

SILAS MORGAN,

Plaintiff

vs.

NEWPORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN LAW

NO. 1972

Comes now the plaintiff, Silas Morgan, and in answer to the interrogatories heretofore filed in this cause says:

1. Silas Morgan (a) I was a day-laborer for Mr. J. W. Jones of 2152 St. Stephens Road, Mobile, Alabama.
2. I was a passenger in the pick-up truck traveling from Bay Minette to Mobile, Alabama.
3. I was helping haul gravel for Mr. J. W. Jones at the time of the accident, and Mr. Jones was the owner of the truck.
4. I was a passenger in the truck at the time of the accident as the employee of Mr. J. W. Jones, whose address has been previously given.
5. In addition to Mr. Jones' whose address I have given, Andrew James Lollar of Mobile, Alabama, the driver, was engaged by Mr. Jones.
6. 35 mph
7. Irrelevant and immaterial
8. Irrelevant and immaterial
9. Irrelevant and immaterial
10. Irrelevant and immaterial
11. Irrelevant and immaterial
12. Just after the truck had entered the curve where the accident took place, the Newport truck started around us. There was a yellow line at the place where he started passing us and the Newport truck passed the Jones' truck in the middle of the curve. This curve is the first big curve located about a mile and a half east of Spanish Fort, on Highway 31.
13. I would imagine a 100 to 150 feet.
14. See 13
15. 30 to 35 mph
16. 30 to 25 mph
17. No
18. Irrelevant and immaterial

19. Six inches
20. I don't know
21. No
22. A foot or so
23. The Jones' truck was a total wreck being entirely smashed.
24. The brakes were in excellent condition.
25. Irrelevant and immaterial
26. No
27. Inapplicable
28. No
29. The entire truck was in the middle of the highway and all four wheels were within the paved section of the highway.
30. No
31. When Lollar started putting on brakes each wheel held firm and the truck was in perfect balance until the Newport truck forced me off the highway at which time the truck turned over and rolled down the middle of the highway. The Jones' truck was loaded with gravel.
32. Yes, I was injured about the eyes and in my arms and legs; all these were badly bruised, and my eyes were closed for three weeks.
33. I was treated at the City Hospital in Mobile, but I do not know the name of the doctor who treated me. I was taken to the hospital immediately after the accident.
34. See 33
35. I have incurred the following expenses from the accident: \$25.00 ambulance fee of which I do not have the bill.
36. Irrelevant and immaterial
37. I lost from two and a half to three months on the job and a total of \$380.00 was lost in wages.
38. ~~I have sustained no permanent injuries by reason of the accident.~~
39. As previously stated I was a day laborer working for Jones at the time of the accident.
40. No
41. No
42. No

✓ Lilal Marzan  
PLAINTIFF

STATE OF ALABAMA

~~BALDWIN COUNTY~~

Mobile

Before me, the undersigned authority in and for said State and County, personally appears Silas Morgan, who being duly sworn by me doth depose and say the answers herein made to the interrogatories are true and correct.

✓ Silas Morgan

Sworn to and subscribed before me this the 10 day of July, 1954.

Ouida P. R. R.  
Notary Public, ~~State at Large~~  
Mobile County

COMMISSION EXPIRES AUGUST 22, 1955

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN LAW NO. 1972

\*\*\*\*\*

SILAS MORGAN,

Plaintiff

vs.

NEWPORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendant

\*\*\*\*\*

ANSWERS TO INTERROGATORIES

\*\*\*\*\*

FILED **FILED**

\*\*\*\*\* JUL 16 1954 \*\*\*\*\*

**ALICE J. DUCK, Clerk**

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

SILAS MORGAN,

Plaintiff

vs.

NEWPORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 1972.

