

LAW OFFICES

E. G. RICKARBY

BANK BUILDING

FAIRHOPE, ALABAMA

July 15, 1958

P. O. BOX 71

3628

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

Dear Mrs. Duck:

Inre: PonderCo.  
Vs : John P. Sweeney  
Our File: 4428

With this we are handing you suit of Ponder versus  
Sweeney.

Please process and oblige.

Yours very truly,

*E. G. Rickarby*

EGR/sl

encl: Letter  
Complaint  
Summons

cc: J. M. Ponder Co.

LAW OFFICES  
**E. G. RICKARBY**  
BANK BUILDING  
FAIRHOPE, ALABAMA  
July 15, 1958

P. O. BOX 71

Honorable Taylor Wilkins  
Sheriff of Baldwin County  
Bay Minette, Alabama

Dear Taylor:

Inre: Ponder Company  
Vs : John P. Sweeney  
Our File: 4428

Mrs. Duck is handing you Summons and Complaint in this case. Colonel and Mrs. Sweeney live on Seminole Street, Fairhope, Alabama.

Thanks.

Yours very truly,



EGR/sl

cc: Ponder Company

J. M. PONDER d/b/a/  
THE PONDER COMPANY

Plaintiff

-VS-

JOHN P. SWEENEY and MRS.  
JOHN P. SWEENEY,

Defendants

I  
I  
I  
I  
I  
I

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

C O M P L A I N T

COUNT I

The Plaintiff claims of the defendants ONE HUNDRED, EIGHTY SIX AND NINTY-SIX ONE-HUNDREDTHS DOLLARS (\$186.96) due from them by account on to-wit: the 26th day of February, 1958, which sum of money with the interest thereon, is still unpaid. Plaintiff avers that said account represents labor and materials furnished by the Plaintiff under an agreement with the defendant, which was furnished for and which was used in improving and beautifying said property of the defendants which property is described as;

Lots 26 and 27 in Block 16, Volanta Subdivision, map of which is recorded in Map Book 1, page 341, of the Probate Records of Baldwin County, Alabama.

Said property being in Baldwin County, Alabama.

And plaintiff claims a lien on said real estate of the defendants as provided for mechanics and materialmen by law and plaintiff further avers that on the 29th day of April, 1958, the plaintiff filed in the Probate Office of Baldwin County, Alabama, a claim of lien, 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 same be ordered sold to satisfy said indebtedness.

  
Attorney for the Plaintiff

Note: The account sued on is evidenced by a verified and itemized statement filed herewith.

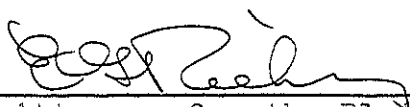
  
Attorney for the Plaintiff

EXHIBIT "A"

STATE OF ALABAMA  
BALDWIN COUNTY

J. M. PONDER doing business as THE PONDER COMPANY files this statement in writing, verified by the oath of J. M. PONDER, who has personal knowledge of the facts herein set forth:

That said J. M. PONDER claims a lien on the following property situated in Fairhope, Baldwin County, Alabama, to-wit:

Lots 26 and 27 in Block 16, Volanta subdivision, map of which is recorded in Map Book 1, page 341, of the Probate Records of Baldwin County, Alabama.

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

That said lien is claimed to secure an indebtedness of ONE HUNDRED, EIGHTY-SIX AND NINETY-SIX ONE HUNDREDTHS DOLLARS (\$186.96) with interest, from to-wit, the 26th day of February, 1958, for labor and materials furnished in improving and beautifying said property. The name of the owner or proprietor of said property is JOHN P. SWEENEY and MRS. JOHN P. SWEENEY.

The Ponder Company by-

J. M. Ponder,  
J. M. Ponder, Claimant

Before me, E. G. RICKARBY, a Notary Public in and for the county of Baldwin, State of Alabama, personally appeared J. M. PONDER who being duly sworn, doth depose and say; 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.

J. M. Ponder  
Affiant

Sworn to and subscribed before me this the 26th day of April, 1958, by said affiant.

E. G. Rickarby  
E. G. Rickarby, Attorney

E. G. Rickarby  
Notary Public

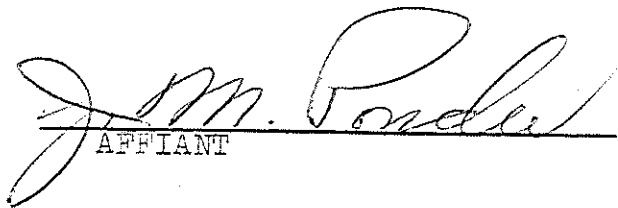
Recorded in Lien Book 5, Page  
275, on 4-29-58 at 8:00 A. M.

Verification for Statement of Account

STATE OF ALABAMA

BALDWIN COUNTY.

Before me, the undersigned Notary Public, personally appeared J. M. PONDER, who, being duly sworn, deposes and says that he is owner of THE PONDER COMPANY and the owner of the attached account and that the attached account is correct statement of account between J. M. PONDER d/b/a/ THE PONDER COMPANY, and JOHN P. SWEENEY and MRS. JOHN P. SWEENEY, and that there is owing from the said JOHN P. SWEENEY and MRS. JOHN P. SWEENEY, THE SUM OF ONE HUNDRED, EIGHTY-SIX AND 96/100- (\$186.96), with interest from February 26, 1958.

  
AFFIANT

Subscribed and sworn to before me on this the 15  
day of July, 1958.

  
Notary Public, Baldwin County, Ala.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, {

Baldwin County.

Circuit Court, Baldwin County.

No.-----

-----TERM, 1958

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOHN P. SWEENEY and MRS. MOHN P.

SWEENEY

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 JOHN P.

SWEENEY and MRS. JOHN P. SWEENEY, Defendant.

by J. M. PONDER d/b/a/ THE PONDER COMPANY

-----, Plaintiff.

Witness my hand this 31 day of July 1958

Reice J. Welch Clerk

J. M. PONDER d/b/a/  
THE PONDER COMPANY

Plaintiff

-VS-

JOHN P. SWEENEY and MRS.  
JOHN P. SWEENEY,

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

C O M P L A I N T

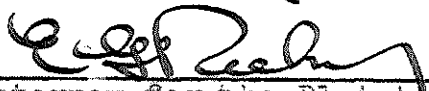
COUNT I

The Plaintiff claims of the defendants ONE HUNDRED, EIGHTY SIX AND NINTY-SIX ONE-HUNDREDTHS DOLLARS (\$186.96) due from them by account on to-wit: the 26th day of February, 1958, which sum of money with the interest thereon, is still unpaid. Plaintiff avers that said account represents labor and materials furnished by the Plaintiff under an agreement with the defendant, which was furnished for and which was used in improving and beautifying said property of the defendants which property is described as;

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Said property being in Baldwin County, Alabama.

And plaintiff claims a lien on said real estate of the defendants as provided for mechanics and materialmen by law and plaintiff further avers that on the 29th day of April, 1958, the plaintiff filed in the Probate Office of Baldwin County, Alabama, a chain of lien, 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 same be ordered sold to satisfy said indebtedness.

  
Attorney for the Plaintiff

Note: The account sued on is evidenced by a verified and itemized statement filed herewith.

  
Attorney for the Plaintiff

EXHIBIT "A"

STATE OF ALABAMA  
BALDWIN COUNTY

J. M. PONDER doing business as THE PONDER COMPANY files this statement in writing, verified by the oath of J. M. PONDER, who has personal knowledge of the facts herein set forth:

That said J. M. PONDER claims a lien on the following property situated in Fairhope, Baldwin County, Alabama, to-wit:

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That said lien is claimed to secure an indebtedness of ONE HUNDRED, EIGHTY-SIX AND NINETY-SIX ONE HUNDREDTHS DOLLARS (\$186.96) with interest, from to-wit, the 26th day of February, 1958, for labor and materials furnished in improving and beautifying said property. The name of the owner or proprietor of said property is JOHN P. SWEENEY and MRS. JOHN P. SWEENEY.

The Ponder Company by-

J. M. Ponder,  
J. M. Ponder, Claimant

Before me, E. G. RICKARBY, a Notary Public in and for the county of Baldwin, State of Alabama, personally appeared J. M. PONDER who being duly sworn, doth depose and say; 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.

J. M. Ponder  
Affiant

Sworn to and subscribed before me this the 26th day of April, 1958, by said affiant.

E. G. Rickarby  
E. G. Rickarby, Attorney

E. G. Rickarby  
Notary Public

Recorded in Map Book 5, Page  
279, on 4-29-58 at 8:00 A. M.



SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

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

TERM, 1958

TO ANY SHERIFF OF THE STATE OF ALABAMA:

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SWEENEY

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SWEENEY and MRS. JOHN P. SWEENEY, Defendant

by J. M. PONDER d/b/a/ THE PONDER COMPANY

Plaintiff

Witness my hand this

31

day of

1958

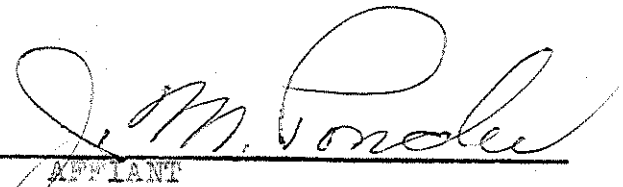
Clerk

Verification for Statement of Account

STATE OF ALABAMA

BALDWIN COUNTY.

Before me, the undersigned Notary Public, personally appeared J. M. PONDER, who, being duly sworn, deposes and says that he is owner of THE PONDER COMPANY and the owner of the attached account and that the attached account is correct statement of account between J. M. PONDER d/b/a/ THE PONDER COMPANY, and JOHN P. SWEENEY and MRS. JOHN P. SWEENEY, and that there is owing from the said JOHN P. SWEENEY and MRS. JOHN P. SWEENEY, THE SUM OF ONE HUNDRED, EIGHTY-SIX AND 96/100- (\$186.96), with interest from February 26, 1958.

  
AFFLIANT

Subscribed and sworn to before me on this the 15  
day of July, 1958.

  
Notary Public, Baldwin County, Ala.

J. M. PONDER d/b/a/  
THE PONDER COMPANY

Plaintiff

-VS-

JOHN P. SWEENEY and MRS.  
JOHN P. SWEENEY,

Defendants

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

C O M P L A I N T


COUNT I

The Plaintiff claims of the defendants ONE HUNDRED, EIGHTY SIX AND NINETY-SIX ONE-HUNDREDTHS DOLLARS (\$186.96) due from them by account on to-wit: the 26th day of February, 1958, which sum of money with the interest thereon, is still unpaid. Plaintiff avers that said account represents labor and materials furnished by the Plaintiff under an agreement with the defendant, which was furnished for and which was used in improving and beautifying said property of the defendants which property is described as;

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Attorney for the Plaintiff

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Attorney for the Plaintiff

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BALDWIN COUNTY

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The Ponder Company by-

J. M. Ponder,  
J. M. Ponder, Claimant

Before me, E. G. RICKARBY, a Notary Public in and for the county of Baldwin, State of Alabama, personally appeared J. M. PONDER who being duly sworn, doth depose and say; 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.

J. M. Ponder  
Affiant

Sworn to and subscribed before me this the 26th day of April, 1958, by said affiant.

E. G. Rickarby  
E. G. Rickarby, Attorney

E. G. Rickarby  
Notary Public

Recorded in Lien Book 5, Page  
275, on 4-29-58 at 8:00 A. M.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

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

\_\_\_\_\_ TERM, 1958

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SWEENEY

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the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against JOHN P.

SWEENEY and MRS. JOHN P. SWEENEY

\_\_\_\_\_, Defendant\_\_\_\_

by J. E. P. PONDER d/b/a/ THE PONDER COMPANY

\_\_\_\_\_, Plaintiff\_\_\_\_

Witness my hand this 31 day of July 1958

Wesley A. Duck, Clerk

Verification for Statement of Account

STATE OF ALABAMA

BALDWIN COUNTY.

Before me, the undersigned Notary Public, personally appeared J. M. PONDER, who, being duly sworn, deposes and says that he is owner of THE PONDER COMPANY and the owner of the attached account and that the attached account is correct statement of account between J. M. PONDER d/b/a/ THE PONDER COMPANY, and JOHN P. SWEENEY and MRS. JOHN P. SWEENEY, and that there is owing from the said JOHN P. SWEENEY and MRS. JOHN P. SWEENEY, THE SUM OF ONE HUNDRED, EIGHTY-SIX AND 96/100- (\$186.96), with interest from February 26, 1958.

FILED

JUL 31 1958

NOTARY PUBLIC

J. M. Ponder  
AFFIANT

Subscribed and sworn to before me

day of July, 1958.

E. S. Cochran  
Notary Public, Baldwin County, Ala.