

944

TO THE HONORABLE F. W. HARR, JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING.

Comes the Robertsdale State Bank, a corporation,
humbly complaining against the State Bank of Silverhill, a
corporation, and H. F. Gullede, and respectfully represents and
shows unto your Honor as follows:

FIRST:

That Complainant and the State Bank of Silverhill are
corporations organized and doing business under the laws of the
State of Alabama, with their principal places of business in
Baldwin County, Alabama that your Complainant's principal place of
business is at Robertsdale, and the State Bank of Silverhill
principal place of business is at Silverhill; that H. F. Gullede
is a non-resident of the State of Alabama, his post office address
being 1111 East Michigan Street, Jackson, Michigan.

SECOND:

That the said H. F. Gullede was formerly a resident
of Baldwin County, Alabama, residing at Robertsdale, and the
owner of the following described lands situated in the County of
Baldwin, State of Alabama, to-wit:

Lots 15 and 16 in Block 1 in the Oscar Johnson
Subdivision of East Silverhill, in the Northwest
quarter of the Southeast quarter of Section 6,
Township 6 South of Range 4 East, Baldwin County,
Alabama, described as follows: Commencing at a
stake seven hundred ten (710) feet west, three
hundred fifty-five feet (355) South of Northeast
corner of the Northwest quarter of the Southeast
quarter of Section 6, Township 6 South of Range
4 East, thence West one hundred six (106) feet;
thence Northwest one hundred sixty-nine (169)
feet; thence East one hundred eighty-three and
7/10ths (183.7) feet; thence South one hundred
fifty (150) feet to the place of beginning.

THIRD:

That on the 19th., day of July, 1926, said Henry F. Gullede, together with his wife, Henrietta E. Gullede, did execute a mortgage conveying said lands to the State Bank of Silverhill for the sum of one thousand dollars, a copy of which said mortgage is hereto attached, marked exhibit A and made a part of this bill of complaint; that the said mortgage is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Mortgage Book 57, pages 512-13, and stands upon the records of said County uncanceled; this Complainant does not know whether or not any payments have been made thereon, and it has inquired of the said State Bank of Silverhill to ascertain whether or not the said mortgage has been paid and what indebtedness is outstanding under the said mortgage, if any, and has been unable to do so, and now alleges that the said mortgage has been paid in full and that no indebtedness is outstanding under the said mortgage.

FOURTH:

That on the 20 day of September, 1929, the said H. F. Gullede was indebted to this Complainant by those two certain notes, hereto attached and marked exhibits B and C and made a part of this bill of complaint, one in the sum of Three Hundred Thirty-Five Dollars, dated October 15, 1928, and payable November 14, 1929, with interest thereon from maturity, and the other in the sum of Two Hundred Forty-One and 89/100 Dollars, dated September 29, 1928 and payable November 30, 1928, with interest thereon from maturity, and on which said note there had been paid the sum of Sixty-Four and 40/100 Dollars; that on said date this Complainant caused an attachment to be issued out of the Circuit Court of Baldwin County, Alabama, against the said H. F. Gullede on the said notes, which

said attachment was levied on the lands hereinabove described as the property of the said H. F. Gullett; that due and proper notice of the pendency of the said suit and of said attachment was given to the said H. F. Gullett that notice of said attachment on the said lands was filed in the office of the Judge of Probate of Baldwin County, Alabama, Sept., 20, 1929, and recorded in the Lis Pendens Records thereof in Book 1, page 92, and on November 29, 1929 judgment was rendered by the said Circuit Court of Baldwin County, Alabama, for this Complainant against the said Defendants on the said notes and the said property attached as aforesaid was condemned and ordered sold for the satisfaction of this Defendant's debt; that after due and proper advertisement of the same the said property was sold by the Sheriff of Baldwin County, Alabama, under the said order of sale and this Complainant purchased the same on the 3rd day of February, 1930, and proper conveyance was made to this Complainant by the Sheriff conveying the said property to this Complainant.

