

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

CASE NO. 5676

FINAL ORDER OF CONDEMNATION:

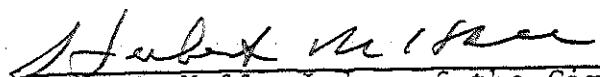
On the 4th day of April, 1964, came a jury to assess and ascertain the damages and compensation to which the owners and other interested parties in the tract of land set forth in the application for condemnation of lands heretofore filed in this cause are entitled and filed their verdict and awarded compensation and damages to the said owners and other interested parties as follows: EIGHT THOUSAND EIGHT HUNDRED THIRTY FIVE AND NO/100 DOLLARS (\$8,835.00).

It is therefore, ORDERED, ADJUDGED AND DECREED by the Court that the property described in the application for condemnation heretofore filed in this cause be, and the same is hereby condemned for the purposes set forth in said application for condemnation upon the payment of the damages and compensation so ascertained, assessed and reported by the jury, or the deposit of the same in Court as provided in Section 21 of Title 19 of the Code of Alabama, 1940.

It is further ORDERED, ADJUDGED AND DECREED by the Court that a copy of this order be recorded.

It is further ORDERED, ADJUDGED AND DECREED by the Court that Petitioner pay all costs of this proceeding.

DONE this 4th day of April, 1964.



H. M. Hall, Judge of the Circuit Court  
of Baldwin County, Alabama.

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW

NO. 5676.

This cause coming on to be heard on the original petition for condemnation, service on the parties as required by law, order of the Probate Judge denying the right of condemnation, notice of appeal, appeal bond filed by the petitioner, defendant's motion to dismiss appeal, cross motion by petitioner, and other pleadings and testimony of the witnesses heard ore tenus, and the Court having considered the same, and is of the opinion that petitioner is entitled to proceed with these proceedings;

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED as follows:

1. That the defendant's motion to dismiss the appeal be, and the same is hereby, denied.

2. That the petitioner's motion to allow the Probate Judge to place his written approval on the appeal bond dated as of June 28, 1963 is hereby allowed.

3. The petitioner is entitled to condemn the property of the defendant as described in the original petition for condemnation.

4. The determination of the damages to be awarded the defendant shall be set for trial by jury as provided for by law.

DONE at Bay Minette, Alabama, this the 19 day of September, 1963.

FILED

SEP 30 1963

ALICE J. DUCK, CLERK  
REGISTER

Hubert M. Lee  
Judge

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

ALBERT A. THOMAS, also known as  
ALBERTA THOMAS,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 5676

We, the Jury, find for the Housing Authority of the City  
of Bay Minette, Alabama, and against the condemnee, and fix the  
compensation and damages at \$ 8835<sup>00</sup>.



Jury Foreman.

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner,

VS

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant

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IN THE CIRCUIT COURT OF

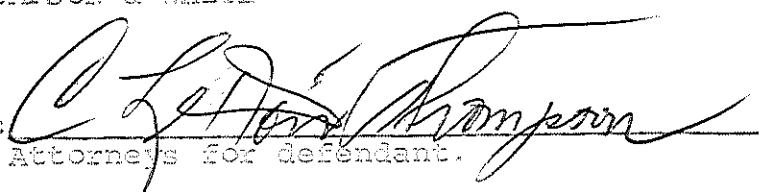
BALDWIN COUNTY, ALABAMA

NO. 5626

Comes the defendant in the above styled cause by her attorney of  
record, Thompson & White, and respectfully asks for a jury trial in  
said case.

THOMPSON & WHITE

BY:

  
Attorneys for defendant.

FILED

JUL 9 1963

CLERK  
TER

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

NO. \_\_\_\_\_.

MOTION

Now comes the Petitioner in this cause, by its attorneys,  
and shows unto this Honorable Court as follows:

1. That the bond for security for costs in the appeal  
in this cause was approved by the Honorable W.R. Stuart, Judge  
of Probate, Baldwin County, Alabama, on the 28th day of June,  
1963.

