

MRS. ANN E. WILLIAMS,
Plaintiff,
vs.
MRS. GEORGIA OWENS,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW. NO. 3030.

ANSWERS TO INTERROGATORIES PROPOUNDED
TO THE DEFENDANT BY THE PLAINTIFF.

Now comes the Defendant in the above styled cause, and for answers to the Interrogatories heretofore filed in this cause, says:

1. Yes.
2. Yes.
3. Yes.
4. The car which Mrs. Williams was driving and the car which I was driving were both traveling South on U. S. Highway No. 31, just East of Bay Minette, Alabama, when Mrs. Williams drove left over the center line to turn into her drive way on the right of the highway. I was passing her on the left side of the center line when the right front of my car struck the center rear of her car.
5. Mrs. Williams pulled out too far to the left of the center line to turn right.
6. U. S. Highway No. 31, approximately one-fourth mile East of the City Limits of Bay Minette, Alabama.
7. Approximately 35 miles per hour.
8. A small dent in the trunk lid about three (3) inches by eight (8) inches in size.
9. Directly in front of her house.
10. After the impact Mrs. Williams' car went on in the drive way and parked.
11. No.
12. 1956 Chevrolet.
13. The rear end of Mrs. Williams' car was to the left of the center line.
14. No.
15. No.

16. I told him that I pulled out to go around Mrs. Williams and that she was too far to the left of the center line when she started to turn to the right.

17. I do not know.

18. Yes.

19. I do not know. As stated above, I was going approximately 35 miles per hour.

20. He did not say.

21. Yes, less a repair bill of approximately \$50.00.

22. Answered in No. 21 above.

23. No.

24. Answered in No. 23 above.

25. Rita Owens, Jimmie Dee Owens, Jane Ann Burford and Linda Hudson.

26. Rita Owens and Jimmie Dee Owens are children of mine and Jane Ann Burford and Linda Hudson are friends of mine. I assume that they would desire to see me win this suit.

27. Answered in No. 26 above.

28. Approximately 100 feet.

29. I applied the brakes on my automobile, slowed down and pulled to the left of the center line to go around the automobile driven by Mrs. Williams.

30. No.

31. Answered in No. 30 above.

32. The right front bumper and fender struck the center rear bumper and trunk of Mrs. Williams' car.

33. Wet.

34. Approximately 4:30 P. M.

35. Cloudy.

36. Very little.

37. Light.

38. I saw the car but did not know she was going to turn. As she slowed down to turn she pulled to the left of the center line and I slowed down and went to the left of the center line to go around her.

39. After the accident I stopped and backed up and turned into Mrs. Williams' drive way. Mrs. Williams pulled on to her drive way, stopped and got out. Mrs. Williams had someone call the Highway Patrol. The Highway Patrolman investigated the accident and Mrs. Williams and I both told him that we were not hurt.

40. No.

41. No.

42. Yes.

43. I do not feel that Mrs. Williams is entitled to any compensation from me for her injuries suffered in this collision because I do not feel that she suffered any injuries.

44. Yes.

45. Repair the damage to her automobile.

x Mrs. Georgia Owens

STATE OF ALABAMA

MOBILE COUNTY

Before me the undersigned authority personally appeared Mrs. Georgia Owens, who first being duly and legally sworn deposes and says: That she has read over the foregoing answers to interrogatories and that the said answers are true and correct to the best of her knowledge and belief.

x Mrs. Georgia Owens

Sworn to and subscribed before me on this the 12 day of January, 1957.

John Edmond
Notary Public, Mobile County, Ala.

My Commission Expires
the 2 day of Oct 1957.

| | | |
|----------------------|---|-------------------------|
| Mrs. Ann E. Williams | Ø | In the Circuit Court of |
| Plaintiff | Ø | Baldwin County, Alabama |
| Vs | Ø | At Law |
| Mrs. Georgia Owens | Ø | |
| Defendant | Ø | |

Interrogatories to be propounded to the Defendant in this cause:

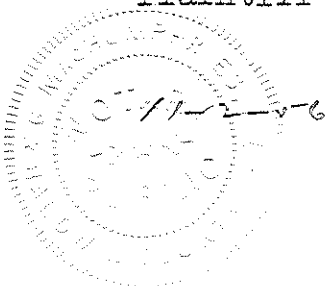
1. Are you Mrs. Georgia Owens?
2. Are you the Defendant in this cause?
3. Were you involved in an accident with the Plaintiff, Mrs. Williams on to-wit, July 28, 1956?
4. Describe the circumstances under which said accident occurred?
5. What caused said accident?
6. Where did this accident take place?
7. How fast were you traveling just prior to the accident?
8. What was the visible damage to Mrs. Williams car?
9. After the collision, where did Mrs. Williams car come to rest?
10. Did the collision knock Mrs. William's car off the road or further onto the road?
11. Did the collision knock Mrs. William's car across a deep ditch?
12. What kind of car was Mrs. Williams driving?
13. In relation to the center line of the highway, right or left from the direction you were traveling, where was Mrs. William's automobile at the moment of impact.
14. Did you see Mrs. Williams give any signal as to her intention to turn off the road?
15. Didn't you make a statement to the investigating Patrolman that the wreck as your fault?
16. What did you tell the investigating Patrolman as to whose fault the wreck was?
17. What was the speed limit at the particular point on the highway where the wreck occurred?
18. Did this wreck occur in Baldwin County?
19. Were you exceeding the speed limit at the time of the collision or prior immediately thereto?
20. What did the investigating Patrolman tell you was the cause of the wreck?
21. Would you have given Mrs. Williams as much for her automobile, had you been in the market for that kind of car, after the collision, as you would have before?
22. If the answer to 21 is no, how much would the collision have decreased its value?
23. Have you bought, sold or traded cars on the market in the last two years?
24. If the answer to 23 is yes, how much less would Mrs. William's car have sold for after the accident than before, on the open competitive market?

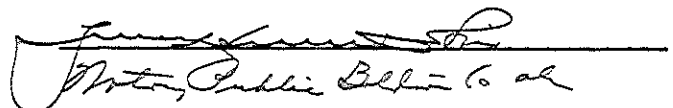
25. Who was with you in your car at the time of the collision?
26. Are the people named in 25, relatives or close friends of yours, who would have a desire to see you win this suit?
27. What relation were the people named in 25 to you?
28. How closely were you following behind Mrs. Williams at the time of the collision?
29. What precautions did you take to prevent said collision?
30. Did your car skid before striking Mrs. Williams's car?
31. How far did it skid?
32. Describe what part of your car struck what part of Mrs. Williams's.
33. What was the condition of the pavement at the time of the collision, wet or dry?
34. What time of day did the collision occur?
35. Was the weather fair or cloudy at the time of the accident?
36. Was it raining at the time of the collision?
37. Was it light or dark at the time of the collision?
38. If the weather was fair and it was daylight, what prevented you from seeing Mrs. Williams's car in time to avoid the collision?
39. Describe what happened at the scene of the collision between the time of the impact and the time you proceeded on to Mobile.
40. Did you notice any visible injury to Mrs. Williams due to said collision?
41. Did Mrs. Williams show signs of nervousness or being visibly shaken up by said accident?
42. Do you deny that Mrs. Williams received permanent injuries in said collision?
43. Do you want Mrs. Williams to be adequately compensated for her loss and injuries suffered in said collision?
44. Do you believe in God?
45. Based on that belief, what do you think is the right thing for you to do about Mrs. Williams claim?


Attorney for the Plaintiff

State of Alabama
County of Baldwin

Before me G Mac Humphries personally appeared Reuben F. McKinley, Attorney for the Plaintiff and who being duly sworn deposes and says that true and ~~correct~~ answers to the above interrogatories will be material evidence ~~from~~ the Plaintiff in said cause.




Notary Public, Baldwin County, Alabama

STATE OF ALABAMA
COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Mrs. Georgia Owens to appear and plead, answer or demur within thirty days to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama by Mrs. Ann E. Williams as Plaintiff and against Mrs. Georgia Owens as Defendant.

Witness my hand, this 10th day of Sept. 1956.

Oliver J. Duck
Clerk

Mrs. Ann E. Williams X In the Circuit Court of
 Plaintiff X Baldwin County, Alabama
 Vs X At. Law. No. 7030
Mrs. Georgia Owens X
 Defendant X

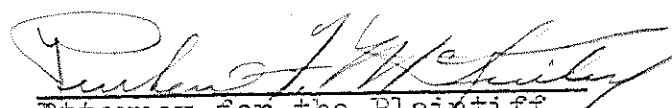
1.

