

STATE OF ALABAMA,	)	
	)	
Petitioner,	)	IN THE CIRCUIT COURT OF
vs.	)	
LESLIE BRYARS, SYBLE BRYARS,	)	
ATMORE FINANCE COMPANY, a	)	BALDWIN COUNTY, ALABAMA
corporation, FIRST NATIONAL	)	
BANK OF ATMORE, a National	)	
Banking Association, BALDWIN	)	
COUNTY BANK, a corporation,	)	CASE NUMBER 5953
UNITED STATES OF AMERICA, and	)	
PRESTON HALL, as to TRACT	)	
NUMBER 29,	)	
Defendants.	)	

FINAL JUDGMENT:

This cause coming on to be heard by the Court on this the 22nd day of September, 1964, now come the parties and their respective attorneys of record and it appearing to the Court from the stipulation of the parties made and entered into on this date and filed in this cause, that on the 30th day of October, 1963, an application was filed in the Probate Court of Baldwin County, Alabama, by the State of Alabama, seeking to condemn certain lands therein described for the uses and purposes therein averred, and that subsequent thereto proceedings were had in the Probate Court of Baldwin County, Alabama, in accordance with the statutes in such cases made and provided, and that said Court did, on the 22nd day of January, 1964, enter an order of condemnation of the lands described in said application and which are hereinafter described, and that on the 31st day of January, 1964, the State of Alabama appealed from said order of condemnation to this Court and demanded a trial by jury; and it further appearing to the Court from the stipulation of the parties hereinabove referred to that the only issue in this proceeding is the damages and compensation, if any, to which the Defendant landowners are entitled and that an order of condemnation should be here entered condemning the lands hereinafter described for the uses and purposes set forth in the application, which is now on file in this Court.

And now comes a jury of twelve good and lawful men, to-wit, Y. A. Cox and eleven others, and the issue of the amount of damages

and compensation, if any, to which the landowners are entitled having been submitted to them, did return a verdict in words and figures as follows:

"We the jury, assess the amount of damages and compensation to which the Defendants in this case are entitled at \$2500.00.

/s/ Y. A. Cox  
As Foreman".

And the Court having considered all of the above is of the opinion and judgment that an order or judgment of condemnation should be here entered conditioned upon the payment by the State of Alabama to the Clerk of this Court for the use and benefit of the Defendant landowners; it is, therefore

ORDERED, ADJUDGED AND DECREED by the Circuit Court of Baldwin County, Alabama, as follows:

1. That the application of the State of Alabama for the condemnation of the lands hereinafter described be, and the same is hereby granted, and that the property described in Exhibit "A" attached hereto, and by reference made a part hereof as though fully set forth herein, be, and the same is hereby condemned for the use by the State of Alabama as a right of way for a public road of limited access as set forth in the application aforesaid, and the rights therein are hereby divested out of the landowners and into the State of Alabama, upon the payment by the State of Alabama of the sums hereinafter ordered and decreed to be paid.

2. That the damages and compensation to which the Defendant landowners in this case, Leslie Bryars, Syble Bryars, Atmore Finance Company, a corporation, First National Bank of Atmore, a National Banking Association, Baldwin County Bank, a corporation, United States of America, and Preston Hall, are entitled is hereby fixed at the sum of \$2,500.00, which said sum is hereby ordered to be paid by the State of Alabama to said Defendant landowners; and that upon the payment of said amount by the State of Alabama to said landowners the condemnation of the lands hereinabove described shall be, and become effective.

3. That the State of Alabama pay the costs of this proceeding.

Dated this the 22nd day of September, 1964.