2. That the Clerk of the Probate Court of Baldwin County,  
Alabama failed to indicate such approval by written indorsement  
on the said bond;

WHEREFORE, Petitioner moves that this Honorable Court allow  
the said W.R. Stuart, Judge of Probate, Baldwin County, Alabama,  
to place his written approval of said bond dated of the date of  
said approval.

9/19/63 *Molin*  
*10/1/63*  
*gds*

MASHBURN & OWENS  
Attorneys for Petitioner

By *J. C. Owens, Jr.*

*Filed 9/19/63*  
*10/1/63*  
*gds*

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 5626.

BOOK 032 PAGE 359

APPLICATION FOR CONDEMNATION

TO THE HONORABLE PROBATE COURT OF BALDWIN COUNTY, ALABAMA, AND  
TO THE HONORABLE W.R. STUART, JUDGE OF SAID COURT:

Now comes The Housing Authority of The City of Bay Minette, Alabama, and files this, its application for condemnation of the lands hereinafter described for public use and against Albert A. Thomas, also known as Alberta Thomas, and, thereupon, it respectfully represents unto the Court and Your Honor as follows:

1. Petitioner, The Housing Authority of The City of Bay Minette, Alabama, is authorized to institute condemnation proceedings to acquire real property for public use under and by the provisions of Title 25, Section 15 of the Code of Alabama. Albert A. Thomas, also known as Alberta Thomas, is a female over the age of 21 years and is a resident of Baldwin County, Alabama.

2. Petitioner desires to acquire a fee simple title to the property hereinafter described for public housing purposes pursuant to Title 25, Sections 5 through 30, both inclusive, Code of Alabama.

3. The property sought to be condemned for the purposes set forth in the paragraph above is the following described real property situated in Baldwin County, Alabama, to-wit:

Commencing at the Southeast corner of the Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 16, T2S, R3E, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville, thence run West along the South line of Section 16, 660 feet to a point, thence run N 00° 09' E 160 feet to the point of beginning of the property herein described, thence continue N 00° 09' E 340 feet to a point, thence run East 450 feet to a point, thence run S 00° 09' W 275 feet to a point, thence run West 210 feet to a point, thence run S 00° 09' W 65 feet to a point, thence run West 240 feet to the point of beginning.

THE PREMISES CONSIDERED, petitioner prays that this Honorable

STATE OF ALABAMA, BALDWIN COUNTY  
FILED May 23, 1963  
Recorded  
W. R. Stuart  
Judge of Probate

Court will take jurisdiction of this petition and make and enter an order appointing a day for the hearing thereof and give notice to the said defendant of the filing of this application and of the date set for hearing the same in the manner prescribed by Title 19, Section 4 of the Code of Alabama; that on the day appointed for the hearing of this petition or on any other day to which it may be continued, the Court will hear the allegations of this petition and any objections that may be filed to the granting thereof and any legal evidence touching the same, and will make an order granting the application and condemning the above described property for the uses and purposes of the petitioner as stated herein and in the form and manner prescribed by law.

Petitioner further prays that such other orders be made and decrees rendered as may be requisite and proper in the premises.

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

By J. H. Faulkner, Jr.  
As its Attorney

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared J.H. Faulkner, who, after being by me first duly and legally sworn, deposes and says:

That he is the Chairman of the Board of Commissioners of The Housing Authority of The City of Bay Minette, Alabama, and he has read over the foregoing petition and that the facts stated therein are true.

J. H. Faulkner

Sworn to and subscribed before me on  
this the 22<sup>nd</sup> day of May, 1963.

Dorothy Martin  
Notary Public, Baldwin County, Ala.

STATE OF ALABAMA

BALDWIN COUNTY

I hereby acknowledge myself security for all of the costs of the foregoing proceedings.

DATED this the 22<sup>nd</sup> day of May, 1963.

James Owens, Jr.

Taken and approved on this the \_\_\_\_\_ day of May, 1963.

