interrogatories are made under oath?

CHASON & STONE

By: [Signature]
Attorneys for Defendants.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Jane R. Owen, a Notary Public, in and for said County in said State, personally appeared Norborne C. Stone, Jr., who is known to me, and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is Norborne C. Stone, Jr., and that he is one of the Attorneys of Record for W. D. Grubbs, et al., who are the Defendants in that certain action now pending in the Circuit Court of Baldwin County, Alabama, wherein George Albert is the Plaintiff. That the answers to the Interrogatories propounded above will be material testimony and evidence for the Defendants in the said cause.

Dated this 18th day of January, 1955.

Sworn to and subscribed before me this 18th day of January, 1955.

[Signature]
Notary Public, Baldwin County, Ala.

I, Tolbert Brantley, one of attorneys of record for the Plaintiff, George Albert, in the within styled cause, do hereby accept service of a copy of the within Interrogatories to the said George Albert and waive any further notice of the filing of the same.

Dated this 18th day of January, 1955.

Tolbert Brantley

GEORGE ALBERT,

Plaintiff,

vs.

W. D. GRUBBS, et al.,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1346

INTERROGATORIES

FILED

JAN 18 1955

ALICE J. BUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

LAW OFFICES
HOLBERG, TULLY AND ALDRIDGE
SUITE 631-636 - FIRST NATIONAL BANK BLDG.
P. O. BOX 47
MOBILE 1, ALABAMA

RALPH G. HOLBERG, JR.
ALBERT J. TULLY
HENRI M. ALDRIDGE

Dec.
14th,
1949.

Baldwin County Circuit Court
Bay Minette, Alabama

Attention: Mrs. Alice Duck

IN RE: George Albert vs. W. D. Grubbs
at law No. 1346
George Albert vs. W. D. Grubbs et als
at law No. 1346 A

Dear Mrs. Duck:

You will find enclosed herewith demurrers filed to the complaint in each of the above styled cases.

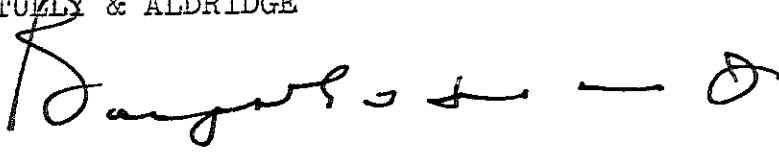
There is also enclosed a true copy of same which you may serve upon the attorney for the Defendant.

We will be ready to argue these demurrers at any time mutually agreeable to the other attorneys, the Court and this office. Will appreciate you suggesting a date and we will make every effort to be present at such time.

Very truly yours,

HOLBERG, TULLY & ALDRIDGE

By


Ralph G. Holberg, Jr.

RGH/m - Encl.

CC: Mr. Lenoir Thompson
Attorney at Law
Bay Minette, Alabama

CC: Mr. Frank Horne
Attorney at Law
Atmore, Alabama

I N T E R R O G A T O R I E S

GEORGE ALBERT,
PLAINTIFF,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS.

AT LAW

LEO LEON MORGAN, W. D.
GRUBBS, and GOOD HOUSE-
KEEPING APPLIANCE CO.,
INC., a corporation,
DEFENDANTS.

NO. 1346

TO THE HONORABLE TELFAIR J. MASHEURN, JR., JUDGE OF SAID COURT:

Comes now the Plaintiff in the above styled cause and exhibits the following interrogatories to the Defendant, W. D. Grubbs, to be answered in writing under oath by said Defendant within the time given by law:

INTERROGATORY NUMBER ONE: State your full name, and the city and county in which you reside.

INTERROGATORY NUMBER TWO: Did you own a 1944 Mack truck semi-trailer in the month of September, 1948?

INTERROGATORY NUMBER THREE: If the answer to interrogatory number two is yes; who was driving the truck for you during this period of time?

INTERROGATORY NUMBER FOUR: Who was driving this truck for you on the 25th day of September, 1948?

INTERROGATORY NUMBER FIVE: Were you paying his salary?

INTERROGATORY NUMBER SIX: Were you leasing, hiring, renting or letting your truck and driver to Good Housekeeping Appliance Co., Inc., a corporation, during the month of September 1948?

INTERROGATORY NUMBER SEVEN: Were you leasing, hiring, renting or letting your truck to Good Housekeeping Appliance Co., Inc., a corporation, during the month of September, 1948?

INTERROGATORY NUMBER EIGHT: Were you leasing, hiring, renting or letting your driver to Good Housekeeping Appliance

Co., Inc., a corporation, during the month of September, 1948?

INTERROGATORY NUMBER NINE: If the answer to interrogatory number six is yes: Where is the Good Housekeeping Appliance Co., Inc., a corporation, located with whom you have this contract?

INTERROGATORY NUMBER TEN: If the answer to interrogatory number six is yes: What type of agreement or contract did you have with the Good Housekeeping Appliance Co., Inc., a corporation, as relates to the use and hiring of your truck during the month of September, 1948?

INTERROGATORY NUMBER ELEVEN: If the answer to interrogatory number six is yes: What type of agreement or contract did you have with the Good Housekeeping Appliance Co., Inc., a corporation, as relates to the use and hiring of your driver during the month of September, 1948?

INTERROGATORY NUMBER TWELVE: If the answer to interrogatory number six is yes: What type of agreement or contract did you have with the Good Housekeeping Appliance Co., Inc., a corporation, as relates to the use and hiring of your truck and driver during the month of September, 1948?

INTERROGATORY NUMBER THIRTEEN: If the answer to interrogatory number two is yes: Was this truck involved in an accident in Baldwin County on or about September 25, 1948? Did this truck have printed or painted signs on it, or any signs or marks that indicated that it belonged to or was being used by Good Housekeeping Appliance Co., Inc., a corporation?

INTERROGATORY NUMBER FOURTEEN: If so, what were the general nature of these markings?

INTERROGATORY NUMBER FIFTEEN: Did the Good Housekeeping Appliance Co., Inc., a corporation, have accident insurance on this truck?

L. A. Hixon

HORNE & BRANTLEY

BY: *Tolbert M. Brantley*
Attorneys for Plaintiff

STATE OF ALABAMA

§

MONROE COUNTY

§

Before me, L. A. Hixon, clerk of the 21st Judicial Circuit, personally appeared Tolbert M. Brantley, known to me, who, being by me first duly sworn, deposes and says; That he is counsel for the Plaintiff in the above styled cause; that the answers to the foregoing interrogatories, if truthfully made, will be material evidence for the Plaintiff in the trial of said cause.

Tolbert M. Brantley
Affiant

Sworn to and subscribed before me this the 17th day of February, 1951.

L. A. Hixon
Clerk of the Circuit Court

Received in Sheriff's Office
this 30 day of April, 1954
TAYLOR WILKINS, Sheriff

#1346

284

W 400

EXECUTED
This 17 day of May 1954
by serving a copy of the within on
W. H. HOLCOMBE
W. H. HOLCOMBE, Sheriff
By W. H. Fugate

10 Box 154
Springhill - Ala

FILED
FEB 19 1954
ALICE J. DICK, Clerk

LAW OFFICES
HOLBERG, TULLY AND ALDRIDGE

SUITE 631-636 - FIRST NATIONAL BANK BLDG.

P. O. BOX 47

MOBILE 1, ALABAMA

RALPH G. HOLBERG, JR.

ALBERT J. TULLY

HENRI M. ALDRIDGE

JACK W. SPRINKLE

March
24,
1951

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

RE: George Albert vs. Leon Morgan, et al. At Law
No. 1346 and No. 1346A

Dear Mrs. Duck:

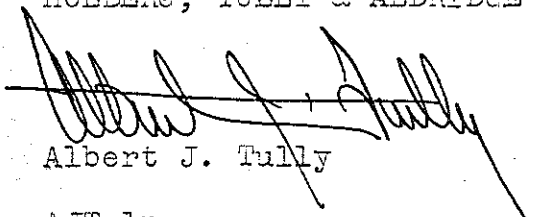
Enclosed herewith we are handing you our demurrers
to each of the amended complaints in the above entitled
causes.

We are forwarding to the attorneys for the plaintiff
copies of this letter together with copies of each
of these demurrers.

We shall look forward to seeing you next Tuesday,
March 27th, at which time we understand these
demurrers will be argued.

