

SUMMONS

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon FANNIE MAE WALDEN, P.O. BOX 154, ROBERTSDALE, ALABAMA, to appear within thirty days after the service of this summons in the Circuit Court to be held for said County, then and there to demur or plead to the complaint of BAPTIST HOSPITAL, A Florida Corporation.

Witness my hand this 2 day of May, 1972.

Eunice B. Blackmon
Clerk

* * * * *

BAPTIST HOSPITAL,)	
A Florida Corporation)	IN THE CIRCUIT COURT OF
Plaintiff)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW
FANNIE MAE WALDEN)	NO <u>11,373</u>
Defendant)	

COMPLAINT

The Plaintiff Baptist Hospital, A Florida Corporation claims of the Defendant Fannie Mae Walden, Three Thousand Four Hundred and Thirty Dollars and 43/100ths Dollars (\$3,430.43), due from the Defendant by account from the 6th day of February 1970, which sum of money with interest thereon is still unpaid.

Daniel E. Robison
Daniel E. Robison
Attorney for Plaintiff

FILED

MAY 2 1972

EUNICE B. BLACKMON
CIRCUIT CLERK

Received 1 day of May 1972
and on 24 day of May 1972
I served a copy of the within to
on Fannie Mae Walden

By service on _____

TAYLOR WILKINS, Sheriff
By H. F. Dalt D. S.

50 mi R-T
R-Dalt

Sheriff claims 50 miles at
Ten Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY Dalt DEPUTY SHERIFF

R-Dalt
Baptist Hospital
a Fla. corp.

vs:

Fannie Mae Walden

10,373

FILED

MAY 2 1972

EUNICE B. BLACKMON CIRCUIT CLERK

MAY 2 1972

TAYLOR WILKINS
DEPUTY SHERIFF

BAPTIST HOSPITAL
A Florida Corporation

Plaintiff

VS.

FANNIE MAE WALDEN

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,373

ANSWER

1.

Not Guilty.

2.

For further answer to the Complaint, the Defendant says that the debt sued on was the debt of her deceased husband. That she is not personally liable for this debt and further that she is not liable because she cannot become surety for the debts of her deceased husband under Title 34, Section 74 of the Code of Alabama, Recompiled 1958.

WILTERS, BRANTLEY & NESBIT

BY: Thyler S. Nesbit

Attorney for Defendant

FILED

MAY 25 1972

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 25 day of May, 1972 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Thyler S. Nesbit

EUNICE B. BLACKMON CIRCUIT CLERK

IRBY AND POGGI
ATTORNEYS AT LAW
305 NORTH SECTION STREET
FAIRHOPE, ALABAMA 36532

SAMUEL W. IRBY
FRANCIS A. POGGI, JR.

MAILING ADDRESS:
P. O. DRAWER B
TELEPHONE: 928-8285
AREA CODE 205

May 16, 1974

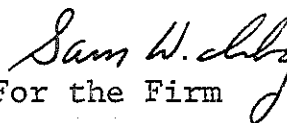
Eunice B. Blackmon
Clerk of the Circuit Court
Post Office Box 259
Bay Minette, Alabama 36507

Re: Baptist Hospital
Vs: Fannie Mae Walden
Case No. 10,373

Dear Eunice:

We enclose herewith check No. 3560 from Baptist Hospital in the sum of \$13.00 to pay court costs in the above referenced matter. We have endorsed the check over to you.

Very truly yours,


For the Firm

SWI/afd

Enclosure

cc: Mr. Donald E. Wilson
Accounts Manager
Baptist Hospital
1000 West Moreno Street
Pensacola, Florida 32501

Samuel W. Irby
Francis A. Poggi, Jr.

IRBY AND POGGI
ATTORNEYS AT LAW
305 NORTH SECTION STREET
FAIRHOPE, ALABAMA 36532

Mailing Address:
P. O. Drawer B
Telephone: 928-8285
Area Code: 205

April 29, 1974

Mr. Donald E. Wilson
Accounts Manager
Baptist Hospital
1000 West Moreno Street
Pensacola, Florida 32501

Re: Baptist Hospital
Vs: Fannie Mae Walden
Case No. 10,373

Dear Mr. Wilson:

After obtaining judgment on your behalf in the above referenced case, we have attempted to levy on certain real property which Mrs. Walden inherited from her husband. However, her attorney, Mr. E. E. Ball, has filed a bill for declaratory release claiming that this real property cannot be levied on. We will keep you informed as to the outcome of our attempts to levy.

