

ALICE B. SHIRAH,	X	
Plaintiff	X	
Vs.	X	IN THE CIRCUIT COURT OF
DAVID D. LIVINGSTON,	X	BALDWIN COUNTY, ALABAMA
ALABAMA BONDING COMPANY,	X	
a corporation, and	X	AT LAW
RESOLUTE INSURANCE	X	
COMPANY, a corporation,	X	CASE NO. 9800
jointly and individually,	X	
Defendants	X	

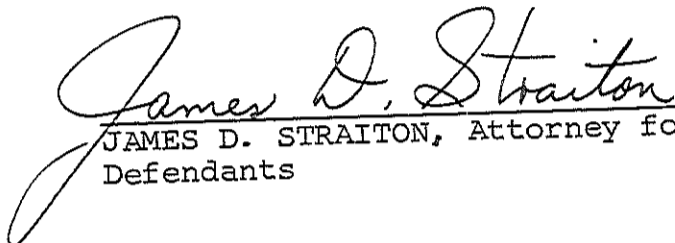
D E M U R R E R

Come now the Defendants, David D. Livingston, Alabama Bonding Company, a corporation, and Resolute Insurance Company, a corporation, and demur to the Complaint in the above cause, and as grounds for said Demurrer, the Defendants aver, separately and severally, the following separate and several grounds:

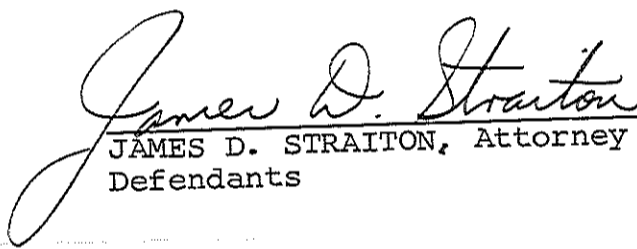
1. Said Complaint is not in code form.
2. Said Complaint does not aver as to how the Defendant, David D. Livingston, was acting in his dual capacity as an agent, servant or employee of the other Defendants.
3. Said Complaint is vague, indefinite, and uncertain and does not properly apprise the Defendants of what they are called upon to defend.
4. For said Complaint does not properly apprise the Defendants, Alabama Bonding Company, a corporation, and Resolute Insurance Company, a corporation, of the particular way in which the Defendant, David D. Livingston, acted as their agent, servant or employee.
5. For said Complaint does not sufficiently state in what way the Defendant, David D. Livingston, was acting within the line and scope of his authority as an agent for Alabama Bonding Company, a corporation, and Resolute Insurance Company, a corporation.
6. For that said Complaint does not sufficiently inform the Defendants in what way the assault and battery was committed.
7. For said Complaint does not properly apprise the Defendants of the method of the assault and battery.

✓ 8. For said Complaint does not properly apprise the Defendants as to whether or not David D. Livingston was acting as an agent of both Defendants at the time of the assault and battery averred in said Complaint.

✓ 9. For that no facts are averred on which a jury could return a verdict with punitive damages.

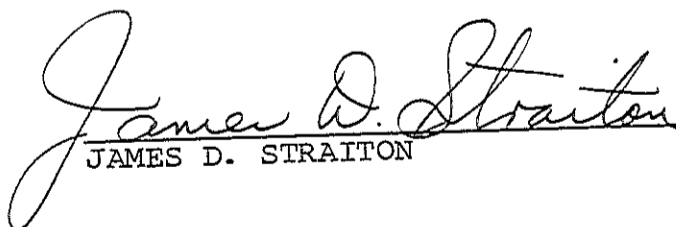

JAMES D. STRAITON, Attorney for
Defendants

Defendants demand a trial by jury in this cause.


JAMES D. STRAITON, Attorney for
Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing Demurrer on the Honorable Robert B. Kendall, Johnston, Johnston and Kendall, Post Office Box 550, Mobile, Alabama, by mailing a copy of same by United States mail, first-class postage prepaid, this the 2^d day of May, 1971.