Now comes the plaintiff, by his attorneys, and amends his complaint filed heretofore in this cause so that the same shall read:

The plaintiff claims of the defendant the sum of TWO THOUSAND FIVE HUNDRED AND NO/100 (\$2,500.00) DOLLARS as damages for that heretofore on January 8, 1953, the plaintiff was riding in a truck being operated Southwardly on U. S. Highway 31, a public road in Baldwin County, Alabama, approximately one and one-half miles East of Spanish Fort. At the same time and place the defendant, James H. Chaffin, who was then and there agent or servant of the defendant Newport Industries, Inc., acting within the line and scope of his authority and duty as such was <sup>negligently</sup> operating a 1951 Mack tractor and trailer on such highway ~~and was in~~ <sup>that in</sup> overtaking and passing the vehicle in which the plaintiff was riding, and the said James H. Chaffin drove to the right side of the highway before the vehicle he was operating was safe and clear of the vehicle which the plaintiff was riding and such turn to the right forced the vehicle which the plaintiff was riding off the road and to overturn and be wrecked. As a direct and proximate consequence of the negligence of the defendant Chaffin aforesaid, the plaintiff was severely cut and bruised and broken about his body, he suffered severe abrasions and cuts about the eyes and face, he suffered great physical pain and mental anguish, all to his damage in the amount claimed. Wherefore this suit.

FILED

11-9-54

ALICE J. DUCK, Clerk

*Vernon F. Kilham*  
Attorney for the Plaintiff

*Reuben Owens Jr.*  
Attorney for the Plaintiff

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. NO. 1972

\*\*\*\*\*

SILAS MORGAN,

Plaintiff

vs.

NEWBORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendant

\*\*\*\*\*

AMENDED COMPLAINT

\*\*\*\*\*

FILED 11-9-54  
*W. J. Lewis*  
*clerk*

\*\*\*\*\*

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

SILAS MORGAN,	*	IN THE CIRCUIT COURT
Plaintiff,	*	
	*	OF
vs.	*	
	*	BALDWIN COUNTY, ALABAMA
NEWPORT INDUSTRIES INC.,	*	
a Corporation, and JAMES	*	
H. CHAFFIN,	*	
Defendants.	*	In Law No. 1972

Comes now the Defendants, NEWPORT INDUSTRIES, INC., a Corporation, and JAMES H. CHAFFIN, and moves the Honorable Court to enter a judgment of dismissal in the above styled cause and for reason therefore alleges as follows:

That said suit was instituted by the Plaintiff, SILAS MORGAN, by a complaint and summons filed on April 23, 1953; that on May 20, 1953, service was had on the attorney for the Plaintiff of demurrers to the complaint by the above named Defendants; that on August 18, 1953, this Honorable Court sustained Defendants' demurrers to said complaint after hearing an argument in open court; that notice of said ruling was given to the attorney for the Plaintiff by letter dated January 4, 1954; that said cause was set down for hearing on the pleadings before this Honorable Court on June 15, 1954; that further hearings on the pleadings were set down before this Honorable Court on August 17, 1954; that said cause is set for trial on September 13, 1954; that over one year has elapsed since the sustaining of Defendants' demurrers to Plaintiff's complaint and during that time Plaintiff has filed no amended complaint thereto; that there is presently no valid complaint upon which issue has been joined and Defendants are unable to properly prepare themselves for trial at the time set;

WHEREFORE, Defendants ask that the above styled case be dis-

missed; that notice of this motion be given to Plaintiff and that said motion be set down for hearing prior to September 13, 1954.

FILED

9-6-54

ALICE J. DUCK, Clerk

INGE, TWITTY, ARMBRECHT & JACKSON

By

John W. McConnell, Jr.  
John W. McConnell, Jr.  
Attorneys for Defendants

1972

Filed 9-6-54  
Wingfield  
Clerk

SILAS MORGAN,

Plaintiff

vs.

NEWPORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW. NO. \_\_\_\_\_.

