

BAY MINETTE PRODUCTION CREDIT COMPANY, a)	IN THE CIRCUIT COURT OF
Corporation, Plaintiff,)	BALDWIN COUNTY, ALABAMA,
. ∀\$.	<u> </u>	AT LAW.

Defendant.

W. N. DYER.

And now comes the Defendant and for enswer to Count 1 of the Plaintiff's complaint says:

- 1. That he is not guilty.
- 2. That the facts therein alleged are untrue.

And for answer to Count 2 of the Plaintiff's complaint says:

3. That he is not now, nor was he at the time of the filing of the complaint in this cause, in possession of the property therein described, to-wit:

One bay mare mule, named "Kate", and one black horse mule, named "Jack".

Attorneys for Defendant.

BAY MINETTE PRODUCTION CREDIT COMPANY, 8 Corporation,

Plaintiff,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

BAY MINETTE PRODUCTION CREDIT COMPANY, A CORPORATION,

Plaintiff,

VS.

W. N. DYER.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

Defendant.

AMENDED COMPLAINT.

Now comes the Plaintiff in the above entitled cause and after leave of the Court first had and obtained, amends the Amended Complaint heretofore filed in this cause by adding counts numbered 5 and 7 to read as follows:

- 6. The Plaintiff claims of the Defendant One Hundred Fifty Dollars due from him for money, on the 11th day of May, 1937, received by the Defendant to the use of the Plaintiff, which sum of money, with the interest thereon, is still unpaid, and is the property of the Plaintiff.
- 7. The Plaintiff claims of the Defendant One Hundred Fifty Dollars due from him for Four Thousand Eighty-four pounds of Number One Irish potatoes and Three Thousand One Hundred Twenty-five pounds of Number Two Irish potatoes on the 11th day of May, 1937, received by the Defendant to the use of the Plaintiff, which sum of money, with interest thereon, is still unpaid and is the property of the Plaintiff.

Attorney for Plaintiff.

3. Black

AMENDED COMPLAINT.

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation,

Plaintiff,

VS.

Y. N. DYER

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

il Mr.14, 1941

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation,

Plaintiff,

vs.

W. N. DYER.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

AT LAW.

Defendant.

AMENDED COMPLAINT.

- 1. The Plaintiff claims of the Defendant Two Hundred Fifty Pollars damages for the conversion by him on to-wit, the 10th day of December, 1937, of the following chattels: One bay mare mule named Kate, and one black horse mule named Jack, the property of the Plaintiff.
- 2. The Plaintiff claims of the Defendant the following personal property, viz: One bay mare mule named Kate and one black horse mule named Jack, with the value of the hire or use thereof during the detention, viz, from the 10th day of December, 1937.
- 3. The Plaintiff claims of the Defendant Two Hundred Fifty Dollars damages for the conversion by him on to-wit, May 11, 1937, of the following chattels: Four Thousand Eighty-four pounds of Number One Irish potatoes and Three Thousand One Hundred Twenty-five pounds of Number Two Irish potatoes raised by Jim Shoots, Jr., during the year 1937 on the forty acre tract known as the Herbert Starkey Farm located on Settlement Road two and one-half miles northeast of Foley and one-half mile west of highway, the fundant Two Hundred Fifty Dollars (\$250.00) damages for the conversion by him on to-wit, October 1, 1937 of the crop raised by Jim Shoots, Jr., on the forty acre tract known as the Herbert Starkey Farm located on Settlement Road two and one-half miles northeast of Foley and one-half mile west of highway, the fundant Two Hundred Fifty Dollars (\$250.00) the crop raised by Jim Shoots, Jr., on the forty acre tract known as the Herbert Starkey Farm located on Settlement Road two and one-half miles northeast of Foley and one-half mile west of highway, the fundant Two Hundred Figure 1.
- 5. The Plaintiff claims of the Defendant One Hundred Fifty-seven and 15/100 Dollars (\$157.15) as damages for that the Plaintiff had a lien on all crops of cotton, corn, truck and other agricultural products grown by Jim Shoots, Jr., or by anyone for him and produced during the year 1937 in Baldwin County, Alabama,

and particularly upon that certain parcel of land in said county and state described as follows: The forty acre tract of land of which twenty-five acres were rented, known as the Herbert Starkey Farm, located on Settlement Road two and one-half miles northeast of Foley and one-half miles west of highway, which mortgage was executed to the Plaintiff by Jim Shoots, Jr., and was given on to-wit, January 12, 1937, and which is recorded in the office of the Probate Judge of Baldwin County, Alabama, in Book Number 71 of mortgages at page 19, and the Plaintiff avers that four thousand eighty-four pounds of Number One Irish potatoes and three thousand one hundred twentyfive pounds of Number Two Irish potatoes were raised by the said Jim Shoots, Jr., on the above described property in Baldwin County, Ala-Plaintiff's mortgage or lien on the said property purchased the said Irish potatoes and refused after demand by the Plaintiff to pay the Plaintiff therefor but converted the same to his own use without the consent of the Plaintiff, thereby hindering and delaying the Plaintiff in the enforcement of its mortgage or lien on the said potatoes and by reason of the action of the said Defendant the Plaintiff avers that it failed in the collection of its mortgage to the amount of One Hundred Fifty-seven and 15/100 Dollars (\$157.15) as aforesaid and Plaintiff avers that there is yet due and unpaid upon the said mortgage of the said Jim Shoots, Jr., covering all crops raised by him for the year 1937, the sum of One Hundred Fifty-seven and 15/100 Dollars (\$157.15).

Attorney for Plaintiff.

AMENDED COMPLAINT.

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation,

Plaintiff,

W. N.

VS.

DYER,

BALDWIN COUNTY, ALABAMA. IN THE CIRCUIT COURT OF

AT LAW.

Defendant.

STATE OF ALABAMA BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. N. Dyer to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Bay Minette Production Credit Company, a Corporation.

Witness my hand this / day of August, 1939.

R. S. DUCK, Clerk of the Circuit Court of Baldwin County, Alabama,

By / an /on // Deputy Clerk.

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation,

Plaintiff,

Defendant.

VS.

W. N. DYER.

ff, IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

AT LAW.

NUMBER

l. The Plaintiff claims of the Defendant Two Hundred Fifty Dollars damages for the conversion by him on to-wit, the 10th day of

December, 1937, the following chattels: One bay mare mule named Kate, and one black horse mule named Jack, the property of the Plaintiff.

2. The Plaintiff claims of the Defendant the following personal property, viz: One bay mare mule named Kate and one black horse nule named Jack, with the value of the hire or use thereof during the detention viz, from the 10th day of December, 1937.

Attorney for Plaintiff.

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serv I cony of within Summons all IN THE CIRCUIT COURT OF BALDETH COUNTY, ALABAMA.

Me, the jury fund for defendant

Jariman Jariman

BAY MINETTE FRODUCTION CREDIT COMPANY, a Corporation,

Plaintiff,

VS.

W. N. DYER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

And now comes the Defendant, and for answer to the Plaintiff's, complaint says:

ONE:

For answer to Count 1: Not guilty.

TWO:

For answer to Count 2 he says that he is not now nor was he at the time of the filing of the original or amended complaints in this cause in possession of the property therein described, to-wit:

One bay mare mule named "Kate" and one black horse mule named "Jack".

THREE:

For answer to Counts 3, 4, and 5, he says not guilty.

BEEBE & HALL,

Attorneys for Defendant.

ANSWER

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation,

Plaintiff,

VS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation,

Plaintiff,

VS.

W. N. DYER.

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

And now comes the Defendant and demurs to the Plaintiff's amended complaint, and to each count thereof, separately and severally, and for ground of demurrer says:

1st: That said count does not state a cause of action.

2nd: That said count does not allege that the lien of the Plaintiff was lost or impaired.

3rd: That said count does not allege a destruction of Plaintiff's property.

4th: That said count does not allege the date of conversion of Plaintiff's property.

5th: That said count does not allege that the described property was the property of the Plaintiff.

6th: That said count does not allege a demand on the part of the Plaintiff and a refusal on the part of the Defendant.

7th: That said count does not allege that the Plaintiff was the owner of the property alleged to have been converted by the Defendant.

BEEBE & HALL,

Attorneys for Defendant.

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation, W. N. DYER, Plaintiff,

BALDWIN COUNTY, ALABAMA,

IN THE CIRCUIT COURT OF

IN EQUITY.

