

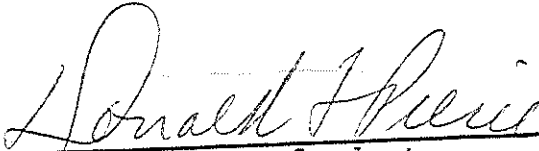
N. S. CARTER,
Plaintiff
Vs.
NIAGARA FIRE INSURANCE
COMPANY, a corporation,
Defendant

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA
) AT LAW
) 4799
)
)

D E M U R R E R

Comes now the defendant, Niagara Fire Insurance Company,
a corporation, separately and severally, and demurs to each
count of the complaint filed herein, separately and severally,
and for separate and several grounds of demurrer, sets down
and assigns, separately and severally, the following:

1. That it does not state facts sufficient to constitute
a cause of action against this defendant.


Attorney for Defendant

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

FILED
AUG 17 1961
ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT - LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Niagara Fire Insurance Company, a corporation, to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of N. S. Carter.

Witness my hand this 2 day of Aug, 1961.

Deice J. Reuck
Clerk.

En 8-3-61

N. S. CARTER,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
NIAGARA FIRE INSURANCE	X	AT LAW.
COMPANY, A Corporation,	X	
Defendant.	X	

COUNT ONE:

The Plaintiff claims of the Defendant Four Thousand Five Hundred Dollars (\$4,500.00) the value of a dwelling house, which the Defendant on, to-wit: the 20th day of June, 1960, insured against loss or injury by fire and other perils in a policy of insurance issued to Luther Howard Pugh and Ethel B. Pugh, in and by the terms of which policy loss, if any, was payable to the Plaintiff as his interest may appear. And the Plaintiff alleges that on, to-wit: the 20th day of August, 1960, said house was wholly destroyed by fire and that on said date he was the owner thereof and said policy of insurance was in full force and effect and the Defendant has had notice of such destruction. Wherefore, the Plaintiff brings this suit and asks judgment in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) together with interest

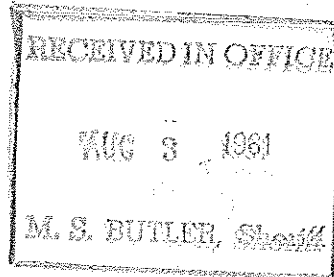
thereon from October 20, 1960.

CHASON & STONE

By: Marbome S. Stone, Jr.
Attorneys for Plaintiff

FILED
AUG 21 1961
ALICE J. DUCK, CLERK
REGISTER

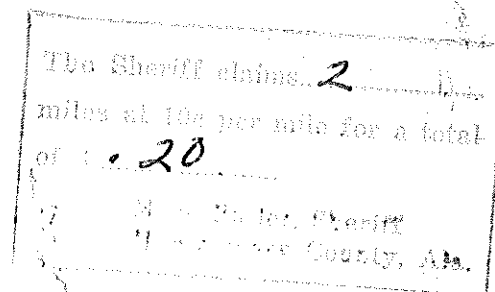
1427



EXECUTED BY SERVING A
COPY OF THE WITHIN

William D. Page
Insurance Com.

This the 3 day of Aug 1961
M. S. BUTLER
Sheriff Montgomery County
By Mitchell
Deputy Sheriff



720.4799

8/4/61

N. S. CARTER,

Plaintiff,

vs.

NIAGARA FIRE INSURANCE COMPANY,
A Corporation,

Defendant.

* * * * *

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

* * * * *

SUMMONS AND BILL OF COMPLAINT

* * * * *

CHASON & STONE
ATTORNEYS AT LAW
BAY MINETTE, ALABAMA

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

SIXTH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

August 16, 1961

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
WM. BREVARD HAND
VIVIAN G. JOHNSTON, JR.
PAUL W. BROCK
ALEX F. LANKFORD, III
EDMUND R. CANNON, JR.
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
W. C. BOONE, JR.
DONALD F. PIERCE

MAILING ADDRESS:
P. O. BOX 123

CABLE ADDRESS:
HAB

TELEPHONE:
HEMLOCK 2-5514

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

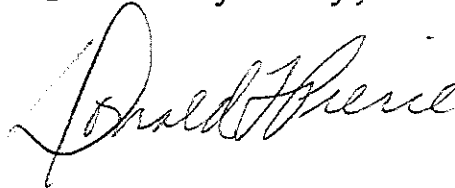
Re: N. S. Carter vs. Bankers Fire and Marine
Insurance Company, a corporation, and
N. S. Carter vs. Niagara Fire Insurance
Company, a corporation, At Law

Dear Mrs. Duck:

Please file the enclosed demurrers in each of the
above referenced cases.

With best regards,

Yours very truly,



For the Firm

DFP.pcb
Encls.

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Niagara Fire Insurance Company, a corporation, to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of N. S. Carter.

Witness my hand this 2 day of Aug, 1961.

Reid J. Webb
Clerk.

N. S. CARTER,

Plaintiff,

vs.

NIAGARA FIRE INSURANCE
COMPANY, A Corporation,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant Four Thousand Five Hundred Dollars (\$4,500.00) the value of a dwelling house, which the Defendant on, to-wit: the 20th day of June, 1960, insured against loss or injury by fire and other perils in a policy of insurance issued to Luther Howard Pugh and Ethel B. Pugh, in and by the terms of which policy loss, if any, was payable to the Plaintiff as his interest may appear. And the Plaintiff alleges that on, to-wit: the 20th day of August, 1960, said house was wholly destroyed by fire and that on said date he was the owner thereof and said policy of insurance was in full force and effect and the Defendant has had notice of such destruction. Wherefore, the Plaintiff brings this suit and asks judgment in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) together with interest

thereon from October 20, 1960.

CHASON & STONE

By: W. J. Stone, Jr.
Attorney for Plaintiff

FILED

AUG. 21 1961

ALICE J. DICK, CLERK
REGISTER

Defendant,
A Corporation,
NIAGARA FIRE INSURANCE COMPANY,
as,
Plaintiff,
N. S. CARTER,

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

SUMMONS AND BILL OF COMPLAINT.

4799

N. S. CARTER,

Plaintiff,

vs.

NIAGARA FIRE INSURANCE COMPANY,
A Corporation,

Defendant.

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

SUMMONS AND BILL OF COMPLAINT

FILED

NOV 21 1900

WILLIAM DICKSON
CLERK

CARTER & BAKER

RECORDED FROM OCTOBER 30, 1900.

By: *[Signature]*
Attorney for Plaintiff