Now comes the plaintiff, by his attorneys, and amends his complaint filed heretofore in this cause so that the same shall read:

The plaintiff claims of the defendant the sum of TWO THOUSAND FIVE HUNDRED AND NO/100 (\$2,500.00) DOLLARS as damages for that heretofore on January 8, 1953, the plaintiff was riding in a truck being operated Southwardly on U. S. Highway 31, a public road in Baldwin County, Alabama, approximately one and one-half miles East of Spanish Fort. At the same time and place the defendant, James H. Chaffin, who was then and there agent or servant of the defendant Newport Industries, Inc., acting within the line and scope of his authority and duty as such was operating a 1951 Mack tractor and trailer on such highway and was overtaking and passing the vehicle in which the plaintiff was riding; that the left side of the highway was not free of oncoming traffic and there was not sufficient distance to commit the overtaking and passing, in that said overtaking and passing was upon a curve on the highway where the driver's view along the highway was restricted within a distance of 500 feet; that traffic coming in a Northwardly direction forced the said James H. Chaffin to travel to the right side of the highway before the vehicle he was operating was safe and clear of the vehicle which the plaintiff was riding and such turn to the right forced the vehicle which the plaintiff was riding off the road and to overturn and be wrecked. As a direct and proximate consequence of the negligence of the defendant Chaffin aforesaid, the plaintiff was severely cut and bruised and broken about his body, he suffered severe abrasions and cuts about the eyes and face, he suffered great physical pain and mental anguish, all to his damage in the amount claimed. Wherefore this suit.

FILED

9-6-54

ALICE I. DUCK, Clerk

*Vincent F. Kilbourn*  
Attorney for the Plaintiff

*James H. Chaffin*  
Attorney for the Plaintiff

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. NO. 1972.

\*\*\*\*\*

SILAS MORGAN,

Plaintiff

vs.

NEWPORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendants

\*\*\*\*\*

AMENDMENT TO COMPLAINT

\*\*\*\*\*

FILED

2-6-54  
*Receivd J. Owens*  
*clerk*

\*\*\*\*\*

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

SILAS MORGAN,

Plaintiff

versus

NEWPORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW NO. 1972

DEMURRER TO THE COMPLAINT

COME now the Defendants and each of them separately and severally and demur to the complaint therein, as amended, and to each count thereof, separately and severally, on the following separate and several grounds:

1. Sufficient facts are not alleged therein to constitute a cause of action.
2. Sufficient facts are not alleged therein to show the existence of any legal duty owing from these defendants to the plaintiff at the time and place of the matters and things therein complained of.
3. Sufficient facts are not alleged therein to show any breach of any legal duty owing from these defendants to the plaintiff at the time and place of the matters and things complained of.
4. It does not sufficiently appear therefrom that the alleged breach of duty was the proximate cause of the alleged injuries and damage.
5. Sufficient causal connection between the alleged negligence and the alleged injuries and damage does not appear therein.

6. The defendant CHAFFIN was under no legal duty to refrain from turning the vehicle, which he was operating at the time and place complained of, to the right side of the highway in front of the vehicle which the plaintiff was operating at the time and place complained of.

7. Said count is vague, indefinite and uncertain in that it does not sufficiently appear therefrom how and in what manner the alleged negligence caused the truck in which the plaintiff was riding to overturn and to be wrecked.

8. For aught appearing in said count, the said tractor and trailer driven by the defendant CHAFFIN did not run into or against or collide with the truck in which the plaintiff was riding.

9. The allegation therein that the defendant CHAFFIN negligently traveled to the right side of the highway before the vehicle he was operating was safely clear of the vehicle which the plaintiff was operating, and such turn to the right forced the vehicle which the plaintiff was operating off of the road and to overturn and be wrecked is a conclusion of the pleader and not supported by sufficient allegation of fact.

10. The defendant CHAFFIN had a legal right to pass the truck in which the plaintiff was riding and to pull said tractor and trailer to the right side of the highway in front of the vehicle in which the plaintiff was riding.

