

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Mutual Benefit Health and Accident Association (Mutual of Omaha), to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, by Minnie Wilters,

Witness my hand this the 8 day of Feb, 1961.

Alice J. Duck
Alice J. Duck, Clerk

MINNIE WILTERS:

Plaintiff

VS

MUTUAL BENEFIT HEALTH AND
ACCIDENT ASSOCIATION (MUTUAL
OF OMAHA)

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4582
4592

1.

The Plaintiff claims of the Defendant FOUR HUNDRED NINETY-FOUR and 30/100 DOLLARS (\$494.30) with interest due on a policy of insurance whereby the Defendant, on to-wit: the 2nd day of August, 1960, agreed to indemnify the Plaintiff against hospital, medical and surgical expenses resulting from the sickness or injuries of the Plaintiff, and the Plaintiff avers that on the 31st day of August, 1960, she entered the South Baldwin Hospital, Foley, Alabama, on the advice of her physician because of injuries to her back, and that she was discharged from said hospital on the 27th day of September, 1960. That during this period the said policy was in full force and effect and while the Plaintiff has made due and legal proof of her expenses to the Defendant, the said Defendant has failed and refused to pay said sum claimed.

WILTERS, BRANTLEY & NESBIT

BY Henry J. Wilters, Jr.
Attorneys for the Plaintiff

FEB 8 1961

ALICE J. DUCK, CLERK
REGISTER

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AT LAW

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MINNIE WILTERS

Plaintiff

VS

MUTUAL BENEFIT HEALTH AND
ACCIDENT ASSOCIATION (MUTUAL
OF OMAHA)

Defendant

Wilters, Brantley & Nesbit
Attorneys at Law
Robertsdale, Alabama

PLAINTIFF'S AFFIDAVIT THAT TITLE 10, SEC. 192 IS APPLICABLE

I certify that the Defendant, Mutual Benefit Health and Accident Association (Mutual of Omaha), a corporation is and was prior to the 2nd day of August, 1960, and is as of this date a non resident of the State of Alabama; and that it did do business and enter into a contract of insurance with the Plaintiff, Minnie Wilters, in Robertsedale, Baldwin County, Alabama, and that as a result of this contract the Plaintiff has a cause of action against the Defendant. Plaintiff further avers that according to the records of the Department of Insurance, State of Alabama, that W. T. Halliday, 402 Massey Building, Birmingham, Alabama, has been designated by the Defendant, Mutual Benefit Health and Accident Association (Mutual of Omaha), as its true and lawful attorney or agent upon whom process may be served in any action accrued or accruing from its doing of business or performing of work or service in this state, or as an incident thereto by any such non-resident, or its agent, servant, or employee.

WILTERS, BRANTLEY & NESBIT

BY: *Henry J. Wilters Jr.*
Attorneys for the Plaintiff

Sworn to and subscribed to before me this 8 day of Feb,
1961.

Alice A. Venable
Notary Public, clerk, circuit court

309

4592

RECEIVED IN OFFICE
FEB 9 1961
M. S. BUTLER, Sheriff

(2)

Executed by serving 2 copies of
the within on Edmund
Penick Superintendent
of Insurance, State of Alabama
This The 10 day of Feb 1961

Sheriff of Montgomery County
M. S. Butler,
By James D. S.

The Sheriff claims 2
miles at 10c per mile for a total
of \$.20
M. S. Butler, Sheriff
Montgomery County, Ala.

FILED
FEB 11 1961
ALICE J. DUCK, CLERK
REGISTRY