

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon M. H. GRIMES to appear within thirty (30) days from the service of this writ, in the Circuit Court to be held for said County at the place of holding the same, then and there to answer the complaint of FRANCES G. RUSS and BERNARD GRIMES.

WITNESS my hand this 3rd day of January, 1940.

R S Duck

Clerk.

B. J. Smith
DeputyFRANCES G. RUSS and
BERNARD GRIMES,

Plaintiffs,

VS.

M. H. GRIMES,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

1. The Plaintiffs claim of the Defendant the following personal property:

Allis Chalmers Tractor described on contract recorded Jan. 4th, 1937, and the cultivator and power lift described therewith. One black mare mule age about 7 years, weight about 1350 lbs, named "Maude"; One black horse age about 12 years, weight about 1300 lbs, named "Frank". All of the cattle I own being 10 head and all increase. All of the farming equipment I own including harness, etc.,

with the value of the hire or use thereof during the detention, viz. from the 1st day of December, 1939.

2. The Plaintiffs claim of the Defendant the sum of Four Hundred and Ninety-five (\$495.00) Dollars, balance due by promissory waive note made by the Defendant on June 18th, 1938, for the payment of Five Hundred and Thirty (\$530.00) Dollars, to the Bank of Fairhope, Fairhope, Alabama, on the 28th day of September, 1938, and by the said Bank of Fairhope sold, assigned, and transferred to the Plaintiffs, and which is now the property of the Plaintiffs and is due and unpaid, together with interest thereon from May 28th, 1939.

The Plaintiff alleges that in and by and as a part of said note the Defendant waived all exemption as to personal property under the constitution and laws of the State of Alabama, and agreed to pay all costs of collecting, or attempting to collect or secure said note, including a reasonable attorney's fee.

The Plaintiffs claim of the Defendant the further and additional sum of One Hundred (\$100.00) Dollars as a reasonable attorney's fee.

Deane Nace & Beebe
Attorneys for Plaintiffs.

STATE OF ALABAMA,
BALDWIN COUNTY.

TO ANY LAWFUL OFFICER OF SAID STATE AND COUNTY:

The Plaintiff having made Affidavit and Bond as required by law,
you will take into your possession the property described in the within
complaint, unless the Defendant give bond, payable to the Plaintiffs, with
sufficient surety, in double the value of the property, with condition
that if the Defendant is cast in the suit, he will, within thirty days
thereafter, deliver the property to the Plaintiffs and pay all costs and
damages which may accrue from the detention thereof.

R. S. Duck

Clerk.

R. H. Smith
Deputy

We the Jury find for the Defendant
L. P. Rhodes
Fremont

RECORDED

544

Record in Office JAN 3 - 1940

SUMMON AND COMPLAINT

FRANCIS G. RUSS and
BERNARD GRUBBS,

Plaintiffs,

VS.

M. H. GRUBBS,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW,

Filed Jan. 3-1940
R. S. Duck
Clerk

Exceeded this Jan 13th
day of Jan 1940 by
leaving a copy of
the within summons &
complaint on
M. H. Grubbs, and by
forcing into my possession
the within described
property to wit
1-Allen Chalmers tractor
and power
1-Blower Thaw, Honda
1-Blower Thaw " Honda
14-Needle
14-Needle

By W. H. Smith
Affirm'd
J.S.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Before me, the undersigned authority, in and for said County, in said State, personally appeared FRANCES G. RUSS, who being duly sworn, deposes and says, that the property sued for in the complaint of Frances G. Russ and Bernard Grimes, to-wit:

Allis Chalmers Tractor described on contract recorded Jan. 4th, 1937, and the cultivator and power lift described therewith. One black mare mule age about 7 years, weight about 1350 lbs, named "Maude"; One black horse age about 12 years, weight about 1300 lbs, named "Frank". All of the cattle I own being 10 head and all increase. All of the farming equipment I own including harness, etc.,

belongs to Frances G. Russ and Bernard Grimes, the said Plaintiffs.

Frances G. Russ

Sworn to and subscribed before me
this 29 day of Dec,
19 39.

