

MARY A. QUINNEY

Plaintiff

VS

SOUTHERN LIFE AND HEALTH INSURANCE  
COMPANY,

Defendant

X IN THE CIRCUIT COURT OF

X BALDWIN COUNTY, ALABAMA

X AT LAW

X CASE NO.

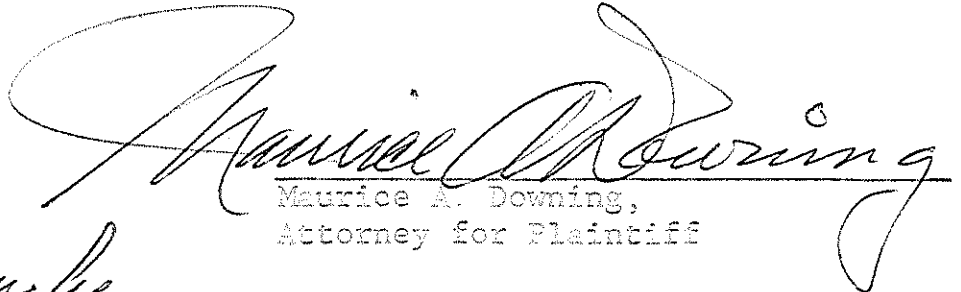
4211

X

X

COUNT ONE

The Plaintiff claims of the Defendant ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS, due on a policy, number 8971927, whereby the Defendant, on June 14, 1954, insured the life of James Gray, who died on the 21st day of November, 1958, by accidental means, of which the Defendant has had notice. Said policy is the property of the Plaintiff.

  
Maurice A. Downing,  
Attorney for Plaintiff

*Service may be  
had by service on  
J. H. McCary, as agent  
of Southern Life and Health  
Ins. Co. 2121 Highland Ave  
Birmingham, Alabama.*

*Plaintiff demands a trial by jury.*



**FILED**  
MAR 15 1960

ALICE L. BUCK, Clerk

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4211

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon SOUTHERN LIFE and HEALTH INSURANCE COMPANY

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

SOUTHERN LIFE and HEALTH INSURANCE COMPANY

, Defendant.

by MARY A. QUINNEY

, Plaintiff.

Witness my hand this 15th day of March 19 60

Alice J. Luck

, Clerk

No. 4211

Page

The State of Alabama

Baldwin County

CIRCUIT COURT

MARY A. QUINNEY

Plaintiffs

vs.

SOUTHERN LIFE AND HEALTH

INSURANCE COMPANY

Defendants

Summons and Complaint

Filed March 15th 1960

Alice J. Duck

Clerk

2121-  
Highland  
FREEMAN

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

March 16, 1960

, Sheriff

I have executed this summons

this 19

by leaving a copy with

Executed this the MAR 18 1960 day of 1960  
on Southern Life and  
Health Ins. Co.

by leaving a copy of within with

W. M. Culp  
and co  
HOLT A. McDOWELL, Sheriff  
Jefferson County, Alabama  
B. C. Reeves D.S.

TRAVELING EXPENSE \$1.00

C. Reeves D.S.

Sheriff

Deputy Sheriff

MARY A. QUINNEY,

Plaintiff,

VS.

SOUTHERN LIFE AND HEALTH  
INSURANCE COMPANY,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4211

Comes the Defendant in the above styled cause and for plea to the Complaint filed in said cause, separately and severally, says:

1. That the allegations of the Complaint are untrue.
2. Not guilty.

3. For further plea to the Complaint the Defendant says that the policy herein sued on provides that such policy does not cover death resulting from self-destruction, whether sane or insane and the Defendant alleges that the Plaintiff James Gray, who was the named insured in such policy, died as a result of a gunshot wound in his head which was self-inflicted.

4. For further plea to the Complaint the Defendant says that the policy which is the basis of this suit provides that in the event of accidental death immediate notice thereof must be given to the Company who issued such policy. The Defendant alleges that the insured died on November 21, 1958 and notice thereof was first given to the Defendant on October 27, 1959.

5. For further plea to the Complaint the Defendant says that the policy herein sued on provides that affirmative proof of loss must be furnished to the Company at its office within ninety (90) days after the date of the loss for which claim is made and the Defendant alleges that it was not furnished with such proof of loss within ninety (90) days from the date of the death of the said James Gray.

  
Attorneys for Defendant

*Filed*  
*8-12-60*

4211

PLEAS

MARY A. QUINNEY,

Plaintiff,

vs.

