

Our File No. 69-222

Your File No. ....

Law Offices

E. G. RICKARBY  
35 SOUTH SECTION STREET  
FAIRHOPE, ALABAMA 36522

Code 205  
Telephone: 928-9836

Mailing Address  
P. O. BOX 471

January 28, 1970

Mrs. Alice J. Duck  
Clerk of the Circuit Court  
Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Federated Mutual Implement and Hardware Ins. Co.  
versus Bienville Investment Corporation  
Case No. 8847

Enclosed find Notice of Taking Testimony in the above styled  
cause. Please process and oblige. Thanks!

Yours very truly,



jib  
Encl.  
2-2-70

FEDERATED MUTUAL IMPLEMENT AND HARD-WARE INSURANCE COMPANY, A Corporation,

Plaintiff,

VS.

BIENVILLE INVESTMENT CORPORATION, A Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. 8847

NOTICE OF TAKING TESTIMONY

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Notice is hereby given to the Defendant that the Plaintiff will take the deposition upon oral examination of Mr. John R. LaBoon, whose address is Federated Mutual Implement and Hardware Insurance Company, 1400 West Peachtree Street Northwest, Atlanta, Georgia, at 10:00 A. M., Friday, January 30, 1970 at the office of the Federated Mutual Implement and Hardware Insurance Company at 1400 West Peachtree Street Northwest, Atlanta, Georgia, under Article 6A, Section 471(1) 18, of Title 7 of the Code of Alabama.

E. G. RICKAREY,  
Attorney for Plaintiff.

Notice given to:

R. P. Denniston, Esquire  
Attorney for Defendant  
1708 Merchants National Bank Building  
Mobile, Alabama

(Dup) Mr. Charles M. Lokey  
First National Bank Tower  
Atlanta, Georgia 30303

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 an envelope with adequate postage prepaid thereon and properly addressed.

This 26 day of Jan 1970

E. G. RICKAREY

Attorney for  
P. O. Box 471, Fairhope, Ala. 36525

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW.  
CASE NO. 8847

TECHNATED MUTUAL INSURANCE AND HARDWARE  
WARE INSURANCE COMPANY, A Corporation  
Plaintiff,  
vs.  
BIRMINGHAM INVESTMENT CORPORATION, A Corporation  
Defendant.

NOTICE OF TAKING TESTIMONY

Notice is hereby given to the Defendant that the Plaintiff  
will take the deposition upon oral examination of Mr. John R. Laboon,  
whose address is Federated Mutual Insurance and Hardware Insurance  
Company, 1400 West Peachtree Street Northwest, Atlanta, Georgia, at  
10:00 A. M., Friday, January 30, 1970 at the office of the Federated  
Mutual Insurance and Hardware Insurance Company at 1400 West Peachtree  
Street Northwest, Atlanta, Georgia, under Article 64, Section 471(1)  
is, of Title 7 of the Code of Alabama.

8847

*[Signature]*  
R. G. RICKARDY  
Attorney for Plaintiff

1970 - 1970

Notice given to:

ALICE J. COOK  
CLERK  
REGISTER

R. B. Denniston, Esquire  
Attorney for Defendant  
1708 Merchants National Bank Building  
Mobile, Alabama

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 an  
envelope with adequate postage prepaid thereon and properly  
addressed.  
This day of 1970  
R. G. RICKARDY  
*[Signature]*  
Attorney for  
P. O. Box 471, Fairhope, Ala.

(Dep) Mr. Charles W. Jones  
First National Bank Tower  
Atlanta, Georgia 30303

Our File No. ....

Your File No. ....

Law Offices

E. G. RICKARBY

35 SOUTH SECTION STREET

FAIRHOPE, ALABAMA 36532

Code 205.

Telephone: 923-9836

Mailing Address

P. O. BOX 471

September 22, 1969

Honorable Telfair J. Mashburn  
Circuit Judge  
Bay Minette, Alabama 36507

Dear Judge Mashburn:

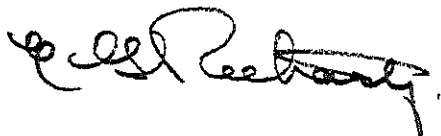
Inre: Federated Mutual Implement & Hardware Insurance  
Company vs. Bienville Investment Corporation.  
Case Number 8847.

