

ROSA LEE SANDERS,

Plaintiff,

vs.

ARRIE LEE WEAVER and SHOMO
WEAVER,

Defendants.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW

NO.

2672

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO EACH DEFENDANT,
SEPARATELY AND SEVERALLY:

1 (a). Please state your correct name, your age and residence address. (b). In what business or occupation were you engaged on or about June 1st, 1955? (c). Did a motor vehicle owned or operated by you collide with a motor vehicle at the intersection of Alabama Highway 89 and Josephine Road in Baldwin County, Alabama on June 1st, 1955? (d). If you answer in the affirmative, please state at what time said collision occurred. (e). Who was driving your motor vehicle at the time? (f). How long had this driver been employed by you? (g). Who was riding in the motor vehicle with you or your driver? (h). Did your motor vehicle have a load on it at the time? (i). If so, what was the composition of said load? (j). From what point was said motor vehicle coming at said time, and to what point was it going?

2 (a). Give the make, year model, license number and body type of your said motor vehicle, which was involved in the collision complained of. (b). When was it purchased? (c). Was your said motor vehicle a 1952, two-ton truck with pole trailer? (d). Was the license registration "1955-65H2-268-Ala"? (e). Is this license registered in your name? (f). If not, in whose name is this license registered?

3 (a). Was said motor truck owned or being driven by you which was involved in the collision on June 1st, 1955 at or near the intersection of Alabama Highway 89 and Josephine Road in Baldwin County, Alabama, equipped with brakes?

(b). If so, how many? (c). What was their condition at the time? (d). When had they previously been inspected? (e). Who inspected the brakes? (f). When were the brakes last repaired or worked upon prior to the collision, and who repaired or worked upon them?

4 (a). Describe the condition of the weather at the time of the collision between your motor vehicle or that which you were driving and another motor vehicle at the intersection of Alabama Highway 89 and Josephine Road on June 1st, 1955. (b). Do you know who was in the other motor vehicle at the time of the collision? (c). Was plaintiff in the other motor vehicle at the time of said collision?

5 (a). When did you first see said motor vehicle involved in the collision complained of? (b). How far was it from you when you first saw it? (c). How fast were you travelling? (d). Please state what part of your motor vehicle or that which you were driving collided with the other motor vehicle involved in said collision. (e). Which parts on the other motor vehicle involved in said collision did your motor vehicle contact in said collision? (f). What happened to the other motor vehicle when the collision took place? (g). What happened to your motor vehicle or the motor vehicle which you were driving?

6 (a). Please state in detail exactly how your said motor vehicle or that which you were driving collided at said time and place with the other motor vehicle. (b). Have you done so? (c). Please describe everything which you did to avoid the collision complained of. (d). How far did the motor vehicle which you were driving travel after the impact of collision? (e). At what point on Alabama Highway 89 did said collision occur? (f). Was it east of the intersection of said highway with Josephine Road? (g). Was it in said intersection? (h). Where was the other vehicle when said collision occurred? (i). What damages were done to the other

vehicle in the collision? (j). What happened to the other vehicle upon impact of the collision?

Johnston Mr. Dace & Johnston
Philip S. Brake
Attorneys for Plaintiff

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned notary public in and for said county in said state, personally appeared DAN T. McCALL, JR., who, being by me duly sworn on oath, deposes and says that he is one of the attorneys for the plaintiff in the above entitled cause, and that answers to the above and foregoing interrogatories, if truthfully made, will be material evidence for the plaintiff in the trial of said cause.

Dan T. McCall, Jr.

Subscribed and sworn to before me
this 18th day of July, 1955.

Laura B. Finch
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

ROSA LEE SANDERS,

Plaintiff,

vs.

ARRIE LEE WEAVER and SHOMO
WEAVER,

Defendants.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

NO. 2672

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO EACH DEFENDANT,
SEPARATELY AND SEVERALLY:

1 (a). Please state your correct name, your age and residence address. (b). In what business or occupation were you engaged on or about June 1st, 1955? (c). Did a motor vehicle owned or operated by you collide with a motor vehicle at the intersection of Alabama Highway 89 and Josephine Road in Baldwin County, Alabama on June 1st, 1955? (d). If you answer in the affirmative, please state at what time said collision occurred. (e). Who was driving your motor vehicle at the time? (f). How long had this driver been employed by you? (g). Who was riding in the motor vehicle with you or your driver? (h). Did your motor vehicle have a load on it at the time? (i). If so, what was the composition of said load? (j). From what point was said motor vehicle coming at said time, and to what point was it going?

2 (a). Give the make, year model, license number and body type of your said motor vehicle, which was involved in the collision complained of. (b). When was it purchased? (c). Was your said motor vehicle a 1952, two-ton truck with pole trailer? (d). Was the license registration "1955-65H2-268-Ala"? (e). Is this license registered in your name? (f). If not, in whose name is this license registered?

3 (a). Was said motor truck owned or being driven by you which was involved in the collision on June 1st, 1955 at or near the intersection of Alabama Highway 89 and Josephine Road in Baldwin County, Alabama, equipped with brakes?

