

C I R C U I T   C O U R T .

STATE OF ALABAMA       X  
ESCAMBIA COUNTY       X

TO: ANY SHERIFF OF THE STATE OF ALABAMA,  
GREETINGS:

You are hereby commanded to summons Chester E. Strickland and Gussie J. Strickland to appear within thirty (30) days from the service of this writ in the Circuit Court of Baldwin County, Alabama, to be held for said county at the place of holding same, then and there to answer, plead or demur to the complaint of A. T. Kearley doing business as Kearley Home Supply Company.

Witness my hand, this 10 day of April, 1961.

Reice J. Strick  
CLERK.

C O M P L A I N T

A. T. KEARLEY doing business as  
KEARLEY HOME SUPPLY COMPANY,

PLAINTIFF.

vs.

CHESTER E. STRICKLAND AND  
GUSSIE J. STRICKLAND,

DEFENDANTS.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

NUMBER: 4675.

Plaintiff claims of defendants the sum of Eight Hundred and Forty Four and 92/100 (\$844.92) Dollars, with interest thereon from the 17th day of September, 1960, for labor and materials furnished and used by plaintiff under a contract made with defendants for furnishing and installing a water pump on the following propert, to-wit:

From the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 35, Township 2 South, Range 3 East, run East 494 feet to the point of beginning, run thence East 418 feet, thence North 150 feet, thence west 100 feet, thence North 83 feet, thence West 318 feet, thence South 233 feet to the point of beginning situated, lying and being in Baldwin County, Alabama.

And plaintiff avers that he is original contractor and he did furnish the labor and materials for installing the said water pump on the said property and all work and material pertaining to same; that Chester E. Strickland and Gussie J. Strickland, defendants, are the owners of said building and the land on which the same is located; that on the 20th

day of October, 1960, the indebtedness sued on accrued, and is claimed by plaintiff for such labor and materials furnished by plaintiff as original contractor. And plaintiff avers that within six months after the accrual of said indebtedness, and on, to-wit; the 17th day of November, 1960, plaintiff filed in the office of the Probate Judge of Baldwin County, Alabama, a statement in writing, verified by oath, as required by law, a copy of which is attached hereto, made a part hereof, and marked Exhibit "A". And plaintiff avers that no part of said debt has been paid, notwithstanding demand has been made for same. And plaintiff claims a lien for said amount on the property described in this complaint, and prays that the same be established and that said property be sold for the satisfaction of said lien.

HORNE, WEBB & TUCKER  
BY:

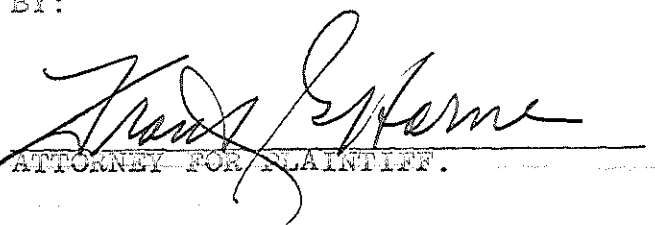
  
ATTORNEY FOR PLAINTIFF.

EXHIBIT "A"

STATE OF ALABAMA  
BALDWIN COUNTY

BOOK 005 PAGE 133

I certify that this instrument was filed on

NOV 17 1960 8:00 A

STATE OF ALABAMA X

BALDWIN COUNTY X

and that no tax was collected. Recorded in Ex Lib

Book 5  
Page 433 W. E. Stuart  
Judge of Probate

By m

A. T. Kearley files this statement in writing, verified by the oath of the said A. T. Kearley, who has personal knowledge of the facts herein set forth:

That said A. T. Kearley doing business as Kearley Home Supply Company claims a lien upon the following property, situated in Baldwin County, Alabama, to-wit:

From the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 35, Township 2 South, Range 3 East, run East 494 feet to the point of beginning, run thence East 418 feet, thence North 150 feet, thence west 100 feet, thence North 83 feet, thence West 318 feet, thence South 233 feet to the point of beginning.

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 Eight Hundred Forty-four and 92/100 (\$844.92) Dollars, with interest from to-wit, the 17th day of September, 1960, for a pump placed upon said premises by the said A. T. Kearley, doing business as Kearley Home Supply Company.

The name of the owner or proprietor of said property is Chester E. Strickland and Gussie J. Strickland.

A. T. Kearley  
Claimant.

Before me, Frank R. Hame, a Notary Public in and for the County of Escambia, State of Alabama, personally appeared A. T. Kearley, 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.

A. T. Kearley  
Affiant.

Sworn to and subscribed before me on this the 15 day of November, 1960.

No. 4675

A. J. Kearney, d/b/a  
Home Supply Co

vs

Chester Strickland  
Gussie Strickland.

Sheriff claims 20 miles at  
Ten Cents per mile Total \$ 2.00  
TAYLOR WILKINS, Sheriff  
BY Tolbert  
DEPUTY SHERIFF

Received 18 day of April 1961  
and on 18 day of April 1961  
I served a copy of the within  
on William S. Strickland &  
Gussie S. Strickland  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By A. J. Duck D. S.  
5 miles East of B.M.

FILED  
APR 10 1961  
ALICE J. DUCK, CLERK  
REGISTER

Law Offices of  
Horne, Webb & Tucker

Attorneys at Law

Atmore, Ala.

FRANK G. HORNE  
DOUGLAS S. WEBB  
J. R. TUCKER

TELEPHONE 49

April 8, 1961

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

Dear Mrs. Duck:

Find enclosed herewith original and two copies of Summons and Complaint we wish filed in the case of A. T. Kearley doing business as Kearley Home Supply Company, Plaintiff vs. Chester E. Strickland and Gussie J. Strickland, Defendants.

Please advise when service is perfected.

Very truly yours,

HORNE, WEBB & TUCKER

  
BY: Frank G. Horne *vje*

FGH/vje

Encl.

A. T. KEARLEY, d/b/a  
KEARLEY HOME SUPPLY COMPANY

IN THE CIRCUIT COURT

Complainant, ( <sup>BALDWIN</sup> OF MOBILE COUNTY, ALABAMA

-VS-

CHESTER E. STRICKLAND and  
GUSSIE J. STRICKLAND

AT LAW

Defendant. ) Case Number 4675

MOTION TO STAY

Comes the Defendant in the above styled cause, by and  
through his attorneys, <sup>WILLIAM M. CLARKE</sup> ~~CLARKE & HAAS~~, and shows unto this  
Honorable Court as follows:

That on, to-wit: the 4 day of November,  
1960, the said Defendant filed a petition under Chapter XIII  
of the Bankruptcy Act as amended, in the District Court of the  
United States for the South District, Southern Division, State  
of Alabama; that his wages and property, both presently and in  
the future, are under the jurisdiction and control of said  
District Court.

WHEREFORE, said Defendant moves this Honorable Court to  
stay and hold in abeyance all further matters in this proceed-  
ing.

WILLIAM M. CLARKE  
~~CLARKE & HAAS~~  
Attorneys for Defendant

FILED

MAY 8 1961

ALICE J. DUCK, CLERK  
REGISTER

By

William M. Clarke