Request judgement by default in this case for

Principal	\$2,101.57
Interest	\$ 42.03
Total	<u>\$2,143.60</u>

on the itemized and verified statement of account.

Yours very truly,



EGR/dab  
cc:Client  
10/6/69

Our File No. ....

Your File No. ....

Law Offices

E. G. RICKARBY

35 SOUTH SECTION STREET

FAIRHOPE, ALABAMA 36532

Code 205.

Telephone: 928-9636

Mailing Address

P. O. BOX 471

September 22, 1969

Mrs. Alice J. Duck  
Clerk of the Circuit Court  
Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Federated Mutual Implement & Hardware Insurance  
Company vs. Bienville Investment Corporation.  
Case Number 8847

Have requested judgement by default in this case for

Principal	\$2,101.57
Interest	\$ 42.03
Total	<u>\$2,143.60</u>

on an itemized and verified statement of account.  
Please send a copy of the certificate of judgement  
to the office of the Judge of Probate, and ask  
them to record it and charge my account with the  
costs of recording.

Yours very truly,



EGR/dab

cc:Client

10/6/69

Our File No. 69-222

Your File No. \_\_\_\_\_

**Law Offices**

E. G. RICKARBY

35 SOUTH SECTION STREET

FAIRHOPE, ALABAMA 36532

CODE 205

Telephone: 928-9836

Mailing Address

P. O. BOX 471

August 14, 1969

Mrs. Alice Duck  
Clerk of the Circuit Court  
Bay Minette, Alabama 36507

Dear Mrs. Duck:

Inre: Federated Mutual Implement & Hardware Ins. Co.  
versus Bienville Investment Corp.

8847

With this we are handing you deposit for costs in the sum of \$35.00 and Summons and Complaint, together with itemized and verified statement in the above mentioned matter.

Please process and oblige.

Yours very truly,



EGR/jlb

Encl.

cc: Client

Dup.

8-29-69

STATE OF ALABAMA,  
COUNTY OF BALDWIN.

CIRCUIT COURT, BALDWIN COUNTY,  
NO. \_\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon BIENVILLE INVESTMENT CORP., a Corporation, 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 BIENVILLE INVESTMENT CORP., a Corporation, by FEDERATED MUTUAL IMPLEMENT & HARDWARE INSURANCE COMPANY, a Corporation, Plaintiff.

WITNESS my hand this 18 day of August, 1969.

Alice J. Duck  
ALICE J. DUCK, Clerk.

FEDERATED MUTUAL IMPLEMENT & HARDWARE  
INSURANCE COMPANY, a Corporation,

Plaintiff,

VS.

BIENVILLE INVESTMENT CORP., a Corporation,

Defendant.

X  
X  
X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
AT LAW.

8847

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendant TWO THOUSAND ONE HUNDRED ONE AND 57/100 (\$2,101.57) DOLLARS due from it by account, on, to-wit, the 17th day of May, 1969, which sum of money with the interest thereon is still unpaid. The account sued on is evidenced by an itemized and verified statement filed herewith.

Count II.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND ONE HUNDRED ONE AND 57/100 (\$2,101.57) DOLLARS due from it by account stated between the Plaintiff and the Defendant on, to-wit, the 17th day of May, 1969, which sum of money with the interest thereon is still unpaid.

Count III.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND ONE HUNDRED ONE AND 57/100 (\$2,101.57) DOLLARS due from it for insurance

Continued, Summons & Complaint:

Federated Mutual vs. Bienville Investment.

sold by the Plaintiff to the Defendant between the 1st day of October, 1968, and the 17th day of May, 1969, which sum of money with the interest thereon is still unpaid.

  
\_\_\_\_\_  
E. G. RICKARBY, Attorney for  
Plaintiff.

Defendant's address is Stapleton, Alabama.

Complaint can be served on Mr. James P. Richmond, Assistant Treasurer at the office of Defendant.

