

JOHN V. DUCK
Attorney at Law
P. O. DRAWER Y - FAIRHOPE, ALABAMA

M E S S A G E

R E P L Y

TO Mrs. Alice J. Duck
Bay Minette, Ala.

DATE

DATE October 2, 1967

Re: Andrews vs. Abston & Delta Creosoting
Civil No. 7491

Dear Mrs. Duck:

Please have captioned case dismissed and
send me a certified copy of the dismissal
together with a cost bill.

Thank you.

Sincerely,

John V. Duck
(JH)

SIGNED

SIGNED

JOHN V. DUCK
~~DUCK & LACEY~~

Attorneys at Law

P. O. DRAWER A-J - FAIRHOPE, ALABAMA

MESSAGE

REPLY

TO Mrs. Alice J. Duck

Bay Minette, Ala.

DATE April 24, 1967

Re: Frances Aileen Andrews vs. James

Abston & Delta Creosoting Company

Dear Mrs. Duck:

Enclosed please find Bill of Complaint
to be filed together with copies of same
and Summons to be served by the Secretary
of State in Gautier, Miss. Also enclosed
is check in the amount of \$6.00 to cover
cost of service.

Sincerely,

SIGNED

DATE

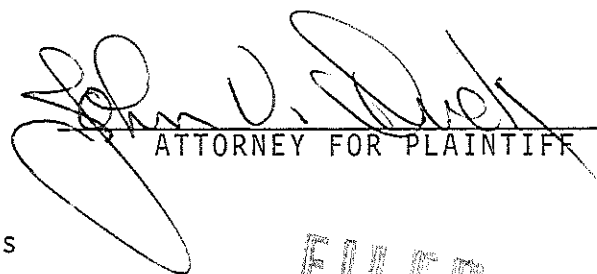
7/4/71

rec'd 11/4/50 per 2.83
" 4 more copies
of Enclt.

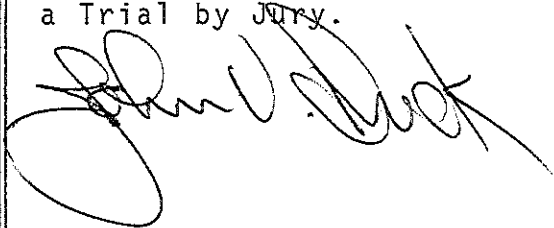
SIGNED

FRANCES AILEEN ANDREWS,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
JAMES ABSTON and DELTA)	7491
CREOSOTING COMPANY, a)	
corporation, jointly and)	
individually,)	
Defendants.)	

Plaintiff claims of the Defendants the sum of SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS as damages, for that, heretofore on, to-wit: the 18th day of January, 1967, JAMES ABSTON, the agent, servant or employee of the Defendant, DELTA CREOSOTING COMPANY, a corporation, while operating a motor vehicle on Alabama Highway U. S. 98 at a point thereon five (5) miles north of Daphne, Alabama, which was then a public highway in Baldwin County, Alabama, and while acting within the line and scope of his employment as such agent, servant or employee, negligently ran the motor vehicle that he was driving upon or against the automobile in which the Plaintiff was riding, and by reason thereof and as the proximate result and consequence thereof, the Plaintiff was injured in that she suffered the loss of six (6) teeth, that she was bruised, suffered lacerations, and was permanently injured, that she was forced to lose time from the place of her employment, she was required to employ doctors and nurses in and about the treatment of her injuries, that she was caused to expend large sums in and about the treatment of her injuries, and that she was permanently injured, all as a result of the negligence or the Defendant as aforesaid, for all of which she claims damages, hence this suit.


 ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands
 a Trial by Jury.