\_\_\_\_\_  
Judge of Probate

BOOK

032  
PAGE 371



A RESOLUTION

BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF BAY MINETTE, ALABAMA, AS FOLLOWS:

SECTION 1: It is in the public interest and necessary that The Housing Authority of The City of Bay Minette, Alabama, acquire for public use, to-wit: Municipal public housing purposes, the following described real property situated in Bay Minette, Baldwin County, Alabama, to-wit:

Commencing at the Southeast corner of the Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 16, T2S, R5E, which point is also the Southeast corner of Lot 16, Russell's Addition to Douglasville, thence run West along the South line of Section 16, 660 feet to a point, thence run N 00° 09' E 160 feet to the point of beginning of the property herein described, thence continue N 00° 09' E 340 feet to a point, thence run East 450 feet to a point, thence run S 00° 09' W 275 feet to a point, thence run West 210 feet to a point, thence run S 00° 09' W 65 feet to a point, thence run West 240 feet to the point of beginning.

SECTION 2: J. Connor Owens, Jr., as attorney for The Housing Authority of The City of Bay Minette, Alabama, shall be and he is hereby fully and completely authorized, empowered, instructed and directed to file and prosecute a condemnation suit on behalf of The Housing Authority of The City of Bay Minette, Alabama, to acquire the above described property.

ADOPTED at a regular meeting of The Housing Authority of The City of Bay Minette, Alabama, held on May 6th, 1963.

CERTIFICATE

I, J.H. Faulkner, as Chairman of the Board of Commissioners of The Housing Authority of The City of Bay Minette, Alabama, do hereby certify that the foregoing is a true and correct and literal copy of the resolution adopted by The Housing Authority of The City of Bay Minette, Alabama, at its meeting held on the 6th day of May, 1963, as the same appears in the minutes of said meeting.

Witness my hand and official seal on this the 22<sup>nd</sup> day of May, 1963.

*J. H. Faulkner*  
Chairman

BOOK 032 PAGE 372

THE STATE OF ALABAMA--JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

October Term, 1963-64

To the Clerk of the Circuit Court of \_\_\_\_\_  
\_\_\_\_\_ Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court \_\_\_\_\_  
of said county, in a certain cause lately pending in said Court between  
Albert A. Thomas, also known as Alberta Thomas, Appellant,  
\_\_\_\_\_ and

The Housing Authority of the City of Bay Minette, Ala., Appellee,  
wherein by said Court, it was considered adversely to said appellant \_\_\_\_\_, were brought before our  
Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant \_\_\_\_\_.

Now, it is hereby certified, That it was thereupon considered, ordered, and adjudged \_\_\_\_\_  
\_\_\_\_\_ by our Supreme Court on the 4 day of March, 1964, on motion of  
appellant with consent of appellee \_\_\_\_\_, that the said appeal be and stand  
without prejudice  
dismissed/and that it was further considered, ordered and adjudged \_\_\_\_\_

that the appellant, Albert A. Thomas, also known as Alberta Thomas, and  
C. Lenoir Thompson, surety on the appeal bond, pay

the costs accruing on said appeal in this Court and in the Court below for which costs let  
execution issue.

It was further ordered and adjudged that the Petition for Writ of  
Mandamus filed by the appellant against Honorable Hubert M. Hall, as  
Judge of the Circuit Court of Baldwin County, Alabama, be denied.

Witness, J. Render Thomas, Clerk of the Supreme  
Court of Alabama, at the Judicial Building,

this the 4th day of March, 1964

J. Render Thomas  
Clerk of the Supreme Court of Alabama.

THE SUPREME COURT OF ALABAMA

October Term, 1963-64

1st Div., No. 193

Albert A. Thomas, also known as  
Alberta Thomas

Appellant,

v.

The Housing Authority of the  
City of Bay Minette, Alabama  
Appellee.

From Baldwin Circuit Court.

No. 5676

CERTIFICATE OF DISMISSAL

The State of Alabama

FILED

County.

