

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon THE HOUSTON CORPORATION, a corporation, and JOHN WILLIAM McLEAN, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of WINIFRED AUDREY WILSON,

WITNESS my hand, this the 6 day of April, 1962.

Richard Newsom
Clerk, Circuit Court, Baldwin County, Alabama.

WINIFRED AUDREY WILSON,
Plaintiff,

VS

THE HOUSTON CORPORATION, a
corporation, and JOHN WILLIAM
McLEAN,
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 57 B 6

COUNT ONE


The Plaintiff claim of the Defendant; John William McLean, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: July 7th, 1961, the Plaintiff was driving his automobile east upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles east of the Town of Robertsdale, Alabama, which point is at the intersection of the Hubbard farm road, and that while the automobile of the Plaintiff was lawfully traveling upon said U. S. Highway No. 90, in an easterly direction, the Defendant, John William McLean, who was driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff was traveling, so negligently operated the said automobile as to cause it to run upon or against the said automobile of the Plaintiff, and as a proximate consequence of the negligence of the said Defendant, John William McLean, Plaintiff's automobile was bent, damaged and broken; the left rear fender bent, rear bumper broken, trunk lid bent, right rear fender bent, chrome on the

fenders bent, frame bent, instrument panel glass broken, muffler and exhaust pipe bent and broken, front end bent and damaged, and front bumper bent and broken; all to the Plaintiff's damage, as aforesaid.

COUNT TWO

The Plaintiff claims of the Defendants the sum of ONE THOUSAND (\$1,000.00) DOLLARS, for that heretofore on, to-wit: July 7th, 1961, the Plaintiff was driving his automobile east upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles east of the Town of Robertsdale, Alabama, which point is at the intersection of the Hubbard farm road, and that while the automobile of the Plaintiff was lawfully traveling upon said Highway No. 90, in an easterly direction, the Defendant, John William McLean, who was driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff's automobile was traveling, and at said time and place the said Defendant, John William McLean, as agent, servant or employee of the Defendant, The Houston Corporation, a corporation, acting within the line and scope of his authority as such agent, servant or employee, and who was, at said time and place driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff was driving, so negligently operated said automobile as to cause it to run upon or against said automobile of the Plaintiff, and as a proximate consequence of the negligence of the Defendant, John William McLean, who was then and there an agent, servant or employee of Defendant, The Houston Corporation, a corporation, acting within the line and scope of his authority as such agent, servant or employee, Plaintiff's automobile was bent, damaged and broken; the left rear fender bent, rear bumper broken, trunk lid bent, right rear fender bent, chrome on the fenders bent, frame bent, instrument panel glass broken, muffler and exhaust pipe bent and broken, front end bent and damaged and front bumper bent and broken; to the Plaintiff's damage, as aforesaid.

P. O. Box 411,
Robertsdale, Alabama.


Attorney for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Gertrude M. Bankester, the undersigned

authority in and for said State and County, personally appeared John P. Beebe, who being duly sworn on oath says: that he is the attorney

of record for the Plaintiff in the cause entitled: Winifred Audrey Wilson, Plaintiff, vs. The Houston Corporation, a corporation, and

John William McLean, Defendants, in the Circuit Court of Baldwin County, Alabama, and that the said Defendant, The Houston Corporation,

a corporation, is a non-resident of the State of Alabama, whose present Post Office address is as follows:

The Houston Corporation, P. O. Box 10400,
St. Petersburg 33, Florida.

The affiant further says that the Defendant, John William

McLean is over the age of twenty one years.

John P. Beebe
Affiant

Sworn to and subscribed before me on this the 5th day of April, 1962.

Gertrude M. Bankester
Notary Public

FILED

APR 6 1962

ALICE J. DEW
CLERK REGISTER

MAISON MAILING UNIT
JAMES W. WILSON
JAMES W. WILSON

MAISON MAILING UNIT
JAMES W. WILSON
JAMES W. WILSON

May 23, 1962

WINIFRED AUDREY WILSON, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

VS

THE HOUSTON CORPORATION, a corporation, et al, Defendants

CASE NO. 5106

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW:

I, Bettye Frink, Secretary of State, hereby certify that on April 9, 1962 I sent by registered mail in an envelope addressed as follows:

" The Houston Corporation
P. O. Box 104000
St. Petersburg, 33, Florida"

"Registered 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:

