EXHIBIT 3

EXHIBIT THREE

CONDEMNATION PROCEEDINGS OF

TAMPA SOUTHERN RAILROAD COMPANY

v.

BONNIE K. TANKERSLEY, ET AL.

TAB	DATE	DESCRIPTION
1.	April 9, 1925	Legal description of right-of-way across an 8.96-acre strip of land prepared by W.G. Furlong, Real Estate Agent for Atlantic Coast Line Railroad. This description was incorporated as the legal description in the condemnation petition.
2.	September 14, 1925	Tampa Southern Railroad Company condemnation petition against Bonnie K. Tankersley and Mattie V. Davies filed in the District Court for the Southern District of Florida filed by Kelly, Sutton & Shaw as the railroad's counsel.
3.	September 15, 1925	Writ of Scire Facia issued by federal district Judge Lake Jones directing Bonnie K. Tankersley and Mattie V. Davies to appear November 2, 1925.
4.	September 15, 1925	Show Cause Order directing Bonnie K. Tankersley and Mattie V. Davies and other interested parties to appear for Show Cause hearing on October 5, 1925.
5.	September 15, 1925	Show Cause Order for hearing re-set on November 2, 1925.
6	September 17, 1925	Copies of registered mail and return of service of pleadings on Bonnie K. Tankersley and Mattie V. Davies, both of Greensboro, North Carolina.
7.	November 2, 1925	Answer of Bonnie K. Tankersley and Mattie V. Davies to Tampa Southern Railroad's condemnation petition. Filed by Frank Redd and John B. Singletary as counsel.

8.	March 8, 1926	Praecipe for witness subpoena by Kelly Sutton & Shaw, attorney for Tampa Southern Railroad Company naming J.H. Lord, R.K. Thompson of the Palmer Trust Corp., Louis Lancaster of the Ringling Interests, and A.B. Albritton of the Ringling Interests as witnesses.
9.	March 8-9, 1926	Witness subpoenas and service of subpoenas and service fees.
10.	March 9, 1926	Praecipe for witness subpoenas by John B. Singletary, Attorney for Tankersley and Davies, naming E.J. Bacon, Sam Tomlin, E.A. Smith, J.M. Clark and J.H. Tucker, Louis Lancaster, and W.B. Phillips as Witnesses
11.	UNDATED	Tampa Southern Railroad Company's requested charge to jury.
12.	UNDATED	Tankersley and Davies request for additional charge to jury. (Transcription provided).
13.	March 15, 1926	Florida Secretary of State Certification of Plat showing "location of Tampa Southern Railroad through Sarasota County Sections 20, 31, 22, 25, 26, and 27." The Plat is not in the district court records.
14.	March 15-17, 1926	- Docket of Trial Proceedings in condemnation petition tried to jury with witnesses testifying for Tampa Southern Railroad being Chas. L. Leggett, L.S. Bishop, J.H. Lord, and Adolf D. Albritton. - Motion to dismiss by Tankersley and Davies argued, submitted and denied. - Witnesses for Tankersley and Davies were Chas. B. Benson, J.B. Phillips, J.H. Tucker, E.A. Smith, E.J. Bacon, W.B. Dickenson, N.B.K. Pettingill, C. W. Blackburn, and J.C. Bichop. - Tampa Southern Railroad Called Robert K. Thompson as rebuttal witness.

15.	March 17, 1926	Handwritten Joint Stipulation as to right-of-way boundary issues. (Transcription provided).
16.	March 18, 1926	Verdict
17.	March 18, 1926	Entry of Judgment
18.	April 17, 1926	Receipt and acknowledgment of Tampa Southern Railroad depositing $61,500 as compensation and $5,000 as attorney's fee in the Registry of the Court.

TAB 1.

April 9, 1925

Legal Description of Right-of-Way
Prepared by W.G. Forlong,
Real Estate Agent for.
Atlantic Coast Line R.R.

363

STATE OF FLORIDA }
:
COUNTY OF SARASOTA}

DESCRIPTION FOR CONDEMNATION OF RIGHT OF WAY
FOR TAMPA SOUTHERN RAILROAD THRU LANDS OF
J. C. BISHOP:

All that certain piece, parcel, or strip of land situate, lying and being in the Southwest Quarter of Southeast Quarter (SW¼ of SE¼) and Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of Section Twenty (20), Township Thirty-six (36) South of Range Eighteen (18) East, Sarasota County, Florida, particularly described as follows, to-wit:-

BEGINNING at an iron monument reputed to be in the east line of the Southwest Quarter of Southeast Quarter (SW¼ of SE¼) of said Section Twenty (20); said iron monument being one hundred feet north of the center line of the main line track of the S.A.L. Railway; thence westwardly parallel to the center line of the main line track of the S.A.L. Railway and one hundred feet therefrom, fifteen hundred and nineteen and six tenths (1519.6) feet to a point of curve; thence in a general northwestwardly direction (from the preceding course as a tangent) on a curved line to the right having a radius of nine hundred and thirty and thirty-seven hundredths (930.37) feet, a distance of fourteen hundred and sixty and seven tenths (1460.7) feet to a point of tangent; (said point of tangent being distant two hundred and twenty-five (225) feet east of the west line of the Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of said Section Twenty (20); thence northwardly tangent to said curved line three hundred and five (305) feet, more or less, to an iron monument reputed to be in the south line of the Northeast Quarter of Southwest Quarter (NE¼ of SW¼) of said Section Twenty (20), said iron monument being two hundred and twenty-five (225) feet east of the west line of the Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of said Section Twenty (20); thence westwardly along the south line of the Northeast Quarter of Southwest Quarter (NE¼ of SW¼) of said Section Twenty (20), a distance of one hundred and seventy-five (175) feet to a point in the east line of land conveyed by J. C. Bishop to the Tampa Southern Railroad Company by deed dated June 2nd, 1923, recorded July 6th, 1923, in Deed Book 11, Page 339, records of Sarasota County, Florida; thence southwardly along said east line four hundred and sixty (460) feet to an iron monument distant fifty (50) feet east of the west line of the Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of said Section Twenty (20); thence southeastwardly on a curved line to the left concentric with the second course herein described and two hundred (200) feet therefrom, as measured radially, ten hundred and thirty (1030) feet, more or less, to an iron monument; said monument being fifty (50) feet north of the center line of the main line track of the S.A.L. Railway; thence eastwardly parallel to the center line of the main line track of the S.A.L. Railway and fifty (50) feet therefrom twenty hundred and sixty-nine and six tenths (2069.6) feet to the east line of the Southwest Quarter of Southeast Quarter (SW¼ of SE¼) of said Section Twenty (20); thence northwardly along said east line fifty (50) feet to the point of beginning; containing eight and ninety-eight hundredths (8.98) acres, more or least-

W. C. Forlong,
Real Estate Agent,
A.C.L. RR. Co.,
Wilmington, N. C.,
April 9, 1925.ft

TAB 2.

September 14, 1925

Condemnation Petition filed by Tampa Southern Railroad Company in Federal District Court for the Southern District of Florida

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, a corporation created and existing under the laws of the State of Florida,	]	CONDEMNATION.
vs.	]	
BONNIE K. TANKERSLEY and MATTIE V. DAVIES	]	

The petition of the Tampa Southern Railroad Company, a corporation, petitioner in he above entitled cause, respectfully shows unto the Court that it is a corporation duly created and existing under the laws of the State of Florida and is a resident of the State of Florida. That the defendants, Bonnie K. Tankersley and Mattie V. Davies are residents of the State of North Carolina City of Greensboro, and that the controversy involved herein is one solely between citizens of different States of the United States and that no person having any interest in the controversy herein, save and except your petitioner Tampa Southern Railroad Company, is a residant or citizen of the State of Florida and that the amount in controversy in this suit exceeds, exclusive of interest and costs, the sum of Three Thousand ($3000.00) Dollars and that the District Court of the United States has jurisdiction by virtue of the acts of Congress of the United States in the premises.

Petitioner further shows unto the Court that it is a corporation duly incorporated under the laws of the State of Florida as a public carrier for the operation of a commercial railroad and is authorized to construct, maintain and operate a line of railroad from the City of Tampa in the State of Florida to the town of Sarasota in the County of Sarasota, State of Florida. Petitioner further says that it is authorized, under the laws of the State of Florida, to take and condemn real estate for purposes necessary for its use as a railroad.

Petitioner further shows unto the Court that it has duly located its line of railroad and intends in good faith to construct the same over and through the property hereinafter described. That it desires to condemn for use as a right of way the following described property in Sarasota County, Florida, to-wit:-

All that certain piece, parcel or strip of land situate, lying and being in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 36, South of Rang e 18 East, Sarasota, Florida, particularly described as follows, to-wit:-

BEGINNING at an iron monument reputed to be in the east line of the Southwest Quarter of Southeast Quarter of said Section 20, said iron monument being 100 feet north of the center line of the main line track of the S.A.L. Railway; thence westerly parallel to the center line of the main line track of the S.A.L. Railway and 100 feet therefrom, 1519.6 feet to a point of curve; thence in a general northwestwardly direction(from the preceding course as a tangent) on a curved line to the right having a radius of 930.37 feet, a distance of 1460.7 feet to a point of tangent; (said point of tangent being distant 225 feet east of the west line of the South-east quarter of Southwest Quarter of said Section 20; thence northwardly tangent to said curved line 305 feet more or less, to an iron monument reputed to be in the south line of the Northeast Quarter of Southwest Quarter of said Section 20, said iron monument being 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence West-wardly along the south line of the Northeast Quarter of Southwest Quarter of said Section 20, a distance of 175 feet to a point in the east line of land conveyed By J. C. Bishop to the Tampa Southern Railroad Company by deed dated June 2nd, 1923, recorded July 6th, 1923, in Deed Book 11, page 359, records of Sarasota County, Florida; thence Southwardly along said east line 460 feet to an iron monument distant 50 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence southeastwardly on a curved line to the left concentric with the second course herein described and 200 feet therefrom, as measured radially 1030 feet, more ore less, to an iron monument; said monu-ment being 50 feet north of the center line of the main line track of the S.A.L. Railway; thence eastwardly parallel to the center line of the main line yrack of the S.A.L. Railway and fifty (50) feet therefrom 2069.6 feet to the east line of the Southwest Quarter of Southeast Quarter of said Section 20; thence northwardly along said east line 50 feet to the point of beginning; con-taining 8.98 acres, more or less.

Petitioner further shows unto the Court that it has made diligent search to ascertain the name or names of the owners,

mortgagees or occupants of the said property hereinbefore described, their places of residence and whether or not the said owners, mortgagees or occupants are under any legal disability.

Petitioner further shows unto the Court that the owners of the above described property are Bonnie K. Tankersley and Mattie V. Davies and that the place of residence of the said Bonnie K. Tankersley and Mattie V. Davies is City of Greensboro, State of North Carolina.

Petitioner further shows unto the Court that there are no mortgages appearing of record in the records of Sarasota County, Florida, upon said property, nor does it know of any mortgagees of said property.

Petitioner further represents and shows unto the Court that according to the best of its knowledge, information and belief, the owners of the said property, Bonnie K. Tankersley and Mattie V. Davies, are not under any legal disability.

Petitioner further shows unto the Court that the taking of the said property by your petitioner is for the purpose of its use as a right of way for the construction of its railroad, and that the said property is necessary for that purpose.

Petitioner further shows unto the Court that it has made all reasonable efforts to purchase a right of way through the said property from the owners thereof, but that all negotiations for such purchase have failed.

Wherefore your petitioner prays that the said property aforesaid may be condemned for the uses and purposes above set out, in accordance with the laws of the State of Florida in such case made.

Kelly - Sutton & Shaw
Attorneys for Petitioner.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared T. PAINE KELLY, who being first duly sworn, deposes and says that he is attorney for the Petitioner, Tampa Southern Railraod Company, in the foregoing cause, that the President of the said corporation and all other officers are absent from the State of Florida and that affiant makes this affidavit because of the absence of the officers of the said corporation. Affiant further says that he has read the foregoing petition and that the matters and things therein alleged are true. Affiant furthersays that diligent search and inquiry has been made to ascertain the names, places of residence, legal disabilities, if any, and interest of the owners and mortgagees of the property described in said petition, and that these, as ascertained, are set forth in the foregoing petition.

T. Paine Kelly

Sworn to and subscribed before me this 14th day of September, A. D. 1925.

Alice McDougall

Notary Public.

D. C. Kellett

Sworn to & subscribed before me this 15th day of March, 1924

Julian A. Blake

Deputy Clerk U. S. Dist. Court

TAB 3.

September 15, 1925

Writ of Scire Facia

filed by Counsel for

Tampa Southern Railroad Company

1225-4

DISTRICT COURT, UNITED STATES
SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY

VS.

BONNIE K. TANKERSLEY AND MATTIE V. DAVIES.

FILED
SEP 15 1925 R
Edwin R. Williams
CLERK
BY DEPUTY CLERK

~~NOTICE.~~
Scire facias.

KELLY, SUTTON && SHAW

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, a corporation,	I	
vs.	I	CONDEMNATION.
BONNIE K. TANKERSLEY AND MATTIE V. DAVIES	I	

TO THE UNITED STATES MARSHAL:

You are hereby directed to make known to Bonnie K. Tankersley and Mattie V. Davies and all other persons interested in or claiming any lien upon or any interest in the property herein described, to-wit:

All that certain piece, parcel or strip of land situate, lying and being in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 36, South of Range 18 East, Sarasota County, Florida, particularly described as follows, to-wit:-

BEGINNING at an iron monument reputed to be in the east line of the Southwest Quarter of Southeast Quarter of said Section 20, said iron monument being 100 feet north of the center line of the main line track of the S.A.L. Railway; thence westerly parallel to the center line of the main line track of the S.A.L. Railway and 100 feet therefrom, 1519.6 feet to a point of curve; thence in a general northwestwardly direction (from the preceding course as a tangent) on a curved line to the right having a radius of 930.37 feet, a distance of 1460.7 feet to a point of tangent; (said point of tangent being distant 225 feet east of the west line of the Southeast qQuarter of Southwest Quarter of said Section 20; thence northwardly tangent to said curved line 305 feet, more or less, to an iron monument reputed to be in the south line of the Northeast Quarter of Southwest Quarter of said Section 20, said iron monument being 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence Westwardly along the south line of the Northeast Quarter of Southwest Quarter of said Section 20, a distance of 175 feet to a point in the east line of land conveyed by J. C. Bishop to the Tampa Southern Railroad Company by deed dated June 2nd, 1923, recorded July 6th, 1923, in Deed Book 11, page 339, records of Sarasota County, Florida, thence Southwardly alongsaid east line 460 feet to an iron monument distant 50 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence southeastwardly on a curved line to the left concentric with the second course herein described and 200 feet therefrom, as measured radially, 1030 feet, more or less, to an iron monument; said monument being 50 feet north of the center line of the main

line track of the S.A.L. Railway; thence eastwardly parallel to the center line of the main line track of the S.A.L. Railway and fifty (50) feet therefrom, 2069.6 feet to the east line of the Southwest Quarter of Southeast Quarter of said Section 20; thence northwardly along said east line 50 feet to the point of beginning; containing 8.98 acres, more or less.

That they, the said Bonnie K. Tankersley and Mattie V. Davies, are hereby commanded and notified to be and to appear in the District Court of the United States for the Southern District of Florida, on the 2nd day of November, A.D. 1925, the same being the first Monday in said month, to show what interest they have in the property herein described, and to show cause why it should not be taken for the uses and purposes set forth in the petition filed by the Tampa Southern Railroad Company on the 14th day of September, A. D. 1925, and more particularly why the said lands should not be taken for use as a right of way by said Tampa Southern Railroad Company, or else be barred.

WITNESS THE HONORABLE LAKE JONES, Judge of said Court, this 15th day of September, A. D. 1925.

Edwin R. Williams

Clerk, United States District Court
Court, Southern District of Florida.

By: Julian A. Blalock
Deputy

TAB 4.

September 15, 1925

Show Cause Order for October 5, 1925 Hearing

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, a corporation,

vs.

CONDEMNATION.

BONNIE K. TANNERSLEY AND HATTIE V. DAVIES

TO THE UNITED STATES MARSHAL:

You are hereby directed to make known to Bonnie K. Tannersley and Hattie V. Davies and all other persons interested in or claiming any lien upon or any interest in the property herein described, to-wit:

All that certain piece, parcel or strip of land situate, lying and being in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 36, South of Range 18 East, Sarasota County, Florida, particularly described as follows, to-wit:-

BEGINNING at an iron monument reputed to be in the east line of the Southwest Quarter of Southeast Quarter of said Section 20, said iron monument being 100 feet north of the center line of the main line track of the S.A.L. Railway; thence westerly parallel to the center line of the main line track of the S.A.L. Railway and 100 feet therefrom, 1519.6 feet to a point of curve; thence in a general northwestwardly direction (from the preceding course as a tangent) on a curved line to the right having a radius of 900.37 feet, a distance of 1400.7 feet to a point of tangent; (said point of tangent being distant 225 feet east of the west line of the Southeast Quarter of Southeast Quarter of said Section 20; thence northwardly tangent to said curved line 305 feet, more or less, to an iron monument reputed to be in the south line of the Northeast Quarter of Southwest Quarter of said Section 20, said iron monument being 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence Westwardly along the south line of the Northeast Quarter of Southwest Quarter of said Section 20, a distance of 175 feet to a point in the east line of land conveyed by J. C. Bishop to the Tampa Southern Railroad Company by deed dated June 2nd, 1923, recorded July 6th, 1923, in Deed Book 11, page 339, records of Sarasota County, Florida, thence Southwardly alongsaid east line 400 feet to an iron monument distant 50 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence southeastwardly on a curved line to the left concentric with the second course herein described and 200 feet therefrom, as measured radially, 1030 feet, more or less, to an iron monument; said monument being 50 feet north of the center line of the main

line track of the S.A.L. Railway; thence easterly parallel to the center line of the main line track of the S.A.L. Railway and fifty (50) feet therefrom, 2009.6 feet to the east line of the Southwest Quarter of Southeast Quarter of said Section 20; thence northwardly along said east line 50 feet to the point of beginning; containing 5.98 acres, more or less.