JAMES D. STRAITON

ATTORNEY FOR THE DEFENDANTS:

JAMES D. STRAITON
Attorney at Law
Suite 1100 - Bell Building
Post Office Box 4292
Montgomery, Alabama 36104

FILED

MAY 24 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

ALICE B. SHIRAH,	:	IN THE CIRCUIT COURT
Plaintiff,	:	OF BALDWIN COUNTY,
Vs.	:	ALABAMA
DAVID D. LIVINGSTON,	:	AT LAW
ALABAMA BONDING COMPANY,	:	CASE NO. <u>9800</u>
acorporation, and	:	
RESOLUTE INSURANCE	:	
COMPANY, a corporation,	:	
jointly and individually,	:	
Defendants.	:	

Plaintiff claims of the Defendants the sum of TWENTY-FIVE THOUSAND AND NO/100THS (\$25,000.00) DOLLARS, as damages, for an assault and battery committed by the Defendant David D. Livingston, an agent, servant or employee of the other Defendants, acting within the line and scope of his authority as such, on the Plaintiff on, to-wit, the 10th day of June, 1970, and the Plaintiff claims punitive damages.

Robert D. Kendall

Attorney for Plaintiff

OF COUNSEL:

JOHNSTON, JOHNSTON & KENDALL
Post Office Box 550
Mobile, Alabama

Plaintiff respectfully requests a trial by jury.

Robert D. Kendall

Defendants David D. Livingston
and Alabama Bonding Company may
be served through the Sheriff of
Montgomery County, Alabama, at:

Alabama Bonding Company
Montgomery, Alabama

FILED

APR 22 1971

Defendant Resolute Insurance
Company may be served by
service on the Superintendent
of Insurance, Montgomery,
Alabama.

EXECUTED BY SERVING
A COPY OF THE WITHIN

*David Dr. Leasing, Stone
Apex Ala. Lumbering Co.*

This the 30 day of August
M. S. BUTLER
Sheriff Montgomery County.

By J. O. Mathis
Deputy Sheriff

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

J. O. Mathis Deputy Sheriff

EXECUTED BY SERVING
A COPY OF THE WITHIN

*Deed of Conveyance from
Edw. A. A. Bonding Co.*

This the 30 day of April 1914

M. S. BUTLER
Sheriff Montgomery County

By *M. S. Butler*
Deputy Sheriff

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

J. O. M. H. H.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 9800

TERM. 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon DAVID D. LIVINGSTON, ALABAMA BONDING COMPANY, A Corp.

and RESOLUTE INSURANCE COMPANY, A Corp., Jointly & Individually

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 DAVID D. LIVINGSTON,
ALABAMA BONDING COMPANY, A Corporation and RESOLUTE INSURANCE COMPANY, A Corporation,
Jointly & Individually Defendant.

by ALICE B. SHIRAH

Plaintiff.

Witness my hand this 22nd day of April 1971

Ernie D. Blackburn, Clerk

No. 9800

Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT

ALICE B. SHIRAH

Plaintiffs

DAVID D. LIVINGSTON, ALABAMA BONDING CO.,
a Corp., & RESOLUTE INSURANCE COMPANY,
A corp., Jointly & Individually

Defendants

SUMMONS AND COMPLAINT

Filed April 22, 1971

Eunice B. Blackmon Clerk

Johnston, Johnston & Kendall
P. O. Box 550- Mobile,

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

APR 27 1971

Received In Office

M. S. BUTLER, Sheriff

1971

Jay Lee Wilkins Sheriff

I have executed this summons

this 19

by leaving a copy with

Executed by serving 2 copies of

the within on Mr. J. B. Black

Superintendent

of Insurance, State of Alabama

This the 28 day of April 1971

Sheriff of Montgomery County

M. S. Butler,

By W. L. Moore D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama; Claim \$1.50 each for

serving 2 process(es) and \$1.00

travel expense on each of

process(es) or a total of \$2.50 Sheriff

W. L. Moore Deputy Sheriff

Deputy Sheriff
Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
DEPARTMENT OF INSURANCE

I, the undersigned as Superintendent of Insurance for the State of Alabama,
hereby certify that on the 28th day of April, 1971, I
sent by registered mail in an envelope as follows:

Resolute Insurance Company
163 Asylum Avenue
Hartford, Connecticut 06102

REGISTERED MAIL
RETURN RECEIPT REQUESTED

bearing sufficient prepaid postage, a copy of a summons and complaint served upon
me by the Sheriff of Montgomery County, Alabama, in a cause styled as follows:

Alice B. Shirah, Plaintiff

Case No. 9800

in the Circuit Court of Baldwin County

VERSUS

David D. Livingston, Alabama Bonding
Company, a corp. and Resolute
Insurance Company

(Name of Court)

, Defendant

And that on the 6th day of May, 1971, I received
the return card showing receipt by the designated addressee of said envelope on
the _____ day of not shown, 1971.