} Filed

MAR 5

this day of 19

ALICE J. DUCK,

CLERK  
REGISTER

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

vs.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. \_\_\_\_\_

ORDER APPOINTING DAY TO HEAR THE  
APPLICATION TO CONDEMN LANDS

This day came The Housing Authority of The City of Bay Minette, Alabama, acting by and through J. Connor Owens, Jr., as its attorney, and filed its application to have condemned for public use, to-wit: A municipal public housing project, the lands described in said petition; and it appearing to the Court from the allegations of said application that it is necessary that The Housing Authority of The City of Bay Minette, Alabama acquire such property, and that The Housing Authority of The City of Bay Minette, Alabama desires to have such property condemned; and the Court having considered the same is of the opinion that an order should be entered appointing a day for the hearing of said application and that notice should be given to the owner of such land as shown by the application; it is, therefore

ORDERED, ADJUDGED and DECREED by the Probate Court of Baldwin County, Alabama, that the 12<sup>th</sup> day of JUNE, 1963, at 9:00 A.M. be, and the same is hereby appointed as the day for the hearing of said application and that notice of the filing of said application and of the day set for the hearing of said application be given Albert A. Thomas, also known as Alberta Thomas, by service upon her by the Sheriff of Baldwin County, Alabama, of the notice of the filing of said application and of the day set for the hearing of the same.

Done this the 2<sup>nd</sup> day of May, 1963.

W. C. Stuart  
Judge of Probate  
By: Harry M. Olive Chief Clerk

BOOK 032 PAGE 373

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant

X  
X  
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X  
X  
X  
X

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA  
NO. \_\_\_\_\_

BOOK 032 PAGE 374

This being the day regularly appointed to hear the petition of The Bay Minette Housing Authority, heretofore filed in this court, praying that the Court condemn certain lands described in said petition for the purposes set forth therein and the Bay Minette Housing Authority being represented in court by its attorney, Honorable J. Conner Owens, Jr., and there also being present in court Albert A. Thomas, also known as Alberta Thomas by her attorney, Honorable C. Lenoir Thompson, and it appearing to the Court that all interested parties have had due and legal notice of the filing of said petition and of the day set to hear same; It appears to the Court upon the evidence of the said petitioner and of the evidence of the said respondent touching upon the petition and the Court having considered same;

It is therefore ordered and decreed by the Court that said petition be and the same is hereby denied.

Done this the 12<sup>th</sup> day of JUNE, 1963.

W. R. Stewart  
Probate Judge, Baldwin County, Alabama  
By: Harry M. Dole Chief Clerk

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 4984

NOTICE OF APPEAL

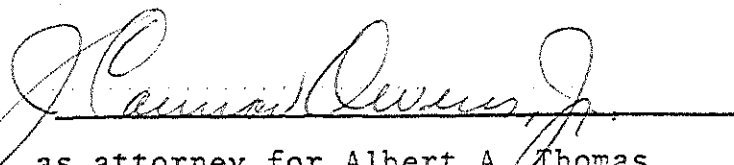
Now comes The Housing Authority of the City of Bay Minette, Alabama, a Corporation, petitioner in the above styled condemnation proceeding, by and through its attorney of record, and in compliance with Title 19, Sections 17 and 20, Code of Alabama, As Revised, files this its written notice of appeal from the order denying its application to condemn certain lands in Baldwin County, Alabama, which was entered by the Court of Probate of Baldwin County on June 12, 1963, and appeals to the Circuit Court, Twenty-Eighth Judicial Circuit of Alabama, and further gives notice that such appeal is given in writing within thirty days after the entering of such order by the Court of Probate of Baldwin County, Alabama, on June 12, 1963.

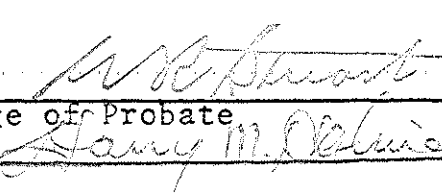
PREMISES CONSIDERED, petitioner prays that a copy of this notice of appeal shall be served upon the Honorable C. LeNoir Thompson, as attorney for Albert A. Thomas, also known as Alberta Thomas.

Petitioner further prays that this matter shall be set for trial de novo in the Circuit Court, Twenty-Eighth Judicial Circuit of Alabama, in accordance with Title 19, Section 20, Code of Alabama, As Revised.

TO: Hon. C. LeNoir Thompson, as attorney for Albert A. Thomas,  
also known as Alberta Thomas.

