IN THE CIRCUIT COURT OF MOBILE COUNTY, AIABAMA, AT LAW

20.685

BOLLING CASE NO. 17593 -* * * * * *

B.F. STOKES, III

BADGER MUTUAL INSURANCE CO., a Corporation

N.J.

JURY

Suit for \$850.00 due by itemized, verified account. () | |

E.G. KICKARBY P.e. Bex 471

HUBERT W. TURNER

Fairhepe, Alabama

****************************** * FILING DATE PLEADINGS, PROCESS, ETC.

, 11-9-65 Itemized, Verified * 1. Complaint and Summens

and Demand for Jury * 12-16-65 * 11-9-65 Plea in Abatement Account.

February 4, 1966 - Case passed and re-set February 11, 1966.

C & S served on Defendant on November 19, 1 965.

Plea in Abatement Sustained and cause ordered transferred to Baldwin County, Alabama. William D. Bolling, Judge February 11, 1966-

33-213

I, JOHN E. MANDEVILLE, in my capacity as Clerk of the Circuit Court of Wobile County, Alabama, hereby certify that the above said Court at Mobile, Mobile is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court. In witness whereof I have hereunto set my hand and attached my official seal as such Clerg of said Court at Mobile, I February County, Alabama, on this the 15th day of

Clerk*

BADGER MUTUAL INSURANCE CO.,)

IN THE CIRCUIT COURT OF

a corporation,

Plaintiff

MOBILE COUNTY, ALABAMA

VS

) AT LAW

HUBERT W. TURNER,

Defendant

CASE NO. 17593

COUNT I

: **)**

٠)

Plaintiff claims of defendant the sum of \$850.00 due from him by account on July, 1964, which sum of money with the interest thereon, is still unpaid. This suit is filed on an itemized verified account which will be offered in evidence at trial.

COUNT II

Plaintiff claims of defendant the sum of \$850.00 due from him by account on July, 1964, which sum of money with the interest thereon, is still unpaid.

COUNT III

Plaintiff claims of defendant the sum of \$850.00 due from him on account stated between the plaintiff and defendant on, to-wit, July, 1964, which sum of money with the interest thereon, is still unpaid.

ATTORNEY FOR PLAINTIFF

Serve defendant c/o Guy Turner Ins. Agency 208 Magnolia Street Citronelle, Alabama

3 2 2 3 7 7 7

STATE OF ALA. MOBILE CO. I CERTIFY THIS PLEADING WAS FILED ON

Nov 9 2 00 PH '65

20 Charling and order

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COUNTY OF Milwaukee	
STATE OF Wisconsin	
Be it remembered, that on this 13th day of Octo	ber
A. D., 19 65, personally appeared before me, the undersigned	authority,
of Badger Mutual Insurance Company	stant Treasurer
and has been duly authorized by said corporation to make the said partnership composed of	the State of Wisconsin wis affidavit
a sole trader doing business as	***************************************
and that as such he makes this affidavit; that he is familiar said. Badger Mutual Insurance Company. Hubert W. Turner - Guy Turner Aggy of Citronelle.	with the books and business of that the attached account against
is just and correct, within the knowledge of this affiant, that the posing the said account were sold and delivered to said. [-its-]	a itama themson stated I
at { their - } special instance and request, that credit has been	
just and lawful offsets to which said account is entitled as ther thereof, amounting to the sum of Eight hundred fifty	eon stated, and that the balance
thereof, amounting to the sum of Eight hundred fifty (\$ 850.00) with interest from remains unpaid.	STATE OF OLA, MOSILE COLD due and WAS FILED BIX
Cleat.	XIZYK
I hereby certify under my official seal that I am authorized as a Notary Public to administer oaths under the laws of the State of	800 9 2 00 PH '65
and that the foregoing was subscribed and sworn to before me on the day and year	- Phillippindoelle
first above stated.	CLERK
Notary Public, Milwaukee County, Wis. Notary Public My Commission Expires May 1, 1966	





April 13, 1965

Mr. Hubert W. Turner Guy Turner Insurance Agency 208 Magnolia Street Citronelle, Alabama

Summary of Account

May, 1964 June, 1964 July, 1964 \$ 320.73 628.35 53.55

Total Debits

\$1002.63

Payments Received November 19, 1964 February 23, 1965

\$ 102.63 50.00

Total Credits

152.63

Balance due Company

\$850.00

STATE OF ALA. MOBILE CO. I CERTIFY THIS PLEADING WAS FILED ON

Mov 9 2 00 PM '65

Startmandocht CLERK

THE STATE OF ALABAMA

MOBILE COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama:	
You are hereby commanded to summon	
Hubert W. Turner	
•	
	
	4
to appear within thirty days from service of this p	rocess, in the Circuit Court of Mobile County, Alabama
at the place of holding the same, then and there to	answer the complaint of
•	
padger Hutuar Insurance Co., a C	forporation
	·
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WITNESS: John E. Mandeville, Clerk of said Cour	t, this 9th day of November 19 65
	Attest And Controlle
	Clerk
SHERIFF	'S RETURN
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	RAY D. BRIDGES, SHERIFF
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No.	D.S.

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Et 11-19-64

59. WES S IN NOW

RCUT COURT

CIVIL DIVISION

HUBERT W. TURNER

Ten Cent's per mile, Total \$2 Sheriff claims

BADGER MUTUAL INSURANCE CO., MOBILE COUNTY a Corporation

Complaint and Summons VS.

. 19 65 day of Nov. Issued 9

Defendant's Address

% Guy Turner Ins. Agency 208 Magnolia St. Citronelle, Ala.

DOCKET

CODE 205 Telephone: 928-9836

E. G. RICKARBY 35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532

December 15, 1965

Honorable John E. Mandeville Clerk of the Circuit Court Mobile, Alabama

Dear Mr. Mandeville:

Badger Mutual Insurance Company

a Corporation

Hubert W. Turner ۷s:

Case No. 17593~ Cour File: 65-236

Enclosed find Plea in Abatement in the above mentioned cause.

Yours very truly,

EGR/jlb

Encl.

cc: Mr. B. F. Stokes, III.

Attorney at Law

American National Bank Building

Mobile, Alabama

12-20-65

STATE OF ALA MODILE CO. I CERTIFY THIS PLEADING WAS FILED ON

Dac 16 9 52 M 185

BADGER MUTUAL INSURANCE COMPANY, a Corporation,	Ž	
Plaintiff,	IN THE CIRCUIT COURT OF	Ē,
VS.	MOBILE COUNTY, ALABAMA	,
HUBERT W. TURNER,	AT LAW.	
Defendant.	CASE NO. 17593	
	ď	

Comes the Defendant in the above styled cause for the special purpose of filing the following plea separately to each count of the complaint in said cause and for no other purpose:

The said Defendant says that at the time said suit was instituted he was and now is a bona fide resident of the County of Baldwin, of the State of Alabama, and has his permanent residence here in Baldwin County, Alabama, and that the Circuit Court of Mobile County is without jurisdiction to try this suit.

Attorney for Defendant,

Ede Colon attorn

P. 0. Box 471

Fairhope, Alabama

THE DEFENDANT DEMANDS A TRIAL BY JURY

STATE OF ALABAMA

COUNTY OF BALDWIN

Before me, the undersigned Notary Public in and for said County, in said State, personally appeared HUBERT W. TURNER, the Defendant in the above styled cause, who, being by me first duly sworn, says, on oath, that the facts set forth in the foregoing plea are true and correct.

Sworn to and subscribed before me this $\sqrt{5}$ day of

her, 1965.

Baldwin County,

I, E. G. RICKARBY, attorney for the Defendant, hereby certify that a true and exact copy of the above and foregoing answer of the said Defendant was this day mailed, postage prepaid, to the Honorable B. F. Stokes, III, Attorney at Law, American National Bank Building, Mobile, Alabama.

Dated this the 15th day of Cocalia.

1965.

Attorney for the Defendant

STATE OF ALA. MODILE GG. I CERTIFY THIS PLEADING WAS FILED ON

Dec 16 9 oz M *65

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-Page 2 of Two Pages-

26

ADORA MOTUAL INSURANCE
COLLANY, a Comporabion.

Finincia:

Fininci

Comes the Defendant in the above styled cause for the special purpose of filing the following plea separately to each count of the complaint in said cause and for no other purpose:

The said Defendent says that at the time said suit was instituted he was and now is a bone fide resident of the County of Baldwin, of the State of Alabama, and has his permanent residence here in Baldwin County, Alabama, and that the Circuit Court of Mobile County is without jurisdiction to try this suit.

Attorney for Defendant, F. O. Box 471 Pairhope, Alabasa

THE DEPENDANT DEMANDS A TRIAL BY JURY

STATE OF BALDWIN

Pefore me, the undersigned Notary Public in and for said County, in said State, personally appeared HUBERT V.
TURNER, the Defendant in the above styled cause, who, being by me first duly sworm, says, on oath, that the facts set forth in the foregoing plea are true and correct.

and the second

GIBBONS & STOKES

ATTORNEYS AT LAW

201 AMERICAN NATIONAL BANK BUILDING

BIENVILLE OFFICE

MOBILE, ALABAMA TELEPHONE 433-2611

E. GRAHAM GIBBONS B. F. STOKES, III

January 26, 1966

MAILING ADDRESS P. O. BOX 293 MOBILE, ALABAMA, 36601

make Card

Honorable John E. Mandeville Clerk of the Circuit Court Mobile County Court House Mobile, Alabama

RE:

Badger Mutual Insurance Co., VS. Hubert W. Turner

Circuit Court Case #17593.— B

Dear Sir:

The defendant filed a plea in abatement in the above case, contesting venue jurisdiction. I would appreciate your kindness in setting this plea down for hearing on the next motion docket.

Sincerely yours,

F. Stokes, III

BFS:sh

CC:

Mr. E. G. Rickarby Attorney at Law 35 South Section Street Fairhope, Alabama 36532

STATE OF ALAL MODILE CO. I CENTHY THIS PLEADING WAS FILED ON

Jan 20 - 12 se PM 200

FRIDAY, FEBRUARY 11, 1966

BADGER MU' a Corp.	TUAL INSUR	ANCE CO.,)	PLEA IN ABATEMENT SUSTAINED AND CAUSE ORDERED TRANSFERRED TO BALDWIN COUNTY, ALABAMA
BOLLING	-vs-	17593	į	
HUBERT W.	TURNER)	

This day in open Court came the parties by their attorneys, and Defendant's Plea in Abatement, filed December 16, 1965 to the complaint in this cause, coming on to be heard and being argued by counsel and understood by the Court;

It is ordered and adjudged by the Court that the Defendant's said Plea in Abatement, filed December 16, 1965 to the complaint in this cause, be, and the same is hereby sustained, and cause is hereby ordered transferred to Baldwin County, Alabama.

Minute Beek 33-Page 213

STATE OF ALABAMA, COUNTY OF MOBILE

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

	F COURT	py of ORDER (full, true and correct ed	that the foregoing is a	ertify that
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			t Court on the 11th day		ıs rendered
·	Corporation	ANCE CO., a	ADGER MUTUAL INSU	l No. 17593 - BA	entitled No.
Plaintiff.					
	•		TURNER		÷
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٠.	·		Page No.213	Book No. 33,	Minute Boc

ATTEST:

BADGER MUTUAL INSURANCE	Ž
COMPANY, a Corporation,	IN THE CIRCUIT COURT OF
Plaintiff,	BALDWIN COUNTY, ALABAMA,
VS.	AT LAW.
HUBERT W. TURNER,	case no. 6857
Defendant.	
	Ŏ

AFFIDAVIT DENYING CORRECTNESS OF THE ACCOUNT

Before me, the undersigned Notary Public, personally appeared HUBERT W. TURNER, who being first duly sworn, deposes and says that he denys the correctness of the account sued on and denys any liability and disputes the whole account in that said account does not show the credits to which he is due and that said statement is not correctly itemized.