Witness my hand and official seal this the 6th day of May,
1971.

John M. Bookout
SUPERINTENDENT OF INSURANCE

FILED

MAY 7 1971

EUNICE B. BLACKMON
CIRCUIT
CLERK

VOL 69 PAGE 464

ALICE B. SHIRAH,	X	
Plaintiff	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
DAVID D. LIVINGSTON,	X	AT LAW
ALABAMA BONDING COMPANY,	X	CASE NO. 9800
a corporation, and	X	
RESOLUTE INSURANCE	X	
COMPANY, a corporation,	X	
jointly and individually,	X	
Defendants	X	

A N S W E R

Come now the Defendants, David D. Livingston, Alabama Bonding Company, a corporation, and Resolute Insurance Company, a corporation, with leave of the Court first had and obtained to file additional answers at a later date, and files this their answer to the Complaint in the above cause, and to each count thereof, separately and severally:

1. The Defendants plead not guilty.
2. The Defendants plead the general issue.

3. For that the Defendants did, in conformance with the Code of Alabama, Title 15, Sections 209 and 210, attempt to arrest one Harvey Gilmer by presenting him with a certified copy of the undertaking, and it was during this arrest of one Harvey Gilmer that the Plaintiff, Alice B. Shirah, did attempt to interfere and, if said assault and battery was committed at all, it was committed while said Plaintiff was interfering in the lawful arrest of Harvey Gilmer.

FILED

JUL 20 1971

EUNICE B. BLACKMON CIRCUIT CLERK

James D. Straiton
JAMES D. STRAITON, Attorney for
Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing Answer on the Honorable Robert B. Kendall, Johnston, Johnston and Kendall, Attorneys at Law, Post Office Box 550, Mobile, Alabama, by mailing a copy of same by United States mail, first-class postage prepaid, this the 19 day of July, 1971.

James D. Straiton
JAMES D. STRAITON, Attorney for
Defendants

JAMES D. STRAITON
Post Office Box 4292
Montgomery, Alabama 36104

ALICE B. SHIRAH,

Plaintiff

Vs.

DAVID D. LIVINGSTON, ALA-
BAMA BONDING COMPANY, a
corporation, and RESOLUTE
INSURANCE COMPANY, a cor-
poration, jointly and in-
dividually,

Defendants

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9800

M O T I O N

Come now the Defendants in the above cause, with the acquiescence of the Plaintiff, and moves the Court to continue the above cause generally to the next term of Court.

*Filed
10-8-71*

*Eunice B. Blackmon
Circuit Clerk*

James D. Straiton

JAMES D. STRAITON, Attorney for
Defendants

O R D E R

Upon consideration of the above motion, it is hereby ORDERED, ADJUDGED and DECREED that the above cause be continued generally to the next regular term of the Circuit Court of Baldwin County, Alabama in the year of 1972.

DONE this the 8th day of October, 1971.

Joseph M. Ashburn

CIRCUIT JUDGE

ATTORNEY FOR DEFENDANTS:

JAMES D. STRAITON
Attorney at Law
Suite 1100 - Bell Building
Post Office Box 4292
Montgomery, Alabama 36104

FILED

OCT 8 1971

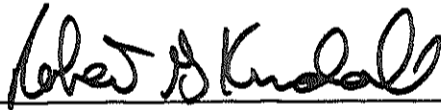
EUNICE B. BLACKMON CIRCUIT
CLERK

ALICE B. SHIRAH, : IN THE CIRCUIT COURT
Plaintiff, : OF BALDWIN COUNTY,
Vs. : ALABAMA
DAVID D. LIVINGSTON, et al, : AT LAW
Defendants. : CASE NO. 9800

AMENDED COMPLAINT

COMES NOW the Plaintiff in the above-styled cause
and amends her Complaint to read as follows:

Plaintiff claims of the Defendants the sum of TWENTY-
FIVE THOUSAND AND NO/100THS (\$25,000.00) DOLLARS, as damages,
for an assault and battery committed by the Defendants on
the Plaintiff on, to-wit, the 10th day of June, 1970, and
the Plaintiff claims punitive damages.



