

JOSEPH S. PAGE, JR.,

Complainant and Cross-Respondent,  
VS.  
BALDWIN COUNTY BANK, a Corporation,  
Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

MOTION.

Now comes the Baldwin County Bank, a Corporation, the Respondent and Cross-Complainant in the above entitled cause, and shows unto the Court that it introduced certain notes, a mortgage, mortgage foreclosure deed and copies of certain correspondence in evidence in the said cause which has now been fully terminated, and Respondent and Cross-Complainant's Answer and Cross-Bill in the said cause contains true and accurate copies of all of the said instruments so introduced in evidence.

WHEREFORE, the said Baldwin County Bank, a Corporation, respectfully prays the Court that it make and enter a proper order or decree authorizing it to withdraw the said instruments, being all instruments introduced by it in evidence in said cause.

BALDWIN COUNTY BANK, a Corporation,

By J. T. Blackburn  
Its Solicitor of Record.

This Motion coming on to be heard the Court is of the opinion that the said Respondent and Cross-Complainant, the Baldwin County Bank, a Corporation, is entitled to withdraw the said instruments from the Court file as copies thereof are attached to its Answer and Cross Bill in said cause.

IT IS THEREFORE Ordered, Adjudged and Decreed that the Baldwin County Bank, a Corporation, be and it is hereby permitted to withdraw from the Court file all instruments which were introduced by it in evidence in said cause.

Dated this 30<sup>th</sup> day of March, 1936.

J. W. Hare  
Judge.


JOSEPH S. PAGE, JR.,  
Complainant,  
VS.  
BALDWIN COUNTY BANK, a  
Corporation,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

Comes the Baldwin County Bank, a Corporation, Respondent and Cross Complainant in the above entitled cause and shows to the Register that it requires an oral examination of the witnesses hereinafter named and therefore moves the Register for an oral examination of the said witnesses, the same to be examined orally before the Register of this Court at the time and place hereinafter shown:

Respondent and Cross Complainant moves for an oral examination of S. F. Holmes and C. L. White, both of whom reside in Bay Minette, Baldwin County, Alabama, said examination to be before Honorable Robert S. Duck, Register of this Court at his office in the Court House of Baldwin County, Alabama, on Wednesday, June 12, 1935.

Respondent and Cross Complainant avers that due notice of this motion has been given in writing to all of the adverse parties to this action or their Solicitors of Records in form and substance as is required by law.


  
Solicitor for Respondent and  
Cross Complainant.

JOSEPH S. PAGE, JR.,  
Complainant,  
VS.  
BALDWIN COUNTY BANK, a  
Corporation,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

TO JOSEPH S. PAGE, JR., OR HENRY D. MOORER, HIS SOLICITOR OF RECORD:

You are hereby notified that the Respondent and Cross-Complainant, the Baldwin County Bank, a Corporation, has moved for and obtained an Order permitting and directing an oral examination of the witnesses named in the attached copy of the Motion therefor, the said examination of said witnesses to be oral before the Register of this Court at the places and at the time stated in the said Motion, a copy of which is hereto attached and made a part of this notice.

  
Solicitor for Respondent and Cross-Complainant.

  
Register.

I, Robert S. Duck, Register, do hereby certify that I have this day entered a copy of the foregoing notice, together with a copy of said requirement for oral examination on the Order Book of the Register of this Court and I direct that the adverse parties have three days notice of said examination.

Dated this 1st day of June, 1935.

  
Register.

I, Henry D. Moorner, as Attorney for Complainant and Cross-Respondent, Joseph S. Page, Jr., do hereby accept service of the

foregoing requirement of the oral examination of the witnesses named in said Motion and notice thereof and waive any and all further notice of said examination.

Dated this the 12<sup>th</sup> day of June, 1935.



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Solicitor for Complainant and Cross-Respondent.

**NOTICE OF MATURING EXTENSION**

**BORROWER**

**THE FEDERAL LAND BANK OF NEW ORLEANS**

**AND/OR THE FEDERAL LAND BANK AS AGENT OF**

**THE LAND BANK COMMISSIONER**

**DETACH ON PERFORATED LINE AND RETURN THIS PART WITH YOUR REMITTANCE**

2495

**NOTE:** IN COMPLIANCE WITH THE TERMS OF YOUR CONTRACT, THE FOLLOWING ITEMS ARE, OR WILL SOON BECOME DUE. YOU ARE REQUESTED TO MAKE PROMPT PAYMENT, MAKING ALL REMITTANCES PAYABLE TO THE FEDERAL LAND BANK OF NEW ORLEANS. PLEASE RETURN THIS NOTICE WITH YOUR REMITTANCE IN ORDER TO INSURE CORRECT HANDLING THEREOF.

NAME AND ADDRESS OF BORROWER

JOSEPH S PAGE

222155A w/1

COUNTY AND ASSOCIATION

21

17

LOAN NUMBER

F.L.B. 4234  
C.L.

BAY MINNETTE ALA

ORIGINAL AMOUNT OF LOAN...\$

800

DATE			CLASS	AMOUNT OF ORIGINAL ITEM	CREDITS		TOTAL AMOUNT NOW DUE
MONTH	DAY	YEAR					
6	8	34	TA	15034			16063
12	15	34	D.	628			
1	5	35	D. ICR		216		
10	1	35	D. I	617	*		

MAKE ALL REMITTANCES PAYABLE TO THE FEDERAL LAND BANK OF NEW ORLEANS, LA.

INST.—INSTALLMENT  
TAX—ADVANCE FOR TAX  
CR.—PARTIAL PAYMENT

INS.—INSURANCE  
P. I. & D. I.—DELINQUENT INTEREST  
(SEE REVERSE SIDE)

MISC.—  
EX—A  
E.

RECEIVED  
FEDERAL LAND BANK OF NEW ORLEANS  
APR 10 1935



125

NOTION, ORDER AND NOTION OF  
ORAL EXAMINATION OF APPLICANTS

JOSEPH S. PERRY, III

Commissioner

VS.

WALDEN COUNTY BANK, a Corporation

Respondent

IN THE SUPREME COURT OF

WALDEN COUNTY, ALABAMA

IN REPLY, NO. 118.

*Filed June 12, 1951*  
*Robert R. Owen*  
*Respondent*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BIRMINGHAM, ALABAMA

15



15

# The State of Alabama, Baldwin County

## IN THE CIRCUIT COURT, IN EQUITY

To Any Sheriff of the State of Alabama:

You are hereby commanded, that of the Goods and Chattels, Lands and Tenements of Joe & Page Jr you cause to be made the sum of Forty three and 45/100 Dollars, which sum was decreed against him at the Spring Term, 1936, of the Circuit Court, in Equity, in a cause lately pending in said Court, wherein Joe & Page Jr Complainant, and Baldwin County Bank Defendant, and said money, with this Writ having your proper endorsement thereon, you will have at the office of the Register of said Court at Baymonte, Alabama, on the Monday in 1936.

