

BIRMINGHAM FIRE INSURANCE
COMPANY, A Corporation,

Plaintiff

versus

WILLIAM ERNEST COONEY

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

No. 682

And now comes the Defendant and demurs to the Complainant's Complaint
and to each count thereof separately and severally and for grounds of said
demurs, says:

Said count does not state a cause of action.

BEEBE & HALL

By: Y. M. Hall

RECORDED

BIRMINGHAM FIRE INSURANCE
COMPANY, A Corporation,

Plaintiff

VS.

WILLIAM BRUNST COONEY

Defendent.

DEMANDER

*Filed August 23, 1941
R. S. DeLoach, Clerk*

BEEBE & HALL
LAWYERS
BAY MINETTE, ALABAMA

BIRMINGHAM FIRE INSURANCE
COMPANY, a Corporation,

Plaintiff

versus

WILLIAM ERNEST COONEY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO.

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF
TO THE DEFENDANT.

ONE

- (a) Please state your correct name and address.
- (b) Did you during the year 1940 act as an agent for the Plaintiff in writing fire insurance?
- (c) Did you write a policy for the Defendant covering risks of the State of Alabama? If so, when did you write said policy?
- (d) Did you during the year 1940 collect the premium on this policy? What did it amount to? Did you collect a premium of \$575.15 for a policy written by you on risks of the State of Alabama, which had thereon endorsement #1 and endorsement #2?
- (e) Have you paid the premium to the Plaintiff? If you answer that you did, please state when it was paid. Was it paid by check or in cash? What amount did you pay?

TWO

- (a) Are you not due the Plaintiff the sum of \$480.77 balance of a premium on a policy of fire insurance issued by the Defendant to the State of Alabama during the year 1940?
- (b) Was not the total premium \$575.15, and were not your commissions as agent \$94.38?

(c) If this is not correct, please state what your commissions were, and how much you are due the Plaintiff.

THREE

(a) Please state what amount you now owe the Plaintiff, and what you owe it for.

(b) How do you arrive at this amount?

(c) How long has it been owing?

(d) Why have you not paid it heretofore?

Smith & Johnston
Attorneys for Plaintiff.

STATE OF ALABAMA |
COUNTY OF MOBILE |

Personally appeared before me the undersigned authority, a Notary Public in and for said State and County, William E. Johnston, who after being by me first duly sworn, on oath deposes and says, that he is one of the attorneys of record for the Birmingham Fire Insurance Company, a corporation, the plaintiff in the above entitled cause, and that if each of the above and foregoing interrogatories are truthfully and correctly answered, they will be material evidence for the plaintiff in the trial of said cause.

William E. Johnston

Subscribed and sworn to before me
this 24th day of July, 1941.

Samuel M. Powell
Notary Public, Mobile County,
Alabama.

Received in Sheriff's Office
this 25 day of July, 1941
W. R. STUART, Sheriff

*Executed by serving a
copy of the following
interrogatories on
William Ernest Cooney
this 1st day of August 1941
W. R. Stuart Sheriff*

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO.

BIRMINGHAM FIRE INSURANCE
COMPANY, a Corporation,

Plaintiff

versus

WILLIAM ERNEST COONEY,

Defendant.

INTERROGATORIES PROPOUNDED
BY THE PLAINTIFF TO THE
DEFENDANT.

RECORDED

*Filed July 25, 1941
R. S. Duch, Clerk*

SMITH & JOHNSTON
LAWYERS
FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

THE STATE OF ALABAMA, }
Baldwin County.

No. 683 CIRCUIT COURT

JULY, 1941. 193

To Any Sheriff of the State of Alabama :

You are hereby commanded to summon WILLIAM ERNEST COONEY,

to appear and plead, answer or demur, within thirty day from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama at Bay Minette, Ala., against WILLIAM

ERNEST COONEY

Defendant by

BIRMINGHAM FIRE INSURANCE COMPANY, A CORPORATION,

Plaintiff

Witness my hand this 25th day of July 1941.

R. S. Smith

Clerk.

COMPLAINT

BIRMINGHAM FIRE INSURANCE COMPANY,

WILLIAM ERNEST COONEY,

A CORPORATION,

Plaintiff versus

The Plaintiff claims of the Defendant

Dollars, due by

SMITH & JOHNSON

Plaintiff's Attorney.

BIRMINGHAM FIRE INSURANCE
COMPANY, a Corporation,

Plaintiff

versus

WILLIAM ERNEST COONEY

Defendant.

) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA.

) AT LAW NO.
)
)
)

COUNT ONE

The Plaintiff claims of the Defendant the sum of Four Hundred Eighty Dollars and seventy-seven cents (\$480.77) due from him by account January 20, 1941, which sum of money, with interest, is still unpaid.

COUNT TWO

Plaintiff claims of the Defendant the sum of Four Hundred Eighty Dollars and seventy-seven cents (\$480.77) due from him for money on the 17th day of December, 1940, received by the Defendant to the use of Plaintiff, which sum of money, with interest thereon, is still unpaid.


Attorneys for Plaintiff.

Defendant's address is Foley, Alabama

Received in Sheriff's Office
this 25 day of July, 1941
W. R. STUART, Sheriff

Executed Aug 1 19 41
by serving copy of within Summons and
Complaint on

William Ernest Cooney

W. R. Stuart Sheriff

By _____ Deputy Sheriff

(29)

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 683

BIRMINGHAM FIRE INSURANCE
COMPANY, a Corporation,

Plaintiff

versus

WILLIAM ERNEST COONEY,

Defendant.

COMPLAINT

Filed July 25, 1941
R. S. Ditch, Clerk

SMITH & JOHNSTON
LAWYERS
FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA