JOHN M. GREEN, Plaintiff.

VS.

Fred C. Hall, Fred C.
Hall doing business as
Secretary and Business
Manager of the Farmers Trucking
& Live Stock Association, and
the Farmers Trucking & Live Stock
Association, Defendants.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

FAIL TERM 1917.

1st. The plaintiff claims of the defendants the sum of \$150.00 due from them by account on the 26th day of May, 1917, which sum on money with interest thereon is still unpaid.

2nd. The plaintiff claims of the defendants the further sum of \$150.00 due from them for merchandise, goods and chattles sold by the plaintiff to the defendants during the months of May, 1917, at their request, which sum of money with interest thereon is till unpaid.

Srd. The plaintiff claims of the defendants the further sum of \$150.00 due from them for money on the 26th day of May, 1917, received by the defendants to the use of the plaintiff, which sum of money with interest thereon is still unpaid.

Attorneys for plaintiff.

SUMMONS AND COMPLAINT.		
The State of Alabama	Circuit Co	ourt
Baldwin County	Fall.	Term, 1917
To Any Sheriff of the State of Alabama:	•	
You are hereby commanded to summon Fred C Hall, I	Fred C Hall doin	a husiness
		,
s Secretary and Business Manager of the Fa	ermens Trucking	& Live Stoc
Association, and the Farmers Trucking & Liv	ve Stock Associa	tion,
to appear and plead, answer or demur, within thirty days from the ser	vice hereof to the Comple	ine find in the Cir
	and the second s	
cuit Court of Baldwin County, State of Alabama, at Bay Minette, agai	inst	
the Defendant by John M Green.		
	A Commence of the Commence of	Plaintif
Witness my hand this 19th day of	October	
	1 Occar	Clerk.
Complaint		
Plaintiff Versus		
The plaintiff claims of the defendant	energia de la companya de la company	
		Dollars due by
		1

Plaintiff's Attorney.

Original 12

State of Alabama Baldwin County

CIRCUIT COURT

John M Green

, Plaintiffs

Fred C Hall et -- als.

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Defendants

Summons and Complaint

Filed October 19th, 19191

Defendant lives at

Bay Minette, Ala.

..Rickarby Austill and Beree (

....Defendant's Attorney

Times Print-Bay Minette.

Received in office
0ctober 19th 191.7.
Sheriff
I have executed this Writ
this March 27 1918
by leaving a copy of the within summons and com-
Fised C Hall as
Secty Somme Copy
as Business Jul
manager and
Jules Sheeting
and Livestotte
and Livestotte

e. OBBUGANSS Sheriff.

Sheriff.

John M. Green, Plaintiff.

Vs.

Fred C. Hall, Fred C. Hall, doing business as Secretary and Business Manager of the Farmers Trucking and Live Stock Association, and the Farmers Trucking and Live Stock Association, Defendants.

IN THE CIRCUIT COURT-LAW SIDE.

STATE OF ALABAMA. BALDWIN COUNTY.

PALL TERM 1917.

Come the Defendants, Fred C. Hall, Fred C. Hall doing business as Secretary and Business Manager of the Farmers Trucking and Live Stock Association, and the Farmers Trucking and Live Stock Association, and for plea to the complaint, and each count thereof, both separately and severally, say;

FIRST.

That they are not indebted in manner and form alleged.

SECOND.

That they have paid the debteupon which this suit is founded before the filing of the said suit.

The Defendants, and each of them, demand a prial by jury.

Attorneys for Defendants.

John M. Green, et al.,

-vs-

Fred C. Hall, et al.

CIRCUIT COURT-LAW SIDE.

STATE OF ALABAMA. BALDWIN COUNTY.

Filed in this office this

STONE & STONE ATTORNEYS

BAY MINETTE, ALABAMA

JOHN M. CREEN, COMPLAINANT.

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FRED C. HALL, FRED C. HALL DOING BUSINESS AS SECRETARY AND BUSINESS MANAGER OF THE FARMERS' TRUCKING & LIVE STOCK ASSOCIATION, DEFENDANTS.