FIFTH:

That the said State Bank of Silverhill claims to own the said property under and by virtue of an alleged conveyance supposed to have been executed by the said H. F. Gullett and his said wife to the State Bank of Silverhill, January 21, 1929, Complainant denies that the said H. F. Gullett and his said wife, or either of them, executed and delivered any such deed to the said State Bank of Silverhill on the said date or any other dates and further alleges that at the date of its said attachment on the said property and to the time of the said judgment and the said order of sale, and to the date of the said sale and purchase by this Complainant of the said property the said H. F. Gullett was the owner of the said property, subject only to any indebtedness that he may have owed to the said State Bank of Silverhill under the said mortgage, and that that said deed purporting to be executed January 21, 1929, from the said H. F. Gullett to the said State Bank of Silverhill,

attempting to convey the said property was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on the 18 day of January, 1930, is void as against this Complainant and that this Complainant is a bona fide purchaser of the said property as against the said State Bank of Silverhill; that if the said alleged deed was executed on the date it purports to have been executed that there had been no physical change of the possession of the said property to the time of the said attachment, the said order of sale and the said sale and purchase by this Complainant of the said property, and this Complainant was wholly ignorant of any such deed and this Complainant is a bona fide purchaser of the said property as against the said State Bank of Silverhill under the aforesaid deed.

XXXX:

This Complainant further alleges that it is able, ready and willing to pay any amount which this Court may ascertain to be owing to the said State Bank of Silverhill under the aforesaid mortgage.

WHEREFORE, this Complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint; that the said State Bank of Silverhill and T. T. Gullledge be made parties defendant to this bill of complaint and by appropriate process be required to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court; that upon the final hearing of the cause made by this bill of Complaint this Court will find, ascertain, order adjudge and decree that the said deed from the said T. T. Gullledge to the State Bank of Silverhill conveying said land is void as against this Complainant and the same be cancelled upon the records

of Baldwin County, Alabama; and that this Court ascertain whether or not there is owing to the said State Bank of Silverhill any sum or sums by the said W. F. Dilledge under the aforesaid mortgage, and if there is no debt owing under the said mortgage this Court make such orders and decrees as shall be necessary and proper requiring the said State Bank of Silverhill to cancel the said mortgage, and that if this Court shall ascertain that there remains any indebtedness under the said mortgage that this Court will ascertain the amount thereof and this Complainant be permitted to pay the same and that all such orders, judgments and decrees be made in the premises as shall be necessary and proper to place this Complainant into possession of the said property, and this Complainant places itself wholly within the jurisdiction of this Court and offers to do and perform whatsoever this Court in equity and good conscience shall require of it, and this Complainant prays for such other, further and different relief as in equity and good conscience it shall be entitled to receive.

Duke Hall
SOLICITOR FOR COMPLAINANT.

FOOT NOTE:

The Defendants are required to answer every allegation of this bill of complaint, in paragraphs first to sixth, both inclusive, but not under oath. Oath being hereby expressly waived.

Duke Hall
SOLICITOR FOR COMPLAINANT.

STATE OF ALABAMA }
BALDWIN COUNTY }

Before me, the undersigned authority in and for said State and County, personally appeared W. J. Beebe who is known to me and who being by me first duly sworn deposes and says that he is of counsel for the Robertsdale State Bank, Complainant in that certain cause filed on the 31st day of Dec, 1930, by the Robertsdale State Bank, a corporation, against the State Bank of Silverhill, a corporation, and H. F. Gullledge; that the said Defendant, H. F. Gullledge is a non-resident of the State of Alabama, residing at and his post office address being 1111 East Michigan Street, Jackson, Michigan.

W. J. Beebe

Sworn to and subscribed before me on this the 31st day of December, 1930.