BAY MINETTE PRODUCTION CREDIT COMPANY, a) IN THE CIRCUIT COURT OF
Corporation, Plaintiff,) BALDWIN COUNTY, ALABAMA,)
VS. W. N. DYER,	• WA.1 TA

Defendant.

And now comes the Defendant, and with permission of the Court first had and obtained, amends his plea heretofore filed in this cause by adding the following plea four:

FOUR:

For answer to Count 5 of the Plaintiff's amended complaint, the Defendant says that the said cause of action is barred by the Statute of Limitation of one year.

BEEBE & HALL

BA: A A

BAY MINETTE PRODUCTION CREDIT COMPANY, a Corporation,

. VS.

W. N. DYER,

Defendant.

BALDWIN COUNTY, ALABAMA, IN THE CIRCUIT COURT OF

AT LAW.

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THE STATE OF ALABAMA BALDWIN COUNTY	Case No. 537 ,		CIRCUIT		104
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e and appear perore the nonorable, the 3	dage of the Cheurt Court of Ba	andwin County,	at the Cot	iri House	tner
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Herein fail not and have you then an	of said Court until discharge g, wherein Bay Minette I Defended there this Writ.	d by law, then	and there	e to testify	y, an

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- afmel 1943- WAS.	No.537. Page 3
SHERIFF I have executed this writ	THE STATE OF ALABAMA Baldwin County
By Rying Copying	CIRCUIT COURT
this the 9 day of	Bay Minette Production Credit Corp.
Jul 1963	
	Plaintiff VS.
	W N Dyer.
	y
•	Defendant
	CIVIL SUBPOENA
	Issued this 7th day of
Wat Holocule The Caroles 1 8	April. 1943
	4-9-6

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CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred

Moore Printing Co. Bay Minette, Ala.

The State of Alabama, \(\)	S. D. Page No.	CIRCU	IT COURT
Baldwin County	Case No. 537	Spring	Term, 1951
To Any Sheriff of the State of Alabama, GR	EETING;		
YOU ARE HEREBY COMMANDED TO SUMMO	ON	and the second	
Roy Mortenson, Britt Barnett	. Luther Page,	Jim Shoots, Mrs	. Jim Shoots
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if to be found in your County, at the instance	of the Defe	ndant	
to be and appear before the honorable, the Jud by 8:30 o'clock of the forenoon, on the			
day and term to term of said Court until disch	arged by law, then and t	here to testify, and the t	ruth to say, in a certain
cause pending, wherein Bay Minette	Production Cred	lit Company	Plaintif
and W. N. Dyer	·	De	efendant.
Herein fail not, and have you then and there this Writ.			
Given under my hand and seal, this 27th	_day ofJanus	<u>.ry</u> , 19	<u>3 41</u>
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estimation this $\theta - 27$ day of	ORIGINAL
eccived in office this day of	
January 1941	No. 537 Page
193	No. 557 Page
UNR Statas	THE STATE OF ALABAMA
SHERIFF	
11	Baldwin County
have executed this writ this 28th day	
Of January 1941 by Searring	CIRCUIT COURT
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CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred. Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720 THE STATE OF ALABAMA CIRCUIT COURT S.D. Page No..... Case No. 537 January Term, 1970 **BALDWIN COUNTY** To any Sheriff of the State of Alabama, GREETING: You are hereby commanded to summon Herebert Taylor, Ray Mangason, Brite Barnett, Waymon Divise (all of Foley) to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof, by 8:30 o'clock of the forenoon, on the 30 day of January - 1940 and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain cause pending, wherein Bay Minuth Broduction Credit Co., a Corp. Plaintiff and W. N. Oyer Defendant. Herein fail not and have you then and there this Writ. Given under my hand and seal, this 27 day of January 1940.