IN CIRCUIT COURT,

BALDWIN COUNTY, ALABAMA.

Interrogatories propounded by Plaintiff to Fred C. Hall, Defendant.

FIRST: State whether or not you were engaged in the business of Euring and selling produce and during the months of April End May, 1917, at Bay Minette, Alabama and whether or not you were doing business for yourself or as the agent of another. Did you buy and sell produce as "Secretary and Business Manager of the Farmers' Trucking & Live Stock Association"?

SECOND: State whether or not the Farmers' Trucking & Live Stock Association was a corporation or partnership during said months, and if a partnership tho its members were.

clected or appointed Secretary and Rusiness Lanager of the Farmers' Trucking and Live Stock Association, and when your term of office as such commonced and when expired.

FOURTH: State who the other officers of such association were.

FIFTH: At any time during said months did you buy, sell or have business relations with such officers or with any members of such Association? If you say you did, did you render your bills and statements.

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on stationery on which was written or printed the words "Rarmers' Trucking & Live Stock Association, Bay Minette, Alabama, Fred C. Hall, Secretary and Busines Manager"? If your answer be yes, please state who such members or officers were.

or either, did you buy from or handle on a commission basis for John M. Green, Plaintiff in this suit, and potates or other produce? If so, state on what date or dates, and place of delivery. State whether or not you received in person such potates or produce or waether same were received by an agent of someone acting for you. If you say they were received by an agent or persons was or were.

delivered in hampers, sacks, boxes or what. If delivered in hampers or masks, please state the size end number of such hampers and sacks. Do you know how many wagon loads were delivered? If so state.

EIGHTH: State whether or not such produce was sold to or handled by, and received by you as Secretary and Business Manager of the Farmers' Trucking & Live Stock Association.

WINEIH: State the price per bushel or pound for such potatoes or produce.

TENTE: State whether or not you personally weighed or measured such produce. If you did, not, give the name or names of the person or persons who did.

RLEVENTH: State whether or not such produce received by you was purchased or whether you were handling them
on a commission basis. If on a commission basis, who were
your principals? To whom were they sold? At what price?
Then and what were the charges and expenses?

any emount on such produce, giving the date and amounds paid.

Kicharle Cuestell Tell

BALDUIE COUNTY

Before me. Cornelia Hell. a Totary Public in and for said County and State, this day personally appeared W.C. Beebe, who being duly sworn deposes and a yethat he is of counsel for John M. Green in the above styled cause, and that he believes that the answer of F.G. Hall. defendant to the foregoing interrogatories, if true, will be material testimony for plaintiff, John M. Green in said cause.

MC Buke

Sworn to and subscribed before me on this the 23 4

Motery Public, Beldwin County,

Received copy of the foregoing interrogatory on the approximation and further notice of filing of same is hereby waived:

attorneys for Defendant.

John M Green

Vs.

Fred C Hall. Et Als.

The answers of Fred . C Hall one of the defendants to the interrogatories propunded by Plaintiff.

To the first Interrogatory he saith: -

I was engaged in the business of buying and selling produce during the months of April and May 1917 at Bay Minette, Ala, as Secretary and Manager of Farmers Trucking and Live Stock Association, as agent for its members.

To the 2nd. Intg. he saith.

The Farmers Trucking and Live Stock Association was not a corporation or a partnership but simply an association of Farmers and Truckers.

To the 3rd. Intg. he saith:-

I was elected at a regular meeting of the Farmers Trucking and Live Stock Association held in Jury room of Baldwin County Court House on Jan. 27th. 1917.

To the 4th. Intg. he saith: -

The other officers elected for the year I917 were D D Jayne. President. Herman Boescher Vice President. W D Stapleton. Treasurer. To the 5th. Intg. he saith.

I had business relations with such officers and members of the Associat ion during the months of April and May 1917 and sold produce for the following members and officers. D D Jayne. Pres. Herman Boescher. Vice. Pres. W H Byrne. R D Byrne. H I West. D W Merwin. D F Aylin. Max Kleiger. G A Merrill. E B Johnson. F J Arnould. W R Gibson. John M Green. G R Holton. W L Booker. A B Coddington. A F Mc Callum. B G Taylor. J R Williams. Sarah Munn and J F Akers.

I rendered bills and statements on Stationary of FarmersTzncking and Live Stock Association .

To the 6th. Intg. he saith.

Yes I sold and handled on commission basis for John M Green during the months of April and May 1917 produce, I acted as his agent in selling these goods, his potatoes were delivered on loading platform of the L & N R R at Bay Minette, Ala. and were received by Ted Mc Millan and Fred C Hall. Mc Millan was working for me.

To the seventh Intg. he saith: -

These potatoes of John M G

These potatoes of John M Greens were delivered in 7/8th. and I bushel hampers, I did not wount the hampers or loads as they were weighed when sacked, and all of John M Greens potatoes delivered were carefully weigh ed that were delivered to me. They were shipped in sacks and the rule was to weigh them when sacked no matter in what package they were brought in. All of Greens potatoes were correctly weighed and he was given all just credit for full weight of his potatoes.

To the 8th. Intg. he saith:-

John M Greens potatoes were received, handled and sold by me as the a-gent of John M Green who was a member of the Farmers Trucking and Live Stock Association. together with myself.

To the 9th. Intg. he saith:-

John M Greens potatoes were weighed by Ted Mc Millan and F C Hall. To the IIth. Intg. he saith:

John M Greens potatoes were sold by me as the agent of John M Green one of the members of the Farmers Trucking and Live Stock Association for cash, to Sansome & Kline of Columbus Ohio, I was on commission basis and received my commission from the parties for whom I sold, I got 5% for handling, such as weighing, poading and sacking and selling. The sacks were furnished by the Association of which John M Green was a member and the price of same was paid by each shipper for the sacks he used. To the I2th. Intg. he saith.

I have paid John M Green in full for every pound of potatoes he deliver ed to me to sell for him, he was given credit for every pound of potatoes he delivered and has been paid by me every cent due him, I paid John M Green by check on May 24th. 1917 the sum of \$161.75 and I also paid John M Green the further sum of \$562.26 by check dated May 26th. 1917. this was in full payment for proceeds in full for all potatoes delivered to me by John M Green, I have the cancelled checks in my posasssion.

State of Alabama. Baldwin County.

- Fred & Hall

Before me Frank S Stone a Notary Public in and for said County and State personally appeared Fred C Hall who is known to me and who after being by me duly sworn doth decose and say under oath that the foregoing answers are true to the best of his knowledge, in formation and belief.

Notary Public Baldwin County. Ala.

ANSWERS OF FRED C HALL

Filed May 3rd. 1918

Malecheron Clk.

CIVIL	SUBPOENA.
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In case the witness shall wish to charge for a	stendance he will please produce to the clerk in term	about a second
	after adjournment of court, else he will be barred.	this copy of his Subpoena, or within five day
PRIVATE CONTRACTOR CON		

THE STATE OF ALABAMA, BALDWIN COUNTY.

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$-\infty$	A STY	SHERIFF					1 1	Mession .	X.	
10	AINY	NEED HELD		THE	CTATE	$\Delta \Gamma$ Λ	T A TOTAL	STREAM	are all are an area.	
		OTTENT S	Or.		JIAIL	$\mathbf{U} \mathbf{I} \mathbf{\Lambda}$		# N M — (~K H.H. I I	N(2)
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You are hereby commanded to summon Leton Kawa. IB Iru
Cellis Sie Willen, DD Jayne, Homen Borche
William Byrne.
if to be found in your county, at the instance of the
to appear before the honorable Circuit Court, of Baldwin County at the Court House thereof on
the 21 day of 191 8, then and there to testify,
and the truth to say, in a certain case pending, wherein
Ino M Green Plainte
Plaintiff, File Hall It—al. Defendant,
and there remain during said Court until discharged by due course of law.

. Herein fail not, and have you then and there this Writ.

Witness my hand this day of Rucy A. D., 1918.

ATTEST:

._Clerk.