" The Houston Corporation
P. O. Box 104000
St. Petersburg, 33, Florida

You will take notice that on April 9, 1962 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: WINIFRED AUDREY WILSON, Plaintiff VS THE HOUSTON CORPORATION, a corporation, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW
Case No. 5106 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 9 day of April 1962

Enclosure (1) (Signed) Bettye Frink 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 Apr 16 1962 I received the return card, showing receipt by the designated addressee of the aforementioned matter at St. Petersburg, Fla. on Apr 11 1962

WITNESS MY HAND and the Great Seal of the State of Alabama this the 23 day of May 1962

Bettye Frink
Bettye Frink
Secretary of State

Enclosures: Return Receipt Card and copy of Summons and Complaint.

cc: Honorable John P. Beebe
Attorney at Law
Robertsdale, Ala.

STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon THE HOUSTON CORPORATION, a corporation, and JOHN WILLIAM McLEAN, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of WINIFRED AUDREY WILSON,

WITNESS my hand, this the 6 day of April, 1962.

David ...
Clerk, Circuit Court, Baldwin County,
Alabama.

WINIFRED AUDREY WILSON,
Plaintiff,

vs

THE HOUSTON CORPORATION, a
corporation, and JOHN WILLIAM
McLEAN,
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW
No. 5106

COUNT ONE

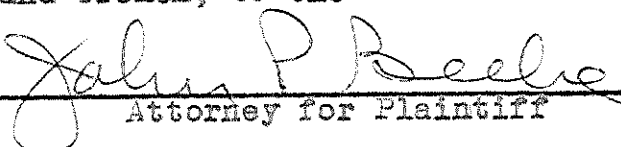
The Plaintiff claim of the Defendant, John William McLean, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: July 7th, 1961, the Plaintiff was driving his automobile east upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles east of the Town of Robertsdale, Alabama, which point is at the intersection of the Hubbard farm road, and that while the automobile of the Plaintiff was lawfully traveling upon said U. S. Highway No. 90, in an easterly direction, the Defendant, John William McLean, who was driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff was traveling, so negligently operated the said automobile as to cause it to run upon or against the said automobile of the Plaintiff, and as a proximate consequence of the negligence of the said Defendant, John William McLean, Plaintiff's automobile was bent, damaged and broken; the left rear fender bent, rear bumper broken, trunk lid bent, right rear fender bent, chrome on the

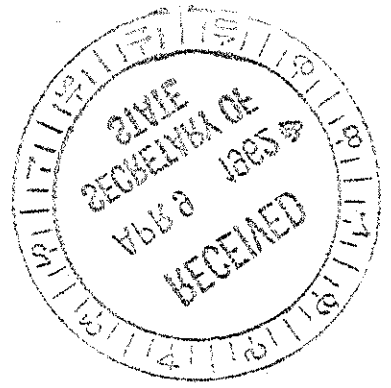
fenders bent, frame bent, instrument panel glass broken, muffler and exhaust pipe bent and broken, front end bent and damaged, and front bumper bent and broken; all to the Plaintiff's damage, as aforesaid.

COUNT TWO

The Plaintiff claims of the Defendants the sum of ONE THOUSAND (\$1,000.00) DOLLARS, for that heretofore on, to-wit: July 7th, 1961, the Plaintiff was driving his automobile east upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles east of the Town of Robertsdale, Alabama, which point is at the intersection of the Hubbard farm road, and that while the automobile of the Plaintiff was lawfully traveling upon said Highway No. 90, in an easterly direction, the Defendant, John William McLean, who was driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff's automobile was traveling, and at said time and place the said Defendant, John William McLean, as agent, servant or employee of the Defendant, The Houston Corporation, a corporation, acting within the line and scope of his authority as such agent, servant or employee, and who was, at said time and place driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff was driving, so negligently operated said automobile as to cause it to run upon or against said automobile of the Plaintiff, and as a proximate consequence of the negligence of the Defendant, John William McLean, who was then and there an agent, servant or employee of Defendant, The Houston Corporation, a corporation, acting within the line and scope of his authority as such agent, servant or employee, Plaintiff's automobile was bent, damaged and broken; the left rear fender bent, rear bumper broken, trunk lid bent, right rear fender bent, chrome on the fenders bent, frame bent, instrument panel glass broken, muffler and exhaust pipe bent and broken, front end bent and damaged and front bumper bent and broken; to the Plaintiff's damage, as aforesaid.