Witness my hand this the 31 day of April, 1936, J. H. L. DeLoach, Register.

REGISTER'S FEES	No.	Rate	Amount	REGISTER'S FEES	No.	Rate	Amount	
Filing Bill and <u>4</u> other Paper, each	11	\$0 10	1.10	AMOUNT BROUGHT FORWARD				19.65
Issuing each Subpoena on a Bill	1	50	.50	Hearing and Passing upon Application for Appointment of Receiver or Trustee		\$3 00	3.00	
Issuing <u>2</u> Copies thereof	40	40	1.60	For <u>2</u> Settlements with Receiver or Trustee		3 00	6.00	
Entering each Return thereof	15	15	.225	For examining each Voucher of Trustee, Receiver or Person Acting in a Fiduciary Capacity making Settlement of Trust		10	2.00	
For <u>1</u> Orders of Publication	1	1 00	1.00	Examination of each Answer or Exceptions to see whether the same is full and sufficient		3 00	3.00	
Issuing Writ of Injunction, Ne Exeat	1	1 50	1.50	Recording Resignation, Removal or Suggestion of Death of Trustee		75	75	
For <u>1</u> Copies of said Writ	50	50	2.50	For Entering Certificate of Supreme Court		50	50	
Entering <u>1</u> Returns thereof	15	15	.225	Taking Questions and Answers and Recording same in Proceedings, to perpetuate Testimony, for each 100 words		25	2.50	
Issuing <u>1</u> Writs of Attachment or Assistance	1	1 00	1.00	For all other Services relating to such proceeding, to be paid by applicant		1 00	1.00	
Entering <u>1</u> Returns thereof	15	15	.225	For <u>1</u> Notices sent by mail to Creditors, under Article 1, Chap. 113, Code		15	1.50	
Docketing Cause	1	1 00	1.00	Filing, Receipting for and Docketing Claims, under said Article		25	2.50	
Entering <u>1</u> Appearances	25	25	2.50	For all Entries on Commission Docket		50	50	
For <u>1</u> Decrees Pro Confesso on Per. Service	1	1 00	1.00	For all Entries on Subpoena Docket		50	50	
For <u>1</u> Decrees Pro Confesso on Publication	1	1 00	1.00	Notice of Appeal				
For <u>1</u> Orders Appointing Guardian ad litem	1	1 00	1.00	Transcript to Supreme Court, 15c per 100 words				
For <u>1</u> Orders by Register	50	50	2.50	Certificate of Transcript				
Issuing Commission to take Testimony	2	50	1.00	Making each deed to property sold		2 00	2.00	
Receiving and filing <u>2</u> Packages of Testimony	10	10	1.00	TOTAL REGISTER'S FEES				20.65
Endorsing <u>2</u> Packages of Depositions	10	10	1.00	SHERIFF'S FEES				
Entering Order Submitting Cause for Decree	50	50	2.50	Serving and Returning Subpoenas on Defendants		\$1 50	1.50	
Entering <u>2</u> Orders of Court	25	25	2.50	Summoning and Returning Subp's for Witnesses		65	6.50	
Noting Testimony on Hearing of Cause	50	50	2.50	Levying Attachment		1 50	1.50	
Abstract for use of Chancellor	1	1 00	1.00	Entering and Returning same		25	2.50	
Entering <u>1</u> Decrees of 500 words or less	75	75	7.50	Selling Property Attached				
Entering <u>1</u> Decrees over 500 words, at	15	15	1.50	Impanelling Jury		75	7.50	
Taking Accounts, Etc., on Reference	3	3 00	9.00	Executing Writ of Possession		2 50	2.50	
Taking Testimony on Reference relating to Trustees and Receivers	15	15	1.50	Collecting Execution for Costs		1 50	1.50	
For <u>1</u> Reports of 500 words or less	2	2 50	5.00	Serving and Returning <u>2</u> Scire Facias		65	6.50	
For <u>1</u> Reports over 500 words, at	15	15	1.50	Serving and Returning <u>1</u> Notices		65	6.50	
Issuing Subpoenas for <u>2</u> Witnesses	25	25	2.50	Serving and Returning Writ of Injunction		1 50	1.50	
Issuing <u>1</u> Witness Certificates	25	25	2.50	Serving and Returning Writ of Ne Exeat		1 50	1.50	
Issuing <u>1</u> Executions	75	75	7.50	Serving Attachment for Contempt of Court		1 50	1.50	
Entering <u>1</u> Returns thereof	15	15	1.50	Taking and Approving <u>1</u> Bonds		75	7.50	
Taking and Approving <u>1</u> Bonds	1	1 00	1.00	Collecting Money on Execution				
Making Copy of <u>1</u> per 100 words	15	15	1.50	Making Deed		2 50	2.50	
Making Complete Record, per 100 words	15	15	1.50	Serving and Returning Application to Perpetuate Testimony		1 00	1.00	
Issuing <u>1</u> Notices	50	50	5.00	TOTAL SHERIFF'S FEES				28.00
Relieving Minors of Disabilities of Non-Age, the same fees as allowed for similar services; to be paid by the minor or his or her next friend, not exceeding, when application not contested	5	60	3.00	RECAPITULATION.				
Commission on Sales.—For the first \$100, 2%; for all over \$100 and not exceeding \$1,000, 1 1/2%; for all over \$1,000 and not exceeding \$20,000, 1%; and for all over \$20,000, 3/4 of 1%				Revenue Trial Tax		\$3 00	3.00	
For receiving, safe keeping and paying out and distributing money other than that arising from sales, on the first \$1,000, 1%; on all over \$1,000 and not over \$5,000, 3/4 of 1%; on all over \$5,000 and not exceeding \$10,000, 1/2 of 1%; and all over \$10,000, 3/4 of 1%				Register's Fees		20.65	20.65	
Receiving, keeping and paying out money paid into Court, in which decree is rendered in favor of an Administrator ad litem, 1/2 of 1% on the amount received and paid out				Sheriff's Fees		6.50	6.50	
For <u>1</u> Certificates or Affidavits, with seal	50	50	5.00	Printer's Fees				
For <u>1</u> Certif. or Affidavits, without seal	25	25	2.50	Commissioner's Fees		10.00	10.00	
AMOUNT FORWARD			19.65	Solicitor's Fees				
				Guardian ad Litem Fees				
				Witness Fees		2.00	2.00	
				TOTAL			42.45	

The State of Alabama }  
Baldwin County

Circuit Court of Baldwin County, Alabama,  
(In Equity)

Baldwin County Bank, a Corp., COMPLAINANT

VS.