D. W. [Signature]
Clerk of Court
Baldwin County,
Alabama.

KNOW ALL MEN BY THESE PRESENTS that Henry T. Gullledge and Henrietta J. Gullledge, his wife, hereinafter called mortgagors, in consideration of the sum of one thousand dollars to them in hand paid by the State Bank of Silverhill, a Alabama, hereinafter called mortgagee, the receipt whereof is hereby acknowledged, by these do GRANT, BARGAIN, SELL and CONVEY unto the said mortgagee its heirs and assigns forever, all that real property in the Town of Robertsdale, Baldwin County, Alabama, described as follows, to-wit:

lots 15 and 16 in Block 1 in the Oscar Johnson Subdivision of East Silverhill, in the Northwest quarter of the Southeast quarter of Section 6, Township 6 South of Range 4 East, Baldwin County, Alabama, described as follows: Commencing at a stake seven hundred ten (710) feet west, three hundred fifty-five feet (355) South of Northeast corner of the Northwest quarter of the Southeast quarter of Section Section 6, Township 6 South of Range 4 East, thence West one hundred six (106) feet; thence Northwest one hundred sixty-nine (169) feet; thence East one hundred eighty-three and 7/10ths (183.7) feet; thence South one hundred fifty (150) feet to the place of beginning.

TOGETHER WITH ALL AND SINGULAR the tenements, rights, privileges and appurtenances to said described premises in anywise belonging, to have and to hold the same forever.

PROVIDED ALWAYS, and these presents are upon the express condition that if the said mortgagors shall well and truly pay to the mortgagee, the State Bank of Silverhill, the sum of one thousand dollars with interest at eight percent per annum as evidenced by their certain promissory note of even date herewith for like amount, due and payable six months from date thereof or any renewal of same and shall also discharge all the duties imposed upon said mortgagee by this mortgage, then these presents shall become void, otherwise to remain in full force.

In the event of default in the payment at maturity of the said mortgage debt or any amount secured thereby, mortgagee, the State Bank of Silverhill hereby authorized to sell said property at auction, for cash, after giving notice by advertisement once a week for three consecutive weeks in any newspaper then published in Baldwin County, thirty, to make proper conveyance to purchaser and the proceeds of sale to apply, first, to the payment of the cost of said sale, including a reasonable attorney's fee, second, to the payment of said mortgage debt and any sums hereinafter provided for, the balance, if any, to be paid over to the said mortgagor. Mortgagee may purchase said property at such sale and in that event the auctioneer conducting the sale is authorized in the name of the mortgagors and as their attorney in fact to make deed to mortgagee.

Mortgagor agrees to pay such reasonable attorneys fee as may incurred by the mortgagee in the collection of said mortgage debt or otherwise by reason of any debt on the part of the mortgagor. Mortgagors covenant that they are seized in fee simple of the said property, that it is free from all incumbrances, that they will warrant the same to mortgagee and the purchaser thereof against the

lawful claims of all persons.

IN WITNESS WHEREOF the said mortgagors have herewith set their hands and seals this 19th., day of July, A. D. 1923.

Henry W. Gulleage (Seal)
Henrietta Gulleage (Seal)

STATE OF ALABAMA)
BALDWIN COUNTY)

I, James W. Luther, a Notary Public in and for said County and State, hereby certify that Henry W. Gulleage and Henrietta E. Gulleage, his wife, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that being informed of the contents of the said conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 19th., day of July, 1923.

James W. Luther.

STATE OF ALABAMA)
BALDWIN COUNTY)

I, James W. Luther, a Notary Public in and for said County and State, do hereby certify that on the 19th., day of July, 1923, came before me the within named Henrietta E. Gulleage, known to me to be the wife of the within named Henry W. Gulleage, who being examined separate and apart from the husband, touching her signature to the within conveyance acknowledged that she signed the same of her own free will and accord and without fear, constraints or threats on the part of the husband.

In witness whereof, I have herewith set my hand and official seal this 19th., day of July, 1923.

James W. Luther.

Filed December 3, 1923,
Recorded Mortgage Book
57, pages 313-314.

TO THE HONORABLE F. W. HARE, JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING.