P. O. Box 411,
Robertsdale, Alabama.


Attorney for Plaintiff



STATE OF ALABAMA

BALDWIN COUNTY

Gertrude M. Bankester

Before me, _____, the undersigned authority in and for said State and County, personally appeared John P. Beebe, who being duly sworn on oath says: That he is the attorney of record for the Plaintiff in the cause entitled: Winifred Audrey Wilson, Plaintiff, vs. The Houston Corporation, a corporation, and John William McLean, Defendants, in the Circuit Court of Baldwin County, Alabama, and that the said Defendant, The Houston Corporation, a corporation, is a non-resident of the State of Alabama, whose present Post Office address is as follows:

The Houston Corporation, P. O. Box 10400,
St. Petersburg 33, Florida.

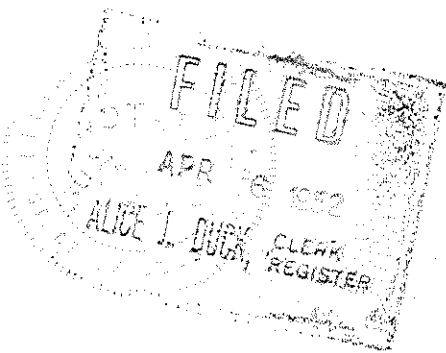
The affiant further says that the Defendant, John William McLean is over the age of twenty one years.

John P. Beebe
Affiant

5th

Sworn to and subscribed before me on this the _____ day of April, 1962.

Gertrude M. Bankester
Notary Public



JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

April 5th, 1962

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

Dear Mrs. Duck:

I enclose original and four copies of summons and complaint in the matter of Winifred Audrey Wilson, vs. The Houston Corporation, a corporation, and John William McLean, to be filed in the Circuit Court of this County.

I also enclose my check made payable to the Secretary of State in the sum of \$3.00 for service on The Houston Corporation, a corporation, a non-resident Defendant, whose post office address is: Post Office Box 10400, St. Petersburg 33, Florida.

The Defendant, John William McLean, is a resident of:
2718 McGrew Court, Mobile, Alabama.

Thanking you, I am

Yours very truly,

John P. Beebe

JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

July 20th, 1962

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

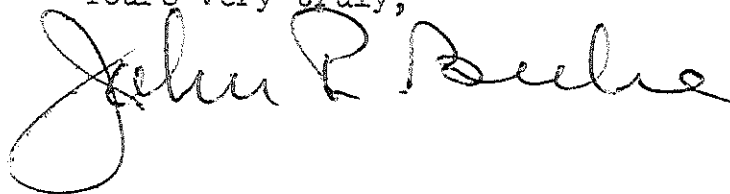
Dear Mrs. Duck:

Re: Wilson vs. Houston Corporation, et al
Case No. 5106

I enclose original copy of amended complaint to be filed in
the above entitled cause.

I have this day mailed a copy of the amended complaint to
the Attorney for the Defendants, Honorable W. C. Boone, Jr., Mobile,
Alabama.

Yours very truly,

A handwritten signature in cursive script, reading "John P. Beebe". The signature is written in dark ink and is positioned below the typed name "John P. Beebe".

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

SIXTH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
WM. BREVARD HAND
VIVIAN G. JOHNSTON, JR.
PAUL W. DROCK
ALEX. F. LANKFORD, III
EDMUND R. CANNON, JR.
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
W. C. BOONE, JR.
DONALD F. PIERCE

May 8, 1962

MAILING ADDRESS:
P. O. BOX 123

CABLE ADDRESS:
HAB

TELEPHONE:
HEMLOCK 2-5514

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

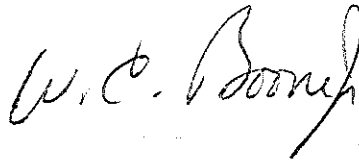
Re: Winifred Audrey Wilson vs. The Houston
Corporation and John William McLean,
Circuit Court, Baldwin County, Case
Number 5106,

Dear Mrs. Duck:

Enclosed please find herewith demurrer on behalf of
the defendants in the above styled cause. Would you
be kind enough to send us back the enclosed extra copy
of this letter so that we may be sure the demurrer was
filed.

Many thanks for your cooperation.