No. THE STATE OF ALABAMA Baldwin County. no Mi Green SUBPOENA FOR I le Hall it al Circuit Court Victor bre Koron, IB, Griver Ellir hae huelour D. D. Jayre Boscher. Helliam Byrne SET FOR TRIAL 21 day of way 191.8 Times Print-Bay Minette.

In case the witness shall wish to charge for attendance he will please produce to the clerk in term this copy of his Sub-
The State of Alabama,
Baldwin County.
TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:
YOU ARE HEREBY COMMANDED TO SUMMON Water Subson.
Greenfung Hare, Joseph F. Hare. Elyah Belbert. Elegah Sieleour, & Flechemeron
Elegah Gileour, & Flactioner
if to be found in your county, at the instance of the.
to appear before the honorable Circuit Court of Baldwin County at the Court House thereof, on the 2000.
day of
pending, wherein
Defendant,
and there remain during said Court until discharged by due course of law.
Herein fail not, and have you then and there this Writ.
Witness my hand this
ATTEST:
Ja Macana Clerk

The State of Alabama, Baldwin County. VS. SUBPOENA FOR Fixe Have far Circuit Court WITNESSES: SET FOR TRIAL BALDWIN TIMES PRINT

In case the witness shall wish to cha poena, or with	arge for attendance he will please produce to the in five days after adjournment of court, else h	ne clerk in term this copy of his Sub- e will be barred.
The State of Alabar Baldwin County.	na,	
TO ANY SHERIFF OF THE STA	TE OF ALABAMA—GREETING:	
	ommanded to summon	acuandron -
	No. 1 P	
	nit Court of Baldwin County at the Court Hous	
ponding, wherein	Jus in Gran	Plaintiff
	P.L., Hair	Defendant.
	until discharged by due course of law. we you then and there this Writ.	,
Witness my hand this	2/ day of Office	A. D., 19.
	ATTEST:	Clerk

CIVIL SUBPOENA.	ia Sub-
In case the witness shall wish to charge for attendance he will please produce to the clerk in term this copy of l poena, or within five days after adjournment of court, else he will be barred.	115 500-
The State of Alabama, Baldwin County.	
YOU ARE HEREBY COMMANDED TO SUMMON	
En la Machaelan, Ang Janua, Haman	escher,
William Byne. J. B. Blackburn 97,	
if to be found in your county, at the instance of the	ã.
day of	ertain case
pending, wherein	
Fi. Costace	Defendant,
and there remain during said Court until discharged by due course of law.	The second secon
Witness my hand thisday ofA. D., 19	
9. Miceway	Clerk.

Oscqueel Executed may 16th The State of Alabama, Baldwin County. In M Geen areoz McRowan's returned not found Circuit Court 73 Richerson Clor Elle Kown talling encurier a DN Jayre. V Herricu Breschor, + William Byne. V & Blockburn Ir SET FOR TRIAL 25 day of 222 19/9

In case the witness shall wish to charge for attendance he will please poena, or within five days after adjournment of	produce to the clerk in term this copy of his Sub- court, else he will be barred.
The State of Alabama, Baldwin County.	
TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING	:
YOU ARE HEREBY COMMANDED TO SUMMON	
	Victor Mue Kown
i Sanyari .	
if to be found in your county, at the instance of the	2 cpt
day of 19.7, then and ther	to testify, and the truth to say, in a certain case
pending, wherein	. 0.
Jnon Fle H	Plaint:ff, Defendant,
and there remain during said Court until discharged by due course o	- man
Herein fail not, and have you then and there this Writ.	
Witness my hand thisday of	A. D., 19/5
ATTEST:	Miliano Clerk.

th Case the section				
case the witness shall wish to	charge for attendance he v	will please produce to	the clerk in term shirt	
THE STATE OF	ALARAMA	ment of court, else he	will be barred.	y of his Subpoena, or within five day
	· · · · · · · · · · · · · · · · · · ·			
BALDWIN CO	DUNTY.			