The Plaintiff claims of the Defendant Twenty-Five Thousand Dollars as damages, for that on to-wit the 28th day of July, 1956, while the Plaintiff was traveling Southwest on Highway 31 in her automobile, about three-hundred yards Northeast of the City limits of Bay Minette, Alabama in Baldwin County on a public highway, where she had a right to be, Defendant traveling in the same direction in her automobile in a 40 mile per hour speed zone at such a high and unlawful rate of speed, did so negligently operate her automobile exceeding said speed limit in utter disregard of the hand and blinker signals of the Plaintiff that she was going to make a right turn that the Defendant did run her automobile on into and against the automobile of the Plaintiff, knocking the automobile of the Plaintiff onto and over a deep ditch, jerking and jolting, hurting and bruising the Plaintiff so that she has had to have Medical care and attention and causing her to suffer intense physical pain and suffering, as well as mental anguish, worry and pain over a long period of time and still suffers as a proximate consequence of it. Plaintiff alleges that she has lost some time from her job, namely, an Insurance saleswoman, that she had to have Medical care and attention, costing her a nominal sum of money, that she was deprived of her automobile for a period of twelve days, for it to under go temporary repairs during which time the Plaintiff had to rent another

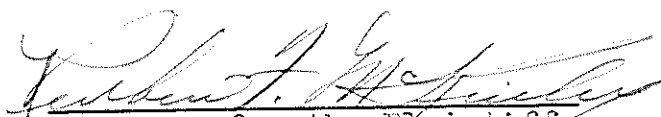
automobile for Ten-Dollars per day; that she has spent Ten-Dollars for long distance telephone calls in connection with and relating to the repair of her automobile; that she has had expert Medical advice that it is impossible to determine at this time what will be the future effect of her injuries upon her nerves and nervous system, as a proximate consequence and direct result of the negligence of the Defendant in running her automobile on, into and against the automobile of the Plaintiff, all to the damage of the Plaintiff as aforesaid.

2.

The Plaintiff claims of the Defendant One-Thousand Dollars as damages to the ^{1956 Chevrolet} Sports Coupe automobile of the Plaintiff, the proximate consequence of a collision between the said automobile of the Plaintiff and that of the Defendant as both were traveling Southwest on highway 31, a Public highway, about 300 yards Northwest of the City Limits of Bay Minette, Alabama, in Baldwin County, the Proximate cause of which was the negligence of the Defendant in traveling upon said public highway in a 40 mile per hour speed zone, at a speed so in excess of said speed limit that in utter disregard of the arm and blinker signals of the Plaintiff that she was about to make a right turn, that the Defendant did run ~~xxxx~~ ~~xx~~ her automobile on, upon and against the automobile of the Plaintiff, knocking the automobile of the Plaintiff into and across a deep ditch, bending, breaking and damaging the new 1956 automobile of the Plaintiff, Plaintiff alleges that she has had some repairs done upon said automobile, but that said automobile is still in need of extensive repairs and is severely and badly damaged, a proximate result of said collision with the automobile of the Defendant, caused by said negligence of the Defendant, all to the damage of the Plaintiff as aforesaid.


Attorney for the Plaintiff

Plaintiff demands a trial by Jury.


Attorney for the Plaintiff

MRS. ANN E. WILLIAMS,

Plaintiff,

vs.

MRS. GEORGIA OWENS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

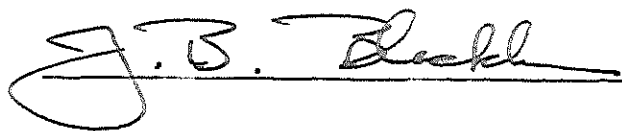
AT LAW. NO. 3030.

PLEAS:

Now comes the Defendant in the above styled cause and for pleas to the Amended Complaint heretofore filed in this cause says, separately and severally:

1. Not guilty.

2. The Plaintiff was herself, at the time and place alleged in the Complaint, guilty of negligence which proximately contributed to her alleged injuries and damages in this: the Plaintiff so negligently operated the automobile which she was then and there driving as to cause the automobile which Defendant was driving, to run into, upon or against the said automobile of Plaintiff, which said negligence of the Plaintiff was the proximate cause of the alleged injuries and damages to Plaintiff.




Attorneys for Defendant.