The Clerk of the Circuit Court has informed us that there are Court Costs due them in this case in the amount of \$13.00. Please forward your check to us at your earliest possible convenience so that we may pay these Court Costs.

Very truly yours,

For the Firm

SWI/afd

cc: Eunice Blackmon
Clerk of the Circuit Court
Post Office Box 259
Bay Minette, Alabama 35507

C
O
P
Y

The State of Alabama, Baldwin County

CIRCUIT COURT

To any Sheriff of the State of Alabama—GREETING:

You are hereby commanded that of the goods and chattels, lands and tenements of Baptist Hospital H. 4th Corp. Plaintiff, you cause to be made the sum of 39.50 Dollars, costs of suit, for that, whereas, on the 11 day of June, 1973 the said Baptist Hospital Plaintiff, recovered by the judgment of the Circuit Court of Baldwin County, of Fannie Mae Walden Defendant, the sum of \$1,700.00 Dollars, upon which judgment an execution has been issued, and returned by the Sheriff "No property found." And have you that money ready to render to Circuit Clerk of said Court, and make return of this writ and the execution thereof according to law.

Witness my hand, this 1 day of May, 1974

Enrice B. Blackmon Clerk.

Code 1940, Tit. 7, Sec. 518

CLERK'S FEES		@	Amount	SHERIFF'S FEES		@	Amount
1. Suits for \$100.00 or less.....	\$ 6.00			23. Serving summons and complaint.....	\$ 1.50		
2. Suits for over \$100.00 but less than \$1,000.00.....	10.00			24. Levying attachment and return.....	6.25		
3. Suits for \$1,000.00 and over.....	20.00			25. Seizing personal property—Detinue.....	6.00		
4. Suits Detinue, ejectment, etc.....	10.00			26. Approving bond, each.....	2.00		
5. Suits not otherwise provided for.....	10.00			27. Serving Garnishee—Writ.....	1.50		
6. Appeal from Justice of Peace, etc.....	6.00			28. Serving Sci. Fa. or notice.....	1.50		
7. Garnishment on Judgment, etc.....	6.00			29. Serving subpoenas, each.....	.75		
8. Workmen's Compensation—Petition Settlement.....	10.00			30. Impanelling Jury.....	.75		
9. Appeals from State Dept. of Pub. Safety, etc.....	10.00			31. Serving Contempt Attachment.....	1.50		
10. Motion to sell real estate—J. P. levy.....	6.00			32. Collecting Execution for cost only.....	1.50		
11. Mandamus, writ of prohibition, etc.....	15.00			33. Commissions on Execution.....			
12. Recording Executions—State Agencies.....	3.00			34. Executing Writ of Possession, each.....	5.00		
13. Copy of Record—per 100 words.....	.15			35. Making Deed to Real Estate sold, each.....	2.50		
14. Certifying Abstract in transcript.....	5.00			36. Mileage, each.....	.10		
15. Record for Supreme—Appeals Ct. per 100 words.....	.15			37.			
16. Additional copies Record—Appeals for 100 words.....	.05			38.			
17. Taking Appeal Bond.....	.75			Total Sheriff's Fees.....			
18. Reporter's Transcript on Appeal.....	10.00			SUMMARY OF FEES, COSTS, AND JUDGMENT—			
19. Appeals Courts Concurrent Jurisdiction.....	15.00			1. Clerk's Fees.....			20 00
20. Application—Habeas Corpus.....	6.00			2. Ex-Clerk's Fees.....			8 00
21.				3. Sheriff's Fees.....			4 50
22.				4. Ex-Sheriff's Fees.....			5 00
Total Clerk's Fees.....				5. Trial Tax.....	\$3.00		
				6. Court Reporter's Fee, per day \$.....			
				7. Witness Fees.....			
				8. Commissioner's Fees.....			
				9. Garnishee's Fees.....			
				10. Publisher's Fees.....			2 00
				11.			
				12.			
				13. Clerk's Fees in Inferior Court.....			
				14. Sheriff's Fees in Inferior Court.....			
				15. Witness Fees in Inferior Court.....			
				16.			
				17. Justice of Peace Fees.....			
				18. Constable's Fees.....			
				19.			
				20. Cost in Appealed Cases Docketed (Total).....			\$ 39 50
				Total Fees and Cost.....			
				21.			25 00
				22. Judgment.....			14 50
				23. 10% Damages.....			
				24. Interest.....			
				Total Judgment.....			
				Total Fees, Cost and Judgment.....			