	BALDWIN COUNTY.
	TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:
	You are hereby commanded to summon Barrens
	if to be found in your county, at the instance of the
	to appear before the honorable Circuit Court, of Baldwin County at the Court House thereof, on the
	Plaintiff,
	and there remain during said Court until discharged by due
	20t, and have you then and there this Writ.
4	Witness my hand this day of A. D., 191
	ATTEST:

N	^				
ŦΝ	v.		_	 	

THE STATE OF ALABAMA Baldwin County.

 19/0
P L

Vs. SUBPOENA FOR

Circuit Court

WITNESSES:

JB, Irwin

SET FOR TRIAL

21 day of May 191

Times Print-Bay Minette.

CIVIL SUBPOENA.	M
In case the witness shall wish to charge for attendance he will please produce to the clerk in term this copy of his Subpoena, or within five days THE STATE OF ALABAMA, BALDWIN COUNTY.	
TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING: You are hereby commanded to summon Liver Florida.	
if to be found in your county, at the instance of the to appear before the honorable Circuit Court, of Baldwin County at the Court House thereof, on and the truth to say, in a certain case pending, wherein	
ATTEST: Plaintiff, Plaintiff, Defendant, Defendant, Witness my hand this ATTEST: Clerk.	

SUBPOENA FOR Times Print-Bay Minette. Baldwin County. SET FOR TRIAL WITNESSES: Circuit

JOHN M. GREEN. COMPLAINANT.

VS

* . e

FRED C. HALL, FRED C.
HALL DOING BUSINESS
AS SECRETARY AND BUSINESS
MANAGER OF THE FARMERS' TRUCKING
AND LIVE STOCK ASSOCIATION, AND
THE PARMERS' TRUCKING AND LIVE
STOCK ASSOCIATION, DEFENDANTS.

IN CIRCUIT COURT
BALDWIN COUNTY, ALABAMA.

Interrogatories propounded by Plaintiff to Farmers' Trucking and Live Stock Association.

end Live Stock Association was a corporation in April and May, 1917. If not a corporation, was it a partnership or what was the nature of the officers and members and who are now its officers and members?

SECOND: State whether or not in April and Ray; 1917, Fred C. Hall was Secretary and Business Manager and whether or not he was authorized to buy and sell or to handle on a commission basis farm produce in the name of such association.

THIRD: State whether or not its officers and members knew of any transactions of such nature conducted by him in the mame of such association or as Secretary and Business Manager of the Association.

he was acting for the Association. State whether or not he was acting with the knowledge and consent of such association. If not, state what acts such Association took to prevent his acting and dealing as such and what action was taken to advise the general public and John H. Green, in particular, that he was not authorized to act for the Association or in the name of the Association.

- Helpsely Clester Bile Ollower To House STATE OF ALABAMA

BALDWIN COUNTY.

Before me, Cornelia Hall, a Notary Public in and for said County and State, this day personally appeared W.C. Beebe, who being by me duly sworn deposes and says that he is of counsel for John M. Green in the above styled cause, and that he believes that the answer of Farmers' Trucking and Live Stock Association, if true, will be material testimony for Plaintiff, John M. Green, in said cause.

Sworn to and subscribed before me on this the 23 \checkmark day of April, 1918.

It Buche

Motary Public, Baldwin County,
Alabama.

Received a copy of the foregoing interrogatory on this the day of April, 1918, and further notice of filing of same is herebe waived.

JOHN M GREEN

VS.

FRED C HALL. ET ALS. IN CIRCUIT COURT BALDWIN COUNTY. ALA. SPRING TERM 1918.

The answer of Framers Trucking and live stock Association by D D Jayne its principal officer and President.

To the First Intg. he saith.

The Farmers Trucking and Live Stock Association was not a corporation or a partnership in April and May 1917, it was a voluntary association or club of Truckers and Farmers formed for mutual benefit so as to ship together in car lots. The Officers of the Association were as follows. D D Jayne. Pres. Herman Boeschen Vice. Pres. Fred C Hall Sec. & Mngr. and the members of the association were W H Byrne; R D Byrne. H I West. D W Merwin. D F Albin. G A Merrill. E B Johnson. F J Arnould. W R Gibson. John M Green. G R Holton. W L Booker. A B Coddington. A F Mc Callum. B G Taylor. J R Williams. Sarah Munn. J F Akers.