188

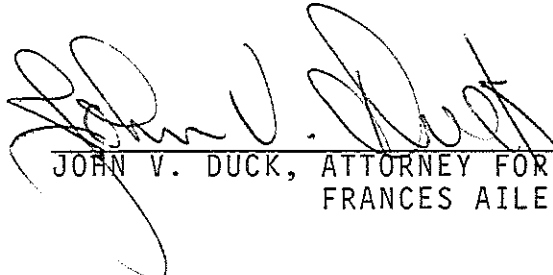
FILED
 APR 26 1967
 ALICE L. BUCK, CLERK
 REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, the undersigned authority, JOHN V. DUCK, who being by me first duly and legally sworn, doth depose and say as follows:

My name is JOHN V. DUCK. I am Attorney for the Plaintiff in the case of FRANCES AILEEN ANDREWS vs. JAMES ABSTON and DELTA CREOSOTING COMPANY, a corporation, jointly and individually, Defendants, and that the Defendants are non-residents of the State of Alabama and their mailing address is P. O. Box 198, Gautier, Mississippi.


JOHN V. DUCK, ATTORNEY FOR PLAINTIFF,
FRANCES AILEEN ANDREWS

Sworn to and subscribed before
me on this the 24 day of
April, 1967.


NOTARY PUBLIC

FILED
APR 26 1967
ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 2491

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES ABSTON and DELTA CREOSOTING

.....COMPANY, a corporation,.....

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.....

..... JAMES ABSTON & DELTA CREOSOTING COMPANY, a corporation Defendant.....

by FRANCES AILEEN ANDREWS

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

Witness my hand this..... 26th day of April 1967

Alice J. Luck Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

FRANCES AILEEN ANDREWS

Plaintiffs

vs.

JAMES ABSTON and DELTA CREOSOTING
COMPANY, a corporation
jointly & individually,

SUMMONS AND COMPLAINT

Filed May 26 1967 19.....

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each* for
serving 1 process(es) and \$1.00

travel expense on each of 1

process(es) or a total of \$2.50

John V. Duck Deputy Sheriff

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

2326

RECEIVED IN OFFICE

Gautier, Mississippi

RECEIVED

Received In Office

M. S. BUTLER, Sheriff

TAYLOR WILKINS
SHERIFF

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 6 copies of

the within on Mabel Thomas

Secretary of State of The State of

Alabama.

This the 23 day of May 1967

Sheriff of Montgomery County

M. S. Butler,

By Taylor Wilkins D. S.

Sheriff

Deputy Sheriff

May 8, 1967

FRANCES AILEEN ANDREWS, Plaintiff

VS

JAMES ABSTON, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

CASE NO. 7491

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on May 3, 1967
I sent by certified mail in an envelope addressed as follows:"James Abston
P. O. Box 198
Gautier, Mississippi""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:"James Abston
P. O. Box 198
Gautier, Mississippi"You will take notice that on May 3, 1967 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: FRANCES AILEEN ANDREWS, Plaintiff vs JAMES ABSTON, et al,
Defendantsin the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 7491 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 3
day of May, 1967

Enclosure (1)

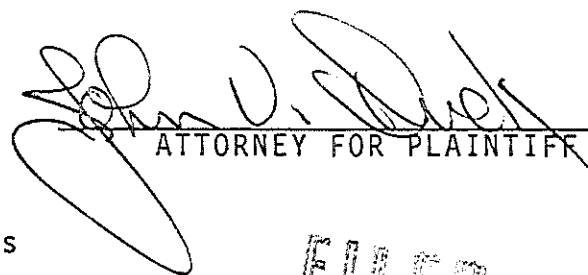
(Signed) Mabel Amos
Secretary of StateI further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint in the above-styled
cause.I further certify that on May 8, 1967 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Gautier, Mississippi
on 5-6-67WITNESS MY HAND and the Great Seal of the State of Alabama this the 8 day
of May, 1967Mabel AmosMabel Amos
Secretary of StateEnclosures: Return Receipt Card and copy
of Summons and Complaint.cc: Hon. John V. Duck
39 Magnolia Drive
Fairhope, Alabama

FRANCES AILEEN ANDREWS,)
Plaintiff,)
vs.)
JAMES ABSTON and DELTA)
CREOSOTING COMPANY, a)
corporation, jointly and)
individually,)
Defendants.