That they, the said Bonnie E. Vanderveley and Hattie V. Davies, are hereby commanded and notified to be and to appear in the District Court of the United States for the Southern District of Florida, on the 5th day of October, A.D. 1925, the same being the first Monday in said month, to show what interest they have in the property herein described, and to show cause why it should not be taken for the uses and purposes set forth in the petition filed by the Tampa Southern Railroad Company on the 15th day of September, A. D. 1925, and more particularly why the said lands should not be taken for use as a right of way by said Tampa Southern Railroad Company, or also be barred.

WITNESS THE HONORABLE LACK JOSEPH, Judge of said Court, this 15 day of September, A. D. 1925.

Edwin R. Williams
Clerk, United States District Court
Court, Southern District of Florida.

Julian A. Blake
Deputy

attest: a true copy

Edwin R. Williams
Clerk

Julian A. Blake
Deputy

TAB 5.

September 15, 1925

Show Cause Order for November 2, 1925 Hearing

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, a corporation,	]	
vs.	]	CONDEMNATION.
BONNIE K. TANKERSLEY AND MATTIE V. DAVIES	]	

NOTICE IS HEREBY GIVEN TO BONNIE K. TANKERSLEY AND MATTIE V. DAVIES, and all other persons interested in or claiming a lien upon or any interest inthe property hereinafter described, in Sarasota County, Florida, to-wit:-

All that certain piece, parcel or strip of land situate, lying and being in the Southwest quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 36, South of Range 18 East, Sarasota County, Florida, particularly described as follows, to-wit:-

BEGINNING at an iron monument reputed to be in the east line of the Southwest Quarter of Southeast Quarter of said Section 20, said iron monument being 100 feet north of the center line of the main line track of the S.A.L. Railway; thence westerly parallel to the center line of the main line track of the S.A.L. Railway, and 100 feet thereform 1519.6 feet to a point of curve; thence in a general northwesterly direction(from the preceding course as a tangent) on a cureved line to the right having a radius of 930.37 feet, a distance of 1460.7 feet to a point of tangent; (said point of tangent being distant 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence northwardly tangent to said curved line 305 feet, more or less, to an iron monument reputed to be in the south line of the Northeast Quarter of Southwest Quarter of said Section 20, said iron monument being 225 feet east of the west line of the Southeast Quarter of South west Quarter of said Section 20; thence westwardly along the south line of the Northeast Quarter of Southwest Quarter of said Section 20. a distance of 175 feet to a point in the east line of land conveyed by J. C. Bishop to the Tampa Southern Railroad Company by deed dated June 2nd, 1923, recorded July 6th, 1923, in Deed Book 11, page 339, records of Sarasota County Florida; thence Southwardly along said east line 460 feet to an iron monument distant 50 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence southeastwardly on a curved line to the left concentric with the second course herein described and 200 feet therefrom, as measured radially 1030 feet, more or less, to an iron monument; said monument being 50 feet north of the center line of the main line track of the S.A.L.Railway; thence eastwardly parallel to the center line of the main line track of the S.AL. Railway and fifty (50) feet therefrom 2069.6 feet to the east line of the Southwest Quarter of Southeast

Quarter of said Section 20; thence Northwardly along said east line 50 feet to the point of beginning; containing 8.98 acres, more or less.

To appear in the District Court of the United States in and for the Southern District of Florida, on the 2nd day of November, A. D. 1925, the same being the first Monday in said month, to show what interest they have in and to he property herein described, and to show cause why said property should not be taken for the uses and purposes set forth in he petition filed by the Tampa Southern Railroad Company herein on the 14th day of September, A. D. 1925, and more particularly why the said lands should not be taken for use as a right of way by the Tampa Southern Railroad Company, or else be barred.

WITNESS the HONORABLE LAKE JONES, JUDGE OF THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA, this 15th day of September, A. D. 1925.

Edwin R. Williams
Clerk, District Court United States Southern District of Florida.
By: Julian A. Peeples
Deputy

TAB 6.

September 17, 1925

Service of Condemnation Petition

13407 (POSTMARK OF)

Receipt for Registered Article No. _____

Registered at the Post Office indicated in Postmark.

Fee paid 15 cents Class postage _____

Accepting employee will place his initials in spaces applicable below, to indicate indorsement, etc.

Delivery restricted to addressee { in person _____ or order _____ } Return receipt demanded { _____ } Spl. Del'y _____

POSTMASTER, per _____ (MAILING OFFICE)

Complete record of registered mail is kept at the post office, but the sender should write the name of the addressee on back hereof as an identification. Preserve and submit this receipt in case of inquiry, or application for indemnity.

Registry Fees and Indemnity.—Domestic letters and sealed parcels indemnified for $50 or less, 10 cents; for over $50 and not in excess of $100, 20 cents; domestic second-class, not indemnified, 10 cents; domestic third-class, indemnified up to $25, 10 cents; articles addressed to foreign countries, regardless of class or indemnity, 10 cents. Claims must be filed with postmasters within one year from date of mailing.

Form 3806 e 5—6852

(POSTMARK OF)

r Registered Article No. 12864

ed at the Post Office indicated in Postmark.

15 cents Class postage _____

g employee will place his initials in spaces below, to indicate indorsement, etc.

1 { in person _____ or order _____ } Return receipt demanded { _____ } Spl. Del'y _____

MASTER, per _____ (MAILING OFFICE)

rd of registered mails kept at the post office, but the sender should write the name on back hereof as an identification. Preserve and submit this receipt in case of ation for indemnity.

nnit Indemnity.—Domestic letters and sealed parcels indemnified for $50 or less, $50 and not in excess of $100, 20 cents; domestic second-class, not indemnified, third-class indemnified up to $25, 10 cents; articles addressed to foreign countries, r indemnity, 10 cents. Claims must be filed with postmasters within one year e 5—6852

13408 (POSTMARK OF)

Receipt for Registered Article No. _____

Registered at the Post Office indicated in Postmark.

Fee paid 15 cents Class postage _____

Accepting employee will place his initials in spaces applicable below, to indicate indorsement, etc.

Delivery restricted to addressee { in person _____ or order _____ } Return receipt demanded { _____ } Spl. Del'y _____

POSTMASTER, per _____ (MAILING OFFICE)

Complete record of registered mail is kept at the post office, but the sender should write the name of the addressee on back hereof as an identification. Preserve and submit this receipt in case of inquiry, or application for indemnity.

Registry Fees and Indemnity.—Domestic letters and sealed parcels indemnified for $50 or less, 10 cents; for over $50 and not in excess of $100, 20 cents; domestic second-class, not indemnified, 10 cents; domestic third-class, indemnified up to $25, 10 cents; articles addressed to foreign countries, regardless of class or indemnity, 10 cents. Claims must be filed with postmasters within one year from date of mailing.

Form 3806 e 5—6852

12865 (POSTMARK OF)

ipt for Registered Article No. _____

Registered at the Post Office indicated in Postmark.

paid 15 cents Class postage _____

cepting employee will place his initials in spaces icable below, to indicate indorsement, etc.

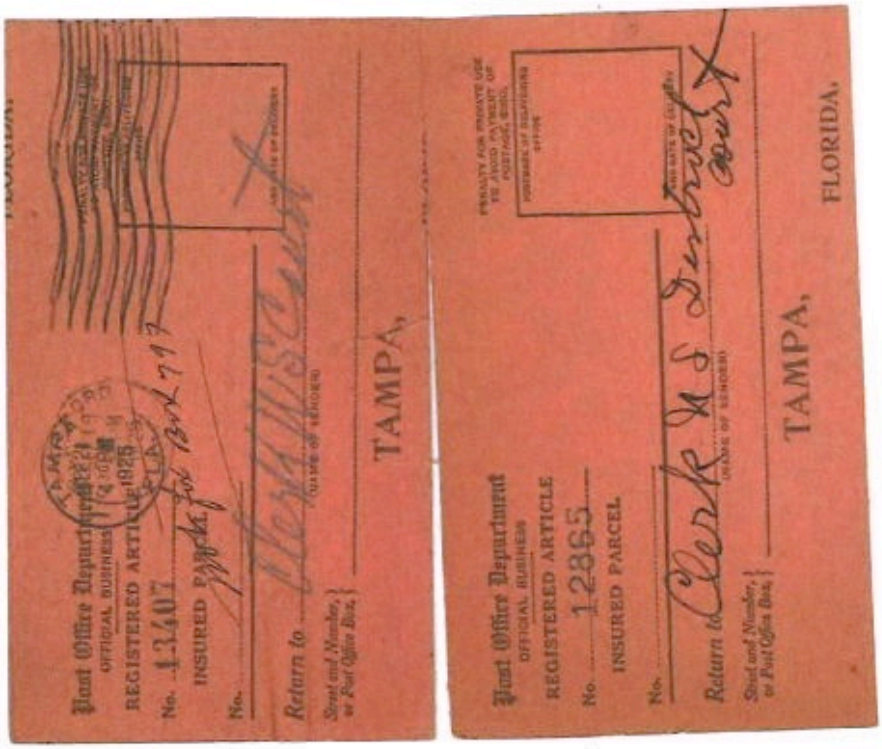
very { in person _____ ricted { or order _____ } Return receipt demanded { _____ } Spl. Del'y _____

