

STATE OF ALABAMA
BALDWIN COUNTY

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commaned to summon John Howard York to appear and plead, answer or demur, within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by B. F. Bryant, doing business as Bryant Electric Company, as Complainant, and John Howard York, as Respondent.

Witness my hand this 2nd day of November, 1946.

R. S. Hunk
Register
By Alvin J. Hunk
D.R.

B. F. BRYANT,
Doing business as Bryant
Electric Company.

Complainant

-vs-

JOHN HOWARD YORK,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Comes the Complainant and files this his Bill of
Complaint and shows unto your Honor and unto this Court as follows:

FIRST:

That your Complainant, who is an individual doing
business under the firm name and style of Bryant Electric Company,
is a resident citizen of Baldwin County, Alabama and is over the
age of twenty-one years; that the Respondent, John Howard York is
a resident citizen of Baldwin County, Alabama and is over the age
of twenty-one years.

SECOND:

That one to-wit; August 15, 1946 the Complainant
entered into a contract with the Respondent to furnish labor and
materials to wire the house standing on the hereinafter described
property for electrical purposes at and for the sum of \$85.00;
that at the time of entering into such contract the Respondent was
the owner of the building and the following described land upon
which said building was situated, located in Baldwin County, Alabama
to-wit:

That parcel of land upon which the house
of John Howard York is now situated, located
in Lot 1 of the Sam Bryant tract, Section
43, Township 1 North, Range 2 East which
said Lot 1 is more particularly described
as follows, to-wit; beginning at Southeast
corner of Steele Grant, Section 43, Town-
ship 1 North, Range 2 East running thence
North 7 Degrees East, 2445 feet, for a
beginning corner, thence North 7 Degrees
East 140 feet, to Northeast corner of Sam
Bryant tract, thence North 79 Degrees West
1070 feet, to Northwest corner of Sam Bryant
tract, thence South 4 Degrees, 30 minutes,
East, 186.3 feet, thence South 8 Degrees East,
1066 feet to place of beginning.

that in accordance with said contract the Complainant did furnish
such material and labor and did wire said building for electrical
purposes, and labor was performed in a proper manner and which

materials were of the kind agreed upon between the Complainant and the Respondent; that said material and labor were furnished on to-wit; August 15, 1946. That according to said contract the Respondent agreed to pay the Complainant the sum of \$85.00 for such labor and material, which amount he has failed and refused to pay and which indebtedness is still due and unpaid.

THIRD:

That on to-wit, October 5, 1946, and within four months from the time such labor and material were furnished by the Complainant to the Respondent, the Complainant filed in the office of the Judge of Probate of Baldwin County, Alabama, the County in which said building and tract of land was located, and on which this lien is sought to be established, a duly verified statement in writing, containing a just and true account of the debt secured by the materialman's lien, after allowing all just credits, said statement contains a description of the property on which said lien is claimed, and the name of the owner of said property, a copy of which statement is attached hereto, marked "Exhibit A" and made a part hereof.

PRAYER FOR PROCESS

To the end therefore, that equity can be had in the premises the Complainant prays that your Honor will cause the usual Writ of Process to be issued to John Howard York, in the usual form and according to the practice of this Honorable Court, requiring him to plead, answer or demur to the same within the time required by law and the practice of this Honorable Court.

PRAYER FOR RELIEF

Upon a final hearing of this cause, the Complainant prays that your Honor will establish his lien for labor and materials furnished the said John Howard York upon the property hereinabove described and will order and decree that the said John Howard York shall pay the Complainant the sum of \$85.00, with interest, from to-wit; August 15, 1946; that your Honor will also order and decree that if the said John Howard York shall fail to pay said sum of money within a time to be fixed by this Court, that the Register of this Court will be ordered and directed to sell the property herein

described at Public outcry; to the highest bidder for cash, after giving notice for such period of time and in the manner to be prescribed by this Court; and that such Register will be authorized and directed to execute a deed to the purchaser at said sale. Out of the money derived, the Register will be directed to pay the Complainant the sum to which he is entitled as fixed by this Honorable Court and to pay the Court cost accruing in this cause and the balance if any be paid over to the Respondent. Your Complainant prays for such other, further, different and general relief to which he may be entitled.



Solicitors for Complainant.

EXHIBIT A.

STATE OF ALABAMA

BALDWIN COUNTY.

B. F. BRYANT, doing business as Bryant Electric Company, files this statement in writing, under oath, having personal knowledge of the facts herein set forth:

That the said B. F. BRYANT claims a lien upon the following described property situated in Baldwin County, Alabama, to-wit: that parcel of land upon which the house of John Howard York is now situated, located in Lot 1 of the Sam Bryant tract, Section 43, Township 1 North, Range 2 East which said Lot 1 is more particularly described as follows, to-wit; beginning at Southeast corner of Steele Grant, Section 43, Township 1 North, Range 2 East, running thence North 7 Degrees East, 2445 feet, for a beginning corner, thence North 7 Degrees East 140 feet, to Northeast corner of Sam Bryant tract, thence North 79 Degrees West 1070 feet, to Northwest corner of Sam Bryant tract, thence South 4 Degrees, 30 minutes, East, 186.3 feet, thence South 8 Degrees East, 1066 feet to place of beginning.

This lien is claimed separately and severally as to both the building and improvements thereon, and the said land.

That said lien is claimed to secure an indebtedness of \$85.00, with interest, from to-wit; the 15th day of August, 1946, for materials and labor furnished for and used in connection with wiring the above mentioned building, all of which were furnished at the request of the owner.

The name of the owner of said property is John Howard York.

B. F. Bryant
Claimant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, John Chason, a notary public in and for said State and County, personally appeared B. F. Bryant, who being duly sworn doth depose and say: that he has knowledge of the facts set forth

in the foregoing statement of lien, and that the same are true
and correct to the best of his knowledge and belief.

B. F. Bryant
Affiant

Sworn to and subscribed before
me, this 4 day of October, 1946.

JOHN CHASON
Notary Public, Baldwin County
Alabama

State of Alabama, Baldwin County
Filed...Oct..5,.1946.....
Recorded .Ex.&.Lien book..3.page.33,

..W..R..Stuart.....
Judge of Probate.