Attorney for Plaintiff

OF COUNSEL:

JOHNSTON, JOHNSTON & KENDALL
Post Office Box 550
Mobile, Alabama 36601

FILED


FEB 11 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for
all parties in the foregoing matter with a copy of this
pleading by depositing in the United States Mail a copy of
same in a properly addressed envelope with adequate postage
thereon.

This 9th day of February, 19 72


Attorney for Plaintiff

ALICE B. SHIRAH,

Plaintiff

-VS-

DAVID D. LIVINGSTON,
ALABAMA BONDING COMPANY,
a corporation, and
RESOLUTE INSURANCE COMPANY,
a corporation,
jointly and individually,

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9800

AFFIDAVIT

I, Kenneth Cooper, as one of the attorneys of record for defendant David D. Livingston in the above-styled cause, hereby certify that the oral depositions of Alice B. Shirah and Mrs. W. A. Browder are needed in the above case on the legal ground that each is a woman and that each is a material witness. It is requested that Alice B. Shirah and Mrs. W. A. Browder be subpoenaed to appear at 2:00 p.m. on Friday, August 4, 1972, in the Law Library of Baldwin County Courthouse, at Bay Minette, Alabama.

Kenneth Cooper
ATTORNEY FOR DEFENDANT
DAVID D. LIVINGSTON

Sworn to and subscribed before me on this the twenty-sixth day of July, 1972.

My Commission Expires:
~~October 6, 1974~~

Amey B. Gunn
NOTARY PUBLIC
STATE AT LARGE, STATE OF ALABAMA

FILED

JUL 28 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

ALICE B. SHIRAH,

Plaintiff

Vs.

DAVID D. LIVINGSTON, ALA-
BAMA BONDING COMPANY, a
corporation, and RESOLUTE
INSURANCE COMPANY, a cor-
poration, jointly and in-
dividually,

Defendants

X

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9800

M O T I O N

Come now the Defendants in the above cause, with the ac-
quiescence of the Plaintiff, and move the Court to continue the
above cause generally to the next term of Court.

Filed 7-28-72
Unice B. Blackmon
Circuit Clerk

James D. Straiton
JAMES D. STRAITON, Attorney for
Defendants

O R D E R

Upon consideration of the above motion, it is hereby
ORDERED, ADJUDGED and DECREED that the above cause be continued
generally to the next regular term of the Circuit Court of Baldwin
County, Alabama.

DONE this the 24th day of July, 1972.

James A. Massey
CIRCUIT JUDGE

ATTORNEY FOR DEFENDANTS:

JAMES D. STRAITON
Attorney at Law
Suite 1100 - Bell Building
Post Office Box 4292
Montgomery, Alabama 36104

FILED

JUL 28 1972

UNICE B. BLACKMON CIRCUIT
CLERK

ALICE B. SHIRAH,

Plaintiff,

-VS-

DAVID D. LIVINGSTON, et al,

Defendants,

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

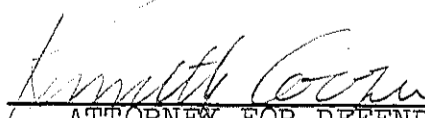
AT LAW

CASE NO. 9800

DEMURRER

Come now the Defendants, David D. Livingston, Alabama Bonding Company, a corporation, and Resolute Insurance Company, a corporation, and demur to the Complaint in the above cause, and as grounds for said Demurrer, the Defendants aver, separately and severally, the following separate and several grounds:

1. Said Complaint is not in code form.
2. Said Complaint is vague, indefinite, and uncertain and does not properly apprise the Defendants of what they are called upon to defend.
3. For that said Complaint does not sufficiently inform the Defendants in what way the assault and battery was committed.
4. For said Complaint does not properly apprise the Defendants of the method of the assault and battery.
5. For said Complaint does not properly apprise the Defendants as to whether or not David D. Livingston was acting as an agent of both Defendants at the time of the assault and battery averred in said Complaint.
6. For that no facts are averred on which a jury could return a verdict with punitive damages.


ATTORNEY FOR DEFENDANTS

20169- Pg 471 A

Defendants demand a trial by jury in this cause.

Kenneth Cooper

ATTORNEY FOR DEFENDANTS

I certify that I have mailed a copy of the foregoing Demurrer to Honorable Robert B. Kendall, Johnston, Johnston and Kendall, Post Office Box 550, Mobile, Alabama 36600, by depositing the same in the United States Mail, postage prepaid, at Bay Minette, Alabama, on this the fifth day of April, 1973.

