

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons James E. Calvert, 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 Life & Casualty Insurance Company of Tennessee, a Corporation.

Witness my hand this the 14 day of March, 1962.

Alice J. Duck
Alice J. Duck, Clerk

LIFE & CASUALTY INSURANCE COMPANY
OF TENNESSEE, A Corporation

Plaintiff

VS

JAMES E. CALVERT

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
NO. 5078

1.

The Plaintiff claims of the Defendant the sum of TWO HUNDRED SEVEN AND 44/100 DOLLARS (\$207.44), due on account stated between the Plaintiff and Defendant on the 1st day of June, 1959, which sum of money with the interest thereon, is still unpaid.

2.

The Plaintiff claims of the Defendant the sum of TWO HUNDRED SEVEN AND 44/100 DOLLARS (\$207.44), due from him by account on the 1st day of June, 1959, which sum of money with the interest thereon, is still unpaid.

3.

The Plaintiff claims of the Defendant the sum of TWO HUNDRED SEVEN AND 44/100 DOLLARS (\$207.44), due from him by account on, to-wit: June 1, 1959, which sum of money with the interest thereon, is still unpaid.

An itemized statement of the account sued on, verified by the affidavit of a competent witness, is attached hereto as Exhibit "A" and made a part hereof.

WILTERS, BRANTLEY & NESBIT

BY: Phillip S. Nesbit

FILED

MAR 14 1962

ALICE J. DUCK
Clerk
REGISTER
may be served
in Foley Ala
% Deane Brokerage Co.

→ 2 *

DATE _____

AGENT L. R. Calvert

ACCOUNT OF Deficiency

2-8-59

WEEKLY PREMIUM AUDIT DEPARTMENT

jib

CLERK

-24

AGENT J. E. Calvert

ACCOUNT OF Deficiency

Joe Safley, Auditor, Weekly Premium Audit Dept.

Notary Public at Large
State of Tennessee

My commission expires: July 15, 1962

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY THIS STATEMENT.~~

257

WEEKLY PREMIUM AUDIT DEPARTMENT

J. Hamblen

CLERN

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Before me, Charles H. Anderson, a Notary Public, in
and for said County and State, personally appeared Joe Safley,
who being by me duly sworn, deposes and says, that he is Auditor
for the firm of Life & Casualty Ins. Co. of Tenn.;
that the annexed statement of the account of said firm against
James E. Calvert of Loxley, in the State of
Alabama, is just, true and correct; that there is now due
on said account the sum of \$ 207.44, after deducting all credits,
set-offs or counter-claims.

Joe Safley
Sworn to and subscribed before me this 27th day of November,

19 61.

Charles H. Anderson

Notary Public, at Large
State of Tennessee

My commission expires: July 15, 1962

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5828

LIFE & CASUALTY INSURANCE COMPANY
OF TENNESSEE, A Corporation

Plaintiff

VS

JAMES E. CALVERT

Defendant

FILED

MAR 14 1962

ALICE J. DUCK,

CLERK
REGISTER

Walters, Brantley & Nesbit
Box 555
Robertsdale, Alabama

Sheriff claims 20 miles at 20 TAYLOR WILKINS, Sheriff
Ten Cents per mile Total \$ 2.00
BY Taylor Wilkins TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF J. H. D. S.

By service on _____

Received 15 day of Mar 1962
and on 22 day of March 1962
I served a copy of the within 8th
on James E. Calvert

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

LIFE AND CASUALTY INSURANCE COMPANY

VS

IN THE CIRCUIT COURT

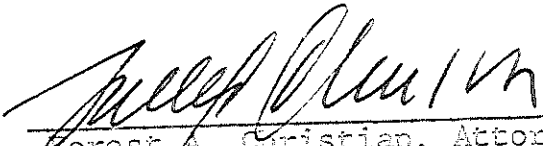
OF BALDWIN COUNTY ALABAMA

JAMES E. CALVERT

AT LAW

ANSWER

Comes the Defendant and for answer to the complaint of the Plaintiff ~~and~~ states that he does not owe the amount claimed or any other amount.


Forest A. Christian, Attorney
for Defendant

FILED

APR 12 1962

ALICE J. DUCK, CLERK
REGISTER

LIFE AND CASUALTY LIFE INSURANCE)
COMPANY OF TENNESSEE)

PLAINTIFF)

VS.)

JAMES E. CALVERT)

DEFENDANT)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5078

Now comes the Defendant, James E. Calvert, for answer to interrogatories propounded by the Plaintiff, after first being duly sworn, he answers as follows:

1. Yes

2. Yes

3. Yes

4. As an agent for Life & Casualty Insurance Company, serving as District agent on a District Staff. *Had better job and took it. JEC*

5. A. There was only one accounting during the time of acting as agent with Life & Casualty.

B. The one mentioned above in part (A).

6. Yes, fairly familiar.

7. No

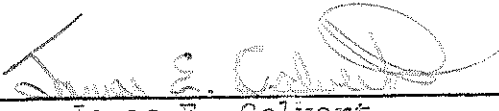
8. No

9. No

10. No, not before termination or after termination, in my presence.

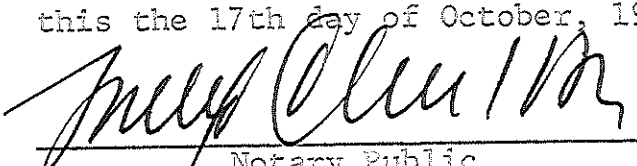
11. (Answer was no.)

12. Did not have accounting.


James E. Calvert

Sworn to and Subscribed before me

this the 17th day of October, 1962.


Notary Public
Baldwin County, Alabama

LIFE AND CASUALTY LIFE INSURANCE
COMPANY OF TENNESSEE

Plaintiff

VS

JAMES E. CALVERT

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5078

Comes now the Plaintiff in the above entitled cause and propounds the following interrogatories to the Defendant:

1. Is your name James E. Calvert?
2. During the year 1959, were you an agent for the Life and Casualty Life Insurance Company of Tennessee?
3. Were you an agent for the Life and Casualty Life Insurance Company of Tennessee during the year 1958?
4. Under what conditions did you sever your relationship with the Plaintiff?
5. Did you and the Plaintiff have a periodic accounting?
 - A. If so, at what intervals?
 - B. What is the date of the last accounting that you had with the Plaintiff?
6. Are you familiar with the statement of account dated June 1, 1959, prepared by Joe Safley, Auditor, between the Plaintiff and you?
7. Do you have any records of payments made by you or credits given you between September 22, 1958, and this date, other than a credit of \$189.63 given September 22, 1958, and \$45.00 given September 22, 1958, and a credit of \$3.04 given November, 3, 1958; and a credit of \$5.00 given November 10, 1958; and a credit of \$118.77 given December 8, 1958?
 - A. If your answer is yes, please list these credits as answer to this question.
 - B. If your answer to #7 is yes, please set out the date on which these credits were given.
8. Have you made any payments or have you been given any credits by the Plaintiff other than those listed in question #7 for which you do not have any written records?
9. If your answer to the above question is yes, please state the amounts of these credits, what for, and the approximate date they were given.

10. Has the Plaintiff made an accounting with you since the termination of your employment?
11. If your answer to the above question is yes, have you heretofore contested the accuracy of the same?
12. If you did, how did you contest it?

WILTERS, BRANTLEY & NESBIT

BY:

Phyllis S. Nesbit

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, the undersigned authority, Phyllis S. Nesbit, who being by me first duly sworn deposes and says that she is one of the attorneys of record for the Defendant in the above entitled cause, and that the answer to the above and foregoing interrogatories, if well and truly made, will be material evidence for the Defendant on a trial of this cause.

Phyllis S. Nesbit

Sworn to and subscribed before me this 17 day of May,

1962.

Ernie B. Blackmer
Notary Public,

FILED

MAY 17 1962

ALICE J. DUCK, CLERK
REGISTER

Life & Casualty Life
Ins. Co. of Tenn.

03--

James E. Caldwell

Interrogatories

FILED

MAY 17 1892

ALICE J. DUCK, CLERK
REGISTER

Serve on F.A. Christian
Foley

Received 17 day of May 1892
and on 22 day of May 1892
served a copy of the within Interrogatories
on F.A. Christian

By service on _____

TAYLOR WILKINS, Sheriff

By Robert L. Duck D. S.

Foley

Sheriff claims 72 miles at

Ten Cents per mile Total \$ 7.20

TAYLOR WILKINS, Sheriff

BY _____
DEPUTY SHERIFF

LIFE AND CASUALTY LIFE INSURANCE
COMPANY OF TENNESSEE

Plaintiff

VS

JAMES E. CALVERT

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5078

MOTION

TO THE HONORABLE HUBERT M. HALL, JUDGE OF SAID COURT:

Comes the Plaintiff, Life and Casualty Life Insurance Company of Tennessee, and show unto the Court that more than thirty days prior to the filing of this motion, the Plaintiff in the above styled cause propounded interrogatories to the defendant, under Code 1940, Title 7, Sections 477-486, requiring the defendant to answer certain interrogatories therein propounded, and that although more than sixty days have elapsed since the service by the sheriff of said interrogatories upon the defendant, the defendant has failed, and still fails and refuses, to answer the interrogatories therein propounded:

Wherefore, the plaintiff moves the Court to either attach the defendant and cause him to answer fully in open court; tax the defendant with so much costs as may be just, and continue the cause until full answers are made; render a judgment by default; or render such other judgment or decree as would be appropriate.

FILED

AUG 9 1962

ALICE J. DUCK, CLERK
REGISTER

TO Forrest Christian,
Attorney for the Defendant

WILTERS, BRANTLEY & NESBIT

BY:

Charles L. Nesbit
Attorneys for Plaintiff

Please take notice that the above motion has been filed in the Circuit Court of Baldwin County, Alabama, and that said motion is set for hearing on the 20 day of August, 1962.