Yours very truly,



For the Firm

WCBjr.mbd

Enclosures

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

SIXTH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

CHAS. C. HAND
C. D. ARENDALL, JR.
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J. THOMAS HINES, JR.
W. C. BOONE, JR.
DONALD F. PIERCE

MAILING ADDRESS:
P. O. BOX 123

CABLE ADDRESS:
HAB

TELEPHONE:
HEMLOCK 2-5514

July 24, 1962

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

Re: Winifred Audrey Wilson vs. The Houston
Corporation, Circuit Court, Case Number
5106

Dear Mrs. Duck:

Enclosed please find an Answer which I would appreciate your filing for me in the above referenced cause. If you will acknowledge the recordation of same on the enclosed copy of this letter and mail same back to me in the self-addressed envelope which is enclosed, I will certainly appreciate it.

Many thanks for your cooperation.

Yours very truly,

W. C. Boone, Jr.
2

For the Firm

WCBjr.mbd

Encl.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon THE HOUSTON CORPORATION, a corporation, and JOHN WILLIAM McLEAN, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County, at the place of holding the same, then and there to answer the complaint of WINIFRED AUDREY WILSON,

WITNESS my hand, this the 6 day of April, 1962.

[Signature]
Clerk, Circuit Court, Baldwin County, Alabama.

WINIFRED AUDREY WILSON,
Plaintiff,

vs

THE HOUSTON CORPORATION, a
corporation, and JOHN WILLIAM
McLEAN,
Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No. 5106

COUNT ONE

The Plaintiff claim of the Defendant, John William McLean, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: July 7th, 1961, the Plaintiff was driving his automobile east upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles east of the Town of Robertsdale, Alabama, which point is at the intersection of the Hubbard farm road, and that while the automobile of the Plaintiff was lawfully traveling upon said U. S. Highway No. 90, in an easterly direction, the Defendant, John William McLean, who was driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff was traveling, so negligently operated the said automobile as to cause it to run upon or against the said automobile of the Plaintiff, and as a proximate consequence of the negligence of the said Defendant, John William McLean, Plaintiff's automobile was bent, damaged and broken; the left rear fender bent, rear bumper broken, trunk lid bent, right rear fender bent, chrome on the

fenders bent, frame bent, instrument panel glass broken, muffler and exhaust pipe bent and broken, front end bent and damaged, and front bumper bent and broken; all to the Plaintiff's damage, as aforesaid.

COUNT TWO

The Plaintiff claims of the Defendants the sum of ONE THOUSAND (\$1,000.00) DOLLARS, for that heretofore on, to-wit: July 7th, 1961, the Plaintiff was driving his automobile east upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles east of the Town of Robertsdale, Alabama, which point is at the intersection of the Hubbard farm road, and that while the automobile of the Plaintiff was lawfully traveling upon said Highway No. 90, in an easterly direction, the Defendant, John William McLean, who was driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff's automobile was traveling, and at said time and place the said Defendant, John William McLean, as agent, servant or employee of the Defendant, The Houston Corporation, a corporation, acting within the line and scope of his authority as such agent, servant or employee, and who was, at said time and place driving an automobile on the said highway in an easterly direction and in the same direction Plaintiff was driving, so negligently operated said automobile as to cause it to run upon or against said automobile of the Plaintiff, and as a proximate consequence of the negligence of the Defendant, John William McLean, who was then and there an agent, servant or employee of Defendant, The Houston Corporation, a corporation, acting within the line and scope of his authority as such agent, servant or employee, Plaintiff's automobile was bent, damaged and broken; the left rear fender bent, rear bumper broken, trunk lid bent, right rear fender bent, chrome on the fenders bent, frame bent, instrument panel glass broken, muffler and exhaust pipe bent and broken, front end bent and damaged and front bumper bent and broken; to the Plaintiff's damage, as aforesaid.