Kenneth Cooper

ATTORNEY FOR DEFENDANTS

FILED

APR 6 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

471 B

ALICE B. SHIRAH,	:	IN THE CIRCUIT COURT
PLAINTIFF,	:	OF BALDWIN COUNTY,
Vs.	:	ALABAMA
DAVID D. LIVINGSTON, ET AL,	:	AT LAW
<i>and Alabama State, Inc.</i>	:	
DEFENDANTS.	:	CASE NO. 9800

AMENDED COMPLAINT

Comes now the Plaintiff in the above-styled cause and amends her Complaint to read as follows, and strikes as a party defendant Resolute Insurance Company:

Plaintiff claims of the Defendants the sum of TWENTY-FIVE THOUSAND AND NO/100THS (\$25,000.00) DOLLARS, as damages, for an assault and battery committed by the Defendants on the Plaintiff on, to-wit, the 10th day of June, 1970, whereby the defendants in a rude and rough manner hit or shoved the plaintiff, and as a proximate consequence of said assault and battery the plaintiff was bruised and made sore and suffered physical pain and mental anguish, and the plaintiff claims punitive damages.

Robert H. Giddens

Attorney for Plaintiff

Plaintiff respectfully demands a trial by jury.

Robert H. Giddens

Filed April 9, 1973.

Jeffrey M. Maslowski
Judge.

We the Jury find for the Defendant

O. C. Hall

For

Was the Jury find for the Defendant

O C F W

Forsman

1. Sims, Joel A., Farmer, Rabon, Alabama
2. Slaughter, Wm. E., V Pres Bacon McMillan, Pensaw, Star Rt. A Stockton P1
3. Leigh, Calvin D., Agt. Life of Georgia Ins., 361 Gaston Av. Fairhope P2
4. Kant, Wm. A., Supvr. Eastwood Nealy, 5 Ranger Rd. Spanish Fort, Bay Minette
5. Chandler, Al., Jr., Slmn. Baldwin Times, Silverhill, Bay Minette
6. Burt, Joyce, Housewife, Rt. 2 Box 20, Bay Minette
7. Gilbert, B. B., County Garage Mechznic, 104 W. Magnolia St. Bay Minette
8. Bell, Bennie, Farmer, Rt. 1 Perdido, Alabama D2
9. Bates, Charles L., Jr., Acct. Bittner Ind. 33 Caisson Trace, Spanish Fort
10. Hartley, Dewey L., Kaiser Almn. 1900 McMillan, Bay Minette
11. Munnerlyn, Elmer, Laborer Star Rt. A Stockton, Alabama
12. Robinson, Harold C., Electn. Scott Paper Co. 100 Berglin St. Fairhope, Mobile
13. Poser, Walter L., Mgr. Poser Printing Co. 451 Boone La. Fairhope P4
14. Quinley, Nora G., Smstrs. Bay Slacks 206 N. White Av. Bay Minette
15. Ponder, Jack, Plumbing Contr. Box 96, Fairhope P3
16. Bryars, Ewing E., Mobile Reserve Fleet, 207 Clay St. Bay Minette D6
17. Burden, Douglas, Survey Tech F Hope Title & Survey, Montrose, Fairhope D1
18. Bryant, Prentis, Laborer Newport Ind. 807 Daphne Rd. Bay Minette
19. Corbett, Howard Dan Leigh Kiasser Plant 403 Moran St. Bay Minette
20. Simmons, Kenneth J., Exec. Pilot Cont Mers. 125 Confederate Dr. Spanish Fort, Mobile
21. Webb, Elroy, Eng. Ala. St. Dock, 203 Spanish Main St. Spanish Fort, Mobile
22. White, Harold A., Hales M.F. G. Co. Box 137 Foley,
23. Payne, Maxwell W., Housewife, 1601 Armstrong Av. Bay Minette
24. Brabner, Martin J., Jr., South Central Bell, Rt. 2 Bay Minette, Mobile
25. Sanks, Sarah, Clk. Tax Assec. 607 Moog Av. Bay Minette D3
26. Luther, Francis, Jr., Kaiser Almn., 1104 N. White Av. Bay Minette
27. Wilson, A. Robert, Wilson's Pure Station, Wilson Dr. Spanish Fort,
28. Ward, John E., Tech. Int. Paper Co., 121 Spanish Main St. Spanish Fort, Mobile
29. Childs, Jack F., Dept. Supt Warrior & Gulf Navigation, 131 Pineridge Rd. Daphne
30. Barnett, John E., St. Regis Paper Co., Rt. 4 Box 180 B Cantonment, Fla. Bay Minette
31. Moore, Byrd, III, Engineer, 151 Blue Island Ave. Fairhope P5
32. Watts, Evelyn, Clerk Bay Minette D4
33. Bayas, Dottie, Clerk Bay Minette P6
34. Brown, Hilary, Retired. Bay Minette
35. Dean, Marwin A. Newport, " "
36. Hall, Ogrin, " "
37. Reid, Bernice, Bookkeeping, Bay Minette