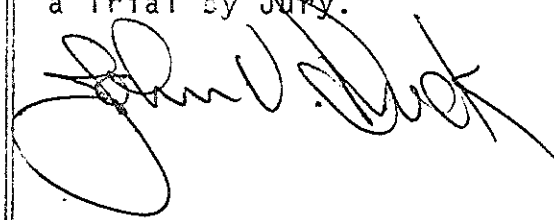
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

7491

Plaintiff claims of the Defendants the sum of SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS as damages, for that, heretofore on, to-wit: the 18th day of January, 1967, JAMES ABSTON, the agent, servant or employee of the Defendant, DELTA CREOSOTING COMPANY, a corporation, while operating a motor vehicle on Alabama Highway U. S. 98 at a point thereon five (5) miles north of Daphne, Alabama, which was then a public highway in Baldwin County, Alabama, and while acting within the line and scope of his employment as such agent, servant or employee, negligently ran the motor vehicle that he was driving upon or against the automobile in which the Plaintiff was riding, and by reason thereof and as the proximate result and consequence thereof, the Plaintiff was injured in that she suffered the loss of six (6) teeth, that she was bruised, suffered lacerations, and was permanently injured, that she was forced to lose time from the place of her employment, she was required to employ doctors and nurses in and about the treatment of her injuries, that she was caused to expend large sums in and about the treatment of her injuries, and that she was permanently injured, all as a result of the negligence or the Defendant as aforesaid, for all of which she claims damages, hence this suit.


ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands
a Trial by Jury.



192

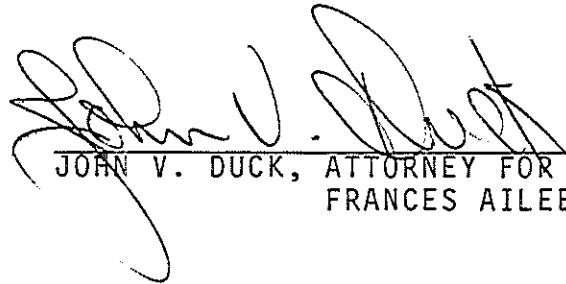
FILED
APR 26 1967
ALICE L. BUCK, CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, the undersigned authority, JOHN V. DUCK, who being by me first duly and legally sworn, doth depose and say as follows:

My name is JOHN V. DUCK. I am Attorney for the Plaintiff in the case of FRANCES AILEEN ANDREWS vs. JAMES ABSTON and DELTA CREOSOTING COMPANY, a corporation, jointly and individually, Defendants, and that the Defendants are non-residents of the State of Alabama and their mailing address is P. O. Box 198, Gautier, Mississippi.



JOHN V. DUCK, ATTORNEY FOR PLAINTIFF,
FRANCES AILEEN ANDREWS

Sworn to and subscribed before
me on this the 24 day of
April, 1967.


NOTARY PUBLIC

FILED
APR 26 1967

ALICE L. BUCK, CLERK
REGISTERED

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 2491

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES ABSTON and DELTA CREOSOTING

COMPANY, a corporation,

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.....

JAMES ABSTON & DELTA CREOSOTING COMPANY, a corporation Defendant.....

by FRANCES AILEEN ANDREWS

Plaintiff.....

