

# Millry Widow Receives \$25,000 In Suit Against Railroad Firm

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## Damage Suit Is Settled

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James Wilson Barrow won a consent judgment of \$47,500 against Otto Neese Sr. in Mobile Circuit Court Monday for injuries suffered in an automobile - motorcycle accident in Baldwin County.

Judge Dan T. McCall Jr. entered the judgment after a jury had heard testimony from one witness and attorneys in the case agreed on a settlement.

Barrow, in a \$250,000 damage suit, claimed he suffered a broken left arm, broken right leg and was permanently injured when Neese's car collided with his motorcycle. The accident occurred at the intersection of U.S. Highway 31 and State Highway 225 near Spanish Fort on Jan. 3, 1965.

Judge McCall returned a verdict in favor of Neese Lumber & Wrecking Co., which had been named as a codefendant to the suit.

Attorneys Robert T. Cunningham and Richard Bounds represented Barrow. Attorneys Alexander Foreman Jr. and Don Conway represented Neese.

## \$15,000 Awarded In Circuit Suit

A Mobile Circuit Court jury returned a \$15,000 personal injuries verdict in favor of Willie Coghlan Howard Tuesday after a trial before Presiding Judge Robert T. Ervin Jr. The defendant was Everett R. Weaver.

The suit was the outgrowth of an automobile collision on Jan. 25, 1965, on Dauphin Street near Kenneth Street. Howard had sued for \$50,000.

Atty. Robert T. Cunningham represented Howard. Attys. Jerry A. McDowell and Donald F. Pierce represented Weaver.

## Mobilian Awarded \$46,262 In Fall

Mrs. Jewel P. Smith was awarded \$46,262 in a judgment returned in Mobile Circuit Court Friday against the Morrison Cafeteria Co., Inc.

Mrs. Smith had sued the company for \$150,000 in personal injuries she said she received at the Highway 90 West cafeteria June 4, 1964.

The 48-year-old plaintiff claimed she suffered a fractured neck after a fall caused by stepping on a loose brick on a porch.

The judgment was returned by Judge Walter F. Gallard. Mrs. Smith was represented by attorneys Cunningham, Bounds and Byrd. Morrison Cafeteria Co., Inc., was represented by attorneys Foreman and Brown.

A Millry widow this week received \$25,000 from the A. T. & N. Railroad Company following the death of her husband, at the railroad crossing at Millry last year.

Mrs. Iva Branson, widow of Barney Branson, who was killed when struck by an A. T. & N. train in Millry, reached an agreed settlement with the railroad company, whereby the railroad agreed to pay Mrs. Branson the \$25,000 in damages for the death of her husband. Mr. Branson was employed with the county as a road machine operator.

Mrs. Branson was represented by Edward P. Turner, Jr. of Chatom and Robert T. Cunningham of Mobile. The A. T. & N. Railroad was represented by Dennis Porter of Chatom and Marshall De Mony of Mobile.

## Jurors Hold Will Invalid

A Mobile Circuit Court jury yesterday declared the will of the late Leon Leroy Griffith, involving some \$75,000 in real property, stocks and personal property, left to his widow invalid.

The jury decision, returned to Judge William D. Bolling, came after a four-day trial in which some 30 witnesses testified. The jury took some six hours in returning the verdict.

L. C. and Stanley Griffith, both of California and sons of the deceased by a previous marriage, had contested the will, in part, claiming it had been made in a local hospital shortly before their father died.

Mrs. Hazel Griffith, widow of the deceased, denied charges that she used "undue influence" on her husband to leave her all of the property. She claimed it was her husband's wish to do so.

With the will now declared invalid, the property will be divided into a third each for the widow and the two sons. The property involves ownership in the Mobile Fence Co., the New Ritz Restaurant, and various other property and funds in the Griffith estate.

Attorneys Richard Bounds and Robert Byrd represented the contestants. Attorneys Fred Killion and David Green represented Mrs. Griffith.

## Damages Awarded In Injury Suits

A retired Mobile bank vice president and his wife were awarded \$62,500 in their companion suits in U.S. District Court here today.

Joseph S. Norton Sr. and Mrs. Vifelis Norton, represented by attorney Richard Bounds and Robert Cunningham, received the consent judgment from Judge Daniel T. Thomas.

Norton claimed permanent injuries and Mrs. Norton claimed minor injuries in an auto-truck collision on U.S. Highway 90 near Hall's Mill Road on July 26, 1964.

Defendants in the suits were Nedco Sales and Trucking Corp. of Fayetteville, N.C. and C. J. Owens, employe of the firm and driver of the truck that struck the Norton's vehicle. They were represented by Walter Cook and William Horsely.

Norton is a retired vice president of Merchants National Bank of Mobile. He was awarded \$66,250 of the settlement while his wife received \$6,250.