Very sincerely yours

HOLBERG, TULLY & ALDRIDGE



Albert J. Tully

AJT:lp

cc: Mr. E. Lenoir Thompson
Mr. G. M. Brantley

1446 Albert J. Krehbs

JURORS

SPRING TERM

1955

~~Thomas V. Abernethy, Jr.~~ Q2
~~Ervin Berglin~~ Q4
~~Carlisle Childress~~ Q3
~~J. J. Jankiewicz~~ Q4
~~Joseph L. Macossek~~ Q4
~~Erving Kasper~~ Q10
Vernon Wheat
Laudie L. Langham
Jesse Stewart Q1
Roger Bernhill Q10
Robert L. Tson Q11
Bernard Laurendine
Edward Rosenick Q5
Robert F. Helton
David Cohen Q9
Edward W. Engel Q6
Joseph Kest Q3
Grever McBride Q8
L. Soosbe Q9
Carl Slaughter
Brad Meinier
Robert T. Cowles Q13
Marshall M. Harris
Charles C. Hand Jr. Q11
Quitman Cooper
John A. Ebert
Homer C. Anderson Q8
Max Griffin

Butcher
Creamery
Merchant
Merchant
Auto Dealer
Merchant
Reserve Fleet
Newport
Laborer
Farmer
Farmer
Farmer
Farmer
Carpenter
Merchant
Farmer
Farmer
Mechanic
Mechanic
Farmer
Merchant
Laborer
Farmer
Real Estate
Veteran
Clerk
Contractor
Oil Distributors

Robertsdale
Fairhope
Foley
Summerville
Foley
Fairhope
Bay Minette
Bay Minette
Robertsdale
Loxley
Foley
Foley
Robertsdale
Foley
Foley
Summerville
Robertsdale
Foley
Foley
Tensaw
Fairhope
Fairhope
Foley
Bay Minette
Bon Secour
Foley
Fairhope
Folys

~~George Havel~~ Q5
~~Arthur E. Flanders~~ Q1
~~Frank Thomas~~ Q12

Farmer

Elberta

Farmer

Bon Secour

Electrician

Bay Minette

Cobbler

Bay Minette

Surveyor

Bay Minette

Butan Work

Foley

Farmer

Fairhope

Farmer

Robertsdale

Mercha t

Bay Minette

Furniture

Fairhop;e

38

12
26

P. XXXXX XXXXX XXXXX

Q. XXXXX XXXXX XXXXX

GEORGE ALBERT,)	IN THE CIRCUIT COURT
Plaintiff,)	
vs.)	OF
)	BALDWIN COUNTY, ALABAMA
LEO LEON MORGAN, W. D. GRUBBS,)	
and GOOD HOUSEKEEPING APPLIANCE)	
COMPANY, INC., a Corporation,)	
Defendants.	:	AT LAW NO: 1346

Comes now the Defendant Walter D. Grubbs in the above styled cause and in answer to interrogatories propounded to him says as follows:

1. Walter D. Grubbs, Mobile, Mobile County, Alabama.
2. Yes.
3. This is over six years ago and I don't remember.
4. Any answer that I would give in reply to this interrogatory would be based on hearsay, for I have no personal knowledge.
5. See answer to Interrogatory No. 4.
6. The arrangement I had with Good Housekeeping was something like this. Good Housekeeping would purchase gas from a seller and I would haul this gas for Good Housekeeping at so much per gallon.
7. See answer to Interrogatory No. 6.
8. See answer to Interrogatory No. 6.
9. Good Housekeeping Appliance Company is located at 2861 Old Shell Road, Mobile, Alabama.
10. See answer to Interrogatory No. 6.

11. See answer to Interrogatory No. 6.

12. See answer to Interrogatory No. 6.

13. I have no personal knowledge that would enable me to answer this question and any answer I would give would be based on hearsay. (b) See the first part of answer to Interrogatory No. 13.

14. See answer to Interrogatory No. 13.

15. No, they did not.


W. D. Grubbs

SUBSCRIBED and SWORN to before me

this 7th day of July, 1954.


Notary Public, Mobile County, Alabama.

1346

FILED

AUG 11 1954

ALICE J. DUCK, Clerk

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC., A CORPORATION,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

CASE NO: 1346
1346A

MOTION

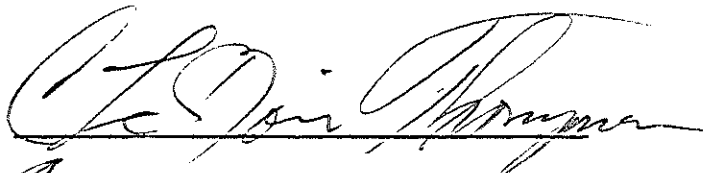
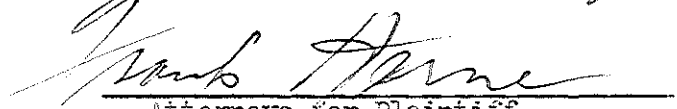
TO THE HONORABLE TELFAIR J. WASHBURN JR., JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA;

Comes the plaintiff in case number 1346 as amended and in case
number 1346 A as amended and moves the court to consolidate said
causes for trial.

FILED

OCT. 16, 1950

ALICE J. BUCK, Clerk



Attorneys for Plaintiff

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC., A CORPORATION,

DEFENDANTS

MOTION

FILED

OCT 16 1950

ALICE J. DUCK, Clerk

Law Offices

C. LeNoir Thompson
Bay Minette, Alabama

468 MAY 200 1949

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon
W. D. Grubbs to appear at the next term of the Circuit Court, to
be held for said County, at the place of holding the same, then and
there to answer the complaint of George Albert.

Witness my hand this 13th day of May, 1949.

W. J. Duck
CLERK

GEORGE ALBERT
PLAINTIFF

C O M P L A I N T

W. D. GRUBBS
DEFENDANT

I VS. I

COUNT ONE: The plaintiff claims of the defendant the sum
of ONE THOUSAND (\$1,000.00) DOLLARS as damages for in this, that
on, to-wit, the 25th. day of September, 1948, the agent, servant or
employee of the defendant acting within the line and scope of his
authority as such at a point on highway number 31 about eight miles
east of the Town of Bay Minette, and in Baldwin County, Alabama,
negligently drove an automobile truck over on or against an auto-
mobile truck belonging to the plaintiff and being at that time
driven by the said plaintiff and as a proximate consequence thereof
plaintiff was internally injured and permanently injured; his nerv-
ous system was greatly shocked and impaired was permanently shocked
and impaired; he was made sick and sore for a long period of time,
his physical stamina was impaired and permanently impaired, he was
caused to suffer great physical pain and mental anguish, was put to
much trouble, annoyance, inconvenience, and loss of time in and
about an effort to heal and cure his said wounds and injuries,

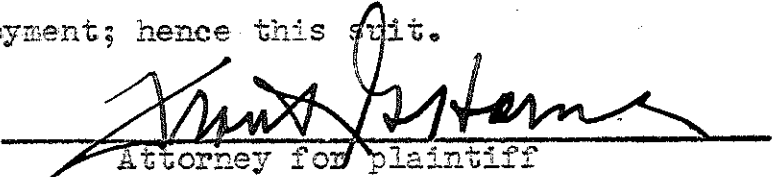
and the plaintiff avers his injuries were the proximate consequence of the negligence of Leo Leon Morgan, the agent, servant or employee of the defendant who was then and there acting within the line and scope of his employment; hence this suit.

FILED

5-13-49

ALICE J. DUCK, Clerk

The plaintiff demands a trial by jury.


Attorney for plaintiff


Attorney for plaintiff

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
LAW SIDE. NO. _____.

GEORGE ALBERT, PLAINTIFF
VS.
W. D. GRUBBS, DEFENDANT

FILED 8-13-49.

W. D. Grubbs
CLERK

Frank G. Horne
Attorney at Law
Atmore, Ala.

GEORGE ALBERT,

Plaintiff

vs

LEON MORGAN, W. O. GRUBBS
and GOOD HOUSEKEEPING
APPLIANCE COMPANY, INC.,
a corporation,

Defendants.

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA

NO. 1346

~~Comes now the Defendant Good Housekeeping Appliance~~
Company, Inc., a corporation, and demurs to Count One of
the amended complaint in said cause, and as reason therefor
assigns the following separate and several grounds:-

ONE

For that said Count is vague, indefinite and uncertain.

TWO

For that said Count insufficiently establishes the
place of the alleged injury.

THREE

For that said Count is vague, indefinite and uncertain
as to the place where the injury is alleged to have occurred.

FOUR

For that it affirmatively appears that there is a
misjoinder of parties defendant in said Count.

FIVE

For that it affirmatively appears that there is a
joinder of unnecessary party to said Count, to-wit, LEON
MORGAN.

And Defendant further demurs to Count Two of the
amended complaint in said cause, and as reason therefor
assigns the following separate and several grounds:-

ONE

For that said Count is vague, indefinite and uncertain.

TWO

For that said Count insufficiently establishes the
place of the alleged injury.

THREE

For that said Count is vague, indefinite and uncertain
as to the place where the injury is alleged to have occurred.

FOUR

For that it affirmatively appears that there is a misjoinder of parties defendant in said Count.

FIVE

For that it affirmatively appears that there is a joinder of unnecessary party to said Count, to-wit, LEON MORGAN.

And Defendant further demurs to Count Three of the amended complaint in said cause, and as reason therefor assigns the following separate and several grounds:-

ONE

For that said Count is vague, indefinite and uncertain.

TWO

For that said Count insufficiently establishes the place of the alleged injury.

THREE

For that said Count is vague, indefinite and uncertain as to the place where the injury is alleged to have occurred.