The State of Alabama,
Baldwin County.

CIRCUIT COURT

Baptist Hospital a
Fla Corp.
vs. Plaintiff

Fannie Mae Walden
Defendant.

FI. FA. FOR COSTS

Filed this _____ day of _____, 19____.

_____, Clerk.

Fee Book _____, page _____.

Execution Docket, _____, Page _____.

Irby & Poggi
Plaintiff's Attorney.

Walter Brantley Nesbitt
Defendant's Attorney.

Received in office _____ 19____.

Sheriff.

Sheriff's Execution Docket, Page _____.

By virtue of the within Execution I have, at

_____ o'clock _____ M., this _____

day of _____, 19____, levied

on the following:

Sheriff

Deputy Sheriff.

PLAINTIFF'S WITNESSES

AMOUNT

DEFENDANT'S WITNESSES

Total _____

FEIBELMAN & SILVER

ATTORNEYS AT LAW

2103 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA 36601

HERBERT P. FEIBELMAN, JR.
IRVING SILVER

P. O. BOX 2082
TELEPHONE 205 433-1597

•
• October 23, 1972

Mrs. Eunice Blackmon
Clerk of the Circuit Court
Baldwin County Courthouse
Bay Minette, Alabama, 36507

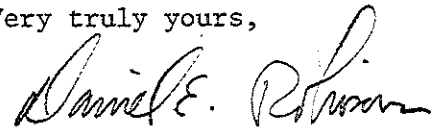
Re: Baptist Hospital Inc. vs. Fannie Walden
Case No. 10,373

V

Dear Eunice:

This case is on the nonjury docket. Phyllis Nesbit has filed an answer so we are at issue. Please give this case the earliest possible docket call. Thank you for your help.

Very truly yours,


Daniel E. Robison

DER/mp

13

IRBY AND POGGI
ATTORNEYS AT LAW
305 NORTH SECTION STREET
FAIRHOPE, ALABAMA 36532

SAMUEL W. IRBY
FRANCIS A. POGGI, JR.

MAILING ADDRESS
P O DRAWER B
TELEPHONE 928-8285
AREA CODE 205

February 1, 1973

Eunice B. Blackmon
P. O. Box 239
Bay Minette, Alabama 36507

Dear Eunice:

As you know, Dan Robison is no longer practicing law in this area. Please place Irby and Poggi as attorneys of record on the following cases that were turned over to us by Dan.

Dr. D. K. Cooper -vs- J. Wade	Case No. 10,156✓
Farmers & Merchants Bank -vs- Clifford McLain & Louise McLain	Case No. 10,366
Donald Gaar, d/b/a/ Foley Auto Parts -vs- Jaye Truck Lines, Inc.	Case No. 10,346
Jerry Hance, d/b/a/ Magnolia Springs Garage -vs- Laura Williams	Case No. 10,348
Kenneth Totsch, d/b/a/ Totsch Boat Works -vs- Donald Forsyth	Case No. 10,132✓
Jerry Hance, d/b/a/ Magnolia Springs Garage -vs- Ralph Dubuison	Case. No. 10,349
Baptist Hospital -vs- Fannie Mae Walden	Case No. 10,373✓
La Rue Flying Service, Inc. -vs- John R. Childress	Case No. 9,469✓

FILED

FEB 2 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

Eunice B. Blackmon
February 1, 1973
Page 2

Jerry Hance, d/b/a/ Magnolia Springs
Garage -vs- Rodney Carver

Case No. 10,346

George W. Markham, Sr. and Randall
Markham, d/b/a/ George Markham &
Sons Signs -vs- H. Rowland Clifton

Case No. 10,458

Foley Tractor Co., Inc -vs- Paul L.
Bonnell

Case No. 9,215 ✓

La Rue Flying Service -vs- Henry King

Case No. 9,615

Eddie Sweat -vs- John A. McDuffie

Case No. 9,455

If you have any questions concerning this matter, please do
not hesitate to call.