O'Byrne Jones
Notary Public, Baldwin County, Ala.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, That We, FRANCES G. RUSS, as Principal, and the undersigned as Sureties, are held and firmly bound unto M. E. Grimes, his heirs, executors and administrators, in the sum of Fifty (\$50.00) Dollars, for the payment of which we, jointly and severally, bind ourselves, our heirs, executors and administrators, firmly by these presents.

Sealed with our seals and dated this 2 day of Jan,
19 40.

The condition of the above obligation is such that, whereas, the above bound Frances G. Russ and Bernard Grimes have, on the 2 day of Jan, 19 40, sued out from the office of the Clerk of the Circuit Court of Baldwin County, in said State, a writ of detinue, returnable to the Circuit Court against the said M. E. Grimes, for the recovery of the following described property, to-wit:

Allis Chalmers Tractor described on contract recorded Jan. 4th, 1937, and the cultivator and power lift described therewith. One black mare mule age about 7 years, weight about 1350 lbs, named "Maude"; One black horse age about 12 years, weight about 1300 lbs, named "Frank". All of the cattle I own being 10 head and all increase. All of

the farming equipment I own including harness, etc.

Now, if the said Frances G. Russ and Bernard Grimes shall fail in said suit, and shall pay to the said M. H. Grimes, the Defendant in said writ, all such costs and damages as he may sustain by the wrongful suing out thereof, then this obligation to be void, otherwise to remain in full force and effect.

Frances G. Russ (SEAL)

W. H. Russ (SEAL)

J. P. Grimes (SEAL)

Taken and approved this 3rd
day of January, 1940.

R. S. Duck
Clerk of Circuit Court of Baldwin
County, Alabama.

By W. E. Smith
deputy

REPLEVY BOND OF DEFENDANT.

FRANCES G. RUSS and
BERNARD GRIMES,

Plaintiffs,

VS.

M. H. GRIMES,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

*Filed February 10, 1940
R. S. Dyer, Clerk*

FRANCES G. RUSS AND
BERNARD GRIMES,

Plaintiffs,

VS.

M. H. GRIMES,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER 549.

PLEAS.

Now comes the Defendant in the above entitled cause, and
to each count of the complaint separately and severally pleads as
follows:

1. That he is not guilty of the matters alleged therein.
2. The Defendant has paid the debt for the recovery of
which this suit was brought before the action was commenced.

J. B. T. Blackburn
Attorney for Defendant.

Defendant demands a trial of the said
cause by jury.

J. B. T. Blackburn
Attorney for Defendant.

RECORDED

PLEAS.

FRANCIS G. RUSS AND
BERNARD GRIMES,

Plaintiffs,

VS.

M. H. GRIMES,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW. NUMBER 549.

Filed 2-12-40

R. S. Buck
clerk

REPLEVY BOND OF DEFENDANT.

STATE OF ALABAMA

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That we, M. H. Grimes, as Principal, and L. H. ANDREWS, D. H. BRANTLEY and J. H. LANGHAM, ^{BERNARD GRIMES} as Sureties, are held and firmly bound unto Frances G. Russ and Bernard Grimes in the sum of Eighteen Hundred Dollars (\$1800.00) for the payment of which well and truly to be made we, jointly and severally, bind ourselves, our heirs, executors and administrators.

Sealed with our seals and dated this 18th day of January, 1940.

The condition of the above obligation is such that whereas the said Frances G. Russ and Bernard Grimes did on the 3rd day of January, 1940, sue out of the Circuit Court of Baldwin County, Alabama, a writ of detinue directed to any sheriff of the State of Alabama, commanding him to take into his possession the following property, to-wit:

Allis Chalmers Tractor described on contract recorded Jan. 4th, 1937, and the cultivator and power lift described therewith. One black mare mule age about 7 years, weight about 1350 lbs, named "Maude"; One black horse age about 12 years, weight about 1500 lbs, named "Frank". All of the cattle I own being 10 head and all increase. All of the farming equipment I own including harness, etc.,

which said writ was placed in the hands of the Sheriff of Baldwin County, Alabama, and was executed by him on the 13th day of January, 1940, by taking into his possession the following property to-wit:

Allis Chalmers Tractor described on contract recorded Jan. 4th, 1937, and the cultivator and power lift described therewith. One black mare mule age about 7 years, weight about 1350 lbs, named "Maude"; One black horse age about 12 years, weight about 1300 lbs, named "Frank". All of the cattle I own being 10 head and all increase. All of the farming equipment I own including harness, etc.,

end

WHEREAS, the above bound M. H. Grimes, Defendant in the said suit, has within five days from the execution of the said writ, entered into and executed this bond as required by law and thereby obtained possession of the said property seized under this writ.

Now, if the said M. H. Grimes is cast in the said suit, and within thirty days after judgment deliver the property as aforesaid to the Plaintiffs and pay all costs and damages which may accrue from the detention thereof, then this obligation to be void, otherwise to remain in full force and effect.

M H Grimes (SEAL)
L H Grimes (SEAL)
D H Grimes (SEAL)
A J Grimes (SEAL)
Bernard Grimes (SEAL)

Taken and approved this 18th
day of January, 1940.

W R Stuel

Sheriff, Baldwin County, Ala.

Jury List, First Week, April 8, 1940

P	2
4	11
31	19
37	24
40	25
8	35
1	20

P6
P1
P5
D1

D2
D2

D3
D4

P2

D5

P3

P4

1. Dennis L. Thompson, Farmer, Stockton.
2. Ludie N. Scarborough, Farmer, Bay Minette.
3. Julius Hilary Brown, Cobbler, Bay Minette.
4. Ira V. Guess, Carpenter, Bay Minette.
5. Robert L. Godwin, Water Company, Bay Minette.
6. Virgil V. Rhodes, Farmer, Bay Minette.
7. Ott H. Ertzinger, Insurance, Bay Minette.
8. Charles A. Bodden, Mgr. Ala. Power Co., Bay Minette.
9. John E. Quinley, Laborer, Bay Minette.
10. William S. McMillan, Clerk, Bay Minette.
11. Wilton J. Stapleton, Farmer, Bay Minette.
12. John B. Stuart, Contractor, Bay Minette.
13. J. Floyd Bryars, Pressing Club, Bay Minette.
14. Wilbur W. Quinley, Farmer, Bay Minette.
15. James D. Morris, Jr., Farmer, Gateswood.
16. Thomas L. Baggett, Farmer, Gateswood.
17. John W. Pittman, Farmer, Gateswood.
18. Jack R. Downer, Farmer, Gateswood.
19. John H. Shumate, Mechanic, Robertsedale.
20. C. Red Anderson, Farmer, Silverhill.
21. Nathan O. Smith, Farmer, Foley.
22. Alex V. Lazari, Farmer, Daphne.
23. Charles X. Guarisco, Tailor, Daphne.
24. Augustine X. Guarisco, Farmer, Daphne.
25. Connie A. Gaston, Editor, Fairhope.
26. Charles M. Guthrie, Farmer, Fairhope.
27. J. Ernest Duck, Mechanic, Bay Minette.
28. Claude S. Woodson, Furniture, Bay Minette.
29. Paul E. Teter, Abstracts, Bay Minette.
30. Thomas J. Davidson, Butcher, Bay Minette.
31. Virgil O. McMillan, Turpentine Operator, Bay Minette.
32. Hunter H. Mixon, Hardware, Bay Minette.
33. Clyde N. Little, Mechanic, Bay Minette.
34. J. Frank Knowles, Newport, Bay Minette.
35. Clinton L. White, Cashier, Bay Minette.
36. P. Grey Cane, Oil Agent, Bay Minette.
37. Edward J. Lemerise, Tar Plant Operator, Bay Minette.
38. George F. Stevenson, Oil Agent, Bay Minette.
39. Walter D. White, Merchant, Bay Minette.
40. S. S. Baggett, Naval Stores, Bay Minette.
41. Sidney K. Smith, Merchant, Bay Minette.

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

BALDWIN COUNTY

S.D. Page No.

Case No. 549

CIRCUIT COURT

Spring, 1940 Term, 193.....

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon KIRBY WHARTON, Fiarhope, Ala.

if to be found in your County, at the instance of the defendant

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,

by 10:00 o'clock of the forenoon, on the 8th day of April, 1940 193.....

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 BRANCES G. RUSS, Plaintiff

and M. H. GRIMES Defendant.

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

Given under my hand and seal, this 5th day of April, 1940 193.....

R. S. D.

R. S. D.

Clerk.

Deputy

defendant

ORIGINAL

No. 549

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

FRANCES G. RUSS, ET AL.,

Plaintiff

VS.

ML H. GRIMES,

Defendant

CIVIL SUBPOENA

Issued this day of

193

R. S. DUCK

clerk, - register

By

Deputy

Clerk.

Received in office this 5th day of

April

1940

W R Stuart

Sheriff.

By M. B. H.

I have executed this writ

4/8/40/

in full

W R Stuart

Sheriff.

M. B. Hamilton

Bay Minette, Ala.,

1/19

1936

Clark Circuit Court

IN ACCOUNT WITH

G. W. ROBERTSON

Judge of Probate, Baldwin County

Please Return Bill With Remittance

Recording	from	to	Privilege Tax	Rec. Fee	Total
Exordium	Demand	James vs James			75
Paid 1/19/40 GWR					

The State of Alabama,
Baldwin County

S. D. Page No. _____

Case No. 549

CIRCUIT COURT

Fall

Term, 193⁴⁰

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON _____

Kirby Wharton (F'hope)

if to be found in your County, at the instance of the defendant

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 11th day of September, 1940 193, 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 Frances G. Russ, et al., Plaintiff

and M. H. Grimes Defendant.

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

Given under my hand and seal, this _____ day of _____, 193_____

R. S. Dush

CLERK.

Received in office this 14 day of

Sept 1940

W B Stuart
SHERIFF

I have executed this writ 9/6/40

Kirby Watson

W B Stuart
SHERIFF

ORIGINAL

No. 549

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Frances C. Russ, et al

Plaintiff

VS.

M. H. Grimes

Defendant

CIVIL SUBPOENA

Issued this _____ day of

193

Clerk.

over
\$ 532.00

FAIRHOPE, ALA., June 18th 1938 193.

at Fair Hope 5/28/39
Sept 28th 1938

AFTER DATE, WITHOUT GRACE, I or WE

PROMISE TO PAY TO THE ORDER OF Bank of Fairhope

Five hundred thirty and no/100—

DOLLARS

FOR VALUE RECEIVED, PAYABLE AT THE **BANK OF FAIRHOPE, Fairhope, Ala.,**

To secure the payment of this bond, or note, and any other debt we, or either of us now or may hereafter owe to said payee at or before the payment of this bond or note in full, or any other amount advanced hereunder, or secured herein, I, or we, hereby grant, bargain, sell and convey to said payee, the following property, to-wit:

Allis Chalmers Tractor described on contract recorded Jan 4th 1937

and the cultivator and power lift described therewith.

One Black Mare mule age about 7 years weight about 1500 lbs name Maudie

One black horse age about 12 years weight about 1300 lbs name Frank

All of the cattle I own being 10 head and all increase.

All of the farming equipment I own including harness

In case I, or we, fail to pay this bond or note when due, or fail to pay any debt, or any part of any debt, secured hereby, when due, or should we sell or dispose of, remove, abandon, mistreat or injure any of the above-mentioned property without the consent of said payee or assigns, then the entire debt or debts secured herein, or owing thereunder, shall become due and payable to said payee or assigns; and they may seize, take possession of and sell any or all of said property at private sale, without advertisement or delay, or at public outcry, for cash, to the highest bidder, at Fairhope, Ala., or on the premises, after advertising the same for one day, by posting one written notice at Fairhope, Ala., and in case of a sale made under this contract said payee or assigns is hereby authorized to bid for and become the purchaser of said property. We, and each of us, do hereby declare that all of the above property is free from all lien and incumbrance and we have a good right to make this conveyance of it.

The parties to this instrument, whether maker, endorser, surety or guarantor, each for himself, hereby severally agrees to pay this note and waives as to this debt, or any renewal thereof all right to exemption under the constitution and laws of Alabama, or any other state, 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

ATTEST

(L. S.)

W H Greenlee

(L. S.)

COURIER PRINT FAIRHOPE, ALA

61416

50408

The undersigned endorser assume
the contract shown by the face of
this note.

W. J. Davis 2/24/39 530
Balance as of 2/24/39 495 00
350 00

M. H. Davis 6-18-38

45
13

State of Alabama. }
Salawin County. }

Probate Court

Filed in office this SEP 28 day of 1938
at 8 AM and duly recorded
in Mtg Book No. 77 at page 209
and I certify that \$ 90 cts. 90 Dead
tax and \$ 90 cts. 90 Mtge tax, has
been paid as required by law.

W. J. Davis
Judge of Probate

assignment to Hens & Son

Prob Mtg #99 Page 180

2-27-39

Frank J. Shope

1286
m 90
175

SUBPOENA DUCES TECUM.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon R. D. Hooks, Jr., at the instance of the Defendant, if he should be found in your county, personally to be and appear before the Circuit Court of Baldwin County, Alabama, at the present term thereof to be holden at the Court House in Bay Minette, Alabama, on Monday, April 8, 1940, and bring with him and produce at the time and place aforesaid, to be used in evidence, the following:

1. Check Number 32 dated May 19, 1939, drawn by Loan Proceeds Account, Progressive N. F. L. A. on the Baldwin County Bank, payable to the Bank of Fairhope, Fairhope, Alabama, in the sum of Four Hundred Ninety-five Dollars (\$495.00);

2. Creditor's Receipt signed by the Bank of Fairhope, a Corporation, in connection with Federal Land Bank loan to M. H. Grimes, et al;

3. Federal Land Bank Application of M. H. Grimes, et al,

4. All other papers in file covering Federal Land Bank loan to M. H. Grimes, et al;

then and there to testify and the truth to speak concerning all and singular those things of which he may have knowledge or the said instruments of writing doth import of and concerning a certain suit now pending and undetermined in said Court wherein Frances G. Russ and Bernard Grimes are Plaintiffs and M. H. Grimes, Defendant.

And this he shall in no wise omit under penalties of which the law directs and shall have you then and there this writ with your indorsement thereon in what manner you have executed same.

Witness my hand this 29th day of March, 1940.



Clerk of the Circuit Court.

WILLIAM SHELLEY
1940

Executed April 1 at 1940

by serving subpoena

on

R.D. Hooker

W.P. Stuart Sheriff

By M.B. Hamlett Deputy Sheriff

SUBPOENA DUCES TECUM.

FRANCIS G. RUSS and
BERNARD GRIMES,

Plaintiffs,

VS.

M. H. GRIMES,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

FRANCES G. RUSS AND
BERNARD GRIMES,

Plaintiffs,

VS.

M. H. GRIMES,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

SUGGESTION.

Now comes the Defendant in the above entitled cause and suggests that this is a suit filed by assignees of a mortgagee against the mortgagor and requires that the jury ascertain if there is any mortgage debt and if so, the amount thereof.

J. B. Tashburn,
Attorney for Defendant.

Filed April 8 1943
D. S. Quack
Junk

549

The State of Alabama, Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON JOE WEBB

at the instance of the defendant, if he should be found in your County, personally to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at the Court House in Bay Minette, Ala., to wit: on the 11th day of September, 1940, 1940 at 10 A.M., and to bring with her and produce at the time and place aforesaid, to be used as evidence the following: (here describe it),

1. Check Number 32, dated May 19, 1939, drawn by Loan Proceeds Account, Progressive N.F.L.A. on the Baldwin County Bank, payable to the Bank of Fairhope, Fairhope, Alabama, in the sum of Four Hundred Ninety-five Dollars (\$495.00);

2. Creditor's receipt signed by the Bank of Fairhope, a Corporation, in connection with the Federal Land Bank Loan to M. H. Grimes, et al.;

3. All other papers in file covering Federal Land Bank loan to M. H. Grimes, et al.;

and then and there testify and the truth to speak concerning all and singular those things of which he may have knowledge, or the said instrument of writing doth import of, and concerning, and concerning a certain suit now pending and undetermined in said Court, wherein Frances G. Russ, et al., Plaintiff and M. H. Grimes Defendant.