To the 2nd. Intg he saith.

Fred C Hall was secretary and business manager in April and May 1917 and bought, kandled and sold produce on a commission basis individually for members of the Association, he acting as agent for each member.

To the 3rd. Intg. he saith.

The officers and members did not know of his dealings with others only for each individual one for whom he sold.

To the 4th. Intg. he saith. He was not acting in behalf of the Association but for himself individually and as the agent of each member who brought him produce. He received a commission not the Association. did

The Association trak no acts to prevent his selling and dealing in produce for them as an Association for he did not do so, only acted as the agent for any member who sought his services, JOHN M GREEN was as much a member of the Association as any of the others and knew that Fred C Hall was to get a commission for his services to the members for handling produce. In campany with W H Byrne, and Herman Boeschen we examined the books and accounts of Fred C Hall and the weights allow ed by him to John M Green and found that I

.

John M Green had been given credit for the proper number of hampers claimed by him and that the average weight per hamper was more than either Boeschen or myself had received.

Farmers Trucking and Live Stock Association

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President

Sworn toand subscribed before me this

May ard. 1918.

Notary Public Baldwin County. Alabama.

State of Alabama.

Baldwin County. Before me Frank S Stone a Notary Public in and for said County and State personally appeared D D Jayne, who is known to and who after being by me duly sworn doth depose and say under oath that the answers to the foregoing are true to the best of his knowledge information and belief.

Notary Public Baldwin Sounty, Ala.

ANSWER OF D D JAYNE PRES.

FARMERS THUCKING & LIVE STOCK ASS

OCIATION .

Filed May 3rd. 1918

Tomelian
Clerk.

In case the witness shall wish to charge for attendance he will please produce to the clerk in term this copy of his Suppoena, or within five days after adjournment of court, else he will be barred.	A feet during the state of the
THE STATE OF ALABAMA,)	-
BALDWIN COUNTY.	A COLUMN TO THE PARTY OF THE PA
TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:	
You are hereby commanded to summon Waller Julian,	۱
Breenburg Hare, Joseph F. Hare, Elizah Tilye Elizah Beileons, L. F. Niceroneway	x
Elizah Bileons, L. F. Niceweller	
if to be found in your county, at the instance of the	
to appear before the honorable Circuit Court, of Baldwin County at the Court House thereof,	
on the 2 day of 1918, then and there to testify, and the truth to say, in a certain case pending, wherein	
Plaintiff,	
F. C. Have &— Defendant,	
and there remain during said Court until discharged by due course of law.	
Herein fail not, and have you then and there this Writ.	
Witness my hand this 16 day of way A. D., 191 8.	Total 14/4 Annual V
ATTEST: Much Clerk.	A CONTRACT OF THE PROPERTY OF
CICIA.	

THE STATE OF ALABAMA, Baldwin County. SUBPOENA FOR File, Hall &-al CIRCUIT COURT SET FOR TRIAL Times Print-Bay Minette, Ala.

THE STATE OF	ALABAMA,	
BALDWIN CO	DUNTY:	
TO ANY SHERIFF (OF THE STATE OF ALABAMA—GREETING:	•
You are hereb	y commanded to summon III I lack	
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if to be found in you	r county, at the instance of the	The state of the s
to appear before the l	and the same of th	hereof
- Water County Annual Settle County County	nonorable Circuit Court, of Baldwin County at the Court House t	
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and the truth to say, and there remain duri Herein fail not,	day of 1915, then and there to in a certain case pending, wherein P And Hael Defeng said Court until discharged by due course of law. and have you then and there this Writ.	testify,
and the truth to say, and there remain duri Herein fail not,	day of 191 %, then and there to in a certain case pending, wherein P P P P P P P P P P P P P	testify,
and the truth to say, and there remain duri Herein fail not,	day of 1915, then and there to in a certain case pending, wherein P And Hael Defeng said Court until discharged by due course of law. and have you then and there this Writ.	testify,

SUBPOENA FOR THE STATE OF ALABAMA CIRCUIT COURT Baldwin County. WITNESSES: