

MARY LEE McDAVID

PLAINTIFF

VS

FRANK E. YOUNG

DEFENDANT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO.

1886

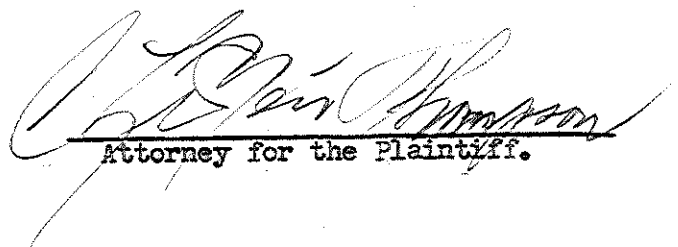
TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
AT LAW.

Now comes the Plaintiff in the above styled cause, Mary Lee McDavid,
and respectfully shows unto your Honors as follows:

ONE

That on, to-wit, November 4, 1952, she did file in the Circuit Court
of Baldwin County, Alabama, at law the complaint in the above styled
cause, and that on, to-wit, November 10, 1952, a copy of said complaint
was duly served on the Defendant, Frank E. Young, and the Plaintiff avers
that to date neither the Defendant, nor any person in his behalf has filed
any demurrers, plea or other answer to said complaint.

Therefore, the premises considered, the Plaintiff respectfully moves
that judgment by default be rendered against the defendant, Frank E. Young
under the authority of Title 7, Section 248 of the 1940 Code of Alabama,
and that a writ of inquiry be issued at the next jury term of this Honorable
Court.


Attorney for the Plaintiff.

STATE OF NEW YORK

FILED

DEFENDANT

FRANK E. YOUNG

VS

PLAINTIFF

MARY J. McDAVID

BART B. CHAMBERLAIN, JR.
ATTORNEY AT LAW
ANNEX FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

April 20, 1953

Honorable LeNoir Thompson
Attorney at Law
Bay Minette, Alabama

Re: Mary Lee McDavid v. Frank E. Young

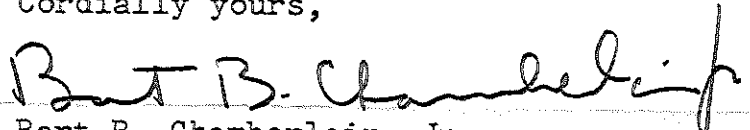
Dear Sir:

This is to confirm our long distance telephone conversation of this date about the above matter which is now pending in the Circuit Court of your County, law side.

The understanding referred to is that on behalf of the defendant, Frank E. Young, whom I represent, and with full authority from him, I consent to the entering of a judgment in behalf of the plaintiff in the sum of \$800.00. I have also consented to the withdrawing by you of the demand for a trial by Jury, this for the purpose of minimizing the costs of court.

When you have taken action on this, your advices by letter will be appreciated.

Cordially yours,


Bart B. Chamberlain, Jr.

BBC, jr.

ljc

cc: Mr. Frank E. Young
3002 Springhill Avenue
Mobile, Alabama

MARY LEE McDAVID

PLAINTIFF

VS

FRANK E. YOUNG

DEFENDANT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO.

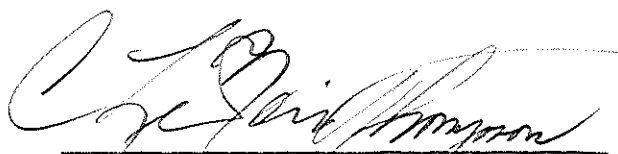
TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
AT LAW.

Now comes the Plaintiff in the above styled cause, Mary Lee McDavid,
and respectfully shows unto your Honors as follows:

ONE

That on, to-wit, November 4, 1952, she did file in the Circuit Court
of Baldwin County, Alabama, at law the complaint in the above styled
cause, and that on, to-wit, November 10, 1952, a copy of said complaint
was duly served on the Defendant, Frank E. Young, and the Plaintiff avers
that to date neither the Defendant, nor any person in his behalf has filed
any demurrers, plea or other answer to said complaint.