#15

Joseph S. Page, Jr., RESPONDENT

I, Anna Belle Hand,

~~as Register and~~ Commissioner

have called and caused to come before me C. L. White,

witness named in the requirement for Oral Examination, on the 12th day of June

1935, at the office of Robert S. Duck,

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said C.L. White,

doth depose and say as follows:

DEPOSITION OF MR. C. L. WHITE.

I was assistant Cashier of the Baldwin County Bank, a Corporation, prior to the time it closed on January 27th, 1932. And am now assistant Cashier in the re-organized Baldwin County Bank.

The Complainant and Cross-Respondent, Joseph S. Page, Jr. was indebted to the said Baldwin County Bank on a promissory note for One Thousand (\$1,000.00) Dollars dated March 1st, 1930 which became due on June 1st, 1930. This note was not paid and mortgage securing it was eventually foreclosed. Now we introduce in evidence as the Respondent and Cross Complainant, Exhibit "A", the original note hereinabove described.

Objected to on the grounds that it is irrelevant, incompetent and immaterial.

The note hereinabove described was secured by a mortgage dated March 1st, 1930 and recorded in Book 39 of Mortgages pages 322, Baldwin County Record. And we now introduce in evidence as



ORAL EXAMINATION

I, Anna Belle Hand as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and J. B. Blackburn, and Robert S. Duck, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 12th day of June 19 35.

Anna Belle Hand (L. S.)

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No. 15 Page \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Joseph S. Page Jr.,

COMPLAINANT

vs.

Baldwin County Bank,

RESPONDENT

ORAL DEPOSITION

Filed June 12th, 1935

Robert S. Duck, Register.

RECORDED IN

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register

The State of Alabama }  
Baldwin County

Circuit Court of Baldwin County, Alabama,  
(In Equity)

Joseph S. Page, Jr., \_\_\_\_\_ COMPLAINANT

vs.

# 15

Baldwin County Bank, a Corporation, \_\_\_\_\_ RESPONDENT

I, Anna Belle Hand \_\_\_\_\_

as ~~Register and~~ Commissioner \_\_\_\_\_

have called and caused to come before me S.F.Holmes, \_\_\_\_\_

witness \_\_\_\_\_ named in the requirement for Oral Examination, on the 12th day of June \_\_\_\_\_

1935, at the office of Robert S. Duck, \_\_\_\_\_

in Bay Minette \_\_\_\_\_, Alabama, and having first sworn said witness \_\_\_\_\_ to speak the

truth, the whole truth, and nothing but the truth, the said S.F.Holmes, \_\_\_\_\_

\_\_\_\_\_ doth depose and say as follows:

ORAL EXAMINATION

I, Anna Belle Hand as ~~Register~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and J. B. Blackburn, and Robert S. Duck, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 12th day of June 19 35.

*Anna Belle Hand*  
(L. S.)

15

No. 15 Page

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Joseph S. Page, Jr.,

COMPLAINANT

vs.

Baldwin County Bank

RESPONDENT

ORAL DEPOSITION

Filed June 12th, 193 5

*Robert S. Duck*, Register.

RECORDED IN

Record

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Register

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DIRECT EXAMINATION OF MR. S. F. HOLMES

By J. B. Blackburn,

I am vice-President and Cashier of the Baldwin County Bank, and have occupied this position continuously since the Bank reopened about November 1st, 1932. I am familiar with the note and mortgage of Joseph S. Page Jr., to the Baldwin County Bank, which have been heretofore introduced in evidence as the Respondent's and Cross Complainant's Exhibits "A" and "B". The indebtedness secured by the Note and Mortgage was not paid and the mortgage was foreclosed on or about August 15th, 1933 and was purchased by the Baldwin County Bank at the Foreclosure sale. Respondent and Cross-Complainant now introduces in evidence as its Exhibit "C" the original Mortgage Foreclosure Deed from Joseph S. Page Jr., by the Mortgagee and Auctioneer to the Baldwin County Bank, dated August 15th, 1933 and recorded in Deed Book No. 54 N. S. at pages 317-18 Baldwin County Records.

After the foreclosure of this mortgage the Baldwin County Bank made demands for possession of the property described in said Mortgage foreclosure Deed. This demand was made by letter which was mailed to J. S. Page Jr., by registered mail, postage prepaid, Return Receipt requested. Respondent and Cross-Complainant now introduces in evidence as its Exhibit "D" a copy of the letter demanding possession of said property, which was mailed to said J. S. Page Jr., by registered mail, and introduces in evidence as its Exhibit "E" the return receipt which was received by the Baldwin County Bank after the delivery of the said registered letter by the said J. S. Page, Jr., The Complainant and Cross-Respondent, J. S. Page, Jr., failed to surrender the

The Complainant and Cross-Respondent, Joseph S. Page, Jr. or J. S. Page Jr., was not in peaceful possession of the land described in the said Mortgage and Mortgage Foreclosure Deed o for the reason that the Baldwin County Bank had previously made a written demand for possession of the said property and the Complainant and Cross-Respondent, had refused to surrender possession of it.

S. T. Adams

CROSS EXAMINATION BY MR. H. D. MOORE

That is all I know about it.

S. T. Adams



JOSEPH S. PAGE, JR.,

Complainant,

VS.

BALDWIN COUNTY BANK, a  
Corporation,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

DEMURRERS.

Comes the Respondent in the above entitled cause  
and for Demurrer to the Complaint, and to each and every count  
thereof, separately and severally says:

1. There is no equity in the Bill.

J. B. Blackburn  
Solicitor for Respondent.

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app

DEMURRERS.

JOSEPH S. PAGE, JR., Complainant,

VS.

BALDWIN COUNTY BANK, a Corporation,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Filed on this the 29th day of  
January, 1934.

*W. A. Stone*  
*W. A. Stone*

Witness my hand and seal of office  
this 29th day of January, 1934.

The State of Alabama, } Circuit Court of Baldwin County, In Equity.  
Baldwin County.

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon BALDWIN COUNTY BANK.,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Joseph S. Page *J.S.*

against said Baldwin County Bank.,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, M. A. Stone, Register of said Circuit Court, this 30<sup>th</sup> day of December 1939

M. A. Stone Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

**RECORDED**

15

SERVE ON Baldwin County Bank  
Circuit Court of Baldwin County  
IN EQUITY

No. 15  
SUMMONS

Joseph S. Page., *Pl.*

vs.