FILED

Sept. 24 - 54

ALICE J. DUCK, Clerk

INGE, TWITTY, ARMBRECHT & JACKSON

By

*John H. McConnell, Jr.*  
Attorneys for Defendants

1972

FILED

SEP 24 1954

ALICE J. DUCK, Clerk

SILAS MORGAN,	*	IN THE CIRCUIT COURT OF BALDWIN
Plaintiff,	*	COUNTY, ALABAMA.
vs.	*	AT LAW
NEWPORT INDUSTRIES, INC.,	*	
A Corporation, and JAMES	*	
H. CHAFFIN,	*	NO. 1972
Defendants.	*	

DEMURRER TO THE COMPLAINT

Come now the defendants, and each of them separately and severally, and demur to the complaint therein and to each count thereof, separately and severally, on the following separate and several grounds:

1. Sufficient facts are not alleged therein to constitute a cause of action.

2. Sufficient facts are not alleged therein to show the existence of any legal duty owing from this defendant to the plaintiff at the time and place of the matters and things therein complained of.

3. Sufficient facts are not alleged therein to show any breach of any legal duty owing from this defendant to the plaintiff at the time and place of the matters and things complained of.

4. It does not sufficiently appear therefrom that the alleged breach of duty was the proximate cause of the alleged injuries and damage.

5. Sufficient causal connection between the alleged negligence and the alleged injuries and damages does not appear therein.

6. The defendant Chaffin was under no legal duty to

refrain from pulling said tractor and trailer immediately in front of the truck in which the plaintiff was riding as alleged in said count.

7. Said count is vague, indefinite and uncertain in that it does not sufficiently appear therefrom how or in what manner the alleged negligence caused the truck in which the plaintiff was riding to overturn and to be wrecked.

8. For aught appearing in said count, the said tractor and trailer driven by the defendant Chaffin did not run into or against or collide with the truck in which the plaintiff was riding.

9. The allegation therein that the defendant Chaffin negligently pulled such tractor and trailer immediately in front of the truck in which the plaintiff was riding "in such manner as to cause the truck in which the plaintiff was riding to overturn and be wrecked" is a conclusion of the pleader not supported by sufficient allegation of fact.

10. The defendant Chaffin had a legal right to pass the truck in which the plaintiff was riding and to pull said tractor and trailer immediately in front of the truck in which the plaintiff was riding.

*Superior, Nebraska*  
Attorneys for Defendants

Service accepted this 20  
day of May, 1953.

*J. L. L. L.*  
Attorney for Plaintiff

FILED

May 23, 1953

ALICE J. DUCK, Clerk

1710

FILED  
MAY 23 1953

ALICE I. DUCK, Register

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA,

AT LAW

NO. 1972

○

The Plaintiff claims of the defendants the sum of TWO THOUSAND FIVE HUNDRED AND NO/100ths (\$2,500.00) DOLLARS as damages for that heretofore and on January 8, 1953, the Plaintiff was a passenger in a truck being then and there operated Southwardly on U. S. Highway 31 approximately one and one-half miles East of Spanish Fort in Baldwin County, Alabama. At that time and place the Defendant James H. Chaffin, who was then and there an agent or servant of the Defendant Newport Industries, Inc., acting within the line and scope of his authority and duty as such, was operating a 1951 Mack tractor and trailer on such highway immediately in rear of the truck in which the Plaintiff was riding and was attempting to pass such truck. The Plaintiff avers that in passing the truck in which the Plaintiff was riding as a passenger, the Defendant Chaffin negligently pulled such tractor and trailer immediately in front of the truck in which the Plaintiff was riding in such a manner as to cause the truck in which the Plaintiff was riding to overturn and be wrecked. As a direct and proximate consequence of the negligence of the Defendant Chaffin in turning such tractor and trailer immediately in front of the truck in which the Plaintiff was riding the Plaintiff was severely cut and bruised and broken about his body, he suffered severe abrasions and cuts about the eyes and arms, he suffered great physical pain and mental anguish, all to his damage in the amount claimed.

Wherefore this suit.

FILED

4-23-53

**LEWIS & CLARK**

plaintiff demands that this cause be tried by a jury.