P XXXXX X -

D XXXXX

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24
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ALICE B. SHIRAH,

Plaintiff

-VS-

DAVID D. LIVINGSTON,
ALABAMA BONDING COMPANY,
a corporation, and
RESOLUTE INSURANCE COMPANY,
a corporation,
jointly and individually,

Defendants


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9800


AFFIDAVIT

I, Kenneth Cooper, as one of the attorneys of record for defendant David D. Livingston in the above-styled cause, hereby certify that the oral depositions of Alice B. Shirah and Mrs. W. A. Browder are needed in the above case on the legal ground that each is a woman and that each is a material witness. It is requested that Alice B. Shirah and Mrs. W. A. Browder be subpoenaed to appear at 2:00 p.m. on Friday, August 4, 1972, in the Law Library of Baldwin County Courthouse, at Bay Minette, Alabama.


ATTORNEY FOR DEFENDANT
DAVID D. LIVINGSTON

Sworn to and subscribed before me on this the twenty-sixth day of July, 1972.

My Commission Expires:
~~October 6, 1974~~


NOTARY PUBLIC
STATE AT LARGE, STATE OF ALABAMA

Johnston, Johnston & Kendall

Attorneys

810 Van Antwerp Building
Mobile, Alabama 36601
Telephone 432-1811

Samuel M. Johnston (1890-1969)
William E. Johnston
Samuel M. Johnston, Jr.
Robert G. Kendall, III

Mailing Address
P. O. Box 550
Mobile, Alabama

April 21, 1971

Mrs. Eunice Blackmon
Clerk, Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama

Dear Mrs. Blackmon:

Would you please file the enclosed suits on
behalf of this firm.

Yours very truly,

JOHNSTON, JOHNSTON & KENDALL

By


Robert G. Kendall

RGK:cl

9799
9800

ALICE B. SHIRAH,

Plaintiff

-VS-

DAVID D. LIVINGSTON,
ALABAMA BONDING COMPANY,
a corporation, and
RESOLUTE INSURANCE COMPANY,
a corporation,
jointly and individually,

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9800

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon Alice B. Shirah and ~~Mrs.~~
~~W. A. BROWDER~~ personally to be and appear before Kenneth Cooper,
as attorney for David D. Livingston, at 2:00 p.m. on Friday,
August 4, 1972, in the Law Library of the Baldwin County
Courthouse, at Bay Minette, Alabama, until discharged by due
course of law, to give evidence and the truth to speak in behalf
of the defendant David D. Livingston in a cause now pending in
said court wherein Mrs. W. A. Browder is plaintiff and the said
David D. Livingston is defendant, and have you then and there this
writ and with you endorsement thereon.

Witness my hand this 28 day of July, 1972.

Ernie B. Blackburn
CIRCUIT CLERK

Mrs. Shirah - address: 115 W. 15th. Bay

501 Hall

Received 31 day of July 1972
and on 1 day of Aug 1972
I served a copy of this within summons
on Alice B. Shirah, Mrs.
W.G. Browder
Alice Shirah
By service on Alice Shirah
Mrs. W.A. Browder
TAYLOR WILKINS Sheriff
By C.W. Dick D.S.

Sheriff claims 0 miles at
Ten Cents per mile Total \$ 0
TAYLOR WILKINS, Sheriff
BY C.W. Dick
DEPUTY SHERIFF

CASE NO. 9800

ALICE B. SHIRAH,

Plaintiff

VS

DAVID D. LIVINGSTON,
ALABAMA BONDING COMPANY,
a corporation, and
RESOLUTE INSURANCE COMPANY,
a corporation,
jointly and individually,

Defendants

RECEIVED
JUL 31 1972
TAYLOR WILKINS
SHERIFF