You are hereby notified that the above notice of appeal was filed in the office of the Judge of Probate of Baldwin County, Alabama, on the 28 day of June, 1963.

  
Judge of Probate

By:  Chief Clerk

STATE OF ALABAMA

BALDWIN COUNTY

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

IN THE PROBATE COURT OF

BALDWIN COUNTY, ALABAMA,

NO. 4984

*Exhibit 1  
for Conclusions  
of Facts*

Now comes J. Connor Owens, Jr. and hereby acknowledges himself as security for costs of appeal to the Circuit Court, Twenty-Eighth Judicial Circuit of Alabama, returnable to the present term thereof. And for the payment of the above security he hereby waives his right to exemption to personal property under the Constitution and Laws of the State of Alabama.

*J. Connor Owens, Jr.*

IN THE PROBATE COURT OF  
BALDWIN COUNTY, ALABAMA,

NO. 4984

\*\*\*\*\*

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA,

Petitioner,

VS.

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS,

Defendant.

\*\*\*\*\*

NOTICE OF APPEAL

\*\*\*\*\*

J. CONNOR OWENS, JR.

ATTORNEY AT LAW

Dahlberg Building

BAY MINETTE, ALABAMA

Received 2 July 1962  
and on 2 July 1962  
served a copy of this within 20 days  
on Le Neil Thompson  
By service on \_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By Garner D. S.



THE HOUSING AUTHORITY OF THE  
CITY OF BAYMINETTE, ALABAMA

Petitioner

vs

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5676

Comes the defendant in the above styled cause and moves this Honorable Court to dismiss the appeal filed in said cause and as grounds for said motion shows unto this court as follows:

-1-

That for aught appears in the record that the said appellant has failed to file with the court or with the Clerk thereof, an appeal bond approved by the Judge of Probate of Baldwin County, as required by Title 19, Section 20, of the Code of Alabama as revised 1958.

-2-

That for aught appears in the record the said plaintiff has failed to comply with Title 19, Section 3, by having the Judge of Probate of Baldwin County accept and approve the bond for said condemnation proceeding in the Probate Court of Baldwin County.

-3-

That for aught appears in the record said appellant has failed to file with this court or the Clerk thereof an appeal bond properly approved as provided in Title 19, Section 20.

-4-

That said appellant has permitted its workable program under which these eminent domain proceedings were instituted expire on July 1, 1963.

-5-

That the said plaintiff has failed to comply with the requirements of the Housing and Home Finance Agency in that a comprehensive committee plan has not been prepared and filed under which sound community developments in the future will be carried out.

-6-

The said plaintiff has failed to comply with the regulations of the Housing and Home Finance Agency in that housing resources have not been specified to meet the needs for housing displaced families under

a community wide re-location program.

-7-

That said plaintiff has failed to comply with the regulations of the Housing and Home Finance Agency in that citizen participation has not been provided as a part of the workable program in that a special committee on minority group housing, on which committee, minority groups are represented has not been established.

-8-

That the said plaintiff is dependent on its funds for the approval of the Housing and Home Finance Agency, which requires that to obtain these funds, the said project must be certified and such certification required the enactments of codes and ordinances in the community, meeting the approval of the U. S. Housing and Home Finance Agency, the preparation and establishing of a comprehensive committee plan under the approval of the Federal Housing and Home Finance Agency, establishment of an administrative organization or revision of existing local government departments with the possible increase in the tax base of the community, citizen participation is required and minority group/participation is required on the citizen committees.

-9-

That the said program of the Bay Minette Housing Authority has lapsed and therefore, the plaintiff being ineligible for Federal aid, is without funds to continue the condemnation; hence this motion for dismissal.

-10-

That said bond does not meet the requirements of the law if approved, in that the mortgages against the property of said bondsman far exceed the assessed valuation of said properties.

-11-

That said condemnation proceedings is based on a program requiring an increase in taxation in the community.

-12-

That the operation of said Housing Authority is dependent on the community complying with all necessary rules and regulations of a federal agency.

-13-

That the said alleged bond is invalid in that the homestead property of the said bondsman in the name of the said bondsman and

his wife is assessed in the total amount of \$7,000.00 whereas the mortgages of record against said property in Mortgage Book 244, pages 13-16 is in the amount of \$9,900.00, said recordings being in the office of the Judge of Probate of Baldwin County.