Attorney for Plaintiff

Attorney for Plaintiff

**Serve Defendants:**

Newport Industries - Bay Minette, Alabama  
James H. Chaffin - Perdido, Alabama



SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 1972

TERM, 19

BOOK 002 PAGE 443

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Newport Industries, Inc: A Corp and James H. Chafin

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  
Newport Industries, Inc  
a Corp and James H. Chafin, Defendant---

by SILAS MORGAN

, Plaintiff---

Witness my hand this 23rd day of April 19 53

Ring J. Leach, Clerk

No. 1972 Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

~~NEWPORT INDUSTRIES, INC., A Corp.~~

SILAS MORGAN

Plaintiffs

vs.

NEWPORT INDUSTRIES, INC. A Corp.,

and JAMES H. CHAFIN

Defendants

SUMMONS and COMPLAINT

Filed 4-23-1953

*W. J. French*, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

April 23, 1953  
*Ray W. Wilkins*, Sheriff  
I have executed this summons

this 5/9, 1953  
by leaving a copy with

By Serving copy  
on New Post  
By Serving on  
Dean Burkhead  
and James H. Chafin

*Ray W. Wilkins* Sheriff  
*Pat S. Lee* Deputy Sheriff



SILAS MORGAN,

Plaintiff,

vs.

JAMES H. CHAFFIN, et al.,

Defendants.

\*\*\*\*\*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 1972

\*\*\*\*\*

PLEA

\*\*\*\*\*

FILED

JAN 13 1955

ALICE J. DUCK, Clerk

LAW OFFICES

CHASON & STONE

BAY MINETTE, ALABAMA

SILAS MORGAN,	*	
	*	IN THE CIRCUIT COURT OF BALDWIN
Plaintiff,	*	
	*	COUNTY, ALABAMA
vs.	*	
	*	AT LAW
NEWPORT INDUSTRIES, INC.,	*	
A Corporation, and JAMES	*	NO. 1972
H. CHAFFIN,	*	
Defendants.	*	

INTERROGATORIES PROPOUNDED BY EACH ONE OF THE DEFENDANTS  
TO THE PLAINTIFF

Come now the defendants in the above styled cause, and each of said defendants, separately and severally, and propound the following interrogatories to the plaintiff, to be answered under oath as required by law:

1. State your name, age and place of residence.
  - (a) State your occupation at the time of the alleged accident, and give the name and address of your employer.
2. State in detail the purpose or purposes for which the truck in which you were riding was being operated at the time of the alleged accident, stating the place where said journey was begun and the intended destination thereof.
3. State whether or not the truck of Mr. J. W. Jones in which you were riding was being operated for the purpose of performing any mission for any person, firm or corporation at the time of the alleged accident, and if you have not already done so, state in detail the mission which was being performed and the name and address of such person, firm or corporation.
4. State whether or not you were operating the said truck of J. W. Jones at the time of said accident, and as an employee of any person, firm or corporation, and state

the name and address of your employer.

5. Give the names and residential addresses of each one of the persons who was in the said Jones truck in which you were riding at the time and place of the alleged accident, and explain why each such person was in said truck.

6. State how fast the Jones truck was being operated immediately before the alleged accident and before the vehicle of Newport Industries, Inc. began to attempt to pass said truck.

7. State whether or not any other vehicle had already passed the Jones truck going in the same direction and immediately ahead of the vehicle of Newport Industries, Inc., and if you answer in the affirmative, give a description of the said third vehicle and state how far ahead of the said Newport Industries, Inc.'s vehicle the said third vehicle was traveling at the time of the alleged accident.

8. Is it not a fact that a truck of the Atlanta-New Orleans Motor Freight Company passed the Jones truck going in the same direction and ahead of the said vehicle of the Newport Industries, Inc.?

9. State how fast the Jones truck was traveling at the time said truck of Atlanta-New Orleans Motor Freight Company passed it.

10. State how far the Atlanta-New Orleans Motor Freight Company truck ran from the time it first began to attempt to pass the Jones truck to the time it completed said passage.

11. State whether or not the speed of the Jones truck was increased or decreased during the time which the said

Atlanta-New Orleans Motor Freight Company truck was attempting to pass it, and if so, state the maximum speed and the minimum speed of the Jones truck during that time.