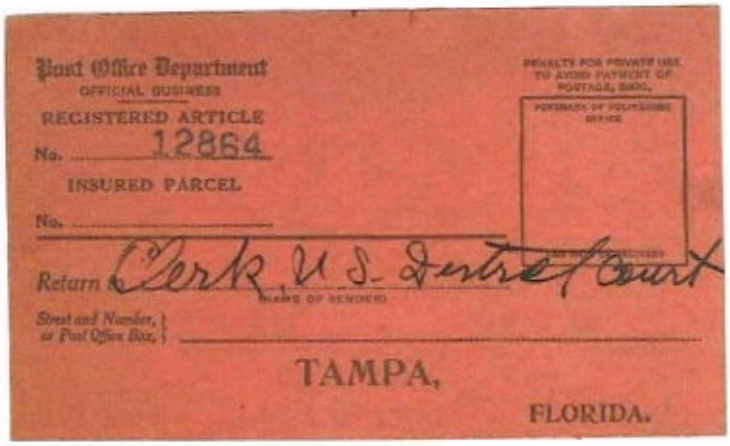
POSTMASTER, per _____ (MAILING OFFICE)

plete record of registered mail is kept at the post office, but the sender should write the name ddressee on back hereof as an identification. Preserve and submit this receipt in case of r, or application for indemnity.

nnity Fees and Indemnity.—Domestic letters and sealed parcels indemnified for $50 or less, ts; for over $50 and not in excess of $100, 20 cents; domestic second-class, not indemnified, ts; domestic third-class, indemnified up to $25, 10 cents; articles addressed to foreign countries, ss of class or indemnity, 10 cents. Claims must be filed with postmasters within one year ate of mailing.

3806 e 5—6852





US_000001 7

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, _____ 192

Form 3811

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, _____ 192

Form 3811

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, _____ 192

Form 3811

FILED

SEP 15 1925

Edwin R. Williams

CLERK

DEPUTY CLERK

FILED

SEP 15 1925

Edwin R. Williams

CLERK

DEPUTY CLERK

FILED

SEP 15 1925

Edwin R. Williams

CLERK

DEPUTY CLERK

FILED

SEP 15 1925

Edwin R. Williams

CLERK

DEPUTY CLERK

IF NOT DELIVERED IN FIVE DAYS, RETURN TO
UNITED STATES DISTRICT COURT
CLERK'S OFFICE
TAMPA, FLORIDA

12864

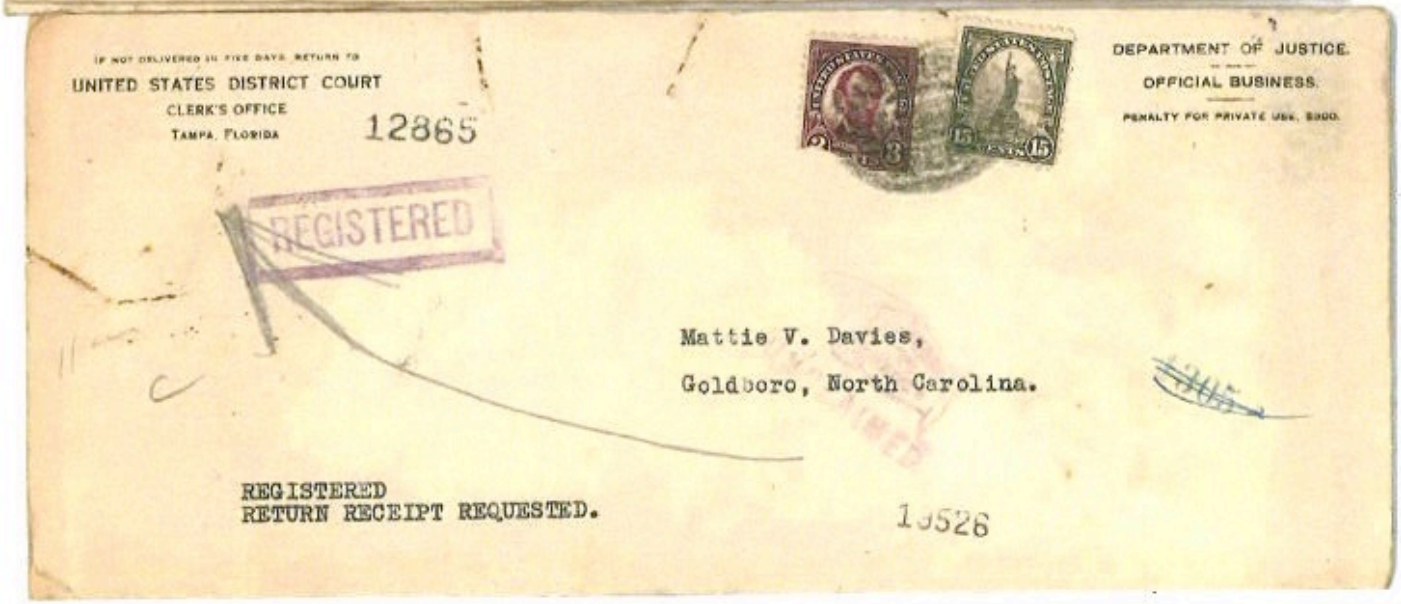
REGISTERED

DEPARTMENT OF JUSTICE.
OFFICIAL BUSINESS.
PENALTY FOR PRIVATE USE, $300.

Bonnie K. Tankersley,
Goldboro, North Carolina.

19408

Registered
Return Receipt requested



IF NOT DELIVERED IN FIVE DAYS, RETURN TO
UNITED STATES DISTRICT COURT
CLERK'S OFFICE
TAMPA, FLORIDA

12865

REGISTERED

DEPARTMENT OF JUSTICE.
OFFICIAL BUSINESS.
PENALTY FOR PRIVATE USE, $300.

Mattie V. Davies,
Goldboro, North Carolina.

REGISTERED
RETURN RECEIPT REQUESTED.

19526

TAB 7.

November 2, 1925

Answer of Tankersley and Davies

16.
15
14

1225-T

IN DISTRICT COURT

UNITED STATES
~~MANATEE COUNTY~~
SOUTHER DISTRICT OF
FLORIDA

Tampa Southern Railroad Company, a corporation created and existing under the laws of the State of Florida.

vs.

Bonnie K. Tankersley and Mattie V Davies.

ANSWER

FILED
NOV 2 1925
Edwin R. Williams
CLERK
Ula E. Warren
DEP. CLERK

JOHN B. SINGELTARY
BRADENTON, FLORIDA

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

****

TAMPA SOUTHERN RAILROAD COMPANY, a corporation created and existing under the laws of the State of Florida,	)	
vs	)	CONDEMNATION.
Bonnie K. Tankersley and Mattie V. Davies.	)	

THE ANSWER OF BONNIE K. TANKERSLEY AND MATTIE V. DAVIES TO THE PETITION OF CONDEMNATION OF THE TAMPA SOUTHERN RAILROAD COMPANY, A CORPORATION CREATED AND EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA, AGAINST THESE DEFENDANTS:

For answer to said petition, these defendants say that said Tampa Southern Railroad Company, petitioner in said cause, should not have or maintain its said cause against these defendants for the reason and because of the fact that said Tampa Southern Railroad Company has not filed in this cause any duly verified petition, sworn to by the petitioner or its president or other executive officer of said Tampa Southern Railroad Company, a corporation, which corporation is as these defendants aver a private corporation entitled only to maintain an action of condemnation upon and when it has filed a petition praying the condemnation of the property sought to be taken, duly verified by the oath of said petitioner, its president or some other executive officer of said corporation.

These defendants further show unto the Court that while said petitioner avers in its petition that it is a corporation duly incorporated under the laws of the State of Florida

as a public carrier for the operation of a commercial railroad and is authorized to construct, maintain and operate a railroad from the City of Tampa in the State of Florida to the Town of Sarasota in the County of Sarasota, State of Florida, it seeks in and by said petition to condemn certain land in said petition particularly described, which is not essential for the construction of its line of railroad from said City of Tampa to the City of Sarasota but beyond the destiny and termination of its purposes and authority and its power to extend and proceed with its said road and with condemnation for its construction or for its right-of-way, to-wit:- beyong its terminus in the City of Sarasota, and these defendants so allege and aver that the land in said petition described is no part of the right-of-way of said railroad company from Tampa to Sarasota but lies beyond the terminus of said road in the City of Sarasota.