Baldwin County Bank.,

Henry D. Meeper,  
Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this 30th

day of December 1933

*M. P. Stewart*

SHERIFF

Executed this 30th day of  
December 1933

by leaving a copy of the within Summons with

*C. S. Longfellow as Party*  
Baldwin County Bank  
Defendant

*M. P. Stewart*

Sheriff

By *[Signature]*

Deputy Sheriff

*Filed Dec. 30<sup>th</sup> 1933*

JOSEPH S. PAGE, JR.,  
Complainant and Cross-Respondent,  
VS.  
BALDWIN COUNTY BANK, a Corporation,  
Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

NOTE OF TESTIMONY.

This cause is submitted in behalf of Complainant and Cross-Respondent upon the original Bill of Complaint; and

In behalf of the Respondent and Cross-Complainant upon its Answer, Cross Bill and Decree Pro Confesso against the Complainant and Cross-Respondent.

*Robert L. DeLoach*

Register.

JOSEPH S. PAGE, JR.,

BY:

JOSEPH S. PAGE, JR.,

Complainant and Cross-Respondent

JOSEPH S. PAGE, JR.

Complainant and Cross-Respondent

BY:

JOSEPH S. PAGE, JR.

Complainant and Cross-Respondent

*Robert L. DeLoach*



RECORDED  
INDEXED  
NOTE OF TESTIMONY. 4-331

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JOSEPH S. PAGE, Jr.,

Complainant and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation,

Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. No. 15.

Registered

54 1936  
Richard D. Deery

JOSEPH S. PAGE, JR.,

Complainant and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation,

Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 15.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause it being made to appear to the Register that Henry D. Moorner, as Attorney for the Complainant and Cross-Respondent, accepted service of the Cross Bill of Complaint in this cause on to-wit, November 2, 1934, which said instrument required the Complainant and Cross-Respondent to appear, plead, answer or demur to the Cross Bill of Complaint in this cause within thirty days from the time service thereof was accepted and the said Complainant and Cross-Respondent having failed to plead, answer or demur to the said Cross Bill of Complaint to the date hereof; it is now, therefore, on motion of the Respondent and Cross-Complainant, ordered and decreed that the said Cross Bill of Complaint in this cause be and it hereby is, in all things, taken as confessed against the said Joseph S. Page, Jr., the Complainant and Cross Respondent aforesaid.

Witness my hand this 25th day of November, 1935.



Register.

JOSEPH S. PAGE, JR.,

Complainant and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation,

Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 15.

MOTION FOR DECREE PRO CONFESSO.

Motion is hereby made for a Decree Pro Confesso against the Complainant and Cross-Respondent, Joseph S. Page, Jr., on the ground that more than thirty days have elapsed since Henry D. Moorner, as Attorney for Joseph S. Page, Jr., accepted service of a copy of the Cross Bill of Complaint in said cause on to-wit, November 2, 1934, and said Complainant and Cross-Respondent has failed to plead, answer or demur to the Cross Bill of Complaint in this cause to the date hereof.

Dated this 25th day of November, 1935.

*J. B. Blackburn*  
Solicitor for Cross Complainant.

APPROVED AND FORWARDED:  
BY \_\_\_\_\_  
Clerk of the Court

15

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MOTION FOR DECREE PRO CONFESSO

JOSEPH S. PAGE, JR.,  
Complainant and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation  
Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

Filed on this the 25th day of  
November, 1935.

*Robert A. Duck*  
*Register*  
7.

JOSEPH S. PAGE, JR.,

Complainant and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation,

Respondent and Cross-Complainant.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 15.

You are hereby commanded to deliver to the Baldwin County Bank, a Corporation, possession of the lands and tenements of which the said Baldwin County Bank, a Corporation recovered of Joseph S. Page, Jr., by a Decree of our Circuit Court held for the County of Baldwin on the 5th day of February, 1936, viz:

Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South, Range 2 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less. Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter of Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama, excepting from the above land the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.

You are further commanded of the goods and chattels, lands and tenements of the said Joseph S. Page, Jr., you cause to be made the sum of \$ 4625 costs of Court; and make return of this writ and the execution thereof according to law.

Witness my hand this 21 day of April 1936.

*Robert Shivers*

Register.

OFFICE OF THE SHERIFF AND DEPUTY SHERIFF

RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, THIS 21st DAY OF APRIL, 1936.



JOSEPH S. PAGE, JR.,

Complainant and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation,

Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

DECREE.

This cause coming on to be heard on this the 5<sup>th</sup> day of February, 1936, and being submitted on Complainant and Cross-Respondent's original Bill of Complaint, the Respondent and Cross-Complainant's Answer and Cross Bill, and Decree Pro Confesso against the Complainant and Cross-Respondent, and upon consideration thereof the Court is of the opinion that the Respondent and Cross-Complainant is entitled to the relief prayed for in its Cross Bill. IT IS THEREFORE Ordered, Adjudged and Decreed by the Court as follows:

1. That the Respondent and Cross-Complainant, Baldwin County Bank, a Corporation, is, as against the Complainant and Cross-Respondent, the owner in its own right of the lands described in the Respondent and Cross-Complainant's Cross Bill of Complaint in this cause, situate, lying and being in the County of Baldwin and State of Alabama, to-wit: Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South, Range 3 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less.

Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter of Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South

440 yards to section line, thence East 110 yards to point of beginning.

All the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama, excepting from the above land the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama; and that the Complainant and Cross-Respondent is without right, title claim or interest in or to the said lands or any part thereof, and has and holds no encumbrance upon the same or title in and to the said lands is, as against the said Complainant and Cross-Respondent, in the said Respondent and Cross-Complainant, the Baldwin County Bank, a Corporation.

2. That the Respondent and Cross-Complainant is entitled to immediate possession of the lands hereinabove described and that the Register of this Court be and he is hereby ordered and directed to immediately issue a writ of possession directed to the Sheriff of Baldwin County, Alabama, commanding him to deliver possession of the lands hereinabove described, to the Respondent and Cross-Complainant, the Baldwin County Bank, a Corporation.

3. That the Register of this Court shall, within thirty days from the rendition of this Decree, file a certified copy hereof in the office of the Probate Judge of Baldwin County, Alabama, for record therein.

4. That all costs in this cause be, and they are hereby taxed against the Complainant and Cross-Respondent.

Dated this 5<sup>th</sup> day of February, 1936.

J. W. Hare  
Judge.



15  
RECORDED  
2-1977

DICHHH

JOSEPH S. PAGE, JR.,

Comptroller and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation

Respondent and Cross-Complainant,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY. NO. 107

BY: *Earl P. Blackburn*  
*Earl P. Blackburn*

J. B. BLACKBURN  
ATTORNEY AT LAW  
BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

IN THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA ----- In equity.

Your petitioner, Joseph S. Page, Jr., respectfully  
represents and shows unto Your Honor as follows:

FIRST

That he is a bona fide resident citizen of Baldwin  
County, Alabama, residing at Bay Minette, Alabama, in said  
County and State.