WILTERS, BRANTLEY & NESBIT

BY:

Charles L. Nesbit
Attorneys for the Plaintiff

I hereby certify that I have mailed a copy of the foregoing motion and notice to Defendant's attorney of record, this 9th day of August, 1962.

WILTERS, BRANTLEY & NESBIT

BY:

Charles L. Nesbit
Attorneys for Plaintiff

5178

LIFE AND CASUALTY LIFE INSURANCE
COMPANY OF TENNESSEE,

Plaintiff,

VS

JAMES E. CALVERT,

Defendant.

MOTION

Attorneys for Plaintiff
WILTERS, BRANTLEY & NESBIT

Attorney for Defendant
FORREST CHRISTIAN

Garnishment on Judgment.

The State of Alabama,
Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

TERM, 1962

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular Term, 1963, of the Circuit Court of Baldwin County,
to-wit: On the 15th day of January, 1963, being a regular day of
said term,

Life and Casualty Insurance Company of Tennessee

recovered judgment against James E. Calvert

for the sum of One Hundred Twenty-nine and 98/100 Dollars, and cost of suit,
and affidavit having been made by Phyllis S. Nesbit, Attorney
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

Sewell Devore, doing business as Devore Brokerage, Loxley, Alabama

has or is believed to have in its possession, or under its control money
or effects belonging to said defendant or that it is, or
is believed to be indebted to said defendant or to be liable to them, or to one of them on a
contract for the delivery of personal property, or on a contract for the payment of money which may be
discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon

Sewell Devore, D/b/a Devore Brokerage

to be and appear before the honorable Judge of the Circuit Court for Baldwin County, at the Court House
thereof, in the city of Bay Minette, on the Monday in A. D. 1963,
then and there within the three first days of the term, to answer on oath, whether at the time of the service
of the garnishment, or at the time making its answer, or at any time intervening the time of serv-
ing the garnishment, and making the answer it was indebted to said defendant
and whether it will not be indebted in future to said defendant
by a contract then existing, and whether by a contract then existing
is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which
may be discharged by the delivery of personal property, or which is payable in personal property, and
whether it has not in its possession or under its control money or
effects belonging to the defendant James E. Calvert

Herein fail not, and have you then and there this Writ.

Witness, ALICE J. DUCK, Clerk of said Court, this 2nd day of May, A. D., 1963

Issued day of A. D., 1963.

ATTEST:

Ex-5-6-63

Alice J. Duck, Clerk.

Received 2 day of May 1962
and on 6th day of May 1962
served a copy of the within Doc.
on Dwight Devore

By service on _____

TAYLOR WILKINS, Sheriff
By Fred Sabat D. S.
Lofley

Sheriff claims 40 miles at
Ten Cents per mile Total \$ 4.00
TAYLOR WILKINS, Sheriff
BY _____
DEPUTY SHERIFF

Circuit Court, Baldwin County

No. 5078 1/2

Life & Casualty Ins. Co.

VS. } Garnishment On Judgment

James E. Calvert

Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

P. Nesbitt
Attorney

State of Alabama

BALDWIN COUNTY

TO James E. Calvert, Defendant:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of

Life and Casualty Insurance Company of Tennessee, a corporation, Plaintiff,

versus James E. Calvert, Defendant,

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

Sewell Devore doing business as Devore Brokerage

has been named as Garnishee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the 2nd

day of May, 1963

Alice J. Luck
Clerk of the Circuit Court.

Exp-5-6-63

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

Defendant

Plaintiff

VS.

James H. Collier

BALDWIN COUNTY

FOR THE RETURNED TO THE

F. W. S. B. T.

HOW NOTED IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

per the Court of Commissioners

of

IN ALL/ES WILKINS, I was

DEPUTY SHERIFF

BY

TAYLOR WILKINS, Sheriff

Ten Cents per mile Total \$4.00

Sheriff claims miles at

40

TAYLOR WILKINS, Sheriff
D. S.

By service on

James H. Collier

I served a copy of the within

Received on May 1905
day of May 1905

CIRCUIT COURT

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County and State aforesaid Phyllis S. Nesbit, Attorney

who being duly sworn, on oath says, that a regular _____ Term
of the Circuit Court of Baldwin County, to-wit: on the 15th day of January

19 63, Life and Casualty Insurance Company of Tennessee

recovered a judgment against James E. Calvert

_____ for the sum of

One hundred Twenty-nine and 98/100 Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

Sewell Devore, doing business as Devore Brokerage in Loxley, Alabama

supposed to be indebted to or have effects of the said James E. Calvert

in his possession, or under his control, and that he believes process of

Garnishment against said Sewell Devore d/b/a Devore Brokerage

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 2nd

day of May A. D. 1963

Alice J. Duck
Clerk.

Phyllis S. Nesbit
Attorney