FOUR

For that it affirmatively appears that there is a misjoinder of parties defendant in said Count.

FIVE

For that it affirmatively appears that there is a joinder of unnecessary party to said Count, to-wit, LEON MORGAN.

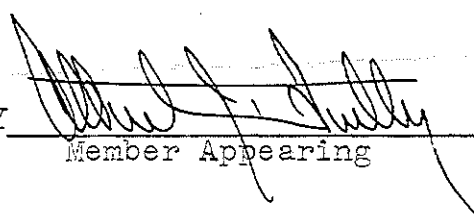
HOLBERG, TULLY & ALDRIDGE
Attorneys for Defendant Good
House Keeping Appliance Company, Inc.

FILED

3-26-51

ALICE J. DUCK, Clerk

BY


Member Appearing

FILED
MAR 26 1951
ALICE J. BUCK, Clerk

GEORGE ALBERT,

Plaintiff,

vs.

W. D. GRUBBS, et al.,

Defendants.

I

I

I

I

I

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1346

Come now the Defendants, Leon Morgan and W. D. Grubbs, by their attorneys, and for answer to the complaint as last amended, and to each count thereof, separately and severally, and plead as follows:

1. Not guilty.

and Two

For further answer to Counts One^{and Two} of said complaint the said Defendants say as follows:

2. That the Plaintiff was himself guilty of negligence at the time and place complained of in the complaint which proximately contributed to his alleged injuries in that he so negligently operated the motor vehicle in which he was then and there riding so as to lose control of the same and as a proximate consequence and result of his said negligence he suffered the injuries and damages complained of, hence he should not recover against these Defendants.

FILED

3-14-55

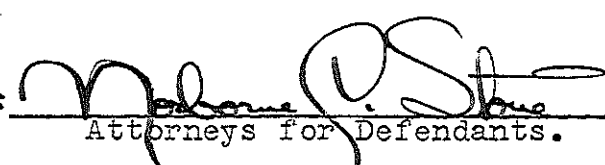
ALICE J. DUCK, Clerk

INGE, TWITTY, ARMBRECHT & JACKSON

and

CHASON & STONE

By:


Attorneys for Defendants.

GEORGE ALBERT,

Plaintiff,

vs.

W. D. GRUBBS, et al.,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 1346

PLEAS

*Filed 3/14/55
1st day
JWS*

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

AMENDED
BILL OF COMPLAINT

GEORGE ALBERT,
PLAINTIFF,

VS.

LEON MORGAN, W. O. GRUBBS,
and GOOD HOUSEKEEPING APP-
LIANCE CO., INC., a corpo-
ration,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1346

COUNT ONE: The Plaintiff claims of the Defendants the sum of One Thousand (\$1000.00) Dollars as damages for that heretofore, that on, to-wit, September 25, 1948, the Plaintiff's automobile was being lawfully driven along and upon a public highway in Baldwin County, Alabama, to-wit: U. S. highway numbered 31, about eight miles East of the town of Bay Minette, Alabama, and that then and there, *Leon Morgan* the servant, agent or employee of the Defendants, W. O. Grubbs and Good Housekeeping Appliance Co., Inc., a corporation, while acting within the line and scope of his employment, negligently did run the automobile he was driving into the Plaintiff's automobile and as a direct and proximate consequence thereof the Plaintiff was internally injured, his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts, contusions, his physical stamina was impaired and permanently impaired. He was caused to suffer great physical pain and mental anguish. He was put to much trouble, annoyance, inconvenience, and loss in time in an effort to heal and cure his said wounds and injuries all to the loss of the Plaintiff in the aforesaid amount.

COUNT TWO: The Plaintiff claims of the Defendants, the sum of One Thousand (\$1000.00) Dollars, as damages for that heretofore, on, to-wit, September 25, 1948, the Plaintiff's automobile was being driven along and upon ²the public highway in Baldwin County, Alabama, to-wit, U. S. highway numbered 31, about eight miles East

Dean Morgan
 of the town of Bay Minette, Alabama, and that then and there, the servant, agent or employee of the Defendants, W. O. Grubbs and Good Housekeeping Appliance Co., Inc., a corporation, while acting within the line and scope of his employment did wantonly injure the Plaintiff by wantonly running the automobile he was driving into the Plaintiff's automobile and as a direct proximate consequence and result thereof; the Plaintiff was wantonly internally injured, his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts, contusions, his physical stamina was impaired and permanently impaired. He was caused to suffer great physical pain and mental anguish. He was put to much trouble, annoyance, inconvenience and loss in time in an effort to heal and cure his said wounds and injuries all to the loss of the Plaintiff in the aforesaid amount.

COUNT THREE: The Plaintiff claims of the Defendants, the sum of One Thousand (\$1000.00) Dollars, as damages, for that heretofore, on, to-wit, September 25, 1948, the Plaintiff's automobile was being lawfully driven along and upon a public highway in Baldwin County, Alabama, to-wit: U. S. highway numbered 31, about eight miles East of the town of Bay Minette, Alabama, and that then and there, the servant, agent or employee of the Defendants, W. O. Grubbs and Good Housekeeping Appliance Co., Inc., a corporation, while acting within the line and scope of his employment, did wantonly injure the Plaintiff's automobile by wantonly running the automobile he was driving into the Plaintiff's automobile and as a direct and proximate consequence and result thereof; the Plaintiff was wantonly injured, his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts, contusions, his physical stamina was impaired and permanently impaired. He was caused to suffer great physical pain and mental anguish. He was put to much trouble, annoyance, inconvenience, and loss in time in an effort to heal and cure

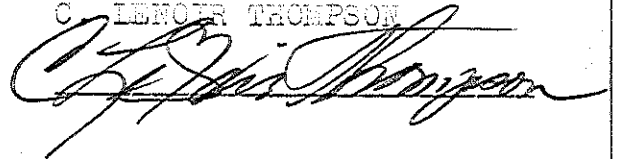
his said wounds and injuries all to the loss of the Plaintiff in the
aforesaid amount.

The Plaintiff demands a trial by jury.


FILED

~~AND~~
3-8-51
ALICE J. DUCK, ~~clerk~~ clerk.

C. LENOIR THOMPSON



HORNE & BRANTLEY

BY: 
Attorneys for Plaintiff

1346

GEORGE ALBERT,
PLAINTIFF,

VS.

LEON MORGAN, W. O. GROUBS
and GOOD HOUSEKEEPING APP-
LIANCE CO., INC., a corpo-
ration,
DEFENDANTS.

AMENDED BILL OF COMPLAINT

FILED
MAR 8 1951
ALICE J. DUCK, Clerk

We the jury find for the
defendant W. O. Groubs

B. M. Simmons

We the jury find for the
defendant Good Housekeeping
Appliance Co., Inc., a corporation.

B. M. Simmons

We the jury find for the
defendant Leon Morgan

B. M. Simmons

GEORGE ALBERT

PLAINTIFF

VS.

W. D. GRUBBS, ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 1346

Now comes the Defendant, W. D. Grubbs and demurs to the Plaintiffs original and amended complaint, and to each count thereof, separately and severally says:

1.

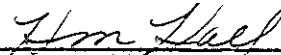
That said count does not state a cause of action.

2.

That said count does not allege that the collision occurred in Baldwin County, Alabama.

3.

That said count alleges no duties owing from this Defendant to the Plaintiff.

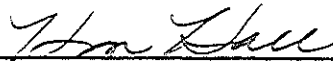


Attorney for Defendant

The Defendant demands a trial by jury.

FILED

Dec. 19-49



Attorney for Defendant

ALICE J. DUCK, Clerk

GEORGE ALBERT

PLAINTIFF

VS.

W. D. GRUBBS ET AL.

DEFENDANTS

FILED
DEC 19 1949
ALICE J. DUCK, Clerk

GEORGE ALBERT,
Plaintiff

- VS -

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC., A CORPORATION,

Defendants

IN THE
CIRCUIT COURT
OF
BALDWIN COUNTY,
ALABAMA
AT LAW No. 1346

Comes the Defendant, Good Housekeeping Appliance Company, Inc., a corporation, and demurs to the complaint filed in the above entitled cause, and to each and every count therein separately and severally, by filing and submitting the following separate and several demurrers:

1. From aught that appears the alleged accident occurred at a point outside of the State of Alabama.
2. Said complaint fails to aver in which County or State the alleged accident occurred.
3. Said complaint fails to aver that U. S. numbered highway 31 is a public highway.
4. Said complaint affirmatively alleges that the alleged accident was caused by an agent, servant or employee of the Defendant W. D. Grubbs.
5. From aught that appears from said complaint, the Defendant, W. D. Grubbs, was the sole master or employer of the agent, servant or employee involved in said accident.
6. Said complaint fails to state or show any causal connection between the alleged negligence of Leo Leon Morgan and the Defendant Good Housekeeping Appliance Company, Inc.
7. It affirmatively appears that the Defendant, Leo Leon Morgan, was the agent, servant or employee of the Defendant, W. D. Grubbs, and there is no averment or allegation concerning any relationship of master and servant between the said Leo Leon Morgan and the said Defendant Good Housekeeping Appliance Company, Inc.
8. Defendant specially demurs to Count 1 of the complaint in that the allegation that the Plaintiff "negligently ran said automobile truck into, upon or against an automobile in which Plaintiff was riding" is a mere conclusion of the pleader and is not supported by any facts.