Joseph J. Mullin  
Circuit Judge

FILED  
OCT 5 1964  
CLERK OF COURT  
BALDWIN COUNTY, ALABAMA

State of Ohio  
Ladie Bygones

JURY LIST - SEPTEMBER 21, 1964

- ~~1. Bishop, Aaron, Farmer, Fairhope~~
- ~~2. Bishop, Daniel C., Fisherman, Barnwell~~
- ~~3. Bloch, John, Farmer, Elberta~~
- ~~4. Britt, Cecil, Carpenter, Bay Minette~~
- ~~5. Brooks, Horace, D., Farmer, Summerdale~~
- ~~6. Bryars, Thomas Eugene, Brookley Field, Bay Minette~~
- ~~7. Childress, Lewis E., Farmer, Fairhope~~
- ~~8. Childress, Paul, Jr., Farmer, Loxley~~
- ~~9. Cox, Young Ausphera, Merchant, Stockton~~
- ~~10. Darby, William H., State Exp., Gulf Shores~~
- ~~11. Davis, Robert M., Merchant, Foley~~
- ~~12. Dubrock, George, Cabinet Maker, Fairhope~~
- ~~13. Dunn, J.R., Grand Hotel, Fairhope~~
- ~~14. Durant, Joe C., Farmer, Bay Minette~~
- ~~15. Freeman, Sam, Merchant, Robertsedale~~
- ~~16. Gerhard, Cassebaum, Farmer, Elberta~~
- ~~17. Gwaltney, John L., Farmer, Robertsedale~~
- ~~18. Harms, Otto, Farmer, Summerdale~~
- ~~19. Head, Charlie, Jr., Farmer, Stapleton~~
- ~~20. Hoiles, Richard, Salesman, Summerdale~~
- ~~21. James, Robert D., Farmer, Foley~~
- ~~22. Joyner, J.H., Jr., Grand Hotel, Fairhope~~
- ~~23. Lee, Hubert, Florist, Robertsedale~~
- ~~24. Lyrene, Edward, Farmer, Silverhill~~
- ~~25. Mancini, Arthur, Farmer, Daphne~~
- ~~26. Mannich, Ingwald, Farmer, Mag. Spgs.~~
- ~~27. Mason, Dupree, Salesman, Fairhope~~
- ~~28. McDaniel, Edward, Farmer, Robertsedale~~
- ~~29. McGee, James, Brookley Field, Fairhope~~
- ~~30. McVay, A.R., School Supervisor, Bay Minette~~
- ~~31. Miller, R. Cecil, Implement Dealer, Foley~~
- ~~32. Moore, Louis Davis, Farmer, Summerdale~~
- ~~33. Morgan, J.T., Farmer, Robertsedale~~
- ~~34. O'Quinn, Ralph E., Civil Service, Lillian~~
- ~~35. Osborne, W.A., Civil Service, Foley~~
- ~~36. Riden, Charles, Woodman, Bay Minette~~
- ~~37. Schnatz, Pete M., Civil Service, Lillian~~
- ~~38. Sims, James F., Farmer, Rabon~~
- ~~39. Wrenn, Walter P., Fleet, Bay Minette~~
- ~~40. Weatherford, Arthur C., Newport, Bay Minette~~
- ~~41. Weeks, Oscar G., Mechanic, Mag. Spgs.~~
- ~~42. White, Grady, Salesman, Foley~~
- ~~43. Carmichael, Arlee, Brookley Field, Daphne~~
- ~~44. Douglas, Oliver, Brookley Field, Daphne~~
- ~~45. Jones, George, Business Oper., Daphne~~
- ~~46. Lett, Charlie, Sr., Retired, Daphne~~
- ~~47. Thomas, Tom, Bacon McMillan, Bay Minette~~
- ~~48. Thompson, Herman, Public Work-Mobile, Daphne~~
- ~~49. Yelding, Bailey, Sr., Carpenter & Bricklayer, Daphne~~

P XXXXX XXXXX XXXXX XY  
D XXXXX XXXXX XXXXX Y

4 1/2  
12  
3 1/2  
14  
17 1/2

STATE OF ALABAMA

Petitioner

vs

LESLIE BRYARS

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF

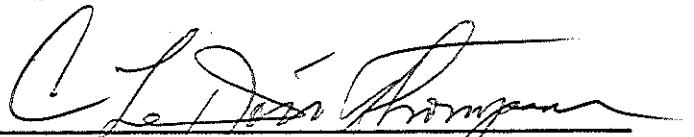
BALDWIN COUNTY, ALABAMA

NO. 5953

Come Thompson & White by C. LeNoir Thompson, attorney and  
files this his appearance as attorney for Leslie Bryars, defendant  
in the above styled cause.