And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then and there this writ with your endorsement thereon in what manner you have executed same.

Witness my hand, this 7th day of September 1940

B. S. Duck

Clerk.

Received in Sheriff's Office
this 7 day of Sept, 1940
W. R. STUART, Sheriff

*Executed this the
11th day of September 1940
by sending a copy of return
Subpoena on Joe Webb.*

*W. R. Stuart Sheriff
By M. B. Hamilton Esq.*

Original

No. 549

THE STATE OF ALABAMA
Baldwin County

Frances G. Russ, et al.,
Plaintiff

VS. SUBPOENA DEBUS TECUM

M. H. Grimes,

Defendant.

CIRCUIT COURT

WITNESSES:

SET FOR TRIAL

11th day of September 1940

GILL PTC. CO., MOBILE

The State of Alabama,
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA,—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

R. D. HOOKS, JR.,

at the instance of the defendant, if he should be found in your County, personally to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at the Court House in Bay Minette, Ala, to wit: on the 11th day of September, 1940 at 8:30 A.M., and to bring with him and produce at the time and place aforesaid, to be used as evidence the following:

(here describe it).

1. Check Number 32 dated May 19, 1939, drawn by Loan Proceeds Account, Progressive M.F.L.A. on the Baldwin County Bank, payable to the Bank of Fairhope, Fairhope, Alabama, in the sum of Four Hundred Ninety-five Dollars (\$495.00);

2. Creditor's receipt signed by the Bank of Fairhope, a Corporation, in connection with the Federal Land Bank Loan to M. H. Grimes, et al.;

3. Federal Land Bank Application of M. H. Grimes, et al.;

4. All other papers in file covering Federal Land Bank loan to M. H. Grimes, et al.;

and then and there testify and the truth to speak concerning all and singular those things of which he may have knowledge, or the said instrument of writing doth import of, and concerning, and concerning a certain suit now pending and undetermined in said Court, wherein Frances G. Russ, et al., Plaintiff and M. H. Grimes Defendant.

And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then and there this writ with your endorsement thereon in what manner you have executed same.

Witness my hand, this 4th day of September 1940

R. S. Duck

Clerk.

Received in Sheriff's Office
this... day of..., 1940
W. R. STUART, Sheriff

Examined this the 11th
day of September, 1940
by leaving copy of
the within subpoena
on J. D. O'Neal Jr.

W. R. Stuart
Sheriff

By W. A. Whitely
Atty. General of State

original

No. 549

THE STATE OF ALABAMA
Baldwin County

Frances H. Russ, et al.,
Plaintiff

VS. SUBPOENA DECUS TECUM

H. H. Grimes,
Defendant.

CIRCUIT COURT

WITNESSES:

SET FOR TRIAL

11th day of Sept, 1940

GILL PTG. CO., MOBILE

THE STATE OF ALABAMA,
Baldwin County.

No. 549

CIRCUIT COURT

Fall Term, 1940

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded, That of the goods and chattels, lands and tenements of

Grand S. Russ & Bernard Grimes Plaintiff in the suit,

you cause to be made the sum of Forty-Six Dollars,

costs of suit, created by said Plaintiff____, for that, whereas, on the _____/1_____ day of

September 1930, the said Plaintiff ~~recovered by the judgment of the said Circuit Court~~

of said County, against jury & verdict for Defendants

----- Mr. H. Perkins Defendant -----

to the suit, the sum of Twenty-six & 00/100 Dollars,

besides _____ Dollars, costs of suit ;

upon which Judgment an Execution has been issued and returned by the Sheriff, "No property found."