Comes the State Bank of Silver Hill and ^{for} answer to
the bill of complaint filed against it, and H. F. Cullledge, by the
State Bank of Robertsdale, says:-

1. It admits the allegations of the 1st., para-
graph of said bill.

2. It admits the allegations of the second para-
graph.

3. It admits the allegations of the 3rd., para-
graph, except so much thereof as states that complainant has been un-
able to ascertain whether or not said mortgage has been paid, and states
that said complainant was informed by respondent that respondent had
taken the deed to said property, mentioned in the fifth paragraph, in
satisfaction of said mortgage and other indebtedness.

4. Respondent is not informed as to the correct-
ness of, and does not admit the allegations of the fourth paragraph of
said bill, except that at the sale attempted to be made by the Sheriff
of Baldwin County, which is referred to in said paragraph, respondent
gave notice that it was the owner of said property and that anyone buy-
ing at such sale would receive no title.

5. For answer to the fifth paragraph it says that
it does claim to own and does own the property mentioned under the deed
referred to in the fifth paragraph, which was duly executed and delivered
to respondent, who took possession of said property and has remained in
possession to the present time. It denies that complainant is a bona
fide purchaser without notice, or that it has any valid right or claim to
such property, and alleges that at the time of the alleged purchase by
complainant and for sometime prior thereto, it had the actual and visible
possession of such property through a tenant, who was renting same from
respondent.

6. The sixth paragraph is covered by the answers
to the preceding one. And having fully answered respondent prays that said
bill be dismissed at the cost of complainant.

Webb Shepard
SOLICITORS FOR RESPONDENT.

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

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon _____

H. F. Gullede,

1111 East Michigan Street,

Jackson, Michigan

of _____ 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

Robertsdale State Bank, a corporation,

against said _____

H. F. Gullede

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, T. W. Richerson, Register of said Circuit Court, this 3rd day of

January 1931

T. W. Richerson Register

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

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon _____

H. F. Gullede,

1111 East Michigan Street,

Jackson, Michigan

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Robertsdale State Bank, a corporation,

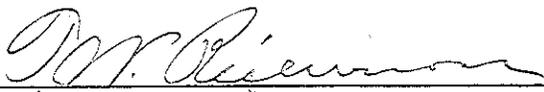
against said _____

H. F. Gullede

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, T. W. Richerson, Register of said Circuit Court, this _____ 3rd _____ day of

January _____ 1931 _____

 Register

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

SERVE ON H. F. Gullledge
Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Robertsdale State Bank,
a corporation,

vs.

H. F. Gullledge

Beebe & Hall
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this _____
day of _____ 19____

Sheriff.

Executed this _____ day of _____
19____

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By _____
Deputy Sheriff.

January 3rd 1931
Copy of Complaint
& Copy of Summons
Registered H.F. Gullledge
1711 East Michigan St
Jackson, Michigan
T.M. McKeown
Register

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING.

Comes the Robertsdale State Bank, a corporation,
humbly complaining against the State Bank of Silverhill, a
corporation, and H. F. Gullledge, and respectfully represents and
shows unto your Honor as follows:

FIRST:

That Complainant and the State Bank of Silverhill are
corporations organized and doing business under the laws of the
State of Alabama, with their principal places of business in
Baldwin County, Alabama that your Complainant's principal place of
business is at Robertsdale, and the State Bank of Silverhill
principal place of business is at Silverhill; that H. F. Gullledge
is a non-resident of the State of Alabama, his post office address
being 1111 East Michigan Street, Jackson, Michigan.

SECOND:

That the said H. F. Gullledge was formerly a resident
of Baldwin County, Alabama, residing at Robertsdale, and the
owner of the following described lands situated in the County of
Baldwin, State of Alabama, to-wit:

Lots 15 and 16 in Block 1 in the Oscar Johnson
Subdivision of East Silverhill, in the Northwest
quarter of the Southeast quarter of Section 6,
Township 6 South of Range 4 East, Baldwin County,
Alabama, described as follows: Commencing at a
stake seven hundred ten (710) feet west, three
hundred fifty-five feet (355) South of Northeast
corner of the Northwest quarter of the Southeast
quarter of Section 6, Township 6 South of Range
4 East, thence West one Hundred six (106) feet;
thence Northwest one hundred sixty-nine (169)
feet; thence East one hundred eighty-three and
7/10ths (183.7) feet; thence South one hundred
fifty (150) feet to the place of beginning.