That the Baldwin County Bank is a corporation with  
its principal place of business located at Bay Minette,  
Baldwin County in said State.

SECOND.

That your petitioner is owner and in peaceable posses-  
sion of the property in and by Exhibit "A" attached hereto  
and made a part of this bill as if though set out fully  
herein.

That the respondent, The Baldwin County Bank, claims  
or is reputed to claim some right, title or interest in or  
encumbrance upon said lands, that no suit is pending to  
question or test the validity of such claims, right, title  
or interest in or encumbrance of the said respondent, and the  
Plaintiff or Complainant herein calls upon the respondent to  
set fourth and specify his right, title or interest in or  
encumbrance upon said land, and to show how and by what in-  
strument the same is derived or created.

Prayer for Process.

Wherefore, the premises considered, complainant prays  
that Your Honor will take jurisdiction of this cause made by  
this bill of complaint, and by appropriate process make the  
said Baldwin County Bank, a Corporation, a party respondent

to this bill of Complaint, requiring it to plead, answer or demur to the same within the time and under the penalties prescribed by law or that the same be forever confessed.

PRAYER

Complainant further prays that upon a hearing of this cause this Honorable Court establish the title of the complainant in and to the lands herein described, and further find and decree that the said Baldwin County Bank, a corporation, has no claim, right, title or interest in or incumbrance upon the said lands herein described, or any part thereof, and grant unto your complainant such other, further or different relief as he may be in equity and good conscience entitled to receive. And as in duty bound complainant will ever pray.

*Henry D. Moore*  
Solicitors for Complainant.

The respondent is required to answer each and every allegation of the foregoing bill of Complaint from paragraphs FIRST to FIFTH, inclusive, but not under oath, oath being hereby expressly waived.

*Henry D. Moore*  
Solicitors for Complainant.



Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South, Range 3 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less.

Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter Section 14, Township 2 South, Range 3 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter-section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All the North Half of Southwest Quarter of West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama. Excepting from the above land the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.

15

NO 15

RECORDED  
INDEXED

21  
Filed Dec. 30 - 1933  
Wm. C. Stone  
Register

HENRY D. MOORER  
ATTORNEY AT LAW  
BAY MINETTE, ALA.

JOSEPH S. PAGE, JR.,  
Complainant,  
VS.  
BALDWIN COUNTY BANK, a Corporation,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

ANSWER AND CROSS BILL.

Comes the Respondent in the above entitled cause and for Answer to the Bill of Complaint and each and every count thereof and this its Cross Bill against the said Joseph S. Page, Jr., and respectfully shows unto this Honorable Court as follows:

1. The Respondent and Cross Complainant admits all of the allegations contained in paragraph numbered "First" of the said Bill of Complaint and that the said Complainant and Cross Respondent is over twenty-one years of age.

2. Respondent and Cross Complainant denies that the said Complainant and Cross Respondent, Joseph S. Page, Jr., is the owner of the land described in the said Bill of Complaint and denies that he was in peaceable possession of it at the time this suit was commenced as alleged in paragraph "Second" of the said Bill of Complaint. The Respondent and Cross Complainant claims to own the lands described in the said Bill of Complaint under and because of the following instruments and the following state of facts, to-wit:

(1). The Complainant and Cross Respondent became indebted to the Baldwin County Bank in the sum of \$1,000.00, together with interest thereon as evidenced by a promissory waive note, a true copy of which is hereto attached, marked "Exhibit A" and made a part hereof as though fully incorporated herein, which said note is mentioned in and secured by that certain mortgage deed from the said Complainant and Cross Respondent to the said Respondent and

Cross Complainant, a true copy of which is hereto attached, marked Exhibit "B" and made a part hereof as though fully incorporated herein; that the said Complainant and Cross Respondent did not pay the note herein referred to as Exhibit "A" and while this default continued the mortgage herein referred to as Exhibit "B" was foreclosed by the Respondent and Cross Complainant and a foreclosure deed was made to the Respondent and Cross Complainant, a true copy of which is hereto attached, marked Exhibit "C" and made a part herein as though fully incorporated herein; that after the foreclosure of the said mortgage the Respondent and Cross Complainant mailed a written notice to the said Complainant and Cross Respondent by Registered Mail, postage prepaid with Return Receipt Requested demanding possession of the lands described in the Bill of Complaint a true copy of which is hereto attached, marked Exhibit "D" and made a part hereof as though fully incorporated herein and that the said Complainant and Cross Respondent refused and continued to refuse to deliver possession of the said property to the Respondent and Cross Complainant up to the time this suit was commenced and still refused to deliver possession of it.

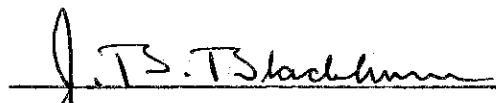
(2). The Respondent and Cross Complainant deny each and all other allegations of the said Bill of Complaint which are not herein specifically answered.

PRAYER FOR PROCESS.

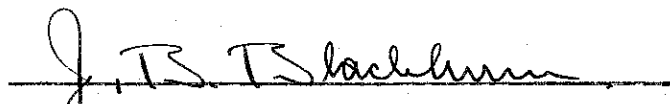
The said Baldwin County Bank, a Corporation, having now fully answered the said Bill of Complaint, prays that this its Answer be taken and treated in all respects as a Cross Bill and that the said Joseph S. Page, Jr., be made a party respondent thereto and have notice thereof according to the rules and practice of this Honorable Court.

PRAYER FOR RELIEF.

This Respondent and Cross Complainant prays that this Honorable Court will, when this cause comes on to be heard, enter a Decree denying to the Complainant and Cross Respondent the relief prayed for by him and will enter a Decree to the effect that this Respondent and Cross Complainant is the owner of the land involved in this suit and particularly described in the Bill of Complaint and that if this Honorable Court should determine that this Respondent and Cross Complainant is entitled to the land made the subject of this suit, your Honor will enter a Decree to that effect in its favor forever quieting its title against the Complainant and Cross Respondent and will issue all necessary and proper writs of possession which may be necessary to place the Respondent and Cross Complainant in possession of the said lands. If the Respondent and Cross Complainant is mistaken in the relief prayed for, it further prays that the Court will grant unto it such other, further and general relief as it may be entitled to the premises considered.

  
Solicitor for Respondent and Cross  
Complainant.

FOOT NOTE: The said Joseph S. Page, Jr., is required to answer each and every allegation of the above and foregoing Cross Bill but not under oath, his oath thereto, being hereby expressly waived.

  
Solicitor for Respondent and Cross  
Complainant.

INTEREST ENDORSEMENT

<u>5/31</u> 1930	\$ _____	to	<u>7-1</u> _____	1930
<u>7-1</u> 1930	\$ _____	to	<u>8-31</u> _____	1930
<u>8-4</u> 1930	\$ _____	to	<u>9-1</u> _____	1930
<u>8/30</u> 1930	\$ _____	to	<u>10-1</u> _____	1930
<u>10-1</u> 1930	\$ _____	to	<u>11-1</u> _____	1930
_____ 19	\$ _____	to	_____ _____	19

EXHIBIT "A"

"\$1000.00"

BAY MINETTE, ALA. March 1st, 1930

On the 1st day of June 1930, I, we, or either of us, promise to pay to the order of BALDWIN COUNTY BANK, of Bay Minette, Alabama.

One Thousand & No/100 - - - - - DOLLARS, for value received in gold coin of the United States of the present standard of weight and fineness.

Negotiable and payable at BALDWIN COUNTY BANK, Bay Minette, Alabama. The parties to this instrument, whether maker, endorser, surety, or guarantor, each for himself, hereby severally waive as to this debt, or any renewal thereof, all rights of exemption under the Constitution and Laws of Alabama, as to personal property, and they each severally agree to pay all costs of collecting or securing or attempting to collect or secure this note, including a reasonable attorney's fee, whether the same be collected or secured by suit or otherwise. And the maker, endorser, surety or guarantor of this note severally waives demand presentment, protest, notice of protest, suit and all other requirements necessary to hold them and they agree that time of payment may be extended without notice to them of such extension. The bank at which this note is payable is hereby authorized to apply, on or after maturity to the payment of this debt any funds in said bank belonging to the maker, surety, endorser, guarantor, or any one of them. All suits for the collection of this note may be prosecuted in any County in this State that the payee or assignee elects.

Witness my hand and seal the day above given. J. S. Page, Jr. (SEAL)  
Attest: \_\_\_\_\_ (SEAL)  
Attest: \_\_\_\_\_ (SEAL)

Each and every endorser of this note hereby waives all right of exemption of property from levy and sale under execution, or other process for the collection of debts, as provided for in the Constitution and Laws of the State of Alabama, or any other State in the United States of America, and it is hereby agreed by each endorser hereof that he shall pay all costs of collecting this note after failure to pay when same becomes due under the terms hereof, including a reasonable attorney's fee for all services rendered in any way in any suit against any endorser, or in collecting or attempting to collect, or in securing or attempting to secure this debt, and they agree that time of payment may be extended without notice to them of such extension. The bank at which this note is payable is hereby authorized to apply on or after maturity, to the payment of this debt any funds in said bank belonging to the maker, surety endorser, guarantor, or any one of them. Each and every endorser of this note hereby waives demand, protest and notice of protest, and all requirements necessary to hold them as endorsers.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBIT "B"

The State of Alabama, )  
Baldwin County )

KNOW ALL MEN BY THESE PRESENTS, That whereas, the undersigned J. S. Page, Jr., unmarried, is---justly indebted to --Baldwin County Bank---in the sum of One Thousand & No/100----Dollars, evidenced by -my---promissory note dated -----March 1st-----1930, and due and payable at Baldwin County Bank on the 1st day of June, 1930 with interest from maturity-----and whereas, the said --J. S. Page, Jr.--is-----desirous of securing the prompt payment of said note--when the same falls due. Now, therefore, in consideration of said indebtedness, and to secure the prompt payment of the same at maturity, the said ---J. S. Page, Jr.-----has bargained and sold, and ---I---do hereby grant, bargain, sell and convey unto the said Baldwin County Bank----the following described real estate, situated in --Baldwin---County and State of Alabama, to-wit:-----  
Beginning at a point 110 yards North of Southeast corner of Northeast quarter of Section 18, Township 2 South Range 3 East; run the West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meandering of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less.  
Beginning at the Southeast corner of the Southeast quarter of Southwest quarter Section 14, Township 2 South Range 2 East and run the West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.  
All of the North half of Southwest quarter and West half of Southeast quarter of Southwest quarter of Section 14, and also all of Southwest quarter of Southwest quarter of said Section 14, except five acres described as follows, beginning at Southwest corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama.  
Excepting from the above land the following described lands, to-wit: Beginning at the Southeast corner of the Southwest quarter of Section 14 Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.-----warranted free from all incumbrance and against any adverse claims.

TO HAVE AND TO HOLD, The above granted premises unto the said---Baldwin County Bank, its successors---and assigns forever. And for the purpose of further securing the payment of said note---I--do hereby agree to pay all the taxes and assessments when imposed legally upon said premises, and should---I-----make default in the payment of same, said-----Baldwin County Bank-----may at--its---option pay off the same; and to further secure the said indebtedness first above named---I---agree to keep said property insured for at least-----Eight Hundred-----DOLLARS, loss, if any, payable to said---Baldwin County Bank as its---interest may appear and if --I---fail to keep said property insured as above specified, then the said Baldwin County Bank-----may at --its---option insure said property for said sum for--its--own benefit, the policy, if collected, to be credited on said indebtedness, less cost of collecting same; all amounts so expended by-----Baldwin County Bank-----shall become a debt to--Baldwin County Bank-----additional to the indebtedness, hereby specially secured, and shall be covered by this mortgage and bear interest from date of payment by said---Baldwin County Bank-----and be due and payable at the maturity of --debt.-----

UPON CONDITION, HOWEVER, That if the said--J. S. Page, Jr---pay said note---and reimburse said-----Baldwin County Bank---for any amount---it---may have expended as taxes and insurance and int-



erest thereon, then this conveyance to be null and void; but should default be made in the payment of any sum expended by the said Baldwin County Bank-----or should said note----,or any part thereof, or the interest thereon, remain unpaid at maturity, or should the interest of said---Baldwin County Bank-----or----its--assigns in said property become endangered by reason of the enforcement of any prior lien or encumbrance thereon, so as to endanger the debt hereby secured, then in any one of said events, the whole of said indebtedness shall at once become due and payable, and this mortgage be subject to foreclosure as now provided by law in case of past due mortgages, and the said---Baldwin County Bank, its----agents or assigns, shall be authorized to take possession of the premises hereby conveyed, and after giving----15----day's notice, by publication once a week, for two consecutive weeks, of the time place and terms of sale, by publication in some newspaper published-----in said County and State, to sell the same in front of the Court House door of said County, at public outcry, to the highest bidder for cash, and apply the proceeds of said sale: First to the expense of advertising, selling and conveying, including a reasonable attorney's fee; Second, to the payment of any amounts that may have been expended or that may then be necessary to expend, in paying insurance, taxes and other incumbrances, with interest thereon; Third to the payment of said note----in full whether the same shall or shall not have fully matured at the date of said sale; but no interest shall be collected beyond the day of sale, and Fourth, the balance, if any, to be turned over to the said----J. S. Page, Jr.--.-----And --I---further agree, that said----Baldwin County Bank, its----agents or assigns, may bid at said sale and purchase said property, if the highest bidder thereof; and---I---further agree to pay a reasonable attorney's fee to said ---Baldwin County Bank-----or---its---assigns, for the foreclosure of this mortgage in chancery. Should same be foreclosed said fee to be a part of the debt hereby secured.