1966.

Subscribed and sworn to before me this the _____day of

Notary Public, Baldwin County, Alabama.

1966

AND I THE REAL PROPERTY.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a envelope with adaquate postage prepaid the euro and propertion

is 12th day of...

Attorney for \Qu

P. O. Box 471, Fairhope, Ala. 36532

, 19 0 6

BADGER MUTUAL INSURANCE	Q	
COMPANY, A Corporation,	Ž IN	N THE CIRCUIT COURT OF
Plaintiff,	Ď B	ALDWIN COUNTY, ALABAMA,
vs.	Ŏ	
HUBERT W. TURNER,	×	AT LAW.
•	χ CT	ase no. 6857
Defendant.	Ŏ	-

PLEAS

Comes the Defendant, HUBERT W. TURNER, and offers the following pleas to the Plaintiff's Complaint:

ONE

The Defendant avers that the allegations of the Complaint are untrue.

TWO

The Defendant, for Answer to said Complaint, saith that he has paid the debt for the recovery of which this suit was brought before the action was commenced.

Attorney for Defendant.

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for ti opposing party in the foregoing matter with a copy of this pleadir by depositing in the United States Mell a copy of same in a envelope with adequate postage prepaid thereon and properly addressed.

This day of

William Control

E. G. RICKARDY

Attorney for Company Ala. 36532

ALIE I NUK REGISTER

MAY TO THE

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

·									
Act No. 740, Reg. Session Ala. Le appvd. Sept. 20, 1957) Amend Sec. 21, Title 11, Code Ala. 19		1957	BI		FCOST (Act No. 571, R (Amend Sec. 34	eg. Ses. and 100,	Leg. 19 Title 1	955) 1, Code	Ala. 19
CLERK'S FEES		P	ltff.	Deft.	SHERIFF'S FEES		Pl	tff.	Def
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uits for over \$100 but less		1			Serving Writ of Garnishment	1.50			
than \$1,000	10.00	10	00		Serving Sci FaNotices		<u> </u>	1	
uits for \$1,000 and over	20.00				Levying Attachment & Return			1	
					Executing Writ Possession		`		
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rits, Mandamus, Prohibition, etc	15.00				Impanelling Jury]		
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Court, per 100 words	05				Inferior Civil Court				
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Transcript of Evidence	10.00				Witness fees				
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rtifying Abstract in lieu of	F 44				Judgment			09	
Transcript on Appeal	5,00				10% Damages				
llecting Money on Judgments					Interest				
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centage allowed Sheriffs	\$				Library fee	1.50	1	50	
					Trial Tax (County)	1.50	1	50	
	\$				Trial Tax (State)	1.50	1	50	
	•	3.0			Advertisement			-	
Total	\$i	LO	UU II	J	Garnishee's fees		\$24.	<u> </u>	

JOHN E. MANDEVILLE, Clerk

execution for same.

Mailing Address P.O. BOX 471

CODE 205 Telephone: 928-9836

> E. G. RICKARBY 35 SOUTH SECTION STREET FAIRHOPE, ALABAMA 36532

> > May 12, 1966

Mrs. Alice Duck Clerk of the Circuit Court Bay Minette, Alabama

Dear Mrs. Duck

Inre: Badger Mutual Insurance Company

Vs: Hubert W. Turner Our File: 65-236

Enclosed find Plea and Denial of account in the above-

mentioned cause. Please process and oblige.

Yours very truly,

EGR/jlb Encl.

cc: Gibbons & Stokes, Esquire

5-25-66