Witness my hand this 26th day of April 1967

Clerk

May 11, 1967

FRANCES AILEEN ANDREWS, Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA AT LAW

VS

DELTA CREOSOTING COMPANY, a corporation
et al, Defendants

CASE NO. 7491

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on May 3, 1967
I sent by certified mail in an envelope addressed as follows:" Delta Creosoting Company
P. O. Box 198
Gutier, Mississippi ""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:" Delta Cresoting Company
P. O. Box 198
Gutier, MississippiYou will take notice that on May 3, 1967 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: FRANCES AILEEN ANDREWS, Plaintiff vs DELTA CREOSOTING
COMPANY, a corporation, et al, Defendantsin the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 7491 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 3
day of May, 1967

Enclosure (1)

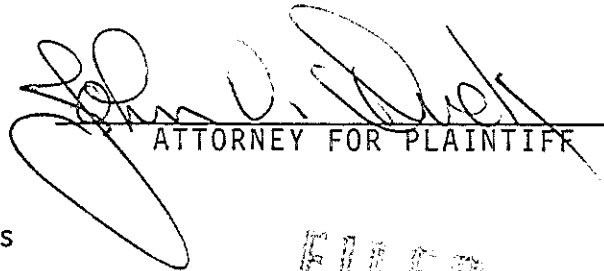
(Signed) Mabel Amos
Secretary of State"I further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint in the above-styled
cause.I further certify that on May 11, 1967 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Gutier, Mississippi
on May 9, 1967WITNESS MY HAND and the Great Seal of the State of Alabama this the 11th day
of May, 1967Mabel Amos
Secretary of StateEnclosures: Return Receipt Card and copy
of Summons and Complaint.cc: Hon. John V. Duck
319 Magnolia Avenue
Fairhope, Alabama.

FRANCES AILEEN ANDREWS,)
Plaintiff,)
vs.)
JAMES ABSTON and DELTA)
CREOSOTING COMPANY, a)
corporation, jointly and)
individually,)
Defendants.

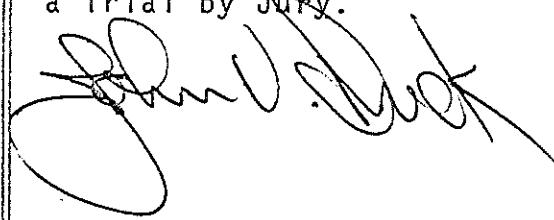
IN THE CIRCUIT COURT OF
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7491

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ATTORNEY FOR PLAINTIFF

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196

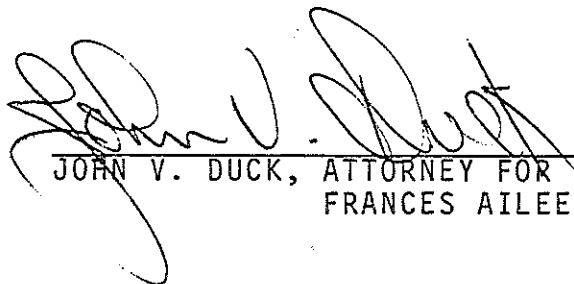
FILED
APR 26 1967
ALICE L. BUCK, CLERK
REGISTER

STATE OF ALABAMA

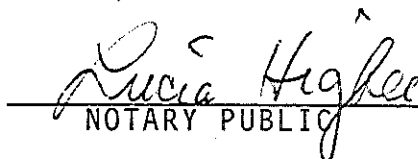
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My name is JOHN V. DUCK. I am Attorney for the Plaintiff in the case of FRANCES AILEEN ANDREWS vs. JAMES ABSTON and DELTA CREOSOTING COMPANY, a corporation, jointly and individually, Defendants, and that the Defendants are non-residents of the State of Alabama and their mailing address is P. O. Box 198, Gautier, Mississippi.


JOHN V. DUCK, ATTORNEY FOR PLAINTIFF,
FRANCES AILEEN ANDRESS

Sworn to and subscribed before
me on this the 24 day of
April, 1967.


NOTARY PUBLIC

FILED
APR 26 1967
ALICE L. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No. 2491

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..... JAMES ABSTON & DELTA CREOSOTING COMPANY, a corporation Defendant.....

by FRANCES AILEEN ANDREWS
.....

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

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Alice J. Luck Clerk