THIRD:

That on the 19th., day of July, 1926, said Henry F. Gullledge, together with his wife, Henrietta E. Gullledge, did execute a mortgage conveying said lands to the State Bank of Silverhill for the sum of one thousand dollars, a copy of which said mortgage is hereto attached, marked exhibit A and made a part of this bill of complaint; that the said mortgage is recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Mortgage Book 37, pages 312-13, and stands upon the records of said County uncanceled; this Complainant does not know whether or not any payments have been made thereon, and it has inquired of the said State Bank of Silverhill to ascertain whether or not the said mortgage has been paid and what indebtedness is outstanding under the said mortgage, if any, and has been unable to do so, and now alleges that the said mortgage has been paid in full and that no indebtedness is outstanding under the said mortgage.

FOURTH:

That on the 20 day of September, 1929, the said H. F. Gullledge was indebted to this Complainant by those two certain notes, hereto attached and marked exhibits B and C and made a part of this bill of complaint, one in the sum of Three Hundred Thirty-Five Dollars, dated October 15, 1928, and payable November 14, 1928, with interest thereon from maturity, and the other in the sum of Two Hundred Forty-One and 29/100 Dollars, dated September 29, 1928 and payable November 30, 1928, with interest thereon from maturity, and on which said note there had been paid the sum of Sixty-Four and 40/100 Dollars; that on said date this Complainant caused an attachment to be issued out of the Circuit Court of Baldwin County, Alabama, against the said H. F. Gullledge on the said notes, which

said attachment was levied on the lands hereinabove described as the property of the said H. F. Gullett; that due and proper notice of the pendency of the said suit and of said attachment was given to the said H. F. Gullett that notice of said attachment on the said lands was filed in the office of the Judge of Probate of Baldwin County, Alabama, Sept., 20, 1929, and recorded in the Lis Pendens Records thereof in Book 1, page 92, and on November 29, 1929 judgment was rendered by the said Circuit Court of Baldwin County, Alabama, for this Complainant against the said Defendants on the said notes and the said property attached as aforesaid was condemned and ordered sold for the satisfaction of this Defendant's debt; that after due and proper advertisement of the same the said property was sold by the Sheriff of Baldwin County, Alabama, under the said order of sale and this Complainant purchased the same on the 3rd., day of February, 1930, and proper conveyance was made to this Complainant by the Sheriff conveying the said property to this Complainant.

FIFTH:

That the said State Bank of Silverhill claims to own the said property under and by virtue of an alleged conveyance supposed to have been executed by the said H. F. Gullett and his said wife to the State Bank of Silverhill, January 21, 1929, Complainant denies that the said H. F. Gullett and his said wife, or either of them, executed and delivered any such deed to the said State Bank of Silverhill on the said date or any other dates and further alleges that at the date of its said attachment on the said property and to the time of the said judgment and the said order of sale, and to the date of the said sale and purchase by this Complainant of the said property the said H. F. Gullett was the owner of the said property, subject only to any indebtedness that he may have owed to the said State Bank of Silverhill under the said mortgage, and that that said deed purporting to be executed January 21, 1929, from the said H. F. Gullett to the said State Bank of Silverhill,

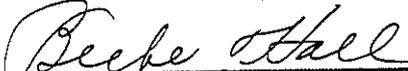
attempting to convey the said property was filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on the 18 day of January, 1930, is void as against this Complainant and that this Complainant is a bona fide purchaser of the said property as against the said State Bank of Silverhill; that if the said alleged deed was executed on the date it purports to have been executed that there had been no physical change of the possession of the said property to the time of the said attachment, the said order of sale and the said sale and purchase by this Complainant of the said property, and this Complainant was wholly ignorant of any such deed and this Complainant is a bona fide purchase of the said property as against the said State Bank of Silverhill under the aforesaid deed.