Therefore, the premises considered, the Plaintiff respectfully moves
that judgment by default be rendered against the defendant, Frank E. Young
under the authority of Title 7, Section 248 of the 1940 Code of Alabama,
and that a writ of inquiry be issued at the next jury term of this Honorable
Court.


Attorney for the Plaintiff.

1884

RECORDED

MARY LEE McDAVID

PLAINTIFF

VS

FRANK E. YOUNG

DEFENDANT

FILED

EDICE L. DICK, Clerk

BART B. CHAMBERLAIN, JR.
ATTORNEY AT LAW
ANNEX FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

December 5, 1952

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

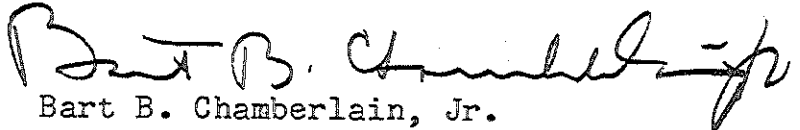
Re: Mary Lee McDavid v. Frank Young
No. 1886.

Dear Mrs. Duck:

I enclose herewith an appearance which I desire to
file in the above matter on behalf of the defendant,
Frank Young.

Thanking you, I am

Very truly yours,


Bart B. Chamberlain, Jr.

BBC ,jr.
ljc
encl.

MARY LEE McDAVID,

Plaintiff,

vs.

FRANK YOUNG,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW. NO. 1886.

Comes the defendant in the above entitled cause,
Frank Young, and reserves the right to answer, plead
or demur specially.


Attorney for the Defendant.

RECORDED

FILED

DEC 6 1952

ALICE J. DUCK, Clerk

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[Handwritten signature]

SUMMONS AND COMPLAINT

STATE OF ALABAMA X

BALDWIN COUNTY X

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon FRANK YOUNG 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 MARY LEE McDAVID.

Witness my hand, this 4th day of Nov, 1952.

Reinald. Hensch
CLERK

MARY LEE McDAVID,

Plaintiff,

VS.

FRANK YOUNG,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. _____.

COUNT ONE: The Plaintiff claims of the Defendant the sum of THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS for this, that on to-wit, August 11, 1952, Frank Young acting by and through his agents, servants or employees, whose names are to the Plaintiff unknown, did enter upon that certain land described as follows: Lots One (1) and Two (2) of the Deere Subdivision according to the plat thereof recorded in the Office of the Judge of Probate Baldwin County, Alabama; the same lying in the Durnford Grant, Section 42, Township 5 South, Range 2 East, the same lying and being in Baldwin County, Alabama; and did willfully and knowingly cut down and destroy the following number of trees and saplings belonging to the Plaintiff, to-wit: 74 pine trees and 60 saplings of that kind; 65 poplar trees and 51 saplings of that kind; 47 gum trees and 39 saplings of that kind; 72 bay trees and 42 saplings of that kind, without the consent of the owner of said premises, and the Plaintiff avers that at the time of the cutting of said trees and saplings, the Plaintiff had legal title to and was in possession of the premises.

COUNT TWO: The Plaintiff claims of the Defendant the sum of THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS for this, that on to-wit, the 11th day of August, 1952, Frank Young and others whose names are to the Plaintiff unknown, did enter upon that certain land described as follows: Lots One (1) and Two (2) of the Deere

Subdivision according to the plat thereof recorded in the Office of the Judge of Probate Baldwin County, Alabama; the same lying in the Durnford Grant, Section 42, Township 5 South, Range 2 East, the same lying and being in Baldwin County, Alabama; and did willfully and knowingly cut down and destroy the following number of trees and saplings belonging to the Plaintiff, to-wit: 74 pine trees and 60 saplings of that kind; 65 popular trees and 51 saplings of that kind; 47 gum trees and 39 saplings of that kind; 72 bay trees and 42 saplings of that kind, without the consent of the owner of said premises, and the Plaintiff avers that at the time of the cutting of said trees and saplings, the Plaintiff had legal title to and was in possession of the premises.

COUNT THREE: The Plaintiff claims of the Defendant the sum of THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS for this, that on to-wit, the 11th day of August, 1952, the Defendant or others by his authority and direction, did enter upon that certain land described as follows: Lots One (1) and Two (2) of the Deere Subdivision according to the plat thereof recorded in the Office of the Judge of Probate Baldwin County, Alabama; the same lying in the Durnford Grant, Section 42, Township 5 South, Range 2 East, the same lying and being in Baldwin County, Alabama; and did willfully and knowingly cut down and destroy the following number of trees and saplings belonging to the Plaintiff, to-wit: 74 pine trees and 60 saplings of that kind; 65 popular trees and 51 saplings of that kind; 47 gum trees and 39 saplings of that kind; 72 bay trees and 42 saplings of that kind, without the consent of the owner of said premises, and the Plaintiff avers that at the time of the cutting of said trees and saplings, the Plaintiff had legal title to and was in possession of the premises.

COUNT FOUR: The Plaintiff claims of the Defendant THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS damages for trespass by the Defendant on the following tract of land, viz: Lots One (1) and Two (2) of the Deere Subdivision according to the plat thereof recorded in the Office of the Judge of Probate Baldwin County, Alabama; the same lying in the Durnford Grant, Section 42, Township 5 South, Range 2 East, the same lying and being in Baldwin County, Alabama; belonging to Mary Lee McDavid, Plaintiff, and for cutting the timber on to-wit: the 11th day of August, 1952.

COUNT FIVE: The Plaintiff claims of the Defendant THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS damages for trespass by the Defendant acting by and through another, whose name is to the Plaintiff unknown on the following tract of land, viz: Lots One (1) and Two (2) of the Deere Subdivision according to the plat thereof recorded in the Office of the Judge of Probate Baldwin County, Alabama; the same lying in the

Durnford Grant, Section 42, Township 5 South, Range 2 East, the same lying and being in Baldwin County, Alabama; belonging to Mary Lee McDavid, Plaintiff, and for cutting the timber on to-wit: the 11th day of August, 1952.

COUNT SIX: The Plaintiff claims of the Defendant THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS, as damages for trespass by the Defendant or others by his authority and direction on the following tract of land, viz: Lots One (1) and Two (2) of the Deere Subdivision according to the plat thereof recorded in the Office of the Judge of Probate Baldwin County, Alabama; the same lying in the Durnford Grant, Section 42, Township 5 South, Range 2 East, the same lying and being in Baldwin County, Alabama; belonging to Mary Lee Mc David, Plaintiff, and for cutting the timber on to-wit: the 11th day of August, 1952.

COUNT SEVEN: The Plaintiff claims of the Defendant THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS damages for that, the servants, agents or employees of the Defendant, while acting within the line and scope of their employment, did trespass on the following tract of land, viz: Lots One (1) and Two (2) of the Deere Subdivision according to the plat thereof recorded in the Office of the Judge of Probate Baldwin County, Alabama; the same lying in the Durnford Grant, Section 42, Township 5 South, Range 2 East, the same lying and being in Baldwin County, Alabama; belonging to Mary Lee McDavid, Plaintiff, and for cutting the timber on to-wit: the 11th day of August, 1952.

COUNT EIGHT: The Plaintiff claims of the Defendant THIRTY-FIVE HUNDRED (\$3500.00) DOLLARS damages for the conversion by him on, to-wit: August 11, 1952, of the following chattels: 450 trees and saplings, standing timber, of pine, popular and other hardwood trees, the property of the Plaintiff.

G. LeNoir Thompson
G. LeNoir Thompson

Tolbert M. Brantley
Tolbert M. Brantley, Attorneys for Plaintiff.

Plaintiff demands trial by jury.

Tolbert M. Brantley
Attorney for Plaintiff.

720 1886
SUMMONS AND COMPLAINT

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MARY LEE McDAVID,

Plaintiff, **CORDED**

VS.

FRANK YOUNG,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW

CASE NO. _____

FILED 11-14-52

CLERK

W. H. Holcombe

RECEIVED
NOV 8 1952

Received 6th Day of November 1952
and on 10th Day of November 1952
I served a copy of the within
on Frank Young
by service on _____

W. H. HOLCOMBE, Sheriff

By *W. H. Ferguson* D.S.

Received in Sheriff's Office
this 5 day of November 1952
FAYLON WILLIAMS, Sheriff