9. Defendant specially demurs to Count 2 of the complaint in that the allegation that the Defendant "willfully or wantonly injured Plaintiff by willfully or wantonly running said automobile truck into, upon or against an automobile in which Plaintiff was riding" is a mere conclusion of the pleader, not supported by any facts.
10. From aught that appears the automobile in which Plaintiff was riding at the time and place alleged was not lawfully being driven or operated.
11. Defendant specially demurs to Count 2 of said complaint in that Plaintiff has averred that his injuries were "the proximate consequence of the negligence of Leo Leon Morgan", and fails to distinguish between simple negligence and wilful or wanton negligence as elsewhere alleged in said count.

FILED

Dec. 15-49

ALICE J. DUCK, Clerk

Holley, Jolly & Caldwell
Attorneys for Defendant, Good
Housekeeping Appliance Company, Inc.

Raymond B. Smith
Appearing

1346.

FILED
DEC 15 1949
ALICE J. DUCK, Clerk

GEORGE ALBERT,	§	IN THE
Plaintiff	§	CIRCUIT COURT
-VS-	§	OF
LEO LEON MORGAN, W. D. GRUBBS,	§	BALDWIN COUNTY,
& GOOD HOUSEKEEPING APPLIANCE	§	ALABAMA
COMPANY, INC., A CORPORATION,	§	
Defendants	§	AT LAW NO. 1346-
	§	

Comes now the Defendant Good Housekeeping Appliance Co., Inc., a Corporation, and demurs to Count One of the amended Complaint in said cause, and as reason therefor assigns the following separate and several grounds:-

1. For that said Count is vague, indefinite and uncertain.
2. For that said Count insufficiently establishes the place of the alleged injury.
3. For that said Count is vague, indefinite and uncertain as to the place where the injury is alleged to have occurred.
4. For that said Count is vague, indefinite and uncertain as to the manner in which this Defendant or its agent, servant or employee is claimed to have been responsible for the operation of the alleged automobile truck.
5. For that the allegation that the agent, servant or employee of the Defendants, W. D. Grubbs, and Good Housekeeping Appliance Company, a corporation, "in charge of control of the operation of an automobile truck" is vague, indefinite, uncertain and confusing.
6. For that the allegation that the agent, servant or employee of the Defendants, W. D. Grubbs, and Good Housekeeping Appliance Company, a corporation, "in charge of control of the operation of an automobile truck" is but a conclusion of the pleader insufficiently supported by allegation of fact.
7. For that said amended complaint seeks to combine in one count claims for simple negligence and claims for willful and wanton negligence.

FILED

Nov. 11-1950

ALICE J. BUCK, Clerk

HOLBERG, TULLY & ALDRIDGE
ATTORNEYS FOR DEFENDANT
GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC.

By

Member Appearing

FILED
NOV 4 1950
ALICE J. DUCK, Clerk

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W. D. GRUBBS
& GOOD HOUSE KEEPING APPLIANCE
COMPANY, INC., A CORPORATION.

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW

COUNT ONE:

Plaintiff claims of the Defendants ONE THOUSAND (\$1,000.00) DOLLARS as damages for that he avers that on, to-wit, September 25, 1948, the agent, servant or employee of the Defendants, W.D. GRUBBS, and Good Housekeeping Appliance Company, a corporation, in charge of control of the operation of an automobile truck on a Public Highway, to-wit: U. S. numbered highway 31, in Baldwin County, about eight miles east of the town of Bay Minette, Alabama, while acting within the line or scope of his employment as such agent, servant or employee, negligently ran said automobile truck into, upon or against an automobile which was being lawfully driven in which Plaintiff was riding on U.S. numbered highway 31, a public highway in Baldwin County, about eight miles east of the town of Bay Minette, Alabama, and by reason thereof and as the proximate result and consequence there of plaintiff received personal injuries in this, to-wit: Plaintiff was internally injured and permanently injured; his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts and contusions, his physical stamina was impaired and permanently impaired, he was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure his said wounds and injuries and the Plaintiff avers his injuries were the proximate consequence of the negligence of Leo Leon Morgan, the agent, servant, or employee of the Defendants who was then and there acting within the line and scope of his employment; hence this suit.

Plaintiff claims of the Defendants ONE THOUSAND (\$1,000.00) DOLLARS as damages for that he avers that on, to-wit, September 25, 1948, the agent, servant or employee of the Defendants, W.D. GRUBBS, and Good

Housekeeping Appliance Company, Inc., a Corporation in charge or control of the operation of an automobile truck on U.S. numbered highway 31, in Baldwin County, about eight miles east of the town of Bay Minette, Alabama, while acting within the line or scope of his employment as such agent, servant of employee, willfully or want only injured Plaintiff by wilfully or wantonly running said automobile truck into, upon or against an automobile

~~in which Plaintiff was riding on U.S. numbered highway 31, in Baldwin~~

County, about eight miles east of the town of Bay Minette, Alabama, and by the reason thereof and as the proximate result and consequence thereof Plaintiff received personal injuries in this, to-wit: Plaintiff was internally injured and permanently injured; his nervous system was greatly shocked and impaired and was permanently shocked and impaired; he was made sick and sore for a long period of time, he suffered bruises, cuts and contusions, his physical stamina was impaired and permanently impaired, he was caused to suffer great physical pain and mental anguish, was put to much trouble, annoyance, inconvenience, and loss of time in and about an effort to heal and cure his said wounds and injuries and the Plaintiff avers his injuries were the proximate consequence of the Wilful or Wanton negligence of Leo Leon Morgan, the agent, servant, or employee of the Defendants who was then there acting within the line and scope of his employment; hence this suit.

FILED

Oct. 16 - 1950

ALICE J. BUCK, Clerk

Frank Horne
FRANK HORNE

C. Lewis Thompson
C. LEWIS THOMPSON
(ATTORNEYS FOR PLAINTIFF)

*Copies mailed postage prepaid
to Attorneys for
Defendants -*

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC., A CORPORATION,

DEFENDANTS

AMENDED COMPLAINT

FILED

OCT 16 1950

ALICE J. DUCK, Clerk

Law Offices

C. LeNoir Thompson
Bay Minette, Alabama

AMENDED COMPLAINT

GEORGE ALBERT,
PLAINTIFF,

VS.

LEON MORGAN, W. O. GRUBBS,
and GOOD HOUSEKEEPING APP-
LIANCE CO., INC., a corpo-
ration,
DEFENDANTS.IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1346A

COUNT ONE: The Plaintiff claims of the Defendants the sum of One Thousand Five Hundred (\$1500.00) Dollars, as damages, for that heretofore, on, to-wit, September 25, 1948, the Plaintiff's automobile was being lawfully driven along and upon a public highway in Baldwin County, Alabama, to wit: U. S. highway numbered 31, about eight miles East of the town of Bay Minette, Alabama, and that then and there, *Leon Morgan* the servant, agent or employee of the Defendants, W. O. Grubbs and Good Housekeeping Appliance Co., Inc., a corporation, while acting within the line and scope of his employment negligently did run the automobile he was driving into the Plaintiff's automobile in which the Plaintiff was carrying his bakery products, and as a direct proximate consequence thereof the Plaintiff's automobile was damaged and his bakery products were damaged and destroyed, all to the loss of the Plaintiff in the amount aforesaid.

COUNT TWO: The Plaintiff claims of the Defendants the sum of One Thousand Five Hundred (\$1500.00) Dollars as damages, for that heretofore, on, to-wit, September 25, 1948, the Plaintiff's automobile was being lawfully driven along a public highway, to wit: U. S. highway numbered 31 in Baldwin County, Alabama, about eight miles East of the town of Bay Minette, Baldwin County, Alabama, and that then and there, *Leon Morgan* the servant, agent or employee of the Defendants, W. O. Grubbs and Good Housekeeping Appliance Co., Inc., a corporation while acting within the line and scope of his authority, negligently ran an automobile truck into, upon or against the Plaintiff's automobile; as a proximate consequence thereof the Plaintiff's automobile

was damaged and demolished, the personal property being property of the Plaintiff thereon, to-wit: Bakery products were damaged, destroyed and rendered less valuable, all to the great damages as aforesaid, said damages being the proximate consequence of the negligence of the agent, servant or employee of the Defendant's, W. O. Grubbs and Good Housekeeping, Appliance Co., Inc., a corporation, then and there acting in line and scope of his employment, hence this suit.