Yours very truly,

Sam W. Libby
For the Firm

SWI/akb

FILED

FEB 2 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

BAPTIST HOSPITAL, a Florida	§	IN THE CIRCUIT COURT
corporation,		
	§	OF BALDWIN COUNTY,
Plaintiff,		
	§	ALABAMA
VS:		
	§	AT LAW
FANNIE MAE WALDEN,		
	§	
Defendant.		
	§	CASE NO. 10,373

AMENDMENT TO COMPLAINT

Comes now the Plaintiff in the above styled cause and amends its Complaint heretofore filed in said cause by adding thereto the following count as follows, to-wit:

COUNT TWO

The Plaintiff claims of the Defendant the sum of THREE THOUSAND FOUR HUNDRED THIRTY AND 43/100 (\$3,430.43) DOLLARS together with interest thereon, as damages for the breach by the Defendant of two (2) written agreements made and entered into by and between Plaintiff and Defendant, on, to-wit: January 14, 1969, and June 26, 1969, copies of said written agreements of which are attached hereto, marked "Exhibit A" and made a part hereof as if set out fully herein; and Plaintiff avers that by the terms of said agreement the Defendant agreed to accept the responsibility for the payment of the hospital bill incurred by Alvin Lewis Walden upon his discharge from the Baptist Hospital located in Pensacola, Florida; the Plaintiff avers that the said Alvin Lewis Walden has been discharged by the Plaintiff, Baptist Hospital, and that the Defendant did default in complying with the terms of said agreement in that the Defendant failed to pay the hospital bill incurred by the said Alvin

Lewis Walden. The Plaintiff further avers that it made demand upon the Defendant for the amount of the hospital bill set out above, and that the Defendant has failed and refused to pay the said hospital bill, hence this suit.

IRBY AND POGGI
Attorneys for Plaintiff

By Francis A. Poggi Jr.
Francis A. Poggi Jr.

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT I HAVE ON
THIS 4th DAY OF JUNE,
1973, SERVED A COPY OF THE FOREGOING
PLEADING ON COUNSEL FOR ALL PARTIES TO
THIS PROCEEDING BY MAILING THE SAME BY
UNITED STATES MAIL, PROPERLY ADDRESSED
AND FIRST CLASS POSTAGE PREPAID.

FILED

JUN 5 1973

EUNICE B. BLACKMON CIRCUIT
CLERK

BAPTIST HOSPITAL

PENSACOLA, FLORIDA

Name Walden, Dr. Alvin Louis		Room 2-8-12	Rate 35.00	Hosp. No. 200-715
Address P.O. Box 194, Robertsdale, Ala 36567		Admitted 1-13-69 @ 10:00 AM	Discharged	
Phone 987 3373		Attending Physician Dr. S. C. Williams		
Maiden Name		Admitting Diagnosis Adverse CA of Prostate		
Age 68	Sex M	Race W	Mar. Status M	Date of First Symptom
Birthdate 10-10-00	Birthplace Ala		Admitted Here Before Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Spouse/Parent Wanda Mae Walden	Denom. Method		Under What Name Wanda Mae Walden	
Local Church		What hospital were you in last? Dayton		When 8-14-60
Nearest Relative Wanda		Patient's Occupation		
Relationship Wife		Patient's Employer (Retired) (LAW)		
Address		Address		
Insurance Co. Indians		Subscriber Alvin L. Walden		
Policy No. A422-03-3560	Group No.	Effective Date		
Insurance Co. Travelers		Subscriber (LAW)		
Policy No.	Group No.	Effective Date		
On Job Injury		Yes <input type="checkbox"/> No <input type="checkbox"/>		
Responsible Person Wanda		Address		
Employer Address		Valuables in Safe Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Admitting Officer R. Brown		Address		

I, Alvin L. Walden, This is to certify that we, the undersigned, promise to be responsible for the Hospital Bill of the Above Named Patient. I further understand all balances are due on discharge.

COMM. INS. (2)	COMM. INS.	BLUE CROSS	AGENCY	Date	By
Deduct 10.00	10.00				
Room 10.00	10.00				
Lab					
Drugs					
X-ray					
O. R.					
Anes.					
Dressing					
Hypos					
Other					
Date 1-14-69	1-14-69	PREVIOUS BALANCE	Date 1-14-69		
By Wanda	Wanda		By CC		
			Letter sent		
			T/G sent		
			Phone		
			Item Sta.		
			Plain Sta.		
			Other Sta.		
			(Describe)		
			"A"		
			"B"		
			"C"		
			Past Due		
			Final		

BAPTIST HOSPITAL

PENSACOLA, FLORIDA

BUSINESS OFFICE

Name *Walden, Alvin Louis*Address *P.O. Box 134, Robertsdale, Ala. 36857*Phone *907-1073*

Maiden Name

Age *63* Sex *M* Race *W* Mar. Status *M*Birthdate *10-19-1893* Birthplace *Fla.*Spouse/Partner *Mrs. Fannie M. Walden*Denom. *Method.* Local ChurchRoom *415-21* Rate *22.00* Hosp. No. *2701*Admitted *6-25-69* Discharged *6-29-69*Attending Physician *Dr. R. Callaway*Admitting Diagnosis *Cerebral of Paresis*

Date of First Symptom

Admitted Here Before Yes ☒ No ☐

Under What Name

What hospital were you in last? *Transferred from B.C.C.*

Nearest Relative

Relationship *Spouse* Phone

Address

Medicare A422-05-5569

Insurance Co.

Subscriber

*New York Life**Alvin L. Walden*

Policy No.

Group No.

Effective Date

Insurance Co.

Medicare

Subscriber

Walden, Alvin L.

Policy No.

Group No.

Effective Date

On Job Injury

Yes ☐ No ☒

Patient's Occupation

Patient's Employer

Address

L & H Railroad

Responsible Person

Self & Wife

Address

Valuables in Safe Yes ☐ No ☒Admitting Officer *H. L. Lacey*

I

This is to certify that we, the undersigned, promise to be responsible for the Hospital Bill of the Above Named Patient. I further understand all balances are due on discharge.

Fannie Mae Walden

COMM. INS. (2)		COMM. INS.	BLUE CROSS	AGENCY	Date	By
Deduct	<i>21.00</i>	<i>43</i>				
Room	<i>21.00</i>	<i>43</i>				
Lab	<i>25.00</i>	<i>43</i>				
Drugs						
X-ray	<i>7.00</i>					
O. R.						
Anes	<i>26.50</i>					
Dressing						
Hypod						
Other						
Date	<i>6-26-69</i>					
By	<i>W</i>					
PREVIOUS BALANCE <i>1383.49</i>			Date <i>6/25/69</i>	By <i>SK</i>		
Date <i>6/28/70</i>			By <i>SK</i>			
Past Due						
Final						

Med another assignment for 1/18/70

Waiting Disq

2/28/70

1/18/70

BAPTIST HOSPITAL,
a Florida Corporation

Plaintiff

VS.

FANNIE MAE WALDEN

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,373

Comes now the Defendant in the above styled cause and
for answer to the amended Complaint of the Plaintiff and Count
Two thereof, says as follows:

2.

Not Guilty.

WILTERS, BRANTLEY & NESBIT

BY: Thyllis S. Nesbit

Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 7 day of June
1973, served a copy of the foregoing pleading on counsel for all
parties to this proceeding by mailing the same by United States
Mail, properly addressed, and first class postage prepaid.

WILTERS, BRANTLEY & NESBIT

By: Thyllis S. Nesbit

FILED

JUN 7 1973

EUNICE B. BLACKMON CIRCUIT
CLERK