THOMPSON & WHITE

BY:

  
Attorneys for Leslie Bryars

FILED

APR 2 1964

ALICE L. DUCK, CLERK  
REGISTER

STATE OF ALABAMA,	)	
	)	
Petitioner,	)	IN THE CIRCUIT COURT OF
	)	
vs.	)	
	)	BALDWIN COUNTY, ALABAMA
LESLIE BRYARS, SYBLE BRYARS,	)	
ATMORE FINANCE COMPANY, a	)	
corporation, FIRST NATIONAL	)	CASE NUMBER 5953
BANK OF ATMORE, a National	)	
Banking Association, BALDWIN	)	
COUNTY BANK, a corporation,	)	
UNITED STATES OF AMERICA, and	)	
PRESTON HALL, as to TRACT	)	
NUMBER 29,	)	
	)	
Respondents.	)	

STIPULATION:

It is hereby stipulated by and between the Petitioner (appellant) and Leslie Bryars, et al., <sup>(Appellees)</sup> parties to the above styled cause, through their respective attorneys of record, each acting with full authority as follows:

1. That the petitioner is authorized to institute and prosecute this proceeding to acquire the property or interest for order of condemnation filed in the Probate Court of Baldwin County, Alabama, on the 30th day of October, 1963, for the public purposes stated in said application or petition.

2. That all proceedings in the Probate Court of Baldwin County, Alabama, in this cause were regular, and an appeal has been duly and properly perfected within the time allowed and entered in said Probate Court in this cause on the 31st day of January, 1964, in this Court and trial by jury on the issue of valuation has been properly demanded.

3. That the application or petition for order of condemnation correctly sets out the uses and purposes for which the property and rights herein sought is to be devoted, used or applied and the petitioner has the right to obtain said property in this proceeding for the purposes stated.

4. That the Respondents herein are the only parties known to either petitioner or respondents who have or assert any right, title or interest in or to the lands or interest therein sought to be acquired.

5. That the respondents have had due notice of this trial and all proceedings herein and expressly enter their appearance in this Court.

We, the jury, assess the compensation  
and damages at \$2,500.00

Foreman  
J. R. Cox

State of Ark  
vs  
Lennie Byars

No. 5953

*To be submitted to the Jury*

6. That the only issue in this proceeding is the damages and compensation, if any, to which the respondents are entitled for the lands and interest in lands sought to be acquired by the petitioner for the uses and purposes stated.

7. That the time of taking in this proceeding is the date on which the application for order of condemnation was filed in the Probate Court, to-wit, the 30th day of October, 1963, and the valuation of said property was constant between that date and the date on which the order of condemnation was entered, to-wit, the 22nd day of January, 1964.

*Julian A. Maddebeer*  
Attorney for Petitioner.

*Thompson & White*  
*By C. L. Thompson*  
Attorney for Respondents.

*Leslie Bygones & Angelle Bygones*

*Filed 9-22-64*  
*Alvin French*  
*Clerk*

THOMPSON & WHITE

Attorneys-At-Law

BAY MINETTE, ALABAMA

C. LeNoir Thompson

36507

Mary Thompson White

937-3921  
Phones : 937-7487  
937-8355

November 13, 1964

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

Re: State of Alabama

v.

Leslie Bryars, Syble Bryars,  
Atmore Finance Company, a  
corporation, First National Bank  
of Atmore, a National Banking  
Association, Baldwin County  
Bank, a corporation, United  
States of America, and Preston  
Hall, as to Tract Number 29

Case No. 5953

Dear Mrs. Duck:

This letter confirms a conversation between Honorable James A. Wurst, Cashier of the Baldwin County Bank and Honorable Vernol Jansen, Jr., U. S. District Attorney, Mobile, Alabama, which phone call was made with my consent as attorney for the defendants and with the consent of the defendants in the above styled case.

The agreement being that the Honorable Vernol Jansen in his capacity as District Attorney has agreed that the sum of \$447.09 will satisfy the original judgment obtained by the United States of America which judgment is recorded in Judgment Book 8, page 118 in the office of the Judge of Probate of Baldwin County in the amount of \$269.04 together with \$46.40 costs with interest of \$131.~~65~~ on the principal amount of said judgment being a total of \$447.09 and that this check may be made payable to Leslie Bryars, Syble Bryars, C. LeNoir Thompson, Attorney and the Treasurer of the United States.