**FILED**

AUG 18 1969

**ALICE J. DUCK** CLERK  
REGISTER

*Ep'8-22-69*



FEDERATED MUTUAL  
1400 WEST PEACHTREE ST., N.W.  
ATLANTA, GEORGIA 30309

AUG 6 1969

BIENVILLE INVESTMENT CORPORATION, ET AL  
P. O. BOX 28  
STAPELTON, ALABAMA 36578

<u>Effective</u>	<u>Policy</u>	<u>Description</u>	<u>Charge</u>	<u>Credit</u>	<u>Balance</u>
10/1/68	632389	General Liability Automobile Policy - final audit for period 10/1/67 - 10/1/68	789.00		
10/1/68	634285	Workmen's Compensation Policy - final audit for period 10/1/67 - 10/1/68	3999.05		
		Dividends		1388.00	
3/25/69		Insured's check		1700.00	
3/24/69	652874	General Liability Automobile policy - additional premium - added units 23, 24 and 25	100.00		
5/17/69	654255	Contractors' Equipment Floater policy - return premium on canceled policy		72.00	
5/17/69	652711	Inland Marine policy - return premium on canceled policy		144.00	
		Dividends		11.82	
5/17/69	652874 652875	GLA Workmen's Compensation policy amount needed to close account with Federated Acceptance Corporation	4853.34		
5/17/69	652874	Return premium on cancelation		1783.00	
	652875	Return premium on cancelation		1712.00	
		Dividends		829.00	
FINAL BALANCE DUE					2101.57

COUNTY OF Fulton  
STATE OF Georgia

SG-188 (13743)

Be it remembered, that on this 4th day of August  
A. D., 1969, personally appeared before me, the undersigned authority,  
Wilbur S. Peck known to me  
who being duly sworn, upon his oath stated that he is Accounting Manager  
of Federated Mutual Implement & Hardware Insurance Company  
{ a corporation organized and doing business under the laws of the State of Minnesota  
{ and has been duly authorized by said corporation to make this affidavit  
{ a partnership composed of  
a sole trader doing business as  
and that as such he makes this affidavit; that he is familiar with the books and business of  
said Fed. Mut. Imp. & Hdwe. Ins. Co.; that the attached account against  
Bienville Investment Corp. of Stapleton, Alabama  
is just and correct, within the knowledge of this affiant, that the items thereon stated and com-  
posing the said account were sold and delivered to said Bienville Investment Corp.  
at { its } special instance and request, that credit has been duly given for all payments and  
{ ~~their~~ }  
{ ~~their~~ }  
just and lawful offsets to which said account is entitled as thereon stated, and that the balance  
thereof, amounting to the sum of Two thousand one hundred one and 57/100 Dollars  
(\$2101.57) with interest from May 17 1969 is justly due and  
remains unpaid.

Wilbur S. Peck

X

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 Georgia  
and that the foregoing was subscribed and sworn to before me on the day and year  
first above stated.

Emily E. Head

Notary Public

County of Fulton State of Georgia  
My commission expires Notary Public, Georgia, State at Large A. D. 19    

My Commission Expires June 13, 1970

VOL 62 PAGE 92

2010年12月10日

I served a copy of the within SA-C  
on Denville Investment Corp.

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By service on Answer: P. Pechter and

**409**

30 miles at

Ten Cents per mile Total \$3.00  
W. B. WILKINS, Sheriff

WILKINS, SCOTT

BY Brown  
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff

By J. H. Jones D.S.

30 miles R.

Dr. C. E. Hooper

**Abstract**

# Scott's Emulsion

[illegible]

**FILED**

AUG 18 1969

**ALICE J. DUCK**

CLERK  
REGISTER

E. G. Rickaby

8847

Federated Mutual  
Implement & Hdw.  
& Lns. Co.

Yes.

Bienville Investment  
Corp. a Corp.

FEDERATED MUTUAL IMPLEMENT AND  
HARDWARE INSURANCE COMPANY, a  
Corporation,

Plaintiff,

VS.

BIENVILLE INVESTMENT CORPORATION,  
a Corporation

Defendant. :

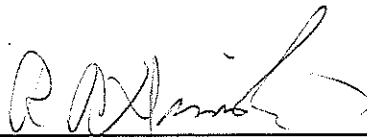
: IN THE CIRCUIT COURT OF  
:  
: BALDWIN COUNTY, ALABAMA  
:

: AT LAW NO. 8847  
:  
:

PLEAS

Comes the Defendant in the above styled cause and for answer  
to the complaint and to each count thereof, separately and severally, does  
hereby interpose, separately and severally, the following separate and  
several pleas:

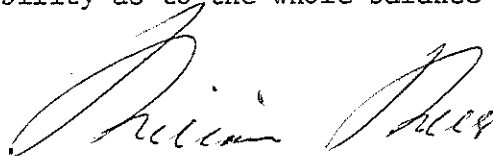
1. Not guilty.
2. The allegations are untrue.



R. P. DENNISTON, Attorney for Defendant

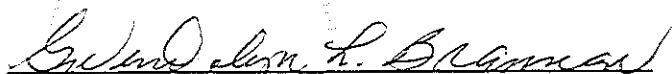
STATE OF ALABAMA,  
COUNTY OF BALDWIN.

The undersigned, WILLIAM WELLS, Vice President and Treasurer  
of BIENVILLE INVESTMENT CORPORATION, on information and belief, disputes  
the correctness of the account referred to in the complaint filed in the  
above styled cause, with respect to all credits for dividends and return  
premiums in that the basis for arriving at said amounts, respectively, is  
not known, and therefore denies liability as to the whole balance alleged  
to be due.



WILLIAM WELLS, Vice President & Treasurer

Subscribed and Sworn to before  
me on this the 17th day of  
September, 1969.

  
Notary Public, State of Alabama at Large

FILED

SEP 17 1969

ALICE J. DUCK CLERK  
REGISTER

8847

*register*

FILED

SEP 17 1969

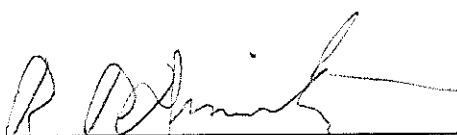
ALICE J. DUCK  
CLERK  
REGISTER

FEDERATED MUTUAL IMPLEMENT AND HARDWARE	:	IN THE CIRCUIT COURT OF
INSURANCE COMPANY, A Corporation,	:	BALDWIN COUNTY, ALABAMA
Plaintiff	:	
VS.	:	AT LAW NO. 8847
BIENVILLE INVESTMENT CORPORATION, A	:	
Corporation	:	
Defendant	:	

MOTION

Comes the Defendant in the above styled cause and moves that the default judgment entered against the Defendant in said cause on, to-wit, September 24, 1969, be set aside, and shows unto the Court that the Defendant filed certain pleas on September 17, 1969, in said cause, within the time allowed by law for the filing of pleas; that the Clerk of the Circuit Court, Mrs. Alice Duck, acknowledges that said pleas were filed on said September 17, 1969, and were in the court files from that date forward until, to-wit, September 24, 1969, on which date the attorney for Plaintiff, in open court, obtained the docket sheet without being aware that any appearance had been filed in behalf of Defendant, because Defendant overlooked either mailing a copy of said pleas to the Plaintiff's attorney at the time of filing same, or failed to leave with the Circuit Clerk an extra copy of said pleas to be mailed to Plaintiff's attorney; that Plaintiff's attorney obtained a default judgment from the Court without either said attorney or the Court being aware that said pleas had been timely filed; that the Court personnel had been very busy in Court for some days during and after September 17, 1969, and had not found the time to enter the appearance and pleas of the Defendant on the docket sheet, and that said Clerk was reminded of the fact that the pleas were in the file almost immediately after the entry of the default judgment and notified Defendant's attorney of this fact on, to-wit, September 26, 1969.

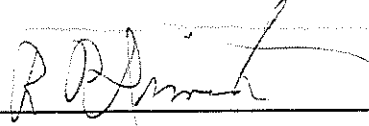
WHEREFORE, as aforesaid, Defendant respectfully moves that the Court set aside the default judgment and set the case down in due course on the merits.

  
 R. P. DENNISTON, Attorney for Defendant

STATE OF ALABAMA,

COUNTY OF ~~BALDWIN~~ *Mobile*

The undersigned, R. P. DENNISTON, as Attorney for Defendant,  
on information and belief deposes and says that the facts contained in  
the foregoing Motion are true and correct.



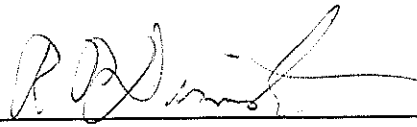
R. P. DENNISTON

Subscribed and Sworn to before me  
on this the 7<sup>th</sup> day of October, 1969.



Notary Public

I hereby certify that a copy of the within Motion has been  
served on the Attorney for the Plaintiff in this cause by mailing same  
to him at his address, first class mail, postage prepaid, on this the  
7<sup>th</sup> day of October, 1969.



Attorney for Defendant

FILED

OCT 8 1969

ALICE J. DUCK CLERK  
REGISTER