COUNT THREE: The Plaintiff claims of the Defendants the sum of One Thousand Five Hundred (\$1500.00) Dollars, as damages, for that heretofore, on, to-wit, September 25, 1948, the Plaintiff's automobile was being lawfully driven along and upon a public highway in Baldwin County, Alabama, to-wit: U. S. highway numbered 31, about eight miles East of the town of Bay Minette, Alabama, and that then and there, *See Morgan* the servant, agent or employee of the Defendants, W. O. Grubbs and Good Housekeeping Appliance Co., Inc., a corporation, while acting within the line and scope of his employment, did wantonly injure the Plaintiff's automobile by wantonly running the automobile he was driving into the Plaintiff's automobile and as a direct proximate consequence and result thereof, the Plaintiff's automobile was damaged in the amount aforesaid.

COUNT FOUR: Plaintiff claims of the Defendants, the sum of One Thousand Five Hundred (\$1500.00) Dollars as damages that heretofore, on, to-wit, September 25, 1948, the Plaintiff's automobile was being lawfully driven along a public highway, to-wit: U. S. highway numbered 31, and in Baldwin County, Alabama, at a point about eight miles East of the town of Bay Minette, Baldwin County, Alabama, and that then and there, *See Morgan* the servant, agent or employee of the Defendants, W. O. Grubbs and Good Housekeeping Appliance Co., Inc., a corporation, while acting within the line and scope of his authority, willfully or wantonly ran an automobile truck into, upon or against the Plaintiff's automobile, and willfully or wantonly injured the Plaintiff's automobile and willfully or wantonly damaged and destroyed certain bakery products the Plaintiff was hauling therein; they being

his personal property, as a proximate consequence thereof; the Plaintiff's automobile was damaged and demolished, his bakery products were damaged and destroyed all to his great damage as aforesaid, hence this suit.

The Plaintiff demands a trial by jury.

FILED

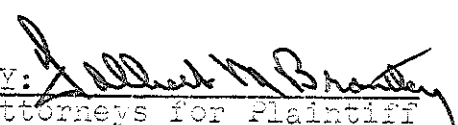
March 8, 1951

ALICE J. DUCK, Clerk

C. LENOIR THOMPSON



HORNE & BRANTLEY

BY: 
Attorneys for Plaintiff

13464

GEORGE ALBERT,
PLAINTIFF,

VS.

LEON MORGAN, W. O. GRUBBS
and GOOD HOUSEKEEPING APPLIANCE
CO., INC., a corporation.

AMENDED COMPLAINT

FILED

MAR 8 1951

ALICE J. DUCK, Clerk

We the jury find for the
defendant W. O. Grubbs.

B. M. Simmons

We the jury find for the
defendant Good Housekeeping
Appliance Co., Inc., a corporation

B. M. Simmons

We the jury find for the
defendant Leon Morgan

B. M. Simmons

GEORGE ALBERT,	()	IN THE CIRCUIT COURT
	()	
Plaintiff	()	OF
	()	
vs	()	BALDWIN COUNTY, ALABAMA
	()	
LEON MORGAN, W. O. GRUBBS	()	NO. 1346A
and GOOD HOUSEKEEPING	()	
APPLIANCE COMPANY, INC., a	()	
corporation,	()	
	()	
Defendants	()	

Comes now the Defendant Good Housekeeping Appliance Company, Inc., a corporation, and demurs to Count One of the amended complaint in said cause, and as reason therefor assigns the following separate and several grounds.

ONE

For that said Count is vague, indefinite and uncertain.

TWO

For that said Count insufficiently establishes the place of the alleged injury.

THREE

For that said Count is vague, indefinite and uncertain as to the place where the injury is alleged to have occurred.

FOUR

For that it affirmatively appears that there is a misjoinder of parties defendant in said Count.

FIVE

For that it affirmatively appears that there is a joinder of unnecessary party to said Count, to-wit, LEON MORGAN.

And said Defendant further demurs to Count Two of the amended complaint in said cause, and as reason therefor assigns the following separate and several grounds:-

ONE

For that said Count is vague, indefinite and uncertain.

TWO

For that said Count insufficiently establishes the place of the alleged injury.

THREE

For that said Count is vague, indefinite and uncertain as to the place where the injury is alleged to have occurred.

FOUR

For that it affirmatively appears that there is a misjoinder of parties defendant in said Count.

FIVE

For that it affirmatively appears that there is a joinder of unnecessary party to said Count, to-wit, LEON MORGAN.

And Defendant further demurs to Count Three of the amended complaint in said cause, and as reason therefor assigns the following separate and several grounds:-

ONE

For that said Count is vague, indefinite and uncertain.

TWO

For that said Count insufficiently establishes the place of the alleged injury.

THREE

For that said Count is vague, indefinite and uncertain as to the place where the injury is alleged to have occurred.

FOUR

For that it affirmatively appears that there is a misjoinder of parties defendant in said Count.

FIVE

For that it affirmatively appears that there is a joinder of unnecessary party to said Count, to-wit, LEON MORGAN.

And Defendant further demurs to Count Four of the amended complaint in said cause, and as reason therefor assigns the following separate and several grounds:-

ONE

For that said Count is vague, indefinite and uncertain.

TWO

For that said Count insufficiently establishes the place of the alleged injury.

THREE

For that said Count is vague, indefinite and uncertain as to the place where the injury is alleged to have occurred.

FOUR

For that it affirmatively appears that there is a misjoinder of parties defendant in said Count.

FIVE

For that it affirmatively appears that there is a joinder of unnecessary party to said Count, to-wit, LEON MORGAN.

SIX

For that said Count is vague, indefinite, uncertain and confusing as to the personal properties alleged to have been injured.

FILED


March 26, 1951

ALICE J. DUCK, Clerk

HOLBERG, TULLY & ALDRIDGE

Attorneys for Defendant, Good
Housekeeping Appliance Company, Inc.

BY


Member Appearing

FILED
MAR 23 1951
ALICE J. BUCK, Clerk

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W. D.
GRUBBS, AND GOOD HOUSES
KEEPING APPLIANCE CO.,
INC., A CORPORATION,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 1346

MOTION

TO THE HONORABLE H. M. HALL, JUDGE OF THE 28th JUDICIAL CIRCUIT:

Comes now the Plaintiff in the above styled cause and shows unto the Court that Interrogatories were propounded to the Defendant, W. D. Grubbs, in this matter more than sixty days ago. That he has wholly failed to answer these interrogatories.

Now comes the Plaintiff and moves the court to attach W. D. Grubbs, or cause him to answer fully in open court or tax him with such cost as may seem just and continue the cause for answers or enter a judgment by default, at the court's discretion.

FILED
April 19, 1954
ALICE J. DUCK, Clerk

Wilters & Brantley

By: Robert M Brantley
Attorney for Moveant

Mrs. Alice J. Duck,

Please serve a copy of this motion on W. D. Grubbs at 3109 Emogene Street, Mobile 18, Alabama.

EXECUTED
This 22nd day of April 1954
by serving a copy of the within on
W. D. Grubbs
W. H. HOLCOMBE, Sheriff
Mobile County, Ala.
By W. H. Ferguson D.S.

867

1346

388

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W. D. GRUNDS,
AND GOOD HOUSEKEEPING APPLIANCE
CO., INC., A CORPORATION,

DEFENDANTS

MOTION

FILED
APR 19 1954
ALICE J. BUCK, Clerk

GEORGE ALBERT,	§	IN THE
Plaintiff	§	CIRCUIT COURT
- VS -	§	OF
LEO LEON MORGAN, W.D. GRUBBS,	§	BALDWIN COUNTY,
& GOOD HOUSEKEEPING APPLIANCE	§	ALABAMA
COMPANY, INC., A CORPORATION,	§	
Defendants	§	AT LAW No. 1346 A

Comes the Defendant, Good Housekeeping Appliance Company, Inc., a corporation, and demurs to the complaint filed in the above entitled cause, and to each and every count therein separately and severally, by filing and submitting the following separate and several demurrers:

1. From aught that appears the alleged accident occurred at a point outside the State of Alabama.
2. Said complaint fails to aver in which County or State the alleged accident occurred.
3. Said complaint fails to aver that U. S. numbered highway 31 is a public highway.
4. Said complaint fails to designate which Defendant was the servant and which the employer.
5. Said complaint refers to "Defendant's" servant, agent or employee, thereby indicating the singular in reference to the master or employer and fails to aver or designate which Defendant is obliged to defend this action as such master or employer.
6. Said complaint refers to the "servant, agent or employee", thereby indicating the singular in reference to the said servant, agent or employee, and fails to aver or designate which Defendant is obliged to defend this action as such servant, agent or employee.
7. For that said complaint alleges no facts to support the allegation as contained in Count 1 that the Defendant's servant, agent or employee "negligently ran an automobile truck into, upon or against Plaintiff's automobile", and that such allegation constitutes a mere conclusion on the part of the pleader.

