

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

MAILING ADDRESS:
P. O. BOX 123

CABLE ADDRESS:
HAB

TELEPHONE:
432-5511
AREA CODE 205

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
WM. BREVARD HAND
VIVIAN G. JOHNSTON, JR.
PAUL W. BROCK
ALEX. F. LANKFORD, III
EDMUND R. CANNON, JR.
LYMAN F. HOLLAND, JR.
J. THOMAS NINES, JR.
DONALD F. PIERCE
LOUIS E. BRASWELL
HAROLD D. PARKMAN
G. PORTER BROCK, JR.
HARWELL E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. McDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
C. WAYNE LOUDERMILCH

December 19, 1966

Mrs. Alice J. Duck, Clerk
Circuit Court of Baldwin County
Court House
Bay Minette, Alabama

Re: Donald Killam v. Willie Mae Strauss
and Bertie L. Strauss, Circuit Court
of Baldwin County, Alabama, Case #7283

Dear Mrs. Duck:

Enclosed please find an Answer in the above-referenced case which I would appreciate your filing on behalf of the defendants. Please indicate on the enclosed copy of the letter the date of filing and return same to me in the self-addressed stamped envelope.

Thanking you in advance for your cooperation, I am,

Yours very truly,





For the Firm

DFP.mbd
Enclosure

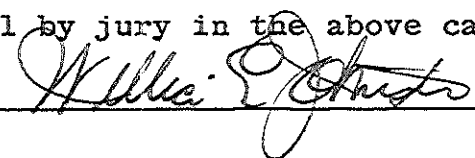
1966

DONALD KILLAM,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
vs.	:	
	:	AT LAW
WILLIE MAE STRAUSS and	:	
BERTIE L. STRAUSS,	:	
Defendants.	:	CASE NO: <u>7283</u>

Plaintiff claims of the defendants the sum of Five Thousand and no/100 (\$5,000.00) Dollars as damages, for that heretofore on, to-wit, the 12th day of December, 1965, the defendant Bertie L. Strauss, while acting within the line and scope of her authority as an agent, servant or employee of the defendant Willie Mae Strauss, so negligently drove an automobile in a westwardly direction on U. S. Highway 90, a public highway in Baldwin County, Alabama, at a point approximately one mile east of Robertsedale, Alabama, as to cause or allow the same to collide with an automobile in which the plaintiff was riding and which was traveling in an eastwardly direction on said U. S. Highway 90 at said point, and the plaintiff says as a proximate result of said negligence as aforesaid, said accident occurred, and the plaintiff suffered bruises, contusions and lacerations on his body and head; he was caused to lose time from his employment, all as a proximate result of the defendants' negligence as aforesaid, wherefore he brings this suit and seeks damages in the aforementioned amount.


 JAMES OWENS

 JOHNSTON, JOHNSTON & NETTLES
 Attorneys for Plaintiff

Plaintiff demands a trial by jury in the above cause.



FILED
 NOV 23 1965
 J. DICK, CLERK
 REGISTER

The defendants are non-residents of the State of Alabama and reside in Florida, and did at the time of this accident, and the Plaintiff requests that they be served by serving the Secretary of State, as provided for in Title 7, Paragraph 199 of the Code of Alabama of 1940, as Recompiled.

The Defendant Willie Mae Strauss resides at:
1802 Derby Avenue
Auburndale, Florida

The Defendant Bertie L. Strauss resides at:
820 E. Oak Street
Lakeland, Florida

FILED
JUN 23 1966
JAMES I. DICK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7283

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

WILLIE MAE STRAUSS and BERTHE L. STRAUSS

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.....

WILLIE MAE STRAUSS and BERTHE L. STRAUSS....., Defendant.....

by DONALD KILLAM.....

....., Plaintiff.....

Witness my hand this 23 day of Nov 19 66

Executed

11/23/66

Alleg. Luck

....., Clerk

MS Butler Sh.
JF Romeo D.S.

613

No.....7283..

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

DONALD KELLAM

Plaintiffs

vs.