These defendants further show unto the Court that petitioners right to condemn said property exists only under and by virtue of the Constitution and Laws of the State of Florida granting petitioner the privilege of exercising the right of condemnation to take private property for its use upon payment of such compensation as shall be to the owners of said property allowed and awarded by a jury of twelve men to be empanelled in the County where said property is situated and drawn from the body of said County in which said land is located and upon and after a view of said property by the said jury and not otherwise, all of which can not be provided, allowed and granted by this Honorable Court by

reason whereof said Court is without jurisdiction to try said cause.

These defendants further show unto the Court that they are entitled to and desire to be present and heard as to the amount due these defendants as compensation for the damage by them sustained by reason of the appropriation and taking of their said land if the taking thereof be allowed.

Frank Redd
Jno. B. Singletary
Attorneys for Defendants.

Bennie K. Tankersley
Mattie V. Davies
Defendants.

TAB 8.

March 8, 1926

Praecipe for Witness Subpoenas by Tampa Southern Railroad Company

1225-T.

DISTRICT COURT, UNITED STATES,
SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RR COMPANY

VS.

BONNIE K. TANKERSLEY, ET AL.

PRAECIPE FOR WITNESS
SUBPOENA

FILED

MAR 1 1926

Edwin P. Williams
CLERK

Ala E Warren
DEPUTY CLERK

KELLY, SUTTON & SHAW

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, a corporation created and existing under the laws of the State of Florida,	CONDEMNATION.
vs.	
BONNIE K. DAWKINSLEY and LATTIE V. DAVIES,	

The Clerk of the District Court will please issue summons ad testificandum directed to the following named witnesses on behalf of the petitioner in the above entitled cause, and make the same returnable to the 15th day of March, A.D. 1926, at 9 o'clock A. M., to-wit:

J. N. Lord, Sarasota, Florida.

R. K. Thompson, with Palmer Trust Corporation, Sarasota, Florida.

Louis Lancaster, with Ringling Interests, Sarasota, Florida.

A. D. Albritton, with Ringling Interests, Sarasota, Florida.

Attorneys for Petitioner

TAB 9.

March 8-9, 1926

Witness Subpoenas and Service Fees

United States District Court,

SOUTHERN DISTRICT OF FLORIDA.

The President of the United States,

To W. B. Phillips, Sarasota, Fla. **Greeting:**

We Command You, *That all and singular, the business and excuses being laid aside, you and each of you appear and attend forthwith before the District Court of the United States of America, for the Southern District of Florida, at a term of said Court to be held at* Tampa, Florida, *in and for the Southern District of Florida, on the* 18th *day of* March, *192*6, *at 9.30 o'clock in the forenoon, to testify and give evidence before said Court in the case of* Tampa Southern Railroad Company, *Pltff. versus* Bonnie E. Tankersley and Mattie V. Davies, *Defdt., on the part of the Plaintiff—Defendant, to whom you must look for fees. And this you, or any of you, are not to omit, under the penalty upon you and everyone of you, of what may therein befall.*

Witness, *The Honorable RHYDON M. CALL, Judge of the said Court of the United States, and the seal of this Court, at the City of* Tampa *in the Southern District of Florida, this* 5th *day of* March, *in the year of our Lord 192*6

John S. Chillingworth *Attorney for Plf.—Defdt.*

Edwin R. Williams *Clerk U. S. District Court.*

By Ala E. Marr *Deputy Clerk.*

This to the U. S. Marshal to execute.

United States District Court,

SOUTHERN DISTRICT OF FLORIDA.

The President of the United States,

To A.B. Albritton, % Ringling Interests, Sarasota, Florida.

Greeting:

We Command You, *That all and singular, the business and excuses being laid aside, you and each of you appear and attend forthwith before the District Court of the United States of America, for the Southern District of Florida, at a term of said Court to be held at* Tampa, Florida, *in and for the Southern District of Florida, on the* 15th *day of* March, *1926, at 9.30 o'clock in the forenoon, to testify and give evidence before said Court in the case of* Tampa Southern Railroad Company, *Pltff. versus* Bonnie E. Tankersley & Mattie V. Davies, *Defdt., on the part of the Plaintiff ~~Defendant~~, to whom you must look for fees. And this you, or any of you, are not to omit, under the penalty upon you and everyone of you, of what may therein befall.*

Witness, *The Honorable* Jake Jones ~~RHYDON M. CALL~~, *Judge of the said Court of the United States, and the seal of this Court, at the City of* Tampa *in the Southern District of Florida, this* 8th *day of* March, *in the year of our Lord 1926*

KELLY SUTTON & SHAW,
Attorney for Plf.-~~Defdt.~~

Edwin R. Williams
Clerk U. S. District Court.

This to the U. S. Marshal to execute.

By Ola E. Mathews
Deputy Clerk.

United States District Court,

SOUTHERN DISTRICT OF FLORIDA.

The President of the United States,

To J. M. Clark, Sarasota, Fla. Gone

Greeting:

We Command You, *That all and singular, the business and excuses being laid aside, you and each of you appear and attend forthwith before the District Court of the United States of America, for the Southern District of Florida, at a term of said Court to be held at* Tampa, Florida, *in and for the Southern District of Florida, on the* 15th *day of* March, *192*, *at 9.30 o'clock in the forenoon, to testify and give evidence before said Court in the case of* Tampa Southern Railroad Company, *Pltff. versus* Bonnie E. Tankersley and Mattie V. Davies, *Defdt., on the part of the Plaintiff—Defendant, to whom you must look for fees. And this you, or any of you, are not to omit, under the penalty upon you and everyone of you, of what may therein befall.*

Witness, *The Honorable* RHYDON M. CALL, *Judge of the said Court of the United States, and the seal of this Court, at the City of* Tampa *in the Southern District of Florida, this* 9th *day of* March, *in the year of our Lord 192*

John G. Singletary
Attorney for Plf.—Defdt.

Edwin R. Williams
Clerk U. S. District Court.

This to the U. S. Marshal to execute.

By Ola E. Mathews
Deputy Clerk.

On Duty
Sotan Photographer

In San Diego Cal

United States District Court,

SOUTHERN DISTRICT OF FLORIDA.

The President of the United States,

To J.H.Lord,Sarasota,Fla.; R.K.Thompson,% Palmer Trust Corp.Sarasota, Fla.; Louis Lancaster and A.B.Albritton % Ringling Interests, Sarasota,Florida. **Greeting:**

We Command You, *That all and singular, the business and excuses being laid aside, you and each of you appear and attend forthwith before the District Court of the United States of America, for the Southern District of Florida, at a term of said Court to be held at* Tampa,Florida, *in and for the Southern District of Florida, on the* 15th *day of* March, *1926, at 9.30 o'clock in the forenoon, to testify and give evidence before said Court in the case of* Tampa Southern Railroad Company, *Pltff. versus* Bonnie K. Tankersley & Mattie V. Davies, *Defdt., on the part of the Plaintiff* ~~Defendant~~ *to whom you must look for fees. And this you, or any of you, are not to omit, under the penalty upon you and everyone of you, of what may therein befall.*

Witness, *The Honorable* Lake Jones ~~[illegible]~~ *Judge of the said Court of the United States, and the seal of this Court, at the City of* Tampa *in the Southern District of Florida, this* 8th *day of* March, *in the year of our Lord 1926*

KELLY SUTTON & SHAW.
Attorney for Plf. ~~Pltff.~~

Edwin R. Williams
Clerk U. S. District Court.

This to the U. S. Marshal to execute.

By Ola E. Warren
Deputy Clerk.

United States District Court,

SOUTHERN DISTRICT OF FLORIDA.

The President of the United States,

To E.J. Bacon; Sam Tomlin; E.A. Smith; J.M. Clark; J.H. Tucker Sarasota,Florida. **Greeting:**

We Command You, *That all and singular, the business and excuses being laid aside, you and each of you appear and attend forthwith before the District Court of the United States of America, for the Southern District of Florida, at a term of said Court to be held at* Tampa, Florida, *in and for the Southern District of Florida, on the* 15th *day of* March, *192 6, at 9.30 o'clock in the forenoon, to testify and give evidence before said Court in the case of* Tampa Southern Railroad Company, *Pltff. versus* Bonnie K. Tankersley and Mattie V. Davies, *Defdt., on the part of the* ~~Plaintiff~~ *Defendant, to whom you must look for fees. And this you, or any of you, are not to omit, under the penalty upon you and everyone of you, of what may therein befall.*

Witness, *The Honorable* Lake Jones ~~[illegible]~~, *Judge of the said Court of the United States, and the seal of this Court, at the City of* Tampa *in the Southern District of Florida, this* 9th *day of* March, *in the year of our Lord 192 6*

John B. Singletary
Attorney for ~~Plf.~~ *Defdt.*

Edwin R. Williams
Clerk U. S. District Court.

This to the U. S. Marshal to execute.

By Ola E. Warren
Deputy Clerk.

1225-T

United States District Court
Southern District of Florida.