SIXTH:

This Complainant further alleges that it is able, ready and willing to pay any amount which this Court may ascertain to be owing to the said State Bank of Silverhill under the aforesaid mortgage.

WHEREFORE, this Complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint; that the said State Bank of Silverhill and H. F. Gullledge be made parties defendant to this bill of complaint and by appropriate process be required to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court; that upon the final hearing of the cause made by this bill of Complaint this Court will find, ascertain, order adjudge and decree that the said deed from the said H. F. Gullledge to the State Bank of Silverhill conveying said land is void as against this Complainant and the same be cancelled upon the records

of Baldwin County, Alabama; and that this Court ascertain whether or not there is owing to the said State Bank of Silverhill any sum or sums by the said H. F. Gullede under the aforesaid mortgage, and if there is no debt owing under the said mortgage this Court make such orders and decrees as shall be necessary and proper requiring the said State Bank of Silverhill to cancel the said mortgage, and that if this Court shall ascertain that there remains any indebtedness under the said mortgage that this Court will ascertain the amount thereof and this Complainant be permitted to pay the same and that all such orders, judgments and decrees be made in the premises as shall be necessary and proper to place this Complainant into possession of the said property, and this Complainant places itself wholly within the jurisdiction of this Court and offers to do and perform whatsoever this Court in equity and good conscience shall require of it, and this Complainant prays for such other, further and different relief as in equity and good conscience it shall be entitled to receive.


SOLICITORS FOR COMPLAINANT.

FOOT NOTE:

The Defendants are required to answer every allegation of this bill of complaint, in paragraphs first to sixth, both inclusive, but not under oath. Oath being hereby expressly waived.


SOLICITORS FOR COMPLAINANTS

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned authority in and for said State and County, personally appeared W. C. Beebe who is known to me and who being by me first duly sworn deposes and says that he is of counsel for the Robertsdale State Bank, Complainant in that certain cause filed on the 31st day of December, 1930, by the Robertsdale State Bank, a corporation, against the State Bank of Silverhill, a corporation, and H. F. Gullledge; that the said Defendant, H. F. Gullledge is a non-resident of the State of Alabama, residing at and his post office address being 1111 East Michigan Street, Jackson, Michigan.

W. C. Beebe

Sworn to and subscribed before me on this the 31st day of December, 1930.

W. W. Rice
Notary Public, Baldwin County,
Alabama.

KNOW ALL MEN BY THESE PRESENTS that Henry F. Gullledge and Henrietta E. Gullledge, his wife, hereinafter called mortgagors, in consideration of the sum of One Thousand Dollars to them in hand paid by the State Bank of Silverhill, Alabama, hereinafter called mortgagee, the receipt whereof is hereby acknowledged, by these do GRANT, BARGAIN, SELL and CONVEY unto the said mortgagee its heirs and assigns forever, all that real property in the Town of Robertsdale, Baldwin County, Alabama, described as follows, to-wit:

Lots 15 and 16 in Block 1 in the Oscar Johnson Subdivision of East Silverhill, in the Northwest quarter of the Southeast quarter of Section 6, Township 6 South of Range 4 East, Baldwin County, Alabama, described as follows: Commencing at a stake seven hundred ten (710) feet west, three hundred fifty-five feet (355) South of Northeast corner of the Northwest quarter of the Southeast quarter of Section Section 6, Township 6 South of Range 4 East, thence West one hundred six (106) feet; thence Northwest one hundred sixty-nine (169) feet; thence East one hundred eighty-three and 7/10ths (183.7) feet; thence South one hundred fifty (150) feet to the place of beginning.

TOGETHER WITH ALL AND SINGULAR the tenements, rights, privileges and appurtenances to said described premises in anywise belonging, to have and to hold the same Forever.

PROVIDED ALWAYS, and these presents are upon the express condition that if the said mortgagors shall well and truly pay to the mortgagee, the State Bank of Silverhill, the sum of one thousand dollars with interest at eight percent per annum as evidenced by their certain promissory note of even date herewith for like amount, due and payable six months from date thereof or any renewal of same and shall also discharge all the duties imposed upon said mortgagee by this mortgage, then these presents shall become void, otherwise to remain in full force.