The remaining portion of said judgment to be included in a check made payable to Leslie Bryars, Syble Bryars, C. LeNoir Thompson, attorney and the Baldwin County Bank.

Trusting this request will enable your office to distribute this money with the least inconvenience to all concerned.


FILED

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ALICE J. DUCK, CLERK



Attached hereto is a release from the Atmore Finance Company furnished the Baldwin County Bank and a release from the First National Bank of Atmore, thereby eliminating their claims from your consideration.

Yours very truly,

A handwritten signature in dark ink, appearing to read "C. D. Thompson". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

CLT/hm

cc: Baldwin County Bank  
Bay Minette, Alabama

Honorable Vernol Jansen, Jr.  
U. S. District Attorney  
Mobile, Alabama

FILED  
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CLERK  
REGISTER

Perdido, Alabama  
November 13, 1964

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

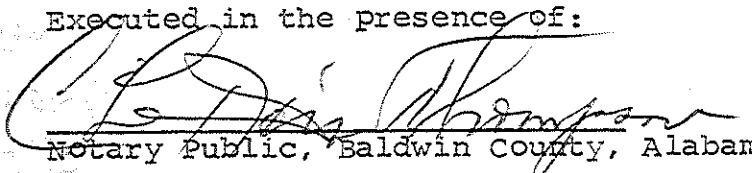
Dear Mrs. Duck:

This is to advise you that the judgment dated May 22, 1963, and of record in Judgment Book 13, page 180 obtained by me against Leslie Bryars has been satisfied and has been cancelled on the record by me.

Yours very truly,

  
Preston Hall

Executed in the presence of:

  
Notary Public, Baldwin County, Alabama

FILED

NOV 1964

NOTARY PUBLIC

STATE OF ALABAMA

ESCAMBIA COUNTY

KNOW ALL MEN BY THESE PRESENTS: The undersigned Mortgages, the FIRST NATIONAL BANK OF ATMORE, Atmore, Alabama, a national banking association, named in that certain mortgage dated the 17th day of February, 1947, and executed by Leslie Bryars, to the First National Bank of Atmore, Atmore, Alabama, to secure the payment of the indebtedness therein mentioned, and said mortgage being recorded in Mortgage Book 126, page 3, Probate Records of Baldwin County, Alabama, has received from the said Mortgagors named in the mortgage, full payment and satisfaction of the debt thereby secured, and said mortgage is hereby cancelled and discharged of record.

IN WITNESS WHEREOF the First National Bank of Atmore, Atmore, Alabama, has caused these presents to be executed by J.M. Jones as its President, and its corporate seal affixed, this the 9th day of October, 1964.

FIRST NATIONAL BANK OF ATMORE,  
a national banking association

By: \_\_\_\_\_

STATE OF ALABAMA  
ESCAMBIA COUNTY

I, Margaret Strwabridge, a Notary Public in and for said State and County, do hereby certify that J.M. Jones whose name as President of the First National Bank of Atmore, a national banking association, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the said conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said national banking association.

Given under my hand and seal this the 9th day of October, 1964.

FILED

NOV 20 1964

Notary Public

CLERK  
REGISTER

No. 1, Public State of Alabama

UNITED STATES ATTORNEY  
311 FEDERAL BUILDING  
MOBILE, ALABAMA 36602

ROH:erb

November 24, 1964

Mr. C. LeNoir Thompson  
Attorney at Law  
Bay Minette, Alabama

Dear Mr. Thompson:

Re: Case No. 5939, Baldwin County Circuit  
Court, State of Alabama v. Leslie Bryars, et al;  
United States v. Leslie Bryars,  
Civil Action 1599, USDC, SDofAla.

You will recall that we were in correspondence in May and June, 1964, concerning the above matters.