Tampa Southern Ry. Co.
-vs-
Bonnie K. Tankersley et al.

WITNESS SUBPOENA.

RECEIVED MAR 8 1926 TAMPA
254-

FILED
MAR 19 1926
Edwin R. Williams CLERK
Alice E. Warren DEPUTY CLERK

Received this Writ at Tampa, Fla. Mar. 8,1926 and executed the same at Sarasota, Fla. on the 10 day of Mar 1926, by delivering a true copy hereof to R. K. Thompson, and further executed this writ at Sarasota on the 12th. day of March 1926, by delivering a true copy hereof of J. H. Lord and Louis Lancaster in person, and after diligent search am unable to locate the within named A. B. Albritton.

B. E. Dyson, U. S. Marshal
By Harry Peter Deputy

1225-T

United States District Court
Southern District of Florida.

Tampa Southern R.R. Co.
-vs-
Bonnie K. Tankersley et al.

WITNESS SUBPOENAE.

RECEIVED MAR 9 1926 TAMPA
267-4-

FILED
MAR 19 1926
Edwin R. Williams CLERK
Alice E. Warren DEPUTY CLERK

Received this Writ at Tampa, Flo. March 9,1926 and executed the same at Sarasota Flo. on the 10th. day of March 1926 by delivering a true copy hereof to E. J. Bacon and E. H. Smith in person and further executed this writ at Sarasota, Flo. on the 12th. day of March 1926, by delivering a true copy hereof to Sam Tomlin and J. H. Tucker in person. and after diligent search am unable to locate the within named J. M. Clark.

B. E. Dyson, U. S. Marshal
By Harry Peter
Harry Peter Deputy

United States District Court,

SOUTHERN DISTRICT OF FLORIDA.

The President of the United States,

To George W. Blackburn of Sarasota, Fla

Greeting:

We Command You, *That all and singular, the business and excuses being laid aside, you and each of you appear and attend forthwith before the District Court of the United States of America, for the Southern District of Florida, at a term of said Court to be held at* Tampa, Fla., *in and for the Southern District of Florida, on the* 15th *day of* March, *192* 6 *at 9.30 o'clock in the forenoon, to testify and give evidence before said Court in the case of* Tampa Southern Railroad Company, *Pltff. versus* Bonnie K. Tankersley et al, *Defdt., on the part of the Plaintiff—Defendant, to whom you must look for fees. And this you, or any of you, are not to omit, under the penalty upon you and everyone of you, of what may therein befall.*

Witness, *The Honorable* Lake Jones *Judge of the said Court of the United States, and the seal of this Court, at the City of* Tampa *in the Southern District of Florida, this* 15th *day of* March, *in the year of our Lord 192* 6

John B. Singletary
Attorney for Pltf.—Defdt.

Edwin R. Williams
Clerk U. S. District Court.

This to the U. S. Marshal to execute.

By Ola E. Marsh
Deputy Clerk.

United States District Court,

SOUTHERN DISTRICT OF FLORIDA.

3/15/26

The President of the United States,

To Louis Lancaster, and W.B. Phillips, Sarasota, Fla

Greeting:

We Command You, *That all and singular, the business and excuses being laid aside, you and each of you appear and attend forthwith before the District Court of the United States of America, for the Southern District of Florida, at a term of said Court to be held at* Tampa, Florida, *in and for the Southern District of Florida, on the* 15th *day of* March, *1926, at 9.30 o'clock in the forenoon, to testify and give evidence before said Court in the case of* Tampa Southern Railroad Company, *Pltff. versus* Bonnie K. Tankersley and Mattie V. Davies, *Defdt., on the part of the Plaintiff—Defendant, to whom you must look for fees. And this you, or any of you, are not to omit, under the penalty upon you and everyone of you, of what may therein befall.*

Witness, *The Honorable* Lake Jones, *Judge of the said Court of the United States, and the seal of this Court, at the City of* Tampa *in the Southern District of Florida, this* 9th *day of* March, *in the year of our Lord 192* 6

John B. Singletary
Attorney for Pltf.—Defdt.

Edwin R. Williams
Clerk U. S. District Court.

This to the U. S. Marshal to execute.

By Ola E. Marsh
Deputy Clerk.

US 000002S

Received this Writ at Tampa, Flo. March 9,1926 and executed the same at Sarasota, Flo. on the 12th. day of March 1926, by delivering a true copy hereof to Louis Lancaster in person, and after diligent search am unable to locate the within named W. B. Phillips.

B. E. Dyson, U. S. Marshal

By Harry Peter Deputy

Cashier Tampa Bank

1226-T

United States District Court
Southern District of Florida.

Tampa Southern R.R. Company,

-vs-

Bonnie K. Tankersley et al

WITNESS SUBPOENAE.

FILED
MAR 16 1926
Edwin B. Williams
Clerk
Ola E. Mercer
Deputy Clerk

RECEIVED
MAR 16 1926
TAMPA

267-4-

1226-T

United States District Court
Southern District of Florida.

Tampa Southern Railroad Co.

-vs-

Bonnie K. Tankersley etal

WITNESS SUBPOENA.

FILED
MAR 16 1926
Edwin B. Williams
Clerk
Ola E. Mercer
Deputy Clerk

RECEIVED
MAR 16 1926
TAMPA

267-4-

Received this writ March 15, 1926 at Tampa, Fla. and executed the same by delivering a true copy hereof to the within named George W. Blackburn, at Tampa, Fla. March 15, 1926.

B.E.Dyson U.S.Marshal.

By J.A.Law. Deputy.

Form No. 23

Tampa, Fla. April 15, 1926, 192

United States of America
So: District of Florida. } ss:

Tampa Southern R.R. Co.,

TO THE UNITED STATES, DR.,

FOR SERVICES OF THE UNITED STATES MARSHAL IN THE CASE OF

Tampa Southern R.R. Co. vs. Bonnie K. Tankersley. et al

Marshal's Docket No.	Date of Writ 19	Nature of Fees and Expenses Charged	Marshal's Fees and Expenses	
	March	To fees and expenses of serving		
		writs for Defendants.	25.38	

1225-T

U. S. Dist. Court
So. Dist. Fla.

Tampa So. R.R. Co.
vs
Tauhensley et al

Request to assess
Defendants costs

FILED
APR-14-1926
Edwin R. Williams
CLERK
By Juliana Moore
DEPUTY CLERK

Frank Reed
Jno B. Sweetenburg
Maria B. Jennings
Sol for Plaintiff

U. S. A. Dist Court
Sou. Dist of Fla.

Tampa S. & R.R. Co.
vs
Bennie K. Tankersley et al

Condemnation

To The Honorable Clerk of said Court=

Please assess defendants costs in the above styled cause as follows to wit:

Clerks costs	5.00
U.S. Marshal	25.38
Witnesses - from Sarasota, Sarasota, County Fla	
J. H. Tucker, 4 days @ 1.50 per day 6.00; 56 miles @ 1¢ per mile 5.60 =	11.60
C. H. Phillips - Do. =	11.60
E. J. Bacon Do - =	11.60
R. R. Tomlin Do =	11.60
Louis Lancaster Do =	11.60
E. A. Smith Do =	11.60
Geo W. Blackburn Do =	11.60
Total	$111.58

And oblige -

Frank Reed
Jno B. Sugeltary
Marion B. Jennings
Counsel for Defendants

In United States District Court
Southern Dist of Fla.

Tampa Southern Railroad Co.
vs
Tankersley - et al

Praecipe for Witness Subpoena.

The Clerk of this Honorable Court will please issue Subpoena in the above entitled cause addressed to George W. Blackburn of Sarasota in Sarasota County, Florida, as a material witness on behalf of defendants, commanding said witness to appear before the Court instanter & oblige.

Frank Reed
Jno B. Dingeldey
Attys for defendants

TAB 10.

March 9, 1926

Praecipe for Witness Subpoenas by Counsel for Tankersley and Davies

1225-T

United States District Court

Southern District of Florida.

Tampa Southern Railroad Co.

-vs-

Bonnie K. Tankersley et al.

PRAECIPE FOR WITNESS SUBPOENAE.

FILED

MAY 9 1926

Edwin L. Mayo

Ala E. Warren

UNITED STATES DISTRICT COURT IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA.

Tampa Southern Railroad Company,	*	
-versus-	*	CONDEMNATION.
Bonnie K. Tankersley and	*	
Mattie V. Davies.	*	

The Clerk of the Above styled Court will please issue witness subpoenae to the following named witnesses, to testify in behalf of the defendants returnable March 15th, at ten O'clock A.M. in the forenoon.

E.J. Bacon	Sarasota,	Fla.
Sam Tomlin	"	"
E. A. Smith	"	"
J. M. Clark	"	"
J.H. Tucker	"	"
Louis Lancaster	"	"
W.B. Phillips	"	"

John B. Sussellory
Attorney for Defendants.

TAB 11.

[UNDATED]

Tampa Southern Railroad's Requested Jury Charge

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, A CORPORATION,

vs.

SOPHIE K. TASTERNSKY, ET AL.