STATE OF ALABAMA,
MOBILE COUNTY
BALDWIN

BALDWIN
CIRCUIT COURT, MOBILE COUNTY

ROSA LEE SANDERS Plaintiff ,
VS.

ARRIE LEE WEAVER AND SHOMO WEAVER, Defendants,

TO ARRIE LEE WEAVER AND SHOMO WEAVER,

GREETINGS:
Baldwin

Please take notice, That in the foregoing stated cause pending in our Circuit Court of ~~Mobile~~ Baldwin County, interrogatories to be propounded to defendants, Arrie Lee Weaver and Shomo Weaver, separately and severally,

(a copy of which herewith issues,) witness^{es} in behalf of the said plaintiff, Rosa Lee Sanders have been this day filed in my office; ~~which said interrogatories will remain on file as aforesaid ten days after service of this Notice upon you, during which time you can file Cross Interrogatories if you think proper.~~

ALICE J. DUCK
Witness, ~~JOHN L. MANDEVILLE~~, Clerk of said Court, this 21 day of July 1955

ATTEST

Alice J. Duck Clerk.

ROSA LEE SANDERS,

Plaintiff,

vs.

ARRIE LEE WEAVER and SHOMO
WEAVER,

Defendants.

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I IN THE CIRCUIT COURT OF
I BALDWIN COUNTY, ALABAMA

I AT LAW

NO. 2672

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COUNT ONE

Plaintiff claims of the defendants the sum of TWO THOUSAND FIVE HUNDRED and no/100 (\$2,500.00) DOLLARS, as damages, for that on, to-wit, the 1st day of June, 1955 the defendant, Arrie Lee Weaver, an agent, servant or employee of the defendant, Shomo Weaver, while acting within the line and scope of his said employment, so negligently operated a motor vehicle eastwardly on Alabama Highway 89 approximately 2.5 miles east of Elberta, Alabama, at or near its intersection with Josephine Road, both public highways in the County of Baldwin, State of Alabama, as to cause or allow the same to collide with a motor vehicle in which plaintiff was then and there riding, as a proximate result of which negligence the plaintiff sustained multiple bruises and abrasions about her body, she was made sick and sore and has suffered and will continue to suffer great physical pain and mental anguish, which injuries have required the plaintiff to be hospitalized under treatment of a physician for a long period, and she has been put to great expense for medical, hospital and doctors' bills in and about the treatment of her said injuries, and plaintiff has lost and will continue to lose time from her employment; WHEREFORE, the plaintiff brings this action and asks judgment in the above sum.

COUNT TWO

Plaintiff claims of the defendants the sum of TWO THOUSAND FIVE HUNDRED and no/100 (\$2,500.00) DOLLARS as damages, for that on, to-wit, the 1st day of June, 1955, Arrie Lee Weaver, an agent, servant or employee of the defendant, Shomo Weaver, while acting within the line and scope of his employment as such, wantonly injured the plaintiff by then and there wantonly driving a motor vehicle upon or against a motor vehicle in which the plaintiff was riding on Alabama Highway 89 at or near its intersection with Josephine Road, both public highways in the State of Alabama, approximately 2.5 miles east of Elberta, Alabama, as a proximate result of which wantonness plaintiff sustained multiple bruises and abrasions about her body, she was made sick and sore and has suffered and will continue to suffer great physical pain and mental anguish, which injuries have required the plaintiff to be hospitalized under treatment of a physician for a long period, and she has been put to great expense for medical, hospital and doctors' bills in and about the treatment of her said injuries, and plaintiff has lost and will continue to lose time from her employment; WHEREFORE, the plaintiff brings this action and asks judgment in the above sum.

John T. McCarroll & John T. McCarroll
Philip S. Beale
Attorneys for Plaintiff

Plaintiff demands a trial by jury in the above entitled cause.

John T. McCarroll & John T. McCarroll
Philip S. Beale

Defendants' addresses are:
McIntosh, Washington County, Alabama.

The State of Alabama

MOBILE COUNTY
BALDWIN

CIRCUIT COURT

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

ARRIE LEE WEAVER AND SHOMO WEAVER

to appear within thirty days from service of this process, in the Circuit Court of Baldwin Mobile County, Alabama, at the place of holding the same, then and there to answer the complaint of ROSA LEE SANDERS

Alice J. Duck

WITNESS: ~~John E. Mandeville~~ Clerk of said Court, this 21 day of July, 1955.

Attest: Alice J. Duck
Clerk

SHERIFF'S RETURN

Received 22nd Day of July, 1955, and on 22nd Day

of July, 1955, I served a copy of

the within Summons & Complaint on Edward P. Sumner, Attorney for the Defendants

by service on Arrie Lee Weaver and Shomo Weaver

Arrie Lee Weaver and Shomo Weaver

July 22nd 1955

W. H. HOLCOMBE, SHERIFF

By W. C. Locke D. S.

I hereby accept service for the
Defendants

Edward P. Sumner
Atty for Defendants