In the event of default in the payment at maturity of the said mortgage debt or any amount secured thereby, mortgagee, the State Bank of Silverhill hereby authorized to sell said property at auction, for cash, after giving notice by advertisement once a week for three consecutive weeks in any newspaper then published in Baldwin County, Thirty, to make proper conveyance to purchaser and the proceeds of sale to apply, first, to the payment of the cost of said sale, including a reasonable attorneys fee, second, to the payment of said mortgage debt and any sums hereinafter provided for, the balance, if any, to be paid over to the said mortgagor. Mortgagee may purchase said property at such sale and in that event the auctioneer conducting the sale is authorized in the name of the mortgagors and as their attorney in fact to make deed to mortgagee.

Mortgagor agrees to pay such reasonable attorneys fee as may incurred by the mortgagee in the collection of said mortgage debt or otherwise by reason of any debt on the part of the mortgagor. Mortgagors covenant that they are seized in fee simple of the said property, that it is free from all incumbrances, that they will warrant the same to mortgagee and the purchaser thereof against the

lawful claims of all persons.

IN WITNESS WHEREOF the said mortgagors have hereunto set their hands and seals this 19th., day of July, A. D. 1926.

Henry F. Gulledge (Seal)
Henrietta Gulledge (Seal)

STATE OF ALABAMA)
BALDWIN COUNTY)

I, James W. Luther, a Notary Public in and for said County and State, hereby certify that Henry F. Gulledge and Henrietta E. Gulledge, his wife, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that being informed of the contents of the said conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 19th., day of July, 1926.

James W. Luther.

STATE OF ALABAMA)
BALDWIN COUNTY)

I, James W. Luther, a Notary Public in and for said County and State, do hereby certify that on the 19th., day of July, 1926, came before me the within named Henrietta E. Gulledge, known to me to be the wife of the within named Henry F. Gulledge, who being examined separate and apart from the husband, touching her signature to the within conveyance acknowledged that she signed the same of her own free will and accord and without fear, constraints or threats on the part of the husband.

In witness whereof, I have hereunto set my hand and official seal this 19th., day of July, 1926.

James W. Luther.

Filed December 8, 1926,
Recorded Mortgage Book
37, pages 312-313.

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

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

WE COMMAND YOU, That you summon _____

H. F. Gullede,

1111 East Michigan Street,

Jackson, Michigan

of _____ 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

Robertsdale State Bank, a corporation,

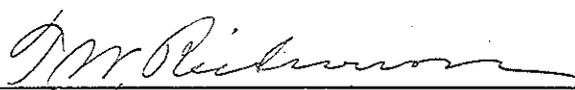
against said _____

H. F. Gullede

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, T. W. Richerson, Register of said Circuit Court, this 3rd day of

January 1931



Register

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

Copy

SERVE ON H. F. Gullledge
Circuit Court of Baldwin County
In Equity

No. 944

SUMMONS

~~Robertsdale State Bank,~~
~~a corporation,~~

vs.

H. F. Gullledge

Beebe & Ho 11
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this _____

day of _____ 19____

Sheriff.

Executed this _____ day of _____

19____

by leaving a copy of the within Summons with _____

Defendant.

Sheriff.

By _____
Deputy Sheriff.

AFTER FIVE DAYS RETURN TO
T. W. RICHESON
REGISTER AND CLERK OF THE CIRCUIT COURT
BALDWIN COUNTY
BAY MINETTE, ALA.



Return Receipt Requested.

Paid.

Mr. H. F. Gullledge

1111 East Michigan Street

Jackson, Michigan

(Return Receipt Requested)
(Deliver to Addressee Only)

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NO. *572*

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NO SUCH POST OFFICE IN THIS STATE

8233

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Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. *572*
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(NAME OF RECEIVER)

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or Post Office Box

Post Office at *Bay Minn.*

State *Alabama*

Form 3, 24

off-1936

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OFFICE
ADDRESS OF OFFICE