CONDEMNATION

PETITIONER'S REQUESTED CHARGES.

1. The jury are instructed that, as the power of eminent domain is necessary for the public good, it would be unjust to the public that the plaintiff should be required to pay the owner more than a fair indemnity for the loss he sustains by the appropriation of his property for the general good. On the other hand, the owner being compelled to part with his property, whether he desires to sell or not, the law allows him just compensation therefor.

2. The jury are instructed that "just compensation" means the payment of such sum of money as will make the defendant whole, so that, on receipt by the defendant of the compensation and damages awarded, he will not be poorer by reason of his property being taken or damaged.

3. The jury are instructed that, in considering the compensation to be paid to the defendant for the land about to be taken, they are to fix the actual cash market value of the land taken. And they are further instructed that they are not to consider the price at which the property would sell for under a sale for extraordinary circumstances, but its fair market value, if sold in the market under ordinary circumstances for cash, and not on time, and assuming that the owners are willing to sell, and the purchaser is willing to buy.

4. The court instructs the jury that you are not to consider what the land was worth to the defendant, the owner, for speculation, or merely possible uses, nor what she claims it was worth to her, nor what it may be worth to plaintiff for railroad or other

purposes, nor what the land would bring at a forced sale. You are not to consider the price the land would sell for under special or extraordinary circumstances, but its fair market value, if offered in the market under ordinary circumstances for cash, a reasonable time being given to make the sale. (Market value is the amount the strip would sell for if put upon the open market, and sold in the manner in which property is ordinarily sold for cash in the community where it is situated, with a reasonable time being given to find a purchaser and make the sale.)

5. The court instructs the jury that you must take into consideration the purposes for which the property was adapted and determine the market value from what a person would then have paid for the property, in cash, not buying, however, for any particular purpose, but having regard to the market value of the property as it then stood for all purposes.

6. The court tells the jury that they will find for the defendants a fair equivalent for the entire piece of property, which finding should be its market value at present in money, and its market value is that price it would bring when it was offered for sale by one who desires, but is not obliged to sell it, and is bought by one who is under no necessity of buying it; in other words, a fair market value means the fair value between one who wants to purchase and one who wants to sell.

Kelly Sutton Shaw

Attorneys for Petitioner.

TAB 12.

[UNDATED]

Tankersley and Davies
Proposed Jury Charge
and Transcription

The defendant requests the Court to charge the jury:

In fixing the compensation to be paid the owners for the land sought to be taken it is proper for you to determine whether or not the proposed appropriation imposes an injury or impairment of value to the adjoining land of Defendants of the same tract from which this land is taken and in fixing the amount of compensation to be awarded by you you should include the amount of such injury if any there be in your award.

In addition to the compensation awarded the defendants by you it is also your duty to determine from the evidence before you what amount would be a reasonable attorneys fee for the services of an attorney representing the defendants in this cause

Transcription of Tankersley and Davies Proposed Jury Charge.

The defendant requests the Court to charge the jury:

In fixing the compensation to be paid the owners for the land sought to be taken it is proper for you to determine whether or not the proposed appropriation imposes an injury or impairment of value to the adjoining land of Defendants of the same tract from which this land is taken and in fixing the amount of compensation to be awarded by you you should include the amount of such injury if any there be in your award.

In addition to the compensation Awarded the defendants by you It is also your duty to determine from the evidence before you what amount would be a reasonable attorneys fee for the services of an attorney representing the defendants in this cause.

TAB 13.

March 15, 1926

Evidence of Plat
by Florida Secretary of State
(Actual Plat Not Found)

#1225-D

Pl's EXHIBIT NO. 1

Tampa Sou. R.R. Co

VS.

Bernie K. Tanderley et al

FILED IN EVIDENCE

March 12 1926

EDWIN R. WILLIAMS, CLERK

STATE OF FLORIDA)
: SS
Office Secretary of State)

I, H. CLAY CRAWFORD, Secretary of State of the State of Florida, do hereby certify that the attached is a true copy of a portion of the plat filed in this office showing the location of the Tampa Southern Railroad through Sarasota County in Sections 20, 21, 22, 25, 26 and 27.

GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the eighteenth day of January, A. D. 1926.

Secretary of State.

TAB 14.

March 15-17, 1926

Docket of Trial Proceedings

In the District Court of the United States in and for the SOUTHERN District of FLORIDA.

Tampa, Florida. March 16th, 1926 Cont'd.

Mabel Altman

#1028T.-v- Damages $50,000.00

Atlantic Coast Line Railroad Company, a corporation.

Both parties to this cause be again present by counsel, and the jury heretofore sworn in this cause being in their respective places, trial of this cause is Ordered resumed:

Now comes the defendant at the close of all the testimony and again moves the Court for an instructed verdict in favor of the defendant, which motion being argued by counsel and submitted to the Court, it is Ordered that said motion be and the same hereby is granted;

Whereupon, by direction of the Court the jury returns in open court its verdict in the words and figures following, to-wit:

"We the jury find for the defendant. So Say we all.

L.E.Joughin---Foreman

Tampa Southern Railroad Company, a corporation.

#1225T. -v- Condemnation.

Bonnie K.Tankersley et al.

Both parties to this cause being again present by counsel and the jury heretofore empanelled herein being in their respective places, trial of this cause is Ordered resumed:

To further maintain the issues herein in behalf of the plaintiff there are sworn and testified as witnesses: Chas L.Leggett; L.S.Bishop; J.H.Lord; and Adolf D. Albritton. Palintiff rests.

Now comes the defendants herein and moves the court to dismiss the petition herein, which motion being argued and submitted to the Court, It is Ordered that said motion be and the same hereby is denied.

To maintain the issues herein in behalf of the defendant there are sworn and testified as witnesses: Chas. G. Benson.

Defendant files in evidence Exhibit No. "A".

The hour for the recess of the Court having arrived, and the jury again being cautioned as to their conduct are allowed to separate for the night.

It is Ordered that all jurors be excused until 10:00 o'clock A.M. tomorrow.

It is ordered that Court do now take a recess until 10:00 O'clock A.M. tomorrow. Whereupon Court takes a recess as ordered.

In the District Court of the United States in and for the

SOUTHERN District of FLORIDA.

WEDNESDAY MARCH 17th, 1926.

PRESENT: HIS HONOR LAKE JONES U.S.DIST.JUDGE PRESIDING.
COURT OFFICIALS AND BAILIFFS IN ATTENDANCE.
IT IS ORDERED THAT COURT BE NOW OPENED.
WHEREUPON COURT IS OPENED AS ORDERED.

Tampa Southern Railroad Company
#1225-T vs Condemnation
Bonnie K. Tankersley et al.

Both parties to this cause being again present by counsel, and the jury heretofore empanelled herein being in their respective places. trial of this cause is resumed.

To further maintain the issues herein, in behalf of the defendant there are sworn and testified as witnesses:

W.B. Phillips E.J. Bacon C. W. Blackburn
J. H. Tucker W.B. Dickenson J. C. Bishop
E. A. Smith N. B. K. Pettingill.

Defendant rests.

To further maintain the issues herein in rebuttal in behalf of the plaintiff there are sworn and testified as witnesses:

Robert K. Thompson. Plaintiff closes.

Defendant closes;

The hour for the recess of the Court having arrived, and the jury being again cautioned as to their conduct are allowed to separate for the night.

It is ordered that all jurors be excused until 10:00 O'clock A.M. tomorrow.

United States of America
vs
J. T. Hogan

ORDER.

It appearing on report of the United States Marshal that J.T. Hogan, a United States prisoner heretofore confined in Hillsborough County Jail, was removed from said jail on order of the attending physician on the 13th day of March 1926 to Gordon Keller Hospital, Tampa, Florida, ill with pneumonia, it is hereby

Ordered that the said removal and confinement in said hospital be and the same is hereby approved, for such period of time as may, in the opinion of the attending physician be necessary; and it is further

TAB 15.

March 17, 1926

Joint Stipulation as to Legal Description and Transcription

#1225-P

U. S. District Court
Sou. Dist. of Fla

Tampa Southern
R.R. Co.
-v-
Bonnie H. Tanberaley
et al.

Stipulation

Filed-Mar-17-1926
Edwin R. Williams
Clerk
Julian Osbeaks
Deputy

It is agreed that the area of the land sought to be taken in this proceeding and shown in red on the map filed in evidence as plaintiffs Exhibit No. 2 is as follows:-
From the East extremity of the red area to the line marked "B" is (1.74) one and seventy-four one hundredths acres
From the line on the area ~~red~~ in red marked "B" to the line marked "A" is (2.01) Two and one-one hundredths acres and
From the said line marked A to the North end of the area marked in red is (5.23) Five and twenty three hundredths acres.
Said that the triangular tract in the South, West corner south west of the red area is approximately 5 acres

Attorney for Petitioner
Grand Red
Water Co.
Attorneys for Defendants

Transcription of March 17, 1926, Joint Stipulation as to Legal Description.

