

Hugo L. Black

MARY MINIARD

vs

No. 11976.

WALKER D. HINES as
DIRECTOR GENERAL
of RAILROADS.

IN THE CIRCUIT COURT OF JEFFERSON COUNTY.

This cause came on to be heard before Romaine Boyd,
Judge, and a jury, on Wednesday, October 8, 1919, in the
Circuit Court of Jefferson County, at Birmingham, Alabama.

APPEARANCES:

Hugo L. Black,

Representing the Plaintiff;

Percy, Benners & Burr,

Representing the Defendant.

Reported by W. K. S.

I N D E X .

PLAINTIFF'S WITNESSES:	DIRECT	CROSS	RED.	REC.
H. R. Miniard	3	10		
Mrs. Mary Miniard	14	18		
DEFENDANT'S WITNESSES:				
A. M. Wakefield	20	27	35	38
Mr. Springer	37	38		
PLAINTIFF'S REBUTTAL WITNESSES:				
Albert Lewis (o)	48			
Mrs. Mary Miniard (recalled)	52			
Charge of the Court	58 to 61.			

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THE COURT: My ruling there was made for the present, on the question of the ticket. I will hear you if you care to have an exclusion of this evidence as to that ticket.

MR. BLACK: The only thing I say --

THE COURT: Do you care to argue it?

MR. BLACK: No, sir; I don't care.

THE COURT: Very well. If you don't care to make any motion. My ruling was made for the present.

MR. BLACK: I understood you did exclude it. I moved to exclude it.

THE COURT: No. I excluded the latter part about that rowdy --

MR. BLACK: I move to exclude that part, -- something was said that he had a ticket from Indianapolis, because that is not the best evidence.

THE COURT: Well, that is the point I am in doubt about.

MR. BLACK: Well, I don't care anything about it. I will withdraw the motion.

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(At this time court adjourned until the next morning at nine o'clock.)

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THURSDAY, A. M., OCTOBER 9, 1919.

THE COURT: Mr. Stenographer, read me, and read to the jury, the testimony which I have just discussed, in regard to the statement about the baggage car. Just read that so the jury can hear it. I want to withdraw this from your consideration, gentlemen, a part of the testimony of Mrs. Miniard:

STENOGRAPHER: (Reading): "And the nigger doctor said that they might remove her to the baggage coach; he said that they had put crazy passengers in the baggage coach; but he hated to put her in there."

THE COURT: That part of the testimony is excluded, and you are expressly charged that you must not consider that evidence for any purpose whatever; that goes out.

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