12. State as nearly as you can the exact place where the Jones truck was when the defendant Newport Industries, Inc.'s vehicle first began to attempt to pass said Jones truck.

13. State how far the Jones truck ran between the time that the said Newport Industries vehicle first attempted to pass said truck until the time of the alleged accident.

14. State how far the Jones truck ran from the time the said Newport Industries vehicle first attempted to pass said truck until the time the said Newport vehicle completed its said passage and was back on its right hand side of the road.

15. State how fast the Jones truck was traveling at the time that the said Newport vehicle first attempted to pass said truck.

16. State how fast the Jones truck was traveling during all of the time the said Newport vehicle was in the act of passing said truck.

17. Is it not a fact that when the Newport vehicle was in the act of passing the Jones truck, the driver of said truck speeded up the Jones truck and attempted to prevent its passage.

18. State as nearly as you can exactly the position of the Jones truck and the position of the Newport Industries vehicle and the position of the Atlanta-New Orleans Motor Freight truck at the time of the alleged accident.

19. What was the distance between the nearest point of the Newport Industries vehicle and the nearest point of the Jones truck at the time the brakes were first applied on said truck immediately before the alleged accident.

20. State the distance that the Jones truck travelled between the time the brakes were first applied on said truck to the time said truck came to a complete stop.

21. State whether the Jones truck in the alleged accident collided with any object, and if your answer is in the affirmative, describe the object in detail.

22. State whether or not the Jones truck ran off of the paved portion of the highway at the time of or immediately prior to the alleged accident, and if your answer is in the affirmative, state what distance the said truck ran off of the highway measured longitudinally and what distance it was off of the highway measured laterally.

23. Describe in detail the damage done to the Jones truck in the alleged accident, describing each part which was damaged.

24. State the condition of the brakes on the Jones truck immediately before the accident.

25. State the date upon which said brakes were last repaired or adjusted before the alleged accident and give the name and address of the garage which adjusted or repaired the brakes, and describe in detail such repairs.

26. Is it not a fact that the brakes on one or more of the wheels of the Jones truck grabbed or locked to the point that said wheel or wheels ceased to turn before the forward motion of the Jones truck had ceased when the brakes

were applied immediately before the alleged accident?

27. If your answer to the next preceding interrogatory is in the affirmative, state which one or more of the wheels locked.

28. State whether or not any one or more of the wheels on the Jones truck skidded between the time the brakes were first applied thereon and the time said truck came to a complete stop immediately before the alleged accident, and if your answer is in the affirmative, describe the distance which each one of the said wheels skidded.

29. State the position of the Jones truck immediately after it stopped after the alleged accident, stating the position of the truck on the pavement and whether or not all four wheels of the truck were on the pavement and if not, which wheels were not on the pavement.

30. Is it not a fact that when the brakes were applied on the Jones truck immediately before the accident, the rear wheels went up in the air and the truck stood on its front end; if your answer is in the negative, describe the behavior of said truck in detail from the time the brakes were first applied until the time it came to a complete stop.

31. State whether or not the Jones truck was loaded at the time of the accident, and describe the load, giving the weight of the truck and the weight of the load.

32. State whether you claim that you sustained any personal injuries in this accident, and if so, describe the injuries in detail and completely.

33. State whether or not you were treated by any physician on account of said injuries, and if so, give the name and address of each such physician who treated your

injuries and the date of each treatment, the nature of each such treatment and the place where each such treatment was had, whether at home, or at office or at a hospital.

34. State whether you visited or were admitted to any hospital for the treatment of the injuries which you claim you received in this accident; if so, give the name and address of each such hospital and each one of the dates on which you were present at said hospital for treatment.

35. State whether or not you incurred any expense on account of any of the injuries which you claim to have received in said accident; if your answer is in the affirmative, itemize each said item of expense with the date and the amount of each item and a description of each item, and attach to your answer a true copy of each bill rendered to you by any physician and by any hospital or by any drug store on account of any such expense.