Witness ---my---hand--and--seal--this the 1st---day of March--A.D. 1930.

Witness: )	J. S. Page Jr. SEAL
) _____ )	) _____ SEAL

The State of Alabama, )  
 Baldwin County. ) I, ---Winnie G. Scarborough,-----a

Notary Public-----in and for said County, in said State, hereby certify that---J. S. Page, Jr., unmarried-----whose name---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 this conveyance---he---executed the same voluntarily on the same bears date.

Given under my hand and official seal this--1st--day of March A. D., 1930.

(Seal) Winnie G. Scarborough  
Notary Public, Baldwin County, Ala.

EXHIBIT "C"

MORTGAGE FORECLOSURE DEED.

STATE OF ALABAMA

BALDWIN COUNTY

THIS INDENTURE, made and entered into on this the 15th day of August, 1933, by and between the Baldwin County Bank, Corporation, as Mortgagee, and J. S. Page, Jr., unmarried, by J. B. Blackburn, as the Auctioneer conducting the sale, hereinafter referred to as the parties of the first part, and the Baldwin County Bank, a Corporation, hereinafter referred to as the party of the second part, WITNESSETH:

THAT WHEREAS, J. S. Page, Jr., unmarried, did on the 1st day of March, 1930, make, execute and deliver to the Baldwin County Bank, a Corporation, as Mortgagee, that certain mortgage deed dated March 1st, 1930, and recorded in Mortgage Book Number 39 at page 332 in the Probate Records of Baldwin County, Alabama; and,

WHEREAS, it was provided for, by, in and as a part of the said mortgage that in the event of default in the payment of the indebtedness described in and secured thereby the Mortgagee was and is thereby authorized to sell the said property at public sale for cash, after having given notice for fifteen days thereof by publication once a week for two consecutive weeks of the time, place and terms of said sale by publication in some newspaper published in said County and State, and further that the Mortgagee may purchase the said property at such sale if the highest bidder therefor; and,

WHEREAS, default was made in the payment of the indebtedness secured by the said mortgage and while the said default continued fifteen days notice was given by publication once a week for two consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, the county where the land is situated that the said sale would be held at the front door of the Court House in Bay Minette, Baldwin County, Alabama, the county where the land is situated, between the legal hours of sale, on July 1st, 1933, the said notice appearing in the issues of said paper of June 15th, 1933, and June 22nd, 1933, and on July 1st, 1933, the said sale was postponed by the Mortgagee at the request of the Mortgagor until August 15th, 1933, and the said default continuing the same notice of the said sale which had been published on June 15th, 1933 and June 22nd, 1933, was again published on August 3rd, 1933, with a statement attached thereto showing that the said sale had been postponed and that it would be held as advertised between the legal hours of sale on August 15th, 1933; and,

WHEREAS, at the said sale so held the property described in the mortgage was first offered for sale in parcels and there being no bidder for any part of the said property, it was then offered for sale en masse, and at the said sale so held the Baldwin County Bank, a Corporation, became the purchaser of the said property at and for the sum of Twelve Hundred Thirty-four and 43/100 Dollars (\$1234.43), that being the highest, best and last bid for same; and,

WHEREAS, J. B. Blackburn was the Auctioneer who conducted the said sale, he being duly authorized in the premises by the Baldwin County Bank, a Corporation, the said Mortgagee; and,

WHEREAS, the Baldwin County Bank, a Corporation, fully complied in all respects with its said bid and has paid the said sum of Twelve Hundred Thirty-four and 43/100 Dollars (\$1234.43), in cash to J. B. Blackburn, as the Auctioneer conducting the sale, receipt whereof is hereby acknowledged; and,

WHEREAS, all of the above being in strict conformity and compliance with the terms, conditions and powers contained in the said mortgage:

NOW THEREFORE, in consideration of the premises and the sum of Twelve Hundred Thirty-four and 43/100 Dollars (\$1234.43) this day cash in hand paid to J. B. Blackburn, as the Auctioneer conducting the sale, receipt whereof is hereby acknowledged, the parties of the first part have and by these presents do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said party of the second part, the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South Range 3 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less.

Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All of the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama. Excepting from the above land the following described lands to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.

TO HAVE AND TO HOLD, unto the said party of the second part, its successors and assigns, as fully and completely as the parties of the first part could or ought to convey the same under the terms and powers of the said mortgage and the statutes in such cases made and provided.

IN WITNESS WHEREOF, the said Baldwin County Bank, a Corporation, has caused its corporate seal to be hereto affixed and this instrument to be executed by C. S. Tompkins, as its President, and attested by S. F. Holmes, as its Cashier, and J. S. Page, Jr., unmarried, has caused his seal to be hereto affixed and this instru-

ment to be executed by J. B. Blackburn, as the Auctioneer conducting the sale on this the day and year first above written.

BALDWIN COUNTY BANK, a Corporation, (SEAL)

By C. S. Tompkins  
As its President.  
As Mortgagee.

ATTEST:

S. F. Holmes  
As its Cashier.

(Seal)

J. S. PAGE, JR., (SEAL)

By J. B. Blackburn  
As the Auctioneer conducting the sale.

STATE OF ALABAMA    Y  
BALDWIN COUNTY        Y

I, Ora Sirmon, a Notary Public, within and for said County in said State, hereby certify that C. S. Tompkins, whose name as President and S. F. Holmes, whose name as Cashier of the Baldwin County Bank, a Corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal on this the 15th day of August, 1933.

Ora Sirmon  
Notary Public, Baldwin County, Alabama.

(Seal)

STATE OF ALABAMA    Y  
BALDWIN COUNTY        Y

I, Ora Sirmon, a Notary Public, within and for said County in said State, hereby certify that J. B. Blackburn, whose name as Auctioneer conducting the sale for J. S. Page, Jr., unmarried, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such Auctioneer executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 15th day of August, 1933.

Ora Sirmon  
Notary Public, Baldwin County, Alabama.

(Seal)

EXHIBIT "D"

"OCTOBER 21, 1933.

Mr. J. S. Page, Jr.,  
Bay Minette, Alabama.

Dear Sir:-

You are hereby notified that the mortgage given by you to the Baldwin County Bank on the 1st day of March, 1930, and recorded in Book Number 39 of Mortgages at page 332 in the Probate Record of Baldwin County, Alabama, which conveys the following described property was foreclosed on August 15th, and this property purchased by the Baldwin County Bank:

Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South, Range 3 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less.

Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All of the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama. Excepting from the above lands the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning in Baldwin County, Alabama.

Possession of this property is hereby demanded of you within the time required by law and you are further notified that should you fail to deliver possession of this property within ten days from receipt of this notice, you will forfeit your right to redeem this property.

Please let us hear from you about this matter at once.

Very truly yours,

Baldwin County Bank,

By S. F. HOLMES  
Vice President and Cashier.



RECORDED  
Actual  
6-3-37

10

ANSWER AND CROSS BILL

JOSEPH S. PUGH, JR.,  
Complainant,

vs.

BALDWIN COUNTY BANK, a corporation,  
Defendant.

Response only

IN THE CHANCERY COURT OF

BALDWIN COUNTY, ALABAMA.

CAUSE NO. 15.

Filed on this the 10 day of  
September, 1937.

*M. A. Stone*  
*Regester*

J. BRILACKBURN  
ATTORNEY AT LAW  
BALDWIN COUNTY, ALABAMA

*checked and  
corrected copy  
of notes and  
passed and was  
deposited in  
of which  
M. A. Stone  
of Baldwin County  
Ala.*



ALIAS.

JOSEPH S. PAGE, JR.  
Complainant and Cross-Respondent

BALDWIN COUNTY BANK, a Corporation,  
Respondent and Cross-Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to deliver to the BALDWIN COUNTY BANK, a Corporation, possession of the lands and tenements of which the said BALDWIN COUNTY BANK, a Corporation, recovered of JOSEPH S. PAGE, JR., by a Decree of our Circuit Court held for the County of Baldwin on the 5th day of February, 1936, viz:-

Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South, Range 2 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18, in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less.

Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter of Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest corner of Section 14, run thence North 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South, Range 2 East, Baldwin County, Alabama, excepting from the above land the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East, and run thence North 880 yards to center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.

*Thence East 466 feet & 4 inches*

You are further commanded of the goods and chattels, lands and tenements of the said JOSEPH S. PAGE, JR., you cause to be made the sum of \$46.25, costs of Court; and make return of this writ and the execution thereof according to law.

WITNESS my hand this 16th day of December, 1938.

R. S. Duch  
Register, Circuit Court, Baldwin County, Alabama.

By: Handwritten Name  
Deputy.

ALIAS. PART OF DEED

JOSEPH S. PAGE, JR.

Respondent

12/15

15-11  
188

ALIAS.

JOSEPH S. PAGE, JR.,

Complainant and Cross-Respondent,

VS.

BALDWIN COUNTY BANK, a Corporation,

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. NO. 15.

Respondent and Cross-Complainant.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to deliver to the Baldwin County Bank, a Corporation, possession of the lands and tenements of which the said Baldwin County Bank, a Corporation recovered of Joseph S. Page, Jr., by a Decree of our Circuit Court held for the County of Baldwin on the 5th day of February, 1936, viz:

Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 13, Township 2 South, Range 3 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less. Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter of Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama, excepting from the above land the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 380 yards to the center of Section 14, thence West 110 yards, thence South 380 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.

You are further commanded of the goods and chattels, lands and tenements of the said Joseph S. Page, Jr., you cause to be made the sum of \$46.25, costs of Court; and make return of this writ and the execution thereof according to law.

Witness my hand this 15th day of ~~November~~ <sup>May</sup>, 1936.

*[Signature]*  
Register.

12/15  
FILED IN COURT...  
COUNTY CLERK...  
BALDWIN COUNTY, ALABAMA





ALIAS.

JOSEPH S. PAGE, JR.,

Complainant and Cross-  
Respondent,

VS.

BALDWIN COUNTY BANK, a  
Corporation,

Respondent and Cross-  
Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO. 15.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to deliver to the Baldwin County Bank, a Corporation, possession of the lands and tenements of which the said Baldwin County Bank, a Corporation, recovered of Joseph S. Page, Jr., by a Decree of our Circuit Court held for the County of Baldwin on the 5th day of February, 1936, viz:

Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South, Range 3 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less. Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter of Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama, excepting from the above land the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.

You are further commanded of the goods and chattels, lands and tenements of the said Joseph S. Page, Jr., you cause to be made the sum of \$46.25, costs of Court; and make return of this writ and the execution thereof according to law.

Witness my hand this 15th day of ~~May~~ 1936.



Register.

ALIAS.

JOSEPH S. PAGE, JR.,

Complainant and Cross-  
Respondent,

VS.

BALDWIN COUNTY BANK, a  
Corporation,

Respondent and Cross-  
Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NO.15.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to deliver to the Baldwin County Bank, a Corporation, possession of the lands and tenements of which the said Baldwin County Bank, a Corporation recovered of Joseph S. Page, Jr., by a Decree of our Circuit Court held for the County of Baldwin on the 5th day of February, 1936, viz:

Beginning at a point 110 yards North of Southeast Corner of Northeast Quarter of Section 18, Township 2 South, Range 3 East; run thence West 140 yards, thence North 98 yards, thence West to the Bay Minette & Carpenter Public Road, thence Northeastwardly with the meanderings of the said road to Section line between Sections 17 and 18 in said Township and Range, thence South along said Section line to place of beginning, containing six acres, more or less.

Beginning at the Southeast Corner of the Southeast Quarter of Southwest Quarter of Section 14, Township 2 South, Range 2 East and run thence West 110 yards to a starting point; thence run North 440 yards to quarter section line, thence West 110 yards, thence South 440 yards to section line, thence East 110 yards to point of beginning.

All the North Half of Southwest Quarter and West Half of Southeast Quarter of Southwest Quarter of Section 14, and also all of Southwest Quarter of Southwest Quarter of said Section 14, except five acres described as follows: Beginning at Southwest Corner of Section 14, run thence North 466 feet and 4 inches, thence East 466 feet and 4 inches, thence South 466 feet and 4 inches, thence West 466 feet and 4 inches to place of beginning, being in Township 2 South Range 2 East, Baldwin County, Alabama, excepting from the above land the following described lands, to-wit: Beginning at the Southeast Corner of the Southwest Quarter of Section 14, Township 2 South Range 2 East and run thence North 880 yards to the center of Section 14, thence West 110 yards, thence South 880 yards, thence East 110 yards to place of beginning, in Baldwin County, Alabama.

You are further commanded of the goods and chattels, lands and tenements of the said Joseph S. Page, Jr., you cause to be made the sum of \$ 46.25, costs of Court; and make return of this writ and the execution thereof according to law.

Witness my hand this 15th day of ~~February~~ <sup>May</sup>, 1937.

Resident  
Register.