AND HAVE YOU THAT MONEY ready to render to

Clerk of said Court, and make return of this Writ and the Execution thereof, according to law.

Witness my hand this 2nd day of October 1940

Clerk

CLERK'S FEES		Dollars	Cts	SHERIFF'S FEES		Dollars	Cts
For every Summons and Complaint....	\$1 25	1	25	For Levying an Attachment.....	\$3 00		3 00
Each copy thereof.....	30		30	Entering and Returning Attachment	25		25
Entering a Sheriff's Return.....	20		20	Summoning Garnishee	1 50		
Docketing.....	25		25	Serving Summons on Writ.....	1 50		1 50
Entering Appearance	20		20	Serving Notice Sci. Fa. Notice, etc.	65		
Filing..... ⁶	10		60	Serving..... ⁵ Subpoenas	65		3 25-
Every Order made in Court	30		30	Empanelling Jury	75		75
Copy thereof	25			Entering and Returning Execution.....	25		25
Every Trial with or without Jury.....	75		75	Collecting Costs Execution.....	1 50		1 50
Entering up Judgment or copy thereof.	30			Executing a Writ of Possession.....	2 50		
Issuing Execution	50		50	Taking and Approving Bonds.....	1 00		1 00
Docketing Execution	25			Commissions			
Entering Return on Execution	20		20	Sheriff's Commission for Property Sold			
Issuing Subpoenas..... ⁵	30		1 50	Under Attachment			
Administering Oath	25			Seizing Personal Property on Writ of			3 00
Issuing Each Attachment Taking Bond	1 00		1 00	Detinue.....	3 00		3 00
Filing Attachment	10						11 25
Each Summons for Garnishee	50						
Each copy	50						
Notice to Deft. in Garnishee on Sum-							9 80
mons and Copy, per 100 words....	20						11 25-
Commissions to take Depositions or copy	75						
Order to Execute Writ of Inquiry	30						
Copy of Interrogators, 15c per hundred			50				
words or.....	50						
Filing each Deposition and endorsing			20				
same	20						
Final Record, per hundred words....	15		2 00				
Every Certificate	50						
Taking Bond not otherwise provided for	75						7 00
Witness Certificates..... ³	25		75				
Continuance.....	10						
Certificate of Judgment	50						5 00
Order of Publication	1 00						3 00
			9 80				436 05-

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at -----

o'clock, ----- M., this ----- day of ----- 193----- levied

Sheriff

COLLECTION COSTS FROM

The State of Alabama, {
BALDWIN COUNTY

I hereby certify that the within -----
and costs in this case are correct, and there was
----- waiver of exemption as to personal pro-
perty under the Constitution and Laws of Ala-
bama.

This ----- day of ----- 193-----

Clerk.

Received in office -----

193-----

Sheriff

Sheriff's Execution Docket, Page -----

Sheriff's Fee Book, ----- Page -----

Exp. until June 26-1941
Any collecting the within
named cost \$36.05 from
Plaintiff and paying same over
to Clerk of Court W. R. Stuart
W. R. Stuart Sheriff

Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Thomas H. Russ and

Bernard Grimes, Plaintiff--

vs.

M. H. Grimes

Defendant--

Civil Execution for Costs
Against Plaintiff

Costs

\$ 36.05

Civil Fee Book

Page 549

Execution Docket

Page

Filed

October 2, 1940

Clerk.

R. S. Dicks

Plaintiff's Attorney

Baker & Wall

Defendant's Attorney

D. B. Blackburn

Received in Sheriff's Office

this 2 day of Oct- 1940

W. R. STUART, Sheriff

LOAN DISBURSEMENT STATEMENT

THE FEDERAL LAND BANK OF NEW ORLEANS

Borrower(s)

FRANCIS GRIMES RUSSELLBERNARD GRIMES

Address:

BATON Rouge, ALABAMALocal Correspondent
or N. F. L. A.:PROGRESSIVE N. F. L. A.