We are today in receipt of check from Mrs. Alice J. Duck, Clerk, Circuit Court of Baldwin County, Alabama, in the amount of \$447.09, being funds due to Leslie Bryars from the condemnation proceedings by the State of Alabama in Case No. 5939. This check is acknowledged in full payment of the judgment entered on September 28, 1956, against Mr. Bryars in the District Court of the United States, Civil Action No. 1599, including court costs and interest to date.

We are sending our Receipt No. 489271 to Mrs. Duck, covering the above payment, together with a copy of this letter for her information and file.

Enclosed please find power of attorney to Judge L.D.Owen, Jr., for cancellation of the judgment which is recorded in the Probate Court of Baldwin County, Alabama. This power of attorney should be recorded by Mr. Bryars as soon as possible in order that the judgment lien against him may be cancelled promptly.

Yours very truly,

Enc.

VERNOL R. JANSEN, JR.  
United States Attorney

By *Ralph O. Howard*  
Ralph O. Howard  
Assistant United States Attorney

CC: ✓ Mrs. Duck

Mr. J. A. Wurst,  
Cashier, Baldwin County Bank  
Bay Minette, Alabama

11-29-64

Receipt NO. 489271

Form No. USA-200  
(Rev. 3-3-58)  
Form approved by  
Comp. Gen., U. S.

DEPARTMENT OF JUSTICE

Office of United States Attorney  
Southern District of Alabama

(CHECKS ACCEPTED SUBJECT TO COLLECTION)

Claim Against Leslie Bryars		U. S. Attorney's No. Claim No. 830 Civil Action No. 1599	
Amount Received Four Hundred and Forty-seven and 09/100 Dollars \$447.09		From Alice J. Duck, Clerk Circuit Court, Baldwin Co., Ala. Case #5939, Tract No. 29	
Agency & File No. GAO DW-Z-1191229-Lea		Judgment, Sept. 28, 1956. Prin., \$177.00; Int., \$92.04; Costs, \$46.40; Total, \$315.44. Add. Int., \$131.65. Deposit \$46.40 (costs) to Misc. Rct. Acct. No. 3099	
Type Claim VA Overpayment of Subs. While Training	Amt. of Claim \$315.44 (judgment)	DJ File No. VA 151-1-449	<input type="checkbox"/> Pre-judgment <input checked="" type="checkbox"/> Judgment <input type="checkbox"/> Compromise <input checked="" type="checkbox"/> Paid in full <input type="checkbox"/> Partial Pay No.
Date Payment Received November 24, 1964		By <i>Ralph O. Howard</i> (E.B.) Ralph O. Howard, AUSA, for UNITED STATES ATTORNEY	

Original—To Payer

COPY

STATE OF ALABAMA )  
(  
COUNTY OF MOBILE )

KNOW ALL MEN BY THESE PRESENTS that Ralph O. Howard, Assistant United States Attorney for the Southern District of Alabama, hereby acknowledges full payment and satisfaction of the indebtedness evidenced by that certain judgment in favor of the United States of America, and against Leslie Bryars, entered on the 28th day of September, 1956, in Civil Action No. 1599 in the United States District Court for the Southern District of Alabama, Southern Division, certificate of which said judgment is recorded in the Probate Records of Baldwin County, Alabama, in Judgment Book No. 8, page 119;

And the said Ralph O. Howard, as said Attorney for the United States, does hereby constitute and appoint L. D. OWEN, JR., Judge of Probate for Baldwin County, Alabama, as his true and lawful attorney-in-fact, with full authority for and in his name and behalf to make and enter proper cancellation of said judgment upon the records of said County.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this, the 24th day of November, 1964.

Ralph O. Howard

Ralph O. Howard  
Assistant United States Attorney for  
Southern District of Alabama

STATE OF ALABAMA ( )  
COUNTY OF MOBILE )

I, Anita Guice, a Notary Public in and for said State and County, do hereby certify that Ralph O. Howard, whose name as Assistant United States Attorney for the Southern District of Alabama, is signed to the foregoing power of attorney, and who is known to me, acknowledged before me on this day that, being informed of the contents of said power of attorney, he executed the same voluntarily, in his official capacity as aforesaid, on the day the same bears date.

Given under my hand and official seal this 24th day of November, 1964

(NOTARIAL SEAL

Anita Guice  
Notary Public, Mobile County, Alabama