

JIM HADLEY,

Plaintiff,

Vs.

COMPANY,  
LOUISVILLE & NASHVILLE RAILROAD,  
A CORPORATION,

Defendant.

NUMBER:

1198

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

C O U N T O N E.

The Plaintiff claims of the defendant the sum of \$125.00 dollars as damages, for that at the time hereinafter mentioned the defendant was a corporation duly organized under the laws of this State, and was owner of a certain railroad known as the Louisville & Nashville Railroad, together with the track, cars, locomotives, and other appurtenances thereto belonging.

That on, to-wit: the 28th day of June, A. D. 1948, the plaintiff was the owner and possessed One, Red, Mare horse, of the value of \$125.00, which horse casually, and without fault of said plaintiff, strayed in and upon the track and ground occupied by the railroad of the said defendant at, or near, Dyas, in Baldwin County, Alabama.

That the said defendant, by its agents and servants, acting within the line and scope of their employments, not regarding its duty in that respect, so carelessly and negligently ran and managed said locomotive and cars that the same ran against and over the said horse of the said plaintiff, and killed and destroyed the same, to the plaintiff's damage ONE HUNDRED AND TWENTY-FIVE (\$125.00) DOLLARS.

C. L. Noir Thompson  
Attorney for Plaintiff. *by J. M. Jr.*

NUMBER: 1198 RECORDED

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

AT LAW.

\*\*\*\*\*

JIM HADLEY,  
Plaintiff,

VS.

LOUISVILLE & NASHVILLE RAILROAD  
COMPANY, A CORPORATION,  
Defendant.

\*\*\*\*\*

COMPLAINT.

*Filed 6-28-48*  
*Alvin J. Wench*

TELFAIR J. MASHBURN, Jr.  
LAWYER  
Bay Minette, Alabama

Received in Sheriff's Office  
this 29 day of June, 1948  
TAYLOR WILKINS, Sheriff

and 6-29 1948  
serving copy of within Summons and  
Complaint to

*Mr. L. Horte*  
*As agent for L & N*  
*Railroad*

*Taylor Wilkins* Sheriff  
By *A. B. Willis* Deputy Sheriff

CECIL G. CHASON

ATTORNEY AT LAW

FOLEY, ALABAMA

9 August 1948

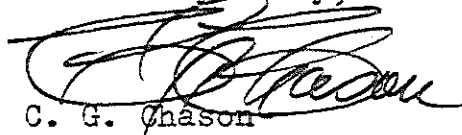
Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Dear Mrs. Duck:-

Enclosed herewith is a motion for judgment by default and a judgment which I believe to be in order. I do not believe that it will be necessary to issue execution or sale of the property as there is now a mortgage on the property to the State Bank of Elberta, who was not a proper party to this suit but who is willing to foreclose and pay this judgment.

Please transmit this information to Judge Hare.

Yours very truly,



C. G. Chason

CGC:lu  
Encl: 2

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. ....

..... TERM, 194....

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You Are Hereby Commanded to Summon

Louisville & Nashville Railroad  
a Corporation

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

Louisville & Nashville Railroad a corp, Defendant....

by

Jim Hadley, Plaintiff....

Witness my hand this 24<sup>th</sup> day of June 1948.

Alie J. Hirsch, Clerk.

1199

PILGRIM & SCHRIEBER, a partner- )  
ship, composed of Wm. Schrieber )  
and Jack Pilgrim, )

Plaintiffs, )

-vs-

H. C. BOISCLAIR,

Defendant. )

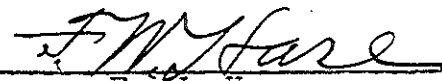
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE

This day came the plaintiffs, by their attorney, and on motion being made for a judgment by default against the said defendant, I find for the plaintiffs and assess their damages at One Thousand Five Hundred Twenty-six & 23/100 Dollars (\$1,526.23). I further find that the plaintiffs have a lien upon the property described in the complaint.

It is therefore considered, ordered and adjudged by the Court that the plaintiffs have and recover of the defendant the said sum of \$1,526.23, together with the cost in this behalf expended and for all of which execution may issue.

And it is further considered, ordered and adjudged by the Court that a lien be and the same is hereby declared and established in favor of the plaintiffs for work and labor done by the plaintiffs upon the building or improvements of which the defendant is the owner or proprietor, the same being situated upon Lots 3, 4, 14, 15, and the SW $\frac{1}{2}$  of Lots 18 and 19 as formed by the extension of the East line of Lot 3 to the Northeast corner of Lot 15, all being in Block 22 of Perdido Beach, Alabama, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, and being a subdivision of Sections 18 and 19, Township 8 South, Range 6 East, and that said property be sold in satisfaction, pro tanto, of which judgment; and for the sale of which let writ of venditioni exponas issue. *This August 13<sup>th</sup> 1948*

  
F. W. Hare  
Judge of the Circuit Court

Filed 8-14-48  
Alice J. Clark

CECIL G. CHASON  
ATTORNEY AT LAW  
FOLEY, ALABAMA

PILGRIM & SCHRIEBER, a partner-  
ship, composed of Wm. Schrieber  
and Jack Pilgrim,

Plaintiff,

-vs-

H. C. BOISCLAIR,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
LAW SIDE

More than thirty days having elapsed since service of summons and complaint upon the defendant perfected on him as required by law and defendant having failed to plead, answer or demur thereto within the time as required by law, motion is hereby made for a judgment by default against said defendant.

  
Attorney for Plaintiffs

RECORDED

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MOTION FOR JUDGMENT BY  
DEFAULT

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PILGRIM & SCHRIEBER, a partnership  
composed of Wm. Schrieber and Jack  
Pilgrim,

Plaintiffs,

-VS-

H. C. BOISCLAIR,

Defendant.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
LAW SIDE

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*Filed 8-11-48  
Wing, Clerk*

CECIL G. CHASON  
ATTORNEY AT LAW  
FOLEY, ALABAMA



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 H. C. Boisclair 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 the same, then and there to answer the complaint of Pilgrim & Schrieber, a partnership composed of Wm. Schrieber and Jack Pilgrim.

WITNESS my hand this 29<sup>th</sup> day of June, 1948.

*Reese J. Luck*  
Clerk

COMPLAINT

PILGRIM & SCHRIEBER, a partnership, composed of Wm. Schrieber and Jack Pilgrim,

Plaintiff,

-vs-

H. C. BOISCLAIR,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
LAW SIDE

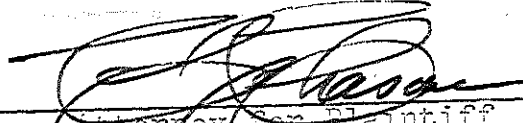
COUNT I

The Plaintiff claims of the Defendant One Thousand Five Hundred Twenty-Six & 23/100 Dollars (\$1,526.23) with the interest thereon which is past due and unpaid. Plaintiff avers that said account represents building materials and/or labor furnished by the Plaintiff under contract with the Defendant which was furnished for and which was used in the construction of improvements on certain real estate of the Defendant, the land being described as follows, viz:-

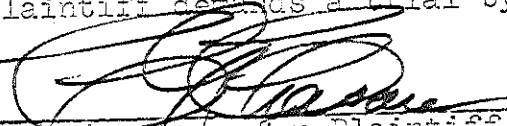
Lots 3, 4, 14, 15 and the SW<sup>1</sup>/<sub>2</sub> of Lots 18 and 19 as formed by the extension of the East line of Lot 3 to the Northeast corner of Lot 15, all being in Block 22 of Perdido Beach, Alabama, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, and being a subdivision of Sections 18 and 19, Township 8 South, Range 6 East.

The Plaintiff claims a lien on the real estate as provided for Mechanic's and Materialmen by law and Plaintiff further avers that on March 29, 1948, the Plaintiff filed in the Probate Office of

Baldwin County, Alabama, a claim of lien, a copy of which is attached hereto as Exhibit "A" and made a part hereof, and Plaintiff prays that said lien may be established and that said real estate be condemned for the satisfaction of said indebtedness and that the same be ordered sold to satisfy said indebtedness.

  
Attorney for Plaintiff

Plaintiff demands a trial by jury

  
Attorney for Plaintiff

Defendant's address is believed to be H. C. Boisclair, American Life Building, Birmingham 3, Ala.

# EXHIBIT "A"

STATE OF ALABAMA

BALDWIN COUNTY

William J. Schrieber, partner of Pilgrim & Schrieber, contractors and carpenters, are the owners of the claim hereinafter shown, having personal knowledge of the facts herein set out, states under oath as follows:

That the said partnership of Pilgrim & Schrieber, contractors and carpenters, claim a lien upon the following described property situated in Baldwin County, Alabama, being described as follows:-

Lots 3, 4, 14, 15 and the SW<sup>1</sup>/<sub>4</sub> of Lots 18 and 19 as formed by the extension of the East line of lot 3 to the Northeast corner of lot 15, all being in Block 22 of Perdido Beach, Alabama, according to a plat thereof recorded in the office of the Judge of Probate of Baldwin County, Alabama, and being a subdivision of Sections 18 and 19, Township 2 South, Range 6 East.

The above described property is not within the corporate limits of any municipality.

This lien is claimed separately and severally as to both the land and the buildings and improvements thereon; said lien is claimed to secure the indebtedness of One Thousand Five Hundred Twenty-Six & 23/100 Dollars (\$1,526.23) with interest from to-wit: January 1, 1948, for work done and materials furnished in the construction of a house on the property above described as per contract and agreement; the following being an itemized list of materials furnished for which payment has not been made.

194	lbs. Nails	\$ 2.00
125	lbs. Nails	10.20
15	Rolls Roofing	29.88
2	Mops	1.30
3	Rolls Roofing	5.97
1	Gallon Turpentine	1.30
1	" Oil	3.00
2	" Paint	11.41
3	" Paint	16.88
1	" Oil	3.01
2	Junction Boxes	.80
674	feet 12-2 Romex	50.55
45	feet 12-2 Romex	8.08
126	Pieces 2 x 6 Lumber	198.40
1/2	Yard Sand	2.25
3050	# Gravel	4.74
6	Sacks Cement	6.00
4	Pieces Glass 12 x 16 D.S.	2.30
6	" 2 x 8 - 14 S4S	6.96
3	" 2 x 8 - 16 "	5.12
3	" 2 x 8 - 18 "	5.76
4	" 2 x 8 - 14 "	4.48
2	" 2 x 8 - 18 "	2.28

2	Pieces 2 x 8 - 16	\$46	\$	2.58
2	" 2 x 8 - 8	"		1.46
2	" 2 x 8 - 14	"		-----
5	" 2 x 8 - 16	"		-----
1	" 2 x 8 - 18	"		11.34
1	" 2 x 8 - 18	"		10.85
100	lin ft. 2 x 8 S48			2.55
25	# 8 d/ Com Nails			61.44
40	Pieces 4 x 8 Sheetrock			3.00
50	lbs. 16 d/ Nails			3.00
20	" 8 d/ Calv. Nails			1.20
10	" 6 d/ Finish Nails			1.20
10	" 8 d/ "			27.84
18	Pieces 2 x 8 - 18	\$46		.85
1	3" 1/4 Bend			.99
5	lbs. Lead			.07
1/4	lb. Oakum			2.12
4'	3" Soil Pipe			17.56
39'	2" Pipe			2.31
3	2" Couplings			19.17
1	2" Wall Point #177 60 Ga.			.37
1	1 1/2" Coupling			.32
1	1 1/2" Nipple			.37
1	1 1/2" Reducer			.24
1	1 1/2" Nipple			.39
1	1 1/2" Reducer			3.80
1	3/4" Foot Valve			3.15
21'	3/4" Pipe			2.40
4	3" 1/4 Bends			.55
1	2" 1/8 Bends			2.70
2	2" P. Traps			2.60
2	3x2" Y			.85
1	3" Tap Tee			1.60
2	3" Clean outs			1.50
2	3" 1.8 Bends			2.60
2	3" Y			2.60
2	3" Tees			1.15
1	3" Long Sweep			14.85
45	lb. Lead			2.00
8	lb. Oakum			45.85
65'	3" Soil Pipe			.72
2	1 1/2" Bushings			10.20
20'	2" Soil Pipe			5.40
10	3/4" Tees c			.81
3	3/4" Ells			.65
5	3/4" Plugs			1.65
5	1/2" Tees c			2.16
9	1/2" Ells			3.22
14	1/2" Adaptors			2.03
7	1/2" Ells c			.50
3	1/2" Plugs			42.09
122'	3/4" Pipe c			27.20
111'	1/2" Pipe c			1.70
10	1/2" Nipples			1.65
11	1/2" Caps			.30
1	1/3" St. Ell			.92
2	3/4 x 1/2" Tees			2.22
6	3/4" Ells ci			1.30
5	3/4" Adaptors			.66
3	1/2" Ells			773.68
	Labor			

The name of the owner of said property and the proprietor is

H. C. Boisclair.

PILGRIM & SCHREIBER

BY

Before me, Cecil G. Chason, a Notary Public in and for said County in said State, personally appeared William J. Schrieber, partner of the partnership of Pilgrim & Schrieber, who being duly sworn, deposes and says that he has personal 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.

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Affiant

Sworn to and subscribed before me, a Notary Public, on this the \_\_\_\_ day of March, 1948.

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Notary Public, Baldwin County  
State of Alabama

no 1199

RECORDED

SUMMONS AND COMPLAINT

Received in Sheriff's Office  
this 29 day of June, 1948  
TAYLOR WILKINS, Sheriff

EXECUTED this 2  
day of July 1948  
by leaving a copy of the within with

H.C. Boisclair

HOLT A. McDOWELL, Sheriff,  
Jefferson County, Alabama

By W. H. H. H. D. S.

PILGRIM & SCHRIEBER, a partner-  
ship, composed of Wm. Schrieber  
and Jack Pilgrim,

Plaintiff,

-VS-

H. C. BOISCLAIR,

Defendant.

110 Ridge Rd

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE

43838

Filed  
6-29-48  
Alice J. Wuck  
clerk

CECIL G. CHASON  
ATTORNEY AT LAW  
FOLEY, ALABAMA

Hill