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Received in office this 27th day of	ORIGINAL
January 140	No. 537 Page
Sheriff.	THE STATE OF ALABAMA BALDWIN COUNTY
have executed this writ	CIRCUIT COURT
Ray Morgason	Bay mintle Production
Britt Barnett	Culit Co.
Wagman Dinish	The state of the s
1-29-40	Plaintiff VS.
	W.N. Dyer
	Defendant
	CIVIL SUBPOENA
6.2	Issued this 27 day
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John Ralpur Sheriff.	Clerk
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Any Sheriff of the State of Alabama, GREETING; YOU ARE HEREBY COMMANDED TO SUMMON	io out of a filter contract,	e No		JIT COURT	
be found in your County, at the instance of the flainting and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof 8'30 o'clock of the forenoon, on the3	any Sheriff of the State of Alabama, GREETING:		,		
be found in your County, at the instance of the flainting and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof 8'30 o'clock of the forenoon, on the3	you are hereby commanded to summon <u>& £</u>	E. Hall			
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and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof 8'30 o'clock of the forenoon, on the					
and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof 8:30 o'clock of the forenoon, on the				:	
nd term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain pending, wherein Bay Minitte Production Cradit Co. Plaintif	se found in your County at the instance of the	elacutions			
e pending, wherein Bay Minittle PeroSwetton Credit Co. Plaintif		,	lwin County at 1	he Court Hor	ise thereof
Defendant.	and appear before the honorable, the Judge of the Cir	reuit Court of Balo	•		
Defendant.	and appear before the honorable, the Judge of the Cir. 8:30 o'clock of the forenoon, on the	reuit Court of Balo	iary	-19 4 / , and f	rom day to
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have executed this writ by serving	CIRCUIT COURT
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	Plaintiff VS.
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The State of A	Alabama. /	S. D. Page No.	CIRCUIT	COURT
Baldwin Co		S. D. Page No. Case No. 537	Spring, 1941	Term, 193
o Any Sheriff of the Stat	e of Alabama, GRI	EETING;		
YOU ARE HEREBY CO	MMANDED TO SUMMO	Roy Mortensen,	Britt Barnett,	Luther Page,
Jim Shoots,	Mrs. Jim Sho	oots,		
if to be found in your Cou	aty, at the instance	of theDefendant		
to be and appear before the	honorable, the Jud	ge of the Circuit Court of I	saldwin County, at the C	ourt House thereof,
oy 8:30 o'clock of the	e forenoon, on the -	15th day of April	., 1941	, and from day to
day and term to term of sai	d Court until disch	arged by law, then and there	e to testify, and the truth	to say, in a certain
cause pending, wherein	Bay Minette	, Production Credi	t Co., a corp.,	———— Plaintifi
and	W. N. Dyer,	<u> </u>	Defend	ant.
Herein fail not, and have you then	and there this Writ.			
Given under my hand an	d seal, this 27th	day of March, 194		 -
			R. S. D.	_
				CLERK

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he State of Alabama) S. D. Page No	CIRCUIT C	OURT
Baldwin County	S. D. Page No Case No	april	Term, 19 % /_
Any Sheriff of the State of Alabama, (REETING:		
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		•	urt House thereof,
be and appear before the honorable, the	Judge of the Circuit Court of I	Baldwin County, at the Co	A fire of the second of the se
be and appear before the honorable, the	Judge of the Circuit Court of I	Baldwin County, at the Co	, and from day to
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Bay Minette Credit Carpa	nateo
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	Plaintiff
vs.	
W.M. Dyer	
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	Defendant
CIVIL SUBF	POEN
GIVID SODI	
Issued this	day
- april	198/
ut- RS.De	
elia Sheriff	Clerk

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SUBPOENA—ORIGINAL—In case witness shall wish	to charge for attendance, he sha	all produce to the Clerk in term	this Subpoena, or with Bay Minette, Ala.	in five days
SUBPOENA—ORIGINAL—In case witness shall wish journment of Court, else he will be barred	to charge for attendance, he	Moore Printing Co.		
OBLITAGE			UIT COURT	
Ct-to of Alabama	S. D. Page No Case No537	CINC		100
e State of Alabama,	Case No. 537	<u> Spring, 19</u>	41 Term	1, 193
Baldwin County) Case I to		•	
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ny Sheriff of the State of Alabama, GR	CENTINO!			
	G. C. Berg	s, Mrs. Chas. Et	ert	
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be found in your County, at the instan	tee or the	e e e e e e e e e e e e e e e e e e e	- in	1 11
e and appear before the honorable, the J	Indee of the Circuit Cou	ert of Baldwin County,	at the Court Hot	ise thereof,
e and appear before the honorable, the J	Judge of the One	. •= 1041		
8:30 o'clock of the forenoon, on th	15th day of -	April, 1941	193, and i	from day to
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and term to term of said Court until dis	sobarged by law, then a	nd there to testify, and t	he truth to say, i	n a certain
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