P. O. Box 411,
Robertsdale, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

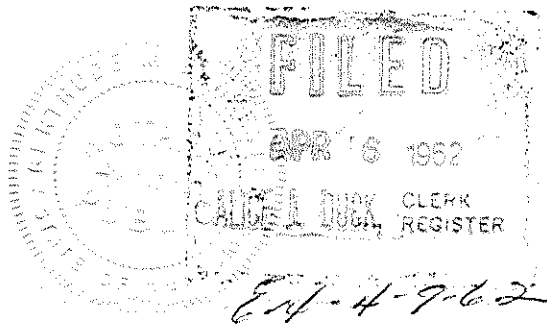
Before me, Gertrude M. Bankester, the undersigned authority in and for said State and County, personally appeared John P. Beebe, who being duly sworn on oath says: That he is the attorney of record for the Plaintiff in the cause entitled: Winifred Audrey Wilson, Plaintiff, vs. The Houston Corporation, a corporation, and John William McLean, Defendants, in the Circuit Court of Baldwin County, Alabama, and that the said Defendant, The Houston Corporation, a corporation, is a non-resident of the State of Alabama, whose present Post Office address is as follows:

The Houston Corporation, P. O. Box 10400,
St. Petersburg 33, Florida.

The affiant further says that the Defendant, John William McLean is over the age of twenty one years.

John P. Beebe
Affiant

Sworn to and subscribed before me on this the 5th day of April, 1962.



Gertrude M. Bankester
Notary Public

676

RECEIVED IN OFFICE
APR 9 1962
M. S. BUTLER, Sheriff

(3)

Executed by serving 3 copies of
the within on Billgo King
Secretary of State of The State of
Alabama.

This the 9 day of April 1962

Sheriff of Montgomery County
M. S. Butler,

By Ray D. Bridges D/S

RETURNED
Not found in my County after dili-
gent search and inquiry.
RAY D. BRIDGES, Sheriff

By W.B. Smith D. S.

The Sheriff claims 2
miles at 10¢ per mile for a total
of \$ 20

Received 9 day of Apr 1962
and on Montgomery Co day of Apr 1962

I served a copy of the within John William
on M. Lean

By service on _____

TAYLOR WILKINS, Sheriff
By _____ D. S.

3182

for
M. S. Butler

WINIFRED AUDREY WILSON,
Plaintiff,

vs

THE HOUSTON CORPORATION,
a corporation, and JOHN
WILLIAM MCLEAN,
Defendants.

Summons & Complaint

RECEIVED
APR 19 1962
JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

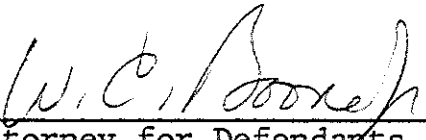
WINIFRED AUDREY WILSON, : IN THE CIRCUIT COURT OF
Plaintiff. :
vs. : BALDWIN COUNTY, ALABAMA
THE HOUSTON CORPORATION, : AT LAW
a corporation, and JOHN :
WILLIAM McLEAN, :
Defendants. : CASE NO. 5106

D E M U R R E R

Come now the defendants, separately and severally, in the above styled cause, and demurrer to each count of the complaint heretofore filed, and for separate and several grounds of demurrer, set down and assign the following, separately and severally:

1. That it does not state facts sufficient to constitute a cause of action against these defendants.
2. For that it does not appear with sufficient certainty what duty, if any, these defendants may have owed to the plaintiff.
3. For that it does not appear with sufficient certainty wherein these defendants violated any duty owed by defendants to the plaintiff.
4. No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of these defendants.
5. For that both counts do not state a cause of action against both defendants.
6. For that Count I fails to state a cause of action against defendant Houston Corporation.

7. For that said complaint is multifarious.
8. For that said complaint is duplicitous.



Attorney for Defendants

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

FILED
MAY 9 1962
ALICE A. DUCK, CLERK
REGISTER

WINIFRED AUDREY WILSON,
Plaintiff,
vs

THE HOUSTON CORPORATION, a
Corporation, and JOHN WILLIAM
McLEAN,
Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW No. 5106

AMENDED COMPLAINT

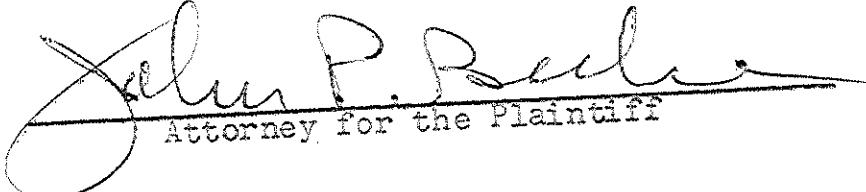
Comes the Plaintiff in the above entitled cause and amends
Complaint heretofore filed to read as follows:

COUNT ONE


The Plaintiff claims of the Defendants, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: July 7th, 1961, the Defendant, John William McLean, the agent, servant or employee of the Defendant, The Houston Corporation, a Corporation, and while acting within the line and scope of his employment, as such, and while driving an automobile in an easterly direction upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles East of the Town of Robertsedale, Alabama, which point is at the intersection of the Hubbard Farm Road, and that while the automobile of the Plaintiff was lawfully traveling upon said U. S. Highway No. 90 in an easterly direction, the said Defendant, John William McLean, so negligently operated the said automobile as to cause it to run upon or against the said automobile of the Plaintiff, and as a proximate consequence of the negligence of the said Defendant, John William McLean, Plaintiff's automobile was bent, damaged and broken as follows: Left Rear Fender Bent, Rear Bumper Broken, Trunk Lid Bent, Right Rear Fender Bent, Chrome on Fenders Bent, Frame Bent, Instrument Panel Glass Broken, Muffler and Exhaust pipe Bent and Broken, Front End Bent and Damaged and Front Bumper Bent and Broken; all to the Plaintiff's damage, as aforesaid.

COUNT TWO

The Plaintiff claims of the Defendants, the sum of ONE THOUSAND (\$1,000.00) DOLLARS, as damages, for that heretofore on, to-wit: July 7th, 1961, the Defendant, John William McLean, the agent servant or employee of the Defendant, The Houston Corporation, a Corporation, and while acting within the line and scope of his employment, as such, and while driving an automobile in an easterly direction upon and along U. S. Highway No. 90, in Baldwin County, Alabama, at a point approximately 11.7 miles East of the Town of Robertsedale, Alabama, which point is at the intersection of the Hubbard Farm Road, and that while the automobile of the Plaintiff was lawfully traveling upon said U. S. Highway No. 90 in an easterly direction, the said Defendant, John William McLean, at said time and place wilfully or wantonly caused said automobile to run upon or against the said automobile of the Plaintiff, and as a proximate consequence of said wilful or wanton negligence of the Defendant, John William McLean, Plaintiff's automobile was bent, damaged and broken as follows: Left Rear Fender Bent, Rear Bumper Broken, Trunk Lid Bent, Right Rear Fender Bent, Frame Bent, Instrument Panel Glass Broken, Muffler and Exhaust Pipe Bent and Broken, Front End Bent and Damaged and Front Bumper Bent and Broken; all to the Plaintiff's damages, as aforesaid.


Attorney for the Plaintiff

I hereby certify that I have served a copy of the above and foregoing Amended Complaint upon the Attorney for the Defendants in this cause, by mailing a copy thereof to the Honorable W. C. Boone, Jr., Attorney for Defendants, of the Firm of Hand, Arendal, Bedsole, Greaves & Johnson, Sixth Floor First National Bank Building, Mobile, Alabama, postage prepaid, this the 30 day of July, 1962.


Attorney for the Plaintiff

FILED
JUL 23 1962
ALICE J. DUCK, CLERK
REGISTER

WINIFRED AUDREY WILSON, : IN THE CIRCUIT COURT OF
Plaintiff. :
vs. : BALDWIN COUNTY, ALABAMA
THE HOUSTON CORPORATION, : AT LAW
a corporation, and JOHN :
WILLIAM MCLEAN, :
Defendants. : CASE NO. 5106

A N S W E R

Come now the defendants in the above styled cause, separately and severally, and for answer to the complaint heretofore filed, and each count thereof, separately and severally, interpose thereto the following separate and several pleas:

O N E

Not guilty.

T W O

At the time and place complained of the plaintiff so negligently operated an automobile on and along U. S. Highway 90, at a point, to-wit, 11.7 miles East of the town of Robertsdale, Alabama, said highway at said place being a public highway in Baldwin County, Alabama, as to cause or allow same to collide with the vehicle driven by John William McLean, and as a direct and proximate result and consequence of said negligence, the plaintiff contributed to the injuries and damages of which she complains and hence she ought not recover.

T H R E E

John McLean as trustee of the car,
Comes now defendant ~~The Houston Corporation~~, pleading
by way of recoupment, and claims of the plaintiff SEVEN
HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00) as damages
for that heretofore on, to-wit, July 7, 1961, the plain-
tiff so negligently operated an automobile on U. S. High-
way 90, at a point, to-wit, 11.7 miles East of the town
of Robertsdale, Alabama, which highway at said point was
a public highway in Baldwin County, Alabama, as to cause
or allow same to collide with the vehicle owned by the
defendant which was then and there being driven by John
William McLean, and as a direct and proximate result and
consequence of said negligence, this defendant's motor
vehicle was bent, broken, damaged and depreciated in
value, hence this Plea of Recoupment.