8. Defendant specially demurs to Count 2 of the complaint in that the allegation that the Defendant's servant, agent or employee "willfully or wantonly injured the Plaintiff's automobile" is a mere conclusion of the pleader, not supported by any facts.
9. Defendant specially demurs to Count 1 of said complaint in that the allegation that certain personal property allegedly loaded in Plaintiff's automobile and allegedly damaged, are not shown to be the property of the Plaintiff.
10. Defendant specially demurs to Count 1 of said complaint in that same fails to allege that Plaintiff's automobile was negligently damaged.
11. Defendant specially demurs to Count 2 of the complaint in that said complaint fails to allege that Plaintiff's automobile was willfully or wantonly damaged.
12. Defendant specially demurs to Count 2 of said complaint in that said complaint fails to allege the means or instrument by which Plaintiff's automobile was allegedly damaged.

FILED

OCT 15, 1949

ALICE J. DUCK, Clerk

Lotberg, Jolly & Aldridge
Attorneys for Defendant, Good
Housekeeping Appliance Company, Inc.

Samuel B. Lotberg
Appearing

1346A

FILED
DEC 15 1949
ALICE L. DUCK, Clerk

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA

CIRCUIT COURT

BALDWIN COUNTY



TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon

W. D. Grubbs to appear at the next term of the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of George Albert.

Witness my hand this 13th day of May, 1949.

CLERK

C O M P L A I N T

GEORGE ALBERT,
PLAINTIFF

VS.

W. D. GRUBBS,
DEFENDANT

COUNT ONE: The plaintiff claims of the defendant the sum of ONE THOUSAND (\$1,000.00) DOLLARS as damages for in that, on, to-wit, the 25th. day of September, 1948, the agent, servant or employee of the defendant, acting within the line and scope of his authority as such, at a point on highway number 31 about eight miles east of the Town of Bay Minette, in Baldwin County, Alabama, negligently drove an automobile truck over on or against an automobile truck belonging to the plaintiff and being at that time driven by the plaintiff and as a proximate consequence thereof plaintiff's automobile truck was damaged in the amount sued for.

Plaintiff avers that his said automobile truck or motor vehicle was damaged as aforesaid as a proximate consequence of the negligent manner in which defendant's automobile truck was operated on said occasion by one Leo Lenn Morgan, the agent, servant or employee of the defendant while acting within the line and scope of his employment in this, that said agent or servant of defendant

negligently caused his automobile truck to run into and against plaintiff's automobile truck; hence this suit.

FILED

5-13-49

ALICE J. DUCK, Clerk

Frank E. Ham
Attorney for plaintiff

The plaintiff demands a trial by jury.

Frank E. Ham
Attorney for plaintiff

1346 A

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
LAW SIDE. NO. _____.

GEORGE ALBERT, PLAINTIFF
VS.
W. D. GRUBBS, DEFENDANT

FILED 6-13-49.

Alice A. Huch
CLERK

Frank G. Horne
Attorney at Law
Atmore, Ala.

GEORGE ALBERT,	¶	IN THE
Plaintiff	¶	CIRCUIT COURT
- VS -	¶	OF
LEO LEON MORGAN, W. D. GRUBBS,	¶	BALDWIN COUNTY,
& GOOD HOUSEKEEPING APPLIANCE	¶	ALABAMA
COMPANY, INC., A CORPORATION,	¶	
Defendants	¶	AT LAW NO. 1346-A
	¶	

Comes now the Defendant Good Housekeeping Appliance Co., Inc., a Corporation, and demurs to Count One of the amended Complaint in said cause, and as reason therefor assigns the following separate and several grounds:-

1. For that said Count is vague, indefinite, and uncertain.
 2. For that said Count insufficiently establishes the place of the alleged injury.
 3. For that said Count is vague, indefinite, and uncertain as to the place where the injury is alleged to have occurred.
 4. For that said Count is vague, indefinite, and uncertain as to the injuries complained of.
 5. For that said Count is vague, indefinite, and uncertain as to the personal properties alleged to have been damaged.
 6. For that, for aught that appears, the personal property alleged to have been injured was not injured as the proximate consequence of the negligence complained of.
 7. For that said Count fails to allege any causal connection between the negligence complained of and the damage alleged to have been suffered to the personal property of the Plaintiff.
- And said Defendant further demurs to Count Two of the amended complaint in said cause, and as reason therefor assigns the following separate and several grounds:-

1. For that said Count is vague, indefinite, and uncertain.
2. For that said Count insufficiently establishes the place of the alleged injury.

3. For that said Count is vague, indefinite, and uncertain as to the place where the injury is alleged to have occurred.
4. For that said Count is vague, indefinite, and uncertain as to the injuries complained of.
5. For that said Count fails to allege any causal connection between the negligence complained of and the damage alleged to have been suffered to the personal property of the Plaintiff.
6. For aught that appears, there was no willful or wanton injury to Plaintiff's automobile.
7. For that said Count fails to aver that there was any willful or wanton injury to Plaintiff's automobile.
8. For that said Count fails to aver any willful or wanton injury.

FILED

Nov. 4, 1950

J. L. DICK, Clerk

HOLBERG, TULLY & ALDRIDGE
ATTORNEYS FOR DEFENDANT
GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC.

By

Member Appearing

FILED
NOV 4 1960
ALICE J. DICK, RMR

GEORGE ALBERT

PLAINTIFF

VS

W. D. GRUBBS ET AL

DEFENDANTS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

Now comes the Defendant, W. D. Grubbs, and demurs to the Plaintiff's complaint, heretofore filed in this case, and to each count thereof separately and severally says:

1.

That said count does not state a cause of action.

2.

That said count affirmatively shows that it is barred by the Statutes of Limitation.

3.

~~That said count affirmatively shows that it is barred by the Statutes of Limitations of one year.~~

FILED

Oct. 25, 1950

ALICE J. DUCK, Clerk

Attorney for the Defendant, W. D. Grubbs

1346A

GEORGE ALBERT

PLAINTIFF

VS

W. D. GRUBBS, ET AL,

DEFENDANT

DEMURRERS

FILED
OCT 25 1950
ALICE J. DUCK, Clerk

GEORGE ALBERT	§	IN THE
Plaintiff	§	CIRCUIT COURT
- VS -	§	OF
LEO LEON MORGAN, W.D.GRUBBS	§	BALDWIN COUNTY,
& GOOD HOUSEKEEPING APPLIANCE	§	ALABAMA
COMPANY, INC., A CORPORATION,	§	
Defendants	§	

Comes now Good Housekeeping Appliance Company, Inc., one of the Defendants in the above styled cause, by its attorneys, Holberg, Tully & Aldridge, and appearing specially for the purpose of filing the following plea in abatement, and for no other purpose, pleads in abatement to the complaint filed in this cause and to each count thereof as follows, separately and severally:

1. That this Honorable Court is without jurisdiction of the cause of action sued on in this: That Leo Leon Morgan is a bona fide resident of Mobile County, Alabama; that W. D. Grubbs is a bona fide resident of Mobile County, Alabama, and that the Defendant, Good Housekeeping Appliance Company, Inc. is a domestic Alabama corporation domiciled in Mobile County, Alabama, and that this Honorable Court has no jurisdiction to hear or entertain the complaint filed in said cause in the absence of affirmative facts and allegations that the alleged cause of action occurred in Baldwin County.

2. That this Honorable Court is without jurisdiction of the cause of action sued on in this: That if the Court judicially recognizes that a point on U.S. numbered highway 31, about eight miles East of the Town of Bay Minette, Alabama, is within Baldwin County, Alabama, said Court is without jurisdiction unless it affirmatively appears from the bill of complaint that one or more of the Defendants has a permanent residence within the State of Alabama.

WHEREFORE, the Defendant says it can not be sued in Baldwin County, Alabama, and that the Circuit Court of Baldwin County, Alabama has no jurisdiction of the cause of action made the basis of this suit and that this Court ought not to take further jurisdiction in this cause.

Holberg Tully & Aldridge
Attorneys appearing specially for
Good Housekeeping Appliance Company, Inc.

Francis V. de Guay
Appearing

GOOD HOUSEKEEPING APPLIANCE COMPANY, INC.

By Francis V. de Guay
President

STATE OF ALABAMA)
COUNTY OF MOBILE)

Personally appeared before the undersigned authority in and for said County in said State, FRANK V. deGRUY, who being by me first duly sworn, doth on his oath, depose and say, that he is President of Good Housekeeping Appliance Company, Inc., that he has knowledge of the facts set forth in the above and foregoing motions, and that said facts are true and correct.

Frank V. de Gruy

Sworn and subscribed to before me,
this 22 day of October, 1949.

Baughman
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

FILED

Oct. 24 - 1949

ALICE I. DUCK, Clerk

1346 A

FILED
OCT 24 1949
A. ALICE J. DUCK, Clerk

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
A GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC., A CORPORATION,

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT BAR.

1346-A

COUNT ONE:

The Plaintiff claims of the Defendants the sum of FIFTY FIVE HUNDRED (\$1,500.00) DOLLARS as damages, for that heretofore, on, to-wit, September 25, 1948, Plaintiff's automobile was lawfully being driven along a Public Highway, to-wit: U.S. numbered highway 31, in Baldwin County about eight miles east of the town of Bay Minette, Baldwin County, Alabama, and that then and there the Defendants' servant, agent, or employee, while acting within the line and scope of his authority, negligently ran an automobile truck into, upon or against Plaintiff's automobile, as a proximate consequence whereof, Plaintiff's automobile was damaged and demolished, the personal property being property of the Plaintiff, loaded thereon, to-wit: Bakery products were damaged, destroyed and rendered less valuable, all to his great damage as aforesaid; said damage being the consequence of the negligence of Defendants' agent, servant or employee, then and there acting in line and scope of his employment, hence this suit.