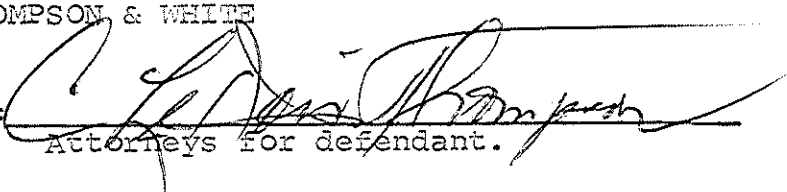
Wherefore, said bonds are nullities; hence this motion.

-14-

That appellant is an alleged corporation without assets or funds and has no money to pay the costs or damages to the appellees, landowners, the title to whose property is clouded by lis pendens filed by appellant against said property.

THOMPSON & WHITE

BY:

  
Attorneys for defendant.

FILED

SEP 18 1963

ALICE J. DUCK, CLERK  
REGISTER

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS

Defendant

X

X

X

X

X

X

and

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

DAN ALLEN, SUSIE ALLEN,  
RANCHERS LIFE INSURANCE COM-  
PANY, a Corporation, and THE  
BANNER CORPORATION, a Corpora-  
tion

Defendants

X

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X

and

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

MINNIE JOHNSON, as the Adminis-  
tratrix of the Estate of  
Melissa Hale, MARIE HALE,  
EUGENE HALE, EARL HALE, GENE  
HALE, LEROY HALE, MAIR L.  
SMITH, WILLIE ADAMS, AUBREY  
SMITH, SELENA D. SMITH, FRED  
BYRD AND COLUMBUS BYRD

Defendants

X

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X

and

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

JAMES M. WAGNER and ETORA  
WAGNER

Defendants

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5676

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5678

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5679

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5677

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

VS

LILLIAN HAWKINS WALLACE

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 5680

Comes Albert A. Thomas, also known as Alberta Thomas, et al,  
defendants in the above styled causes and give notice of appeal  
from the judgment of the Circuit Court rendered on the 19th day of  
September, 1963, and also from the judgment of said court denying  
their motion for a new trial entered on the 5th day of November,  
1963, to the Supreme Court of Alabama.

THOMPSON & WHITE

BY:

*Clifford Thompson*  
Attorney of Record for said defendants.

We hereby accept service of notice of appeal in the above  
stated causes, and waive any other or further notice thereof. Dated  
the 3rd day of December, 1963.

MASHBURN & OWENS

BY:

*J. Mashburn Owens, Jr.*  
Attorneys for plaintiff

FILED

DEC 2 1963

W. J. DUCK, CLERK  
REGISTER

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS

Defendant

and

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

DAN ALLEN, SUSIE ALLEN,  
RANCHERS LIFE INSURANCE COM-  
PANY, a Corporation and THE  
BANNER CORPORATION, a Corpora-  
tion

Defendants

and

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

MINNIE JOHNSON, as the Adminis-  
tratrix of the Estate of  
Melissa Hale, MARIE HALE,  
EUGENE HALE, EARL HALE, GENE  
HALE, LEROY HALE, MARY L.  
SMITH, WILLIE ADAMS, AUBREY  
SMITH, SELENA D. SMITH, FRED  
BYRD AND COLUMBUS BYRD

Defendants

and

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

JAMES M. WAGNER and ETOA  
WAGNER

Defendants

X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 5676

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 5678

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 5679

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW NO. 5677

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Petitioner

vs

LILLIAN HAWKINS WALLACE

Defendant

X

X

X

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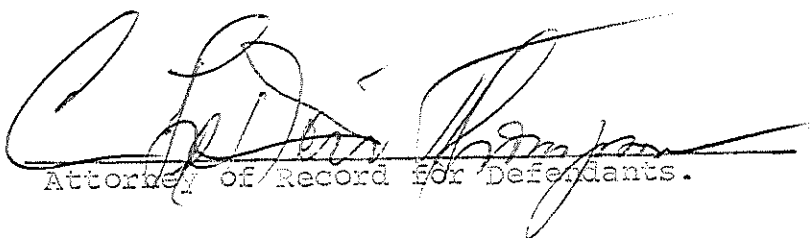
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 5680

I, C. LeNoir Thompson, Attorney at Law, of Record in the above  
styled causes hereby acknowledge myself security for costs in the  
foregoing appeal.

