

1377

Ex-parte Howard Doyle Langham

Mrs Florence Langham Dugger August 24th 1945

Foley Ala.

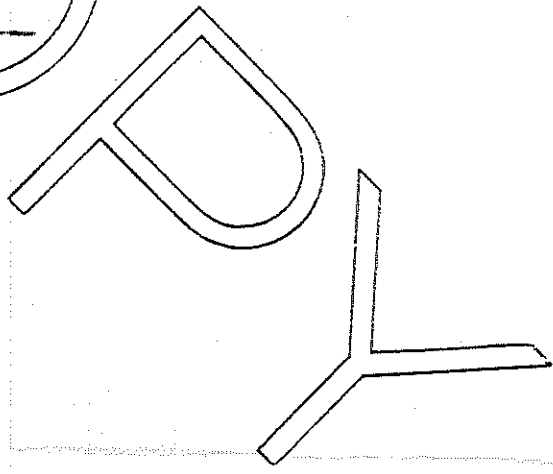
Dear Mrs Dugger

In compliance with a decree rendered on July the 31st 1945 I am enclosing check in th amount of \$174.20 being the ~~main~~ amount in my hands after deducting the expense of th~~e~~ suit in this cause. this is paid up to August 23rd 1945 according to the statement of the insurance company, in the future I shall mail you check as soon as it is received from the Insurance Co.

~~Trusting~~ Trusting that this will meet with your approval.

I. Am. Very Truly Yours.

R.S. Duck.  
Register



THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO THE HONORABLE F. W. HARR, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA, IN EQUITY.

Comes Florence Langham Dugger and by this her Petition respectfully  
shows unto your Honor as follows:

FIRST: That she is a resident of Baldwin County, Alabama, over the age  
of twenty-one years and the mother of Howard Doyle Langham, a minor under the  
age of fourteen years, the only child of Petitioner and her former husband,  
James Edward Langham, who lives with Petitioner and her present husband in the  
suburbs of Foley, Alabama.

SECOND: That James Edward Langham about two years prior to this time was  
accidentally killed while an employee of Abb's Transfer & Service Company, an  
Alabama corporation, and under the provisions of the Alabama Workmen's Com-  
pensation Act, Petitioner and her said child, as the sole dependents of said  
James Edward Langham, were awarded the payment of eighteen dollars (\$18.00)  
for three hundred consecutive weeks by said Abb's Transfer & Service Company  
of which payments to Petitioner for ninety-six weeks have been made.

THIRD: That in May, 1945, Petitioner, then a widow, married her present  
husband and by virtue of Section 7554 of said Compensation Act (Title 26,  
Section 284 of the present Code) the remaining two hundred four payments are  
to be made to and for the benefit of the said minor child.

FOURTH: Petitioner is now advised that future payments to said child,  
Howard Doyle Langham, can only be made to a legal guardian or some duly con-  
stituted authority and that until such appoint is legally made, further pay-  
ments will be held in abeyance.

FIFTH: Petitioner, as the mother and natural guardian of her minor child,  
has been suggested as the legal guardian of her child, but is a woman of lin-  
ited means and little business experience and does not feel capable of assuming  
this responsible trust requiring the execution of an expensive bond for the  
next four years and regular and formal annual accountings.

SIXTH: That no letters of administration have been taken out on the  
estate of James Edward Langham, or has any guardian been appointed for the  
minor child.

SEVENTH: Petitioner further shows that as Courts of Equity are specific-  
ally empowered to protect and safeguard the interests of minors and have ade-  
quate legal machinery to do so, that it would be to the best interest of said  
minor that future payments for his benefit be received and disbursed through  
the register of this Court, whereby the Register thereof could properly super-  
vise the application of the money to said child's maintenance and education  
and the estate be saved the heavy expense of bond premiums and legal fees in-  
cident to annual accounts.

THE PREMISES CONSIDERED, Petitioner prays that an order be made instruct-  
ing the Register of this Court to collect and receipt for all payments due from  
the Abb's Transfer & Service Company to Howard Doyle Langham, the minor child  
of James Edward Langham, under the provisions of the Alabama Workmen's Compen-  
sation Act and to apply said payments, after deducting therefrom the costs of  
this proceeding, including a reasonable solicitor's fee, and the expenses of  
administering same to the maintenance and support of said minor.

Petitioner further prays for such other, further or proper orders and  
decrees as may be essential to effectuate the purposes of this Bill

Given under my hand this the 27 day of July, 1945.

*Florence Langham Dugger*  
Florence Langham Dugger

THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

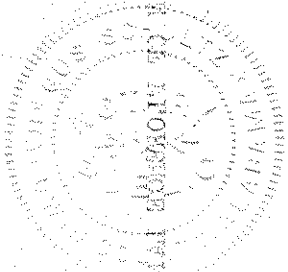
Before me, the undersigned Notary Public, personally appeared this day Florence Langham Dugger, who, being sworn, says that she is the Petitioner named in the foregoing instrument and that the matters therein set forth are true.

Subscribed and sworn to before me this 27th day of July, 1945.

*Geo Schuetz*  
Notary Public

My commission expires:  
3-29-49

*Forest A Christian*  
Forest A. Christian, Foley, Alabama  
Solicitor for Petitioner



RECORDED AND INDEXED BY FLORENCE LANGHAM DUGGER

(112)

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BALDWIN COUNTY. )

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Florence Langham Dugger

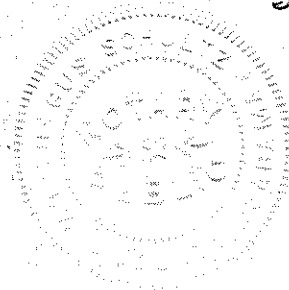
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Gun Schultz  
Notary Public

Forest A. Christian  
Forest A. Christian, Foley, Alabama  
Solicitor for Petitioner

LIBERTY  MUTUAL  
INSURANCE COMPANY

HOME OFFICE: BOSTON

113 ST. FRANCIS STREET  
PHONE: DEXTER 79  
MOBILE, ALABAMA

June 19, 1945

Mrs. Florence Langham Dugger  
Foley, Alabama  
Rt. 1, % Ham Dugger

Re: James Edward Langham vs. Abb's Transfer & Service Co.  
084-4948

Dear Mrs. Dugger:

I apologise in being so late in answering your letter of June 4, 1945, in which you advised us that you have re-married. However, I have been waiting on a reply from our legal department as to the payment of the remainder of compensation.

Under the Alabama Workmen's Compensation Act, compensation is to be paid for a period of 300 weeks. To date, we have paid you for the benefit of yourself and your son, 96 weeks of compensation.

However, in view of your second marriage, compensation after that date will be made payable for the benefit of your son. Our legal department has advised that in view of Section 7554 of the Alabama Workmen's Compensation Act, that it will be necessary for you to have a guardian appointed for your son, and compensation will then be paid to the guardian.

In all probability you will want to have yourself appointed legal guardian so that we can continue making the checks payable to you for your son. Therefore, as soon as you have had the guardian appointed, please send us a certified copy of the appointment so that we will be in position to resume payment of compensation in accordance with the law.

It is certainly not our desire to put you to any undue expense or to any more trouble than is absolutely necessary. However, under the circumstances and upon the advice of our legal department, we must receive a certified copy of the appointment of the guardian. As soon as that certificate is received by us, we will promptly see that compensation is started and paid in accordance with the compensation Act.

Very truly yours,

  
W. L. Wharton



1377

DECREE

IN THE MATTER OF HOWARD DOYLE

LANGHAM, A MINOR

*[Handwritten signature]*