W. C. Booth

Attorney for Defendants

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

Defendants respectfully demand a trial by jury.

W. C. Booth

C E R T I F I C A T E

I hereby certify that I have mailed a true and correct copy of the foregoing answer to John P. Beebee, attorney for the Plaintiff, on this, the 24 day of July, 1962 by depositing a copy of same in the United States Mail, postage prepaid addressed to Mr. Beebee in his office at Robertsdale, Alabama.

W. C. Bump

FILED
JUL 25 1962
ALICE J. DUCK, CLERK
REGISTER

5106

We the jury find for
the Defendants

Harold Weston

- ~~1. Bishop, Woodrow, Farmer, Fairhope~~
- ~~2. Bodenhamer, O.L., Contractor, Foley~~
3. Bornholt, Roy H., Farmer, Elberta
- ~~4. Brown, Wesley, Farmer, Perdido~~
- ~~5. Childress, Calvin, Farmer, Summerdale~~
- ~~6. Goley, Luke Mc., Fisherman, Gulf Shores~~
- ~~7. Cooper, Quitman, Bldg. Supply Dealer, Gulf Shores~~
- ~~8. Dubose, Jim, Civil Service, Foley~~
9. Early, L.J., Timber & Lumber, Foley
10. Hastings, Donald E., Farmer, Rosinton
- ~~11. Hobbs, Tom, Farmer, Rosinton~~
- ~~12. Hortman, Charles W., Baker, Foley~~
- ~~13. Howell, Elvin, Farmer, Bay Minette~~
- ~~14. Evans, John G., Farmer, Foley~~
- ~~15. Ellison, W.V., Farmer, Robertsdale~~
- ~~16. Gill, James, Brookley Field, Robertsdale~~
17. Kriss, Phillip, Farmer, Silverhill
18. Lazzari, Joe, Farmer, Daphne
- ~~19. Lee, Cecil E., Farmer, Gateswood~~
- ~~20. Little, Fred, State Emp., Bay Minette~~
- ~~21. Lovell, M.A., Jr., Farmer, Loxley~~
22. Mikkelsen, Robert, Savings & Loan, Robertsdale
- ~~23. Moravac, Edward P., Farmer, Robertsdale~~
- ~~24. Nittberg, Harry, Carpenter, Robertsdale~~
- ~~25. Nix, Ellis, Feed Mill, Silverhill~~
26. Teem, Kenneth, Linesman, Foley
27. Parker, Sim M., Farmer, Bon Secourt
28. Patterson, Elbert, Salesman, Fairhope
- ~~29. Phillips, Otis, Farmer, Little River~~
- ~~30. Powers, James, Farmer, Summerdale~~
- ~~31. Pucky, Charlie, Farmer, Rosinton~~
- ~~32. Sellers, James R., Chemstrand, Robertsdale~~
33. Simmons, Martin, Brookley Field, Bay Minette
34. Slaughter, Ashton B., Timberman, Tensaw
35. Peterson, Morris Sidney, Farmer, Gateswood
- ~~36. Jansen, Claude A., Mfg., Fairhope~~
- ~~37. Anderson, Evar, Civil Service, Elberta~~
38. Weston, Harold, Clerk, Fairhope
39. Weeks, Hugh, Farmer, Mag. Spgs.,
40. White, Harold, Trk, Driver, Foley
- ~~41. Whitten, Lewis S., Electrician, Fairhope~~

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HENRIETTA AUDREY WILSON VS THE HOUSTON CORPORATION

INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY to address Show address where delivered 5106

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The Houston Corp

SIGNATURE OF ADDRESSEE'S AGENT (if any)
[Signature]

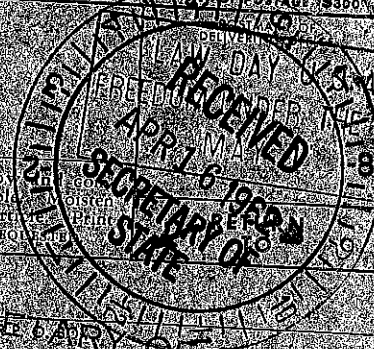
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U.S. MAIL 712487-1-10

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