It is agreed that the area of the land sought to be taken in this roceeding and shown in red on the map filed in evidence as plaintiffs' Exhibit No. 2 is as follows:

From the East extremity of the red area to the line marked "B" is (1.74) one and seventy-four one hundredths acres. From the line on the area in red marked "B" to the line marked "A" is (2.01) two and one – one hundredths acres and from the said line marked "A" to the North end of the area marked in red is (5.23) five and twenty-three hundredths acres.

And that the triangular tract in the South West corner south west of the red area is approximately 5 acres.

Signatures:
Attorney for Petitioner

Attorney for Defendant

TAB 16.

March 18, 1926

Verdict

No. 1235T

United States District Court
SOUTHERN DISTRICT OF FLORIDA

TAMPA SOUTHERN RR COMPANY

vs.

BONNIE K. TANKERSLEY, ET AL.

Verdict

~~[illegible]~~.

Filed
March 18 - 1936
Edwin R. Williams
Clerk
Julian [illegible]
Deputy

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, a corporation,

vs.

BONNIE K. TANKERSLEY and MATTIE V. DAVIES

CONDEMNATION

We, the jury, duly impaneled and sworn in accordance with law to try what compensation shall be paid to the defendants for the property sought to be appropriated in this cause, irrespective of any benefit from any improvement proposed by the petitioner, do find:-

1. That the property sought to be condemned is described as follows:-

All that certain piece, parcel or strip of land situate, lying and being in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 36, South of Range 18 East, Sarasota County, Florida, particularly described as follows:

BEGINNING at an iron monument reputed to be in the east line of the Southwest Quarter of Southeast Quarter of said Section 20, said iron monument being 100 feet north of the center line of the main line track of the S.A.L.Railway; thence westerly parallel to the center line of the main line track of the S.A.L. Railway and 100 feet therefrom, 1519.6 feet to a point of curve; thence in a general northwestwardly direction (from the preceding course as a tangent) on a curved line to the right having a radius of 930.37 feet, a distance of 1460.7 feet to a point of tangent; (said point of tangent being distant 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence northwardly tangent to said curved line 305 feet more or less, to an iron monument reputed to be in the south line of the Northeast Quarter of Southwest Quarter of said Section 20; said monument being 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence Westwardly along the south line of the Northeast Quarter of Southwest Quarter of said Section 20, a distance of 175 feet to a point in the east line of land conveyed by J. C. Bishop to the Tampa Southern Railroad Company

by deed dated June 2nd, 1923, recorded July 6th, 1923, in Deed Book 11, page 359, records of Sarasota County, Florida; thence southwardly along said east line 460 feet to an iron monument distant 50 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence southeastwardly on a curved line to the left concentric with the second course herein described and 200 feet therefrom, as measured radially, 1030 feet, more or less, to an iron monument; said monument being 50 feet north of the center line of the main line track of the S.A.L. Railway; thence eastwardly parallel to the center line of the main line track of the S.A.L. Railway and fifty (50) feet therefrom 2069.6 feet to the east line of the Southwest Quarter of Southeast Quarter of said Section 20; thence northwardly along said east line 50 feet to the point of beginning; containing 8.98 acres, more or less.

2. That the compensation made therefor shall be the sum of $61500.00 Dollars, together with the further sum of 5000.00 Dollars as a reasonable attorney's fee for the defendant's attorneys in this cause.

3. That the amount of said compensation shall be paid to Bonnie K. Tankersley and Mattie V. Davies, in equal portions.

DATED THIS 18 TH DAY OF MARCH, A.D., 1926.
SO SAY WE ALL.

N. G. Overstreet
FOREMAN.

TAB 17.

March 18, 1926

Entry of Judgment

No. 1225-T

United States District Court
SOUTHERN DISTRICT OF FLORIDA

TAMPA SOUTHERN RR COMPANY

vs.

BONNIE K. TANKERSLEY, ET AL.

JUDGMENT.

FILED
MAR 18 1926
Edwin R. Williams
Clerk
Ella E. Warren
Deputy Clerk

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY, a corporation,	]	
vs.	]	CONDEMNATION
DONNIE K. TANKERSLEY and MATTIE V. DAVIES	]	

The above entitled cause coming on to be heard upon the verdict of the jury, which verdict is in words and figures following, to-wit:-

We, the jury, duly impaneled and sworn in accordance with law to try what compensation shall be paid to the defendants for the property sought to be appropriated in this cause, irrespective of any benefit from any improvement proposed by the petitioner, do find:-

1. That the property sought to be condemned is described as follows:-

All that certain piece, parcel or strip of land situate, lying and being in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 38, South of Range 18 East, Sarasota County, Florida, particularly described as follows:

BEGINNING at an iron monument reputed to be in the east line of the Southwest Quarter of Southeast Quarter of said Section 20, said iron monument being 100 feet north of the center line of the main line track of the S.A.L.Railway; thence westerly parallel to the center line of the main line track of the S.A.L. Railway and 100 feet therefrom, 1519.6 feet to a point of curve; thence in a general northwestwardly direction (from the preceding course as a tangent) on a curved line to the right having a radius of 930.97 feet, a distance of 1460.7 feet to a point of tangent; (said point of tangent being distant 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence northwardly tangent to said curved line 303 feet more or less, to an iron monument reputed to be in the south line of the Northeast Quarter of Southwest Quarter of said Section 20; said monument being 225 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence Westwardly along the south line of the Northeast Quarter of Southwest Quarter of said Section 20, a distance of 175 feet to a point in the east line of land conveyed by J. C. Bishop to the Tampa Southern Railroad Company

by deed dated June 2nd, 1923, recorded July 6th, 1923, in Deed Book 11, page 359, records of Sarasota County, Florida; thence southwardly along said east line 460 feet to an iron monument distant 50 feet east of the west line of the Southeast Quarter of Southwest Quarter of said Section 20; thence southeastwardly on a curved line to the left concentric with the second course herein described and 200 feet therefrom, as measured radially, 1030 feet, more or less, to an iron monument; said monument being 50 feet north of the center line of the main line track of the S.A.L. Railway; thence eastwardly parallel to the center line of the main line track of the S.A.L. Railway and fifty (50) feet therefrom 2069.6 feet to the east line of the Southwest Quarter of Southeast Quarter of said Section 20; thence northwardly along said east line 50 feet to the point of beginning; containing 8.98 acres, more or less.

2. That the compensation made therefor shall be the sum of # 61,500.00 Dollars, together with the further sum of 5000.00 Dollars as a reasonable attorney's fee for the defendant's attorneys in this cause.

3. That the amount of said compensation shall be paid to Bonnie K. Tankersley and Mattie V. Davies, in equal portions.

DATED THIS 18 TH DAY OF MARCH, A.D., 1926.
SO SAY WE ALL.

W. B. Overstreet
F O R E M A N.

It is considered by the Court that the property therein described be appropriated by the Tampa Southern Railroad Company for use as a right of way for said Railroad Company, upon the petitioner paying, or securing by deposit of money, the sum of Sixty-one Thousand, Five Hundred Dollars, the compensation found by the verdict of said jury in favor of the owners, and in addition thereto, paying or securing by deposit of money in the registry of court, the sum of Five Thousand Dollars, which is determined by the jury to be a reasonable attorney's fee for the defendants in this proceeing, also the costs of this proceeding, to be taxed by the Clerk of this Court.

DONE AND ORDERED THIS 18th DAY OF MARCH, A.D., 1926.

L. A. Jones
J U D G E.

TAB 18.

April 17, 1926

Deposit of Judgment in Court Registry

#1225-T

U. S. District Court
Sou. Dist. of Fla

Tampa Sou. RR Co

-v-

Bonnie R. Tankersley
et

Certificate of Clerk
as to depositing money
in Registry of Court.

FILED
APR 7-1926
Edwin R. Williams
Clerk
Juliana Peabody
DEPUTY CLERK

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF FLORIDA.

TAMPA SOUTHERN RAILROAD COMPANY,	]	
vs.	]	CONDEMNATION
BONNIE K. TANKERSLEY, ET AL.	]	

I, EDWIN R. WILLIAMS, Clerk of the District Court for the Southern District of Florida, do hereby certify that on this 17th day of April, 1926, the Tampa Southern Railroad Company duly deposited in the registry of the above court, the sum of SIXTY-ONE THOUSAND FIVE HUNDRED - - - and 00/100 DOLLARS ($61,500.00) the compensation allowed by the jury in the above cause for the land sought to be appropriated, and do further certify that the said Tampa Southern Railroad Company has further deposited in the registry of this court, the sum of FIVE THOUSAND DOLLARS ($5000.00), the amount found by the jury to be a reasonable attorney's fee to be allowed to the defendant in the said cause, and has further deposited in the registry of this court the sum of ONE HUNDRED ELEVEN and 58/100 ($111.58) as costs of this proceeding.

IN WITNESS WHEREOF I have hereunto set my hand and the seal of said Court this 17th day of April, A.D. 1926.

Clerk, District Court, United States,
Southern District of Florida,
by Julian a Beale
Deputy Clerk.