MRS. ANN E. WILLIAMS,
Plaintiff,
vs.
MRS. GEORGIA OWENS,
Defendant.

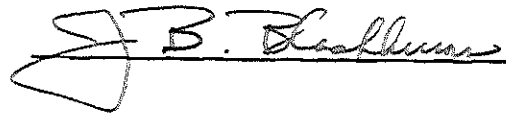
DEMURRER TO AMENDED COMPLAINT

Now comes the Defendant and for demurrer to the Amended Complaint and to each and every count thereof, separately and severally, assigns separately and severally, the following:

1. It does not state a cause of action.
2. Plaintiff's alleged injuries are not described with sufficient certainty.
3. The alleged damages to Plaintiff's automobile are not described with sufficient certainty.
4. No facts are alleged to show the Plaintiff's alleged damages were caused by the negligence of the Defendant.
5. No facts are alleged to show the Plaintiff's alleged injuries were caused by the negligence of the Defendant.
6. No facts are alleged to show that the accident referred to was caused as a proximate result of the negligence of the Defendant.
7. The allegation of the Complaint that the Plaintiff had to rent another automobile for Ten Dollars (\$10.00) per day is a mere conclusion of the pleader.
8. It does not appear with sufficient certainty what duty, if any, the Defendant may have owed to the Plaintiff.
9. It does not appear with sufficient certainty wherein Defendant violated any duty she may have owed to the Plaintiff.
10. It does not sufficiently appear that the Defendant owed any duty to the Plaintiff which Defendant negligently failed to perform.
11. No facts are alleged to show that the Plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of the Defendant.

12. It is not alleged that the negligence complained of proximately caused the accident, the injuries and damages complained of.

13. For that no causal connection appears between the Defendant's alleged negligence and the injuries and damages complained of by the Plaintiff.


J. B. Hallman


Attorneys for Defendant.

AMENDED COMPLAINT

| | | |
|----------------------|---|-------------------------|
| Mrs. Ann E. Williams | § | In the Circuit Court of |
| Plaintiff | § | Baldwin County, Alabama |
| Vs | § | At. Law No. _____ |
| Mrs. Georgia Owens | § | |
| Defendant | § | |

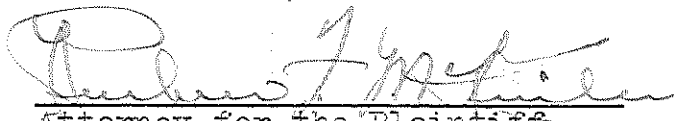
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2.

The Plaintiff claims of the Defendant One-Thousand Dollars as damages to the 1956 Chevrolet Sports Coupe automobile of the Plaintiff, the proximate consequence of a collision between the said automobile of the Plaintiff and that of the Defendant as both were traveling Southwest on highway 31, a Public highway about 300 yards Northeast of the City limits of Bay Minette,

Alabama, in Baldwin County, the proximate cause of which was the negligence of the Defendant in traveling upon said public highway in a 40 mile per hour speed zone, at a speed so in excess of said speed limit that in utter disregard of the arm and blinker signals of the Plaintiff that she was about to make a right turn, that the Defendant did run her automobile upon and against the automobile of the Plaintiff, bending, breaking and damaging the new 1956 automobile of the Plaintiff to the extent aforesaid as a proximate result of said collision with the automobile of the Defendant, caused by said negligence of the Defendant, all to the damage of the Plaintiff as aforesaid.


Attorney for the Plaintiff

Plaintiff demands a trial by Jury.


Attorney for the Plaintiff

MRS. ANN E. WILLIAMS,

Plaintiff,

vs.

MRS. GEORGIA OWENS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 3030

DEMURRER TO COMPLAINT

Now comes the Defendant and for demurrer to the Complaint and to each and every count thereof, separately and severally, assigns separately and severally, the following:

1. It does not state a cause of action.
2. Plaintiffs alleged injuries are not described with sufficient certainty.
3. It affirmatively appears that the Plaintiff does not know the nature and extent of her alleged injuries.
4. The alleged damages to Plaintiff's automobile are not described with sufficient certainty.
5. No facts are alleged to show that Plaintiff's alleged damages were caused by the negligence of the Defendant.
6. No facts are alleged to show that Plaintiff's alleged injuries were caused by the negligence of the Defendant.

J. B. Blackburn
Joe R. Owen
Attorneys for Defendant.