Attorney:

CEWIS E. BROWNDate 4/8/39State ALABAMACounty BALDWIN1st. Mortgage
Federal Land Bank Loan
No. 94737Application No. 9-57914Acreage 34.8Mortgage
Land Bank Commissioner's Loan
No. _____

Installment Due Date	Interest Rate	Term of Loan	Annual Installment	Date First Installment	First Installment	Installment Due Date	Interest Rate	Term of Loan	Date First Installment	Total First Installment	FIRST INSTALLMENT	
											Interest	Principal
6/15	4 %	20 Yrs.	\$ 172.50	6/15/40	\$ 189.62		%	Yrs.		\$	\$	\$

\$ 2300.00

Amount of Loan

Deferred Proceeds

\$ 2300.00

Balance

DEDUCTIONS BY BANK

\$ 115.00\$ 12.50\$ 12.50

Stock Subscription

Appraisal Fee

Title Determination Fee

\$ 140.00\$ 12.50

Total Deductions

Less Deposit by Borrower

\$ 127.50

Net Deductions

\$ 2172.50

Balance for Disbursement

SCHEDULE OF DISBURSEMENTS

Creditor	Amount
The City of Baton Rouge	\$ 495.00
First Joint Stock Land Bank	1619.59
Progressive N. F. L. A.	18.00
J. L. Entolman & Son (Inc)	39.04
C. W. Brown	1.07
Attorney's Fee (to be paid when all closing requirements completed)	
Total Disbursements	\$ <u>2172.50</u>

I hereby authorize the disbursement of the loan proceeds in accordance with the above "Schedule of Disbursements" and I certify that this schedule includes all debts required to be paid as a condition precedent to the granting of this loan(s).

Date April 12, 1939Borrower(s) Francis Grimes Russell
Bernard Grimes

I certify that the proceeds of the above loan(s) have been disbursed in accordance with the above schedule and that all legal and other requirements of The Federal Land Bank of New Orleans in connection with the loan(s) have been satisfied.

Date July 21, 1939Local Correspondent
Acting Sec.-Treas.

SEE INSTRUCTIONS TO LOCAL CORRESPONDENT OR SECRETARY-TREASURER ON REVERSE HEREOF

73884

LOAN CLOSING INSTRUCTIONS TO LOCAL CORRESPONDENT OR SECRETARY-TREASURER

General Instructions:

1. See that all liens against the property other than that securing this loan(s) are properly cancelled of record.
2. Ascertain from all available sources the names of the borrower's creditors and the amounts of debts required by the conditions of the loan(s) to be paid. To assist you, we have listed below all debts reported to the Bank; however, this is not necessarily a complete list of all creditors, but contains only those reflected by our file.

LIEN HOLDERS:

AMOUNT

FIRST JOINT SIOUX LAND BANK

\$ 1500.00

OTHER CREDITORS:

BANK OF MINNAPOTA
CAPITAL TRUST CO.

500.00
50.00

3. Before disbursing any loan funds complete the "Schedule of Disbursements" and secure the written approval of each borrower on the line provided therefor. This is for your protection.
4. Secure receipts from all creditors on form No. 673 Rev.—"Creditor's Receipt". If the "Special Instructions" shown below require full payment of debts, the receipt must recite payment in full. If a balance is permitted to remain unpaid, the receipt may be qualified accordingly. Creditors not sharing in the loan proceeds but who are paid from other funds may qualify the form receipt by striking out the second paragraph thereof.
5. Take a simple, written receipt for any part of loan funds turned over to the borrower(s). Also get receipts showing payment of attorney's fees and recording fees.
6. The attorney's fee is not to be paid until he has executed and turned over to you the "Attorney's Final Certificate". If it be required that a Mortgage Certificate be brought down to date, this current instrument must also be delivered to you before payment of the attorney's fee.
7. Upon completion of all loan requirements and disbursement of funds sign this statement at the place provided for your signature, returning the original to the Bank with all creditor's receipts, the attorney's final certificate (in Louisiana, also the Mortgage Certificate) and other closing papers. One copy should be delivered to borrