

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA.

MADISON COUNTY and CITY            )  
OF HUNTSVILLE,                    )  
  )  
  ) Plaintiff,                            )  
  ) NUMBER 14431  
vs.                                        )  
  )  
STEPHEN BINFORD, et al,             )  
  ) Defendants.                        )  
  )

C A P T I O N

THE ABOVE ENTITLED CAUSE came on to be heard before the Hon. Ashford Todd, Presiding Judge, on the 11th day July, 1962, when the following proceedings, among others, were had and done:

A P P E A R A N C E S:

MR. PATRICK W. RICHARDSON of the firm of Bell, Moring, Richardson & Cleary, Hutchens Building, Huntsville, Alabama, appearing for the applicants.

MR. CHARLES YOUNGER, Huntsville, Alabama, appearing for the applicant.

MR. EVINS HAMM, Huntsville, Alabama, appearing for guardian ad litem for all unknown minor and incompetent parties defendant in the above numbered case.

ALSO PRESENT:

ODELL JOHNSON,

SAMUEL JOHN JONES,

ONNIE JONES, representing her father, ISHOM COLLIER

FRED JONES,

INOLA COLLIER,

EDDIE JOHNSON,

HENRY BINFORD, father of BOBBY BINFORD

BOBBY BINFORD,

EVA ELDRIDGE,

CHARLIE ELDRIDGE,

WILLIE JONES,

RUBEN PORTER,

ANNIE PORTER,

EVANGELINA SPILLMAN,

GWENDOLYN SMITH,

P R O C E E D I N G S:

THE COURT: Are there any of you who object to this proceedings, the proceedings here to condemn your property as described in this petition?

A VOICE: Judge, I would like to know why they are condemning it?

THE COURT: For the use of the University of Alabama for Research Center. I ask you specifically, is there any of you who object to having your property condemned in this proceeding?

A VOICE: Judge, I hate to be so silly, if you condemn it from us, it wouldn't be -- I thought when they condemn a thing, I mean, not used for anything, that is what I thought.

THE COURT: What is your name?

A VOICE: Eva Eldridge.

I thought, you know, we had a well that they condemned, and we couldn't drink out of it.

MR. RICHARDSON: That is a different kind of condemning.

EVA ELDRIDGE: You know, you never know until you ask, we all have to learn.

THE COURT: We assume those that object have expressed themselves then, we will proceed.

PATRICK W. RICHARDSON,

being first duly sworn, testifies as follows:

DIRECT EXAMINATION

Q (BY MR. YOUNGER:) Will you state your full name,

please?

A My name is Patrick W. Richardson.

Q Your occupation?

A Attorney at law.

Q Wheredo you practice, Mr. Richardson?

A In Madison County, City of Huntsville, Alabama.

Q Mr. Richardson, I ask you if you are familiar with resolutions passed by the Board of Commissioners of Madison County on the 21st day of May, 1962. I have here a resolution, would you examine it and state if that resolution describes the land that is proposed to be condemned in this case?

A It does, sir.

Q I have here a resolution 62-104 by Madison County and City of Huntsville, Alabama, and ask you to read it and tell me if that describes that proposed to be condemned?

A The exhibits describe it in both incidents, yes, sir.

Q Are you familiar with the land that is proposed to be condemned in this?

A I am.

Q Condemnation proceedings?

A I am.

Q Would you tell us generally where the land is at?

A Generally it lies in the southwest corner of Section 33, Township 3, Range 1 West on the west boundary of Section 4, Township 4 South Range 1 West, between the north boundary of Section 4 and the north margin of Southern Railway Company right-of-way, it contains nine and seven-tenths acres in the southwest corner of Section 33 and one tract of one and forty-three hundredths acres and another forty-three hundredths acre, a third of ninety-six one-hundredths of an acre, one-fourth an acre, and one-fifth an acre in one tract, one three point section 4.

Q Do you know, Mr. Richardson, the purpose for which it is proposed to be condemned, this property?

A I do, sir.

Q What?

A As stated by the Resolution adopted by the City Council and Board of Commissioners, the property is being acquired by those condemning authorities for donations of the University of Alabama to be used as a location for the Research Institute of Alabama.

Q In your judgment, Mr. Richardson, is this particular land necessary for this use?

A It is, sir. It was so designated because of its location of the University of Alabama, Huntsville Center.

Q What will the land be eventually used for?

A For the construction of various buildings to have the operation of the Research Institute of the University of Alabama.

MR. YOUNGER: Thank you, that is all.

MR. HAMM: I have no questions.

END OF HEARING

CERTIFICATE

STATE OF ALABAMA )

JEFFERSON COUNTY )

I hereby certify that the above and foregoing hearing was taken down by me in stenotype, and the questions and answers thereto were reduced to type-writing under my supervision, and that the foregoing represents a true and correct transcript of said hearing had on said occasion.

I further certify that I am neither of counsel nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

  
COMMISSIONER