SOUTHERN LIFE AND HEALTH  
INSURANCE COMPANY,

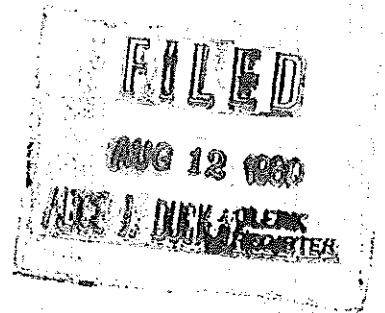
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

LAW SIDE

NO. 4211



MARY A. QUINNEY, : CASE NO. 4211  
PLAINTIFF : IN THE CIRCUIT COURT  
VS. : OF BALDWIN COUNTY,  
SOUTHERN LIFE & HEALTH : ALABAMA  
INSURANCE COMPANY, :  
AT LAW  
DEFENDANT :

D E M U R R E R

Now comes the defendant in the above styled cause and demurs to the plaintiff's complaint and assigns the following grounds, separately and severally:

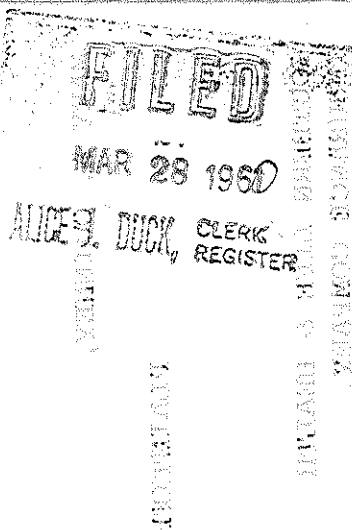
1. No cause of action is alleged against this defendant.
2. The allegation that James Gray died by "accidental means" is the conclusion of the pleader.
3. The plaintiff does not allege sufficient facts to conclude that the death was "by accidental means".

SADLER, SADLER, SULLIVAN & HERRING  
Attorneys for Defendant

By:

*W.J. Sullivan, Jr.*  
W.J. Sullivan, Jr.  
1314 Comer Building  
Birmingham, Alabama

*James Stone*  
*Voy* *James*



CASE NO. 4211

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA

AT LAW

MARY A. QUINNEY,

PLAINTIFF

VS.

SOUTHERN LIFE & HEALTH  
INSURANCE COMPANY,

DEFENDANT

DE M U R R E R

FILED

MAR 28 1961

ALICE J. DUCK, CLERK  
REGISTER

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SADLER, SADLER, SULLIVAN & HERRING  
ATTORNEYS AT LAW  
COMER BUILDING  
BIRMINGHAM, ALABAMA

W. H. SADLER (1886-1947)  
W. H. SADLER, JR.  
W. J. SULLIVAN, JR.  
HAROLD F. HERRING  
CHARLES E. SHARP

March 25, 1960

Miss Alice J. Duck, Clerk  
Circuit Court of Baldwin County  
Courthouse  
Bay Minette, Alabama

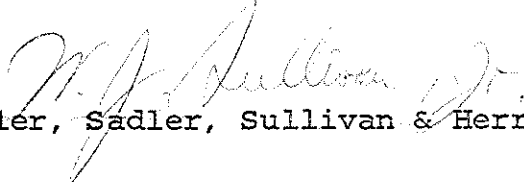
Re: Mary A. Quinney vs. Southern Life  
and Health Insurance Company  
Case No. 4211, At Law

Dear Miss Duck:

We enclose herewith a demurrer which we are  
filing on behalf of the defendant in the above styled  
cause. Kindly advise us as to the date when this case  
will actually be set for trial.

Thanking you, we are

Yours very truly,

  
Sadler, Sadler, Sullivan & Herring

WJSjr:ia  
Encl.

cc Mr. Maurice A. Downing  
Attorney at Law  
First National Bank Building Annex  
Mobile, Alabama



MAURICE A. DOWNING  
ATTORNEY AT LAW  
318-19-20 Annex First National Bank Building  
MOBILE, ALABAMA

Telephone HEMlock 2-1218

August 30, 1960

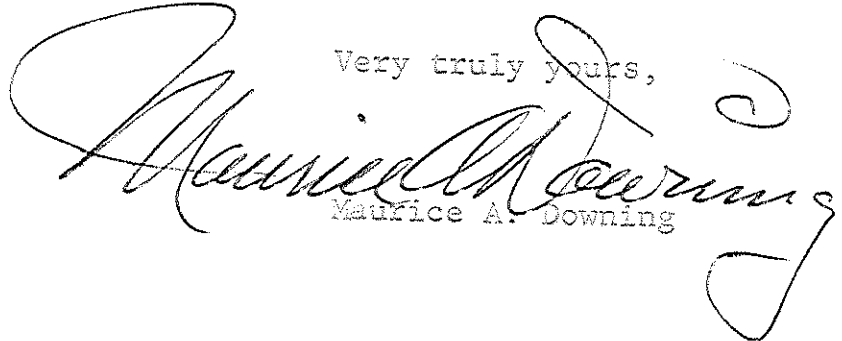
Honorable Hubert Hall  
Judge, Circuit Court  
Baldwin County  
Bay Minette, Alabama

RE: Mary Quinney vs.  
Southern Life and Health Insurance Co.

Your Honor:

Please dismiss the above case, which is number 4211 on your  
docket, Circuit Court.

Very truly yours,

  
Maurice A. Downing

MAD:ah