COUNT TWO:

Plaintiff claims of the Defendants the sum of FIFTY FIVE HUNDRED (\$1,500.00) DOLLARS as damages, for that heretofore, on to-wit, September 25, 1948, Plaintiff's automobile was lawfully being driven along a Public Highway, to-wit: U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Baldwin County, Alabama, and that then and there the Defendants' servant, agent or employee, while acting within the line and scope of his authority, willfully or wantonly ran an automobile truck into, upon or against Plaintiff's automobile and injured the Plaintiff's automobile, as a proximate consequence whereof,

Plaintiff's automobile was damaged and demolished, all to his great damage as aforesaid; hence this suit.

Frank Horne
FRANK HORNE

C. Lermer Thompson
C. LERMER THOMPSON
(ATTORNEYS FOR PLAINTIFF)

FILED

OCT 16, 1950

ALICE J. BUCK, Clerk

*Copies mailed postage prepaid
to attorney for defendants.*

GEORGE ALBERT

PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSEKEEPING APPLIANCE
COMPANY, INC., A CORPORATION,

DEFENDANTS

AMENDED COMPLAINT

FILED

OCT 16 1950

ALICE J. DUCK, Clerk

Law Offices

C. LeNoir Thompson
Bay Minette, Alabama

'AMENDED COMPLAINT'

GEORGE ALBERT
PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSE KEEPING APPLIANCE
COMPANY, INC., A CORPORATION,
DEFENDANTS.

COUNT ONE:

The Plaintiff claims of the Defendants the sum of FIFTEEN HUNDRED (\$1,500) DOLLARS as damages, for that heretofore, on, to-wit, September 25, 1948, Plaintiff's automobile was lawfully being driven along U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Baldwin County, Alabama, and that then and there the Defendant's servant, agent, or employee, while acting within the line and scope of his authority, negligently ran an automobile truck into, upon or against Plaintiff's automobile, as a proximate consequence whereof, Plaintiff's automobile was damaged and demolished, the personal property loaded thereon, to-wit: Bakery products were damaged, destroyed and rendered less valuable, all to his great damage as aforesaid; hence this suit.

COUNT TWO:

Plaintiff claims of the Defendants the sum of FIFTEEN HUNDRED (\$1,500.00) DOLLARS as damages, for that heretofore, on to-wit, September 25, 1948, Plaintiff's automobile was lawfully being driven along U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Baldwin County, Alabama, and that then and there the Defendant's servant, agent or employee, while acting within the line and scope of his authority, wilfully or wantonly injured the Plaintiff's automobile, as a proximate consequence whereof, Plaintiff's automobile was damaged and demolished, all to his great damage as aforesaid; hence this suit.


FRANK HORNE

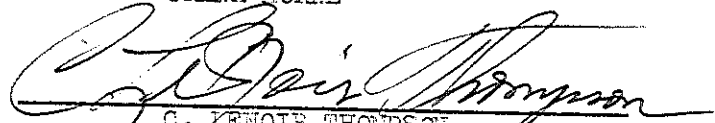

C. LENOIR THOMPSON
(ATTORNEYS FOR PLAINTIFF)

Figure 1: Schematic representation of the experimental design. The figure shows a sequence of events: a subject is presented with a stimulus (a face), then a response is recorded (a button press), and finally a feedback is provided (a light or sound). The sequence is repeated for multiple trials. The diagram is labeled 'Figure 1' and includes a legend for the symbols used.

3. For every x there is y such that $x + y = 0$ and $x - y = 0$

[illegible]

By W. L. Adams Clerk of Court
 By W. L. Adams Clerk of Court

630

Frank Horne
Atmore, Ala.
C. LeNoir Thompson
Bay Minette, Ala.
Attorneys for Plaintiff

AMENDED COMPLAINT

FILED
SEP 21 1949
RICE, J. DICK, Clerk

W.D. GRUBBS
3109 E Moegenest
MOBILE

Good House Keep: 199 APPLE
2361 Old Shoo Rd
MOBILE ALA

GEORGE, ALBERT
PLAINTIFF

VS

LEO LEON MORGAN, W.D. GRUBBS,
 & GOOD HOUSE KEEPING APPLIANCE
 COMPANY, INC., A CORPORATION
 DEFENDANTS

Original 482
346 A
BALOWIN
S.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.

..... TERM, 1949..

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You Are Hereby Commanded to Summon Leo Leon Morgan, W.D. Grubbs, and

Good House Keeping Appliance Company

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 Leo Leon Morgan,

W.D. Grubbs, and Good House Keeping Appliance Company, Defendant....

by George Albert

....., Plaintiff....

Witness my hand this 21 day of September 1949..

Alvin Black, Clerk.

No. _____ Page _____

THE STATE of ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS and COMPLAINT

Filed _____, 194____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co.

Defendant lives at

W.D. Gault & 3109 Emogene St
RECEIVED IN OFFICE

_____, 194____

_____, Sheriff

I have executed this summons

this _____, 194____

by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA

I

CIRCUIT COURT

BALDWIN COUNTY

I

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon

W. D. Grubbs to appear at the next term of the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of George Albert.

Witness my hand this 13th day of May, 1949.

Heinrich Leuch
CLERK

C O M P L A I N T

GEORGE ALBERT,
PLAINTIFF

VS.

W. D. GRUBBS,
DEFENDANT

COUNT ONE: The plaintiff claims of the defendant the sum of ONE THOUSAND (\$1,000.00) DOLLARS as damages for in that, on, to-wit, the 25th. day of September, 1948, the agent, servant or employee of the defendant, acting within the line and scope of his authority as such, at a point on highway number 31 about eight miles east of the Town of Bay Minette, in Baldwin County, Alabama, negligently drove an automobile truck over on or against an automobile truck belonging to the plaintiff and being at that time driven by the plaintiff and as a proximate consequence thereof plaintiff's automobile truck was damaged in the amount sued for.

Plaintiff avers that his said automobile truck or motor vehicle was damaged as aforesaid as a proximate consequence of the negligent manner in which defendant's automobile truck was operated on said occasion by one Leo Lenn Morgan, the agent, servant or employee of the defendant while acting within the line and scope of his employment in this, that said agent or servant of defendant

negligently caused his automobile truck to run into and against plaintiff's automobile truck; hence this suit.

Frank H. Starnes
Attorney for plaintiff

The plaintiff demands a trial by jury.

Frank H. Starnes
Attorney for plaintiff

Received in Sheriff's Office
this 13 day of May, 1949
TAYLOR WILKINS, Sheriff

*no search # on Emogum St
as not located in Tallapoosa City
Director*

RECEIVED *5/15/49*
RETURNED *5/19/49*

Not found in my County after diligent search
and inquiry.

W. H. HOLCOMBE, Sheriff

By *W. H. Holcombe* D.S.

975 *1346A* *266*
SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE. NO. *1346*.

MT

GEORGE ALBERT, PLAINTIFF

VS.

W. D. GRUBBS, DEFENDANT

1309 Emogum St Mobile

FILED *5-13-49*

Deirdre H. H. H.
CLERK

Frank G. Horne
Attorney at Law
Atmore, Ala.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY }

CIRCUIT COURT, BALDWIN COUNTY

No.-----

-----TERM, 1949

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Leo Leon Morgan, W.D. Grubbs, and

Good House Keeping Appliance Company

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 Leo Leon Morgan,

W.D. Grubbs, and Good House Keeping Appliance Company

, Defendant-----

by

George Albert

-----, Plaintiff-----

Witness my hand this

21

day of

September

1949

Alvin L. Alrick, Clerk.

No. _____

Page _____

THE STATE of ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

vs.

Plaintiffs

Defendants

SUMMONS and COMPLAINT

Filed _____, 194____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co.

Defendant lives at

W.D. Grubbs - 3109 Emogene St
RECEIVED IN OFFICE

_____, 194____

_____, Sheriff

I have executed this summons

this _____, 194____
by leaving a copy with

Sheriff

Deputy Sheriff

AMENDED COMPLAINT:

Attorneys for Plaintiff

Ray H. Hodge, Jr.

C. Lenoir Thompson

Mobile, Ala.

vs

GEORGE ALBERT

vs

LEO LEON MORGAN, W.D. GRUBBS,

& GOOD HOUSE KEEPING APPLIANCE

COMPANY, INC., A CORPORATION,

DEFENDANTS.