WILLIE MAE STRAUSS and

BERTIE L. STRAUSS

Defendants

SUMMONS AND COMPLAINT

Filed 11-23 1966

Alighanek Clerk

Plaintiff's Attorney

Defendant's Attorney

832
Defendant lives at

Received In Office

NOV 22 1966

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 6 copies of

the within on Agnes Baggitt
Secretary of State of The State of
Alabama.

(This the 28 day of Nov 1966.)

Sheriff of Montgomery County

M. S. Butler,

By J. H. Blom D. S.

The Sheriff claims \$1.00 travel ex-
pense on each of _____
process(es) or a total of \$ 1.00

M. S. Butler, Sheriff
Montgomery County,
Alabama.

Sheriff

Deputy Sheriff

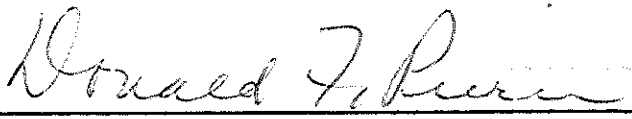
DONALD KILLAM,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
WILLIE MAE STRAUSS and)	
BERTIE L. STRAUSS,)	
Defendants.)	CASE NO. 7283

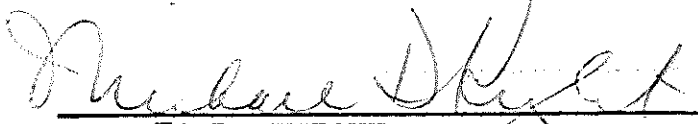
N O T I C E

TO: James Owens, Esq.

William E. Johnston, Esq.

Please take notice that on the 27th day of October, 1969, in the offices of Hand, Arendall, Bedsole, Greaves & Johnston, 3000 First National Bank Building, Mobile, Alabama, the defendants will take the deposition of the plaintiff, whose address is 508 Chatham Street, Mobile, Alabama, at 2:00 p.m., upon oral examination pursuant to an Act of the Legislature of the State of Alabama, designated as Act No. 375, Regular Session 1955, Approved September 8, 1955, before an officer authorized to take depositions and swear witnesses in said County in said State. The oral examination will continue from day to day until completed and you are invited to attend and cross-examine.


DONALD F. PIERCE


MICHAEL D. KNIGHT
Attorneys for Defendants

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

FILED

OCT 23 1969

ALICE J. DUCK CLERK
REGISTER

613 C

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing Notice to James Owen, Esq., and William E. Johnston, Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorneys at their respective offices, on this 23 day of October, 1969.

Michael Skyles

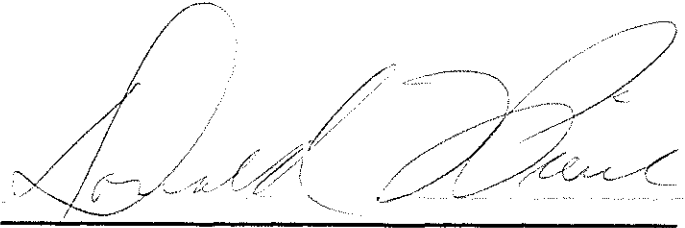
DONALD KILLAM, : IN THE CIRCUIT COURT OF
Plaintiff : BALDWIN COUNTY, ALABAMA
vs. : AT LAW
WILLIE MAE STRAUSS and :
BERTIE L. STRAUSS, :
Defendants. :
: CASE NO. 7283

A N S W E R

Comes now each of the following defendants, Willie Mae Strauss and Bertie L. Strauss, separately and severally, and for answer to each count of the complaint heretofore filed, sets down and assigns the following separate and several pleas, separately and severally:

ONE

Not guilty.



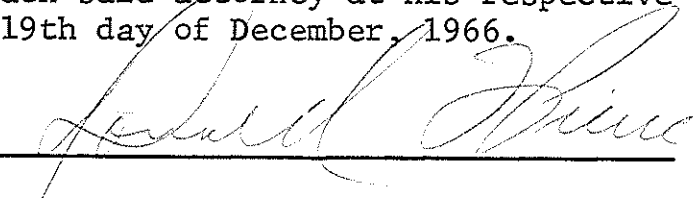
Trial Attorney for Defendants

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing Answer to James R. Owen, Esq., and William E. Johnston, Esq., Attorney for Plaintiff by depositing a copy of same in the United States Mail, postage prepaid, addressed to each said attorney at his respective office on this, the 19th day of December, 1966.



FILED

DEC 22 1966

CLERK
RECEIVED

613 B

December 5, 1966

DONALD KILLAM, Plaintiff

VS

WILLIE MAE STRAUSS, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

CASE NO. 7283

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on November 28, 1966
I sent by certified mail in an envelope addressed as follows:

"Willie Mae Strauss
1802 Darby Avenue
Auburndale, Florida"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of
the State of Alabama in words and figures as follows:

"Willie Mae Strauss
1802 Darby Avenue
Auburndale, Florida

You will take notice that on November 28, 1966 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: DONALD KILLAM, Plaintiff VS WILLIE MAE STRAUSS, et al,
Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 7283 a true copy of which summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and
effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 28
day of November, 1966

Enclosure (1)

(Signed) Mrs. Agnes Baggett
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint in the above-styled
cause.

I further certify that on December 5, 1966 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Auburndale, Fl
on December 2 1966

WITNESS MY HAND and the Great Seal of the State of Alabama this the 5 day
of December 1966

Mrs. Agnes Baggett
Mrs. Agnes Baggett
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
cc: Hon. William E. Johnston
Johnston, Johnston & Nettles
410 Van Antwerp Building
Mobile, Alabama

6/3 R

1

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7283

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon WILLIE MAE STRAUSS and BERTIE L. STRAUSS

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.....

WILLIE MAE STRAUSS and BERTIE L. STRAUSS....., Defendant.....

by DONALD KILLAM

....., Plaintiff.....

Witness my hand this.....23.....day of.....November.....19..66

Walter French....., Clerk

No.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

DONALD KILLAM, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
vs. :
 : AT LAW
WILLIE MAE STRAUSS and :
BERTIE L. STRAUSS, :
 :
Defendants. : CASE NO: 72-83

Plaintiff claims of the defendants the sum of Five Thousand and no/100 (\$5,000.00) Dollars as damages, for that heretofore on, to-wit, the 12th day of December, 1965, the defendant Bertie L. Strauss, while acting within the line and scope of her authority as an agent, servant or employee of the defendant Willie Mae Strauss, so negligently drove an automobile in a westwardly direction on U. S. Highway 90, a public highway in Baldwin County, Alabama, at a point approximately one mile east of Robertsdale, Alabama, as to cause or allow the same to collide with an automobile in which the plaintiff was riding and which was traveling in an eastwardly direction on said U. S. Highway 90 at said point, and the plaintiff says as a proximate result of said negligence as aforesaid, said accident occurred, and the plaintiff suffered bruises, contusions and lacerations on his body and head; he was caused to lose time from his employment, all as a proximate result of the defendants' negligence as aforesaid, wherefore he brings this suit and seeks damages in the aforementioned amount.

JAMES OWENS
JOHNSTON, JOHNSTON & NETTLES
Attorneys for Plaintiff

Plaintiff demands a trial by jury in the above cause.

NOV 23 1965
CLERK OF COURT, BALDWIN COUNTY, ALABAMA

XERO COPY XERO COPY XERO COPY

The defendants are non-residents of the State of Alabama and reside in Florida, and did at the time of this accident, and the Plaintiff requests that they be served by serving the Secretary of State, as provided for in Title 7, Paragraph 199 of the Code of Alabama of 1940, as Recompiled.

The Defendant Willie Mae Strauss resides at:
1802 Derby Avenue
Auburndale, Florida

The Defendant Bertie L. Strauss resides at:
820 E. Oak Street
Lakeland, Florida

FILED
JUN 23 1965
JAMES I. WALKER, CLERK
REGISTERED