  
Attorney of Record for Defendants.

FILED

DEC 3 1963

W. L. DUCK, CLERK  
REGISTER

THE STATE OF ALABAMA  
Baldwin County - Circuit Court

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the \_\_\_\_\_  
19th day of September, 1963 ~~Monday~~, 196\_\_\_\_, in a cer-  
tain cause in said Court wherein The Housing Authority of the City of Bay Minette, Ala.  
Plaintiff, and Albert A. Thomas, also known as Alberta  
Thomas et al Defendant, a judgement was rendered against said  
Albert A. Thomas, also known as Alberta Thomas et al  
to reverse which Judgment, the said Albert A. Thomas, also known as  
Alberta Thomas, et al

applied for and obtained from this office an APPEAL, returnable to the \_\_\_\_\_ next  
Term of our Supreme Court of the State of Alabama, to be held at Montgomery, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_ next, and the necessary bond  
having been given by the said C. LeN oir Thompson, Attorney of record for defendants  
with \_\_\_\_\_, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said The Housing Authority  
of the City of Bay Minette, Ala. or Mashburn & Owen  
\_\_\_\_\_, attorney, to appear at the \_\_\_\_\_ next Term of our  
said Supreme Court, to defend against the said Appeal, if \_\_\_\_\_ they \_\_\_\_\_ think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this 3rd  
day of \_\_\_\_\_ December, A. D., 196\_3\_.

Attest:

Alice J. Duck, Clerk.



Received 3 day of Dec. 1963  
d on 4 day of Dec. 1963  
served a copy of the within Citation  
Conner J. Owens

service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By W. G. Talbot S.  
om 1

5676  
**CIRCUIT COURT**  
**Baldwin County, Alabama**

*The Housing Authority  
of the City of Bay  
Minette, Ala.*

**Vs. { Citation in Appeal**

*Albert A. Thomas  
aka Alberta A. Thomas*

Issued \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_\_,  
\_\_\_\_\_

No. \_\_\_\_\_

THE STATE OF ALABAMA

Baldwin County.

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, in and for said State and County, hereby certify that the foregoing pages numbered from one to \_\_\_\_\_, both inclusive, contain a full, true and complete transcript of the record and proceedings of said Court in a certain cause lately therein pending wherein \_\_\_\_\_

The Housing Authority of the City of Bay Minette, Alabama was plaintiff, and Albert A. Thomas, also known as Alberta Thomas, et al

was Defendant, as fully and completely as the same appears of record in said Court.

And I further certify that the said Albert A. Thomas, also known as Alberta Thomas, et al did on the 3rd day of November, 19 63, pray for and obtain an appeal from the judgment of said Court to the Supreme Court of Alabama to reverse said judgment of said Court upon entering into bond with C. LeNoir Thompson as surety thereon, which said bond has been approved by me.

Witness my hand and the seal of said Circuit Court of Baldwin County is hereto affixed, this the 3rd day of December, 19 63

Alice J. Duck  
Clerk of the Circuit Court of  
Baldwin County, Alabama.

(Code 1940, Title 7, Sec. 767)

ALBERT A. THOMAS, also known  
as ALBERTA THOMAS

Appellant

vs

THE HOUSING AUTHORITY OF THE  
CITY OF BAY MINETTE, ALABAMA

Appellee

IN THE SUPREME COURT OF  
ALABAMA

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County,  
Alabama, do hereby certify that the transcript of testimony in the  
above styled cause was established and filed with me as Clerk of  
the Circuit Court of Baldwin County, Alabama, on January 31, 1964.

Given under my official hand and seal this 12th day of February,  
1964.

Alice J. Duck  
Alice J. Duck,  
Clerk of the Circuit Court  
Baldwin County, Alabama