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSE KEEPING APPLIANCE
COMPANY, INC., A CORPORATION,
DEFENDANTS

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSE KEEPING APPLIANCE
COMPANY, INC., A CORPORATION,
DEFENDANTS

A 2461

COUNT ONE:

The Plaintiff claims of the Defendants the sum of FIFTEEN HUNDRED (\$1,500) DOLLARS as damages, for that heretofore, on, to-wit, September 25, 1948, Plaintiff's automobile was lawfully being driven along U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Baldwin County, Alabama, and that then and there the Defendant's servant, agent, or employee, while acting within the line and scope of his authority, negligently ran an automobile truck into, upon or against Plaintiff's automobile, as a proximate consequence whereof, Plaintiff's automobile was damaged and demolished, the personal property loaded thereon, to-wit: Bakery products were damaged, destroyed and rendered less valuable, all to his great damage as aforesaid; hence this suit.

COUNT TWO:

Plaintiff claims of the Defendants the sum of FIFTEEN HUNDRED (\$1,500.00) DOLLARS as damages, for that heretofore, on to-wit, September 25, 1948, Plaintiff's automobile was lawfully being driven along U.S. numbered highway 31, about eight miles east of the town of Bay Minette, Baldwin County, Alabama, and that then and there the Defendant's servant, agent or employee, while acting within the line and scope of his authority, wilfully or wantonly injured the Plaintiff's automobile, as a proximate consequence whereof, Plaintiff's automobile was damaged and demolished, all to his great damage as aforesaid; hence this suit.

Frank Horne
FRANK HORNE

C. Lenoir Thompson
(ATTORNEYS FOR PLAINTIFF)

Received in Sheriff's Office
this 21 day of Sept, 1949
TAYLOR WILLIAMS, Sheriff

1346 A

GEORGE ALBERT
PLAINTIFF

VS:

LEO LEON MORGAN, W.D. GRUBBS,
& GOOD HOUSE KEEPING APPLIANCE
COMPANY, INC., A CORPORATION
DEFENDANTS

Spoke for Bette

~~31096~~

AMENDED COMPLAINT

FILED

SEP 21 1949

ALICE J. DUCK, Clerk

Frank Horne

Atmore, Ala.

C. LeNoir Thompson

Bay Minette, Ala.

Attorneys for Plaintiff

Works for Baggett's
Transfer Co. in Birmingham
& live in Birmingham

SECRET

2002

INFORMATION TO BE SUPPLIED TO THE SECRETARY OF DEFENSE

RECEIVED (JAN 2001) DATE OF RECEIPT FOR REFERENCE TO THE PROSECUTOR GENERAL

UNITED STATES OF AMERICA

These authors have also published a book on the subject of the "New York City Police Department's Use of Force".

[illegible]

Questionnaire sent to 4,000 persons in 4,000 homes in 1940-41. 4,000 persons in 4,000 homes in 1940-41.

RE REE VINCIGLIONE and 30 others have said that

ಪುನಃ ಅಧ್ಯಯನಕ್ಕಾಗಿ ಸಿದ್ಧರಾದವರು

beginning saw offshoots in "Industrial Revolution" economies of industry a

[illegible][illegible]

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1990

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-15-2015

2. THE STATE OF TEXAS, County of EL PASO, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears on the records of said County.

March 2000

24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1

[illegible]

1. The first step is to identify the problem.

[illegible]

SECRET

REPORT ON THE COLLECTION AND RECORDING OF THE

* * * * *

FOR THE BOARD OF DIRECTORS

THE UNIVERSITY OF CHICAGO

100-443886-100

GEORGE ALBERT,)	IN THE CIRCUIT COURT
Plaintiff,)	
vs.)	OF
LEO LEON MORGAN, W. D. GRUBBS,)		BALDWIN COUNTY, ALABAMA
and GOOD HOUSEKEEPING APPLIANCE)		
COMPANY, INC., a Corporation,)	
Defendants.)	AT LAW NO. 1346A

Comes now the Defendant Walter D. Grubbs in the above styled cause and in answer to interrogatories propounded to him says as follows:

1. Walter D. Grubbs, Mobile, Mobile County, Alabama.
2. Yes.
3. This is over six years ago and I don't remember.
4. Any answer that I would give in reply to this interrogatory would be based on hearsay, for I have no personal knowledge.
5. See answer to Interrogatory No. 4.
6. The arrangement I had with Good Housekeeping was something like this. Good Housekeeping would purchase gas from a seller and I would haul this gas for Good Housekeeping at so much per gallon.
7. See answer to Interrogatory No. 6.
8. See answer to Interrogatory No. 6.
9. Good Housekeeping Appliance Company is located at 2861 Old Shell Road, Mobile, Alabama.
10. See answer to Interrogatory No. 6.

11. See answer to Interrogatory No. 6.

12. See answer to Interrogatory No. 6.

13. I have no personal knowledge that would enable me to answer this question and any answer I would give would be based on hearsay. (b) See the first part of answer to Interrogatory No. 13.

14. See answer to Interrogatory No. 13.

15. No, they did not.



W. D. Grubbs

SUBSCRIBED and SWORN to before me
this 7th day of July, 1954.



Notary Public, Mobile County, Alabama.

1346A.

FILED

AUG 11 1954

ALICE J. DUCK, Clerk

I N T E R R O G A T O R I E S

GEORGE ALBERT,
PLAINTIFF,

VS.

LEO LEON MORGAN, W. D.
GRUBBS, and GOOD HOUSE-
KEEPING APPLIANCE CO.,
INC., a corporation,
DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 1346A

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF SAID COURT:

Comes now the Plaintiff in the above styled cause and exhibits the following interrogatories to the Defendant, W. D. Grubbs, to be answered in writing under oath by said Defendant within the time given by law:

INTERROGATORY NUMBER ONE: State your full name and the city and county in which you reside.

INTERROGATORY NUMBER TWO: Did you own a 1944 Mack truck semi-trailer in the month of September, 1948?

INTERROGATORY NUMBER THREE: If the answer to interrogatory number two is yes: Who was driving the truck for you during this period of time?

INTERROGATORY NUMBER FOUR: Who was driving this truck for you on the 25th day of September, 1948?

INTERROGATORY NUMBER FIVE: Were you paying his salary?

INTERROGATORY NUMBER SIX: Were you leasing, hiring, renting or letting your truck and driver to Good Housekeeping Appliance Co., Inc., a corporation, during the month of September 1948?

INTERROGATORY NUMBER SEVEN: Were you leasing, hiring, renting or letting your truck to Good Housekeeping Appliance Co., Inc., a corporation, during the month of September, 1948?

INTERROGATORY NUMBER EIGHT: Were you leasing,

hiring, renting or letting your driver to Good Housekeeping Appliance Co., Inc., a corporation, during the month of September, 1948?

INTERROGATORY NUMBER NINE: If the answer to interrogatory number six is yes: Where is the Good Housekeeping Appliance Co., Inc., a corporation, located with whom you have this contact?

INTERROGATORY NUMBER TEN: If the answer to interrogatory number six is yes: What type of agreement or contract did you have with the Good Housekeeping Appliance Co., Inc., a corporation, as relates to the use and hiring of your truck during the month of September, 1948?

INTERROGATORY NUMBER ELEVEN: If the answer to interrogatory number six is yes: What type of agreement or contract did you have with the Good Housekeeping Appliance Co., Inc., a corporation, as relates to the use and hiring of your driver during the month of September, 1948?

INTERROGATORY NUMBER TWELVE: If the answer to interrogatory number six is yes: What type of agreement or contract did you have with the Good Housekeeping Appliance Co., Inc., a corporation, as relates to the use and hiring of your truck and driver during the month of September, 1948?

INTERROGATORY NUMBER THIRTEEN: If the answer to interrogatory number two is yes: Was this truck involved in an accident in Baldwin County on or about September 25, 1948? Did this truck have printed or painted signs on it, or any signs or marks that indicated that it belonged to or was being used by Good Housekeeping Appliance Co., Inc., a corporation?

INTERROGATORY NUMBER FOURTEEN: If so, what were the general nature of these markings?

INTERROGATORY NUMBER FIFTEEN: Did the Good Housekeeping Appliance Co., Inc., a corporation, have accident insurance on this truck?

[Signature]

HORNE & BRANTLEY

BY: *Tolbert M. Brantley*
Attorneys for Plaintiff

STATE OF ALABAMA

I

MONROE COUNTY

I

Before me, L. A. Hixon, clerk of the 21st Judicial Circuit, personally appeared Tolbert M. Brantley, known to me, who, being by me first duly sworn, deposes and says: That he is counsel for the Plaintiff in the above styled cause; that the answers to the foregoing interrogatories, if truthfully made, will be material evidence for the Plaintiff in the trial of said cause.

Tolbert M. Brantley
Affiant

Sworn to and subscribed before me this the 17th day of February, 1951.

L. A. Hixon
Clerk of the Circuit Court

1346 A

400

1/10

Received in Sheriff's Office
this 30 day of April, 1954
TAYLOR WILKINS, Sheriff

EXECUTED
This 10 day of May, 1954
by serving a copy of the within on
W. D. Burt
W. H. HOLCOMBE, Sheriff
By W. R. Ferguson D. S.

FILED
FEB 19 1954
ALICE L. DICK, CLERK