36. Please state whether or not you have paid any of the expenses referred to in the next preceding interrogatory, and if your answer is in the affirmative, give the date and amount of each such payment.

37. Please state whether or not you claim that you lost any time from your work on account of the injuries which you claim to have received in this accident, and if your answer is in the affirmative, itemize in detail each date that you lost time from work and give the name and address of your employer and the amount of your salary or wage.

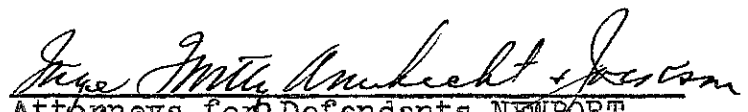
38. Please state whether or not you claim to have sustained any permanent injury on account of said accident, and if your answer is in the affirmative, describe in detail and completely the nature and extent of such injury and the symptoms thereof.

39. State the name and address of each one of the occupants of said Jones truck at the time of said accident, and state in detail the understanding and agreement which you had with Mr. J. W. Jones pertaining to your transportation in said truck at the time of said accident.

40. State whether or not you paid or agreed to pay to Mr. J. W. Jones any money or other reward directly or indirectly for the transportation which was being furnished to you at the time of said accident, and if your answer is in the affirmative, describe the reward in detail.

41. State whether or not you are related by blood or marriage to any of the persons who were in said Jones truck immediately before said accident, and if your answer is in the affirmative, state the name of each such individual and describe the relationship in detail.

42. State whether or not you had any conversation with the driver of the Newport Industries vehicle after the alleged accident and pertaining to the said accident, and if your answer is in the affirmative, state when and where such conversation took place and state as nearly as you can the exact words exchanged therein by each of you.

  
Attorneys for Defendants NEWPORT  
INDUSTRIES, INC. and JAMES H. CHAFFIN

STATE OF ALABAMA)  
COUNTY OF MOBILE)

Before the undersigned Notary Public in and for said State and County personally appeared T. E. TWITTY, known by me to be one of the attorneys of record for the defendants in the above styled cause, and who, being first duly sworn

on oath, deposes and says that he has read the foregoing interrogatories and that the answers thereto, if truthfully made, will be material evidence for the defendants in the trial of said cause.

J. E. Winters

SUBSCRIBED and sworn to before me  
this 18th day of May, 1953.

Kenie D. Chubbart  
Notary Public, Mobile County, Alabama.

Service accepted this 20  
day of May, 1953.

J. E. Winters  
Attorney for Plaintiff

FILED

MAY 23 1933

JOHN L. DUCK, Registrar



IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. 1972

\*\*\*\*\*

SILAS MORGAN,

Plaintiff

vs.

NEWPORT INDUSTRIES, INC.,  
a corporation, and JAMES  
H. CHAFFIN,

Defendants

\*\*\*\*\*

ANSWERS TO INTERROGATORIES

\*\*\*\*\*

FILED 12-10-54  
*Cliff L. Hensch*  
*clerk*

\*\*\*\*\*

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

SILAS MORGAN,		
Plaintiff		IN THE CIRCUIT COURT OF
versus		BALDWIN COUNTY, ALABAMA,
NEWPORT INDUSTRIES, INC.,		AT LAW NO. 1972
a corporation, and JAMES		
H. CHAFFIN,		
Defendant.		

COMES now the Defendants in the above styled cause and move the Court to require the Plaintiff to answer the following interrogatories propounded to him by the Defendants; No. 7, No. 8, No. 9, No. 10, No. 11, No. 18, No. 25 and No. 36; and further move the Court to require the Plaintiff to answer more fully the following interrogatories propounded to him by the Defendants; No. 1, No. 22, No. 23, No. 30, No. 31, No. 32, No. 33, No. 34 and No. 37; or the Defendants move the Court to dismiss the above cause of action brought by the Plaintiff therein or to give such other appropriate relief as the Defendants may be entitled to.

INGE, TWITTY, ARMBRECHT & JACKSON

By John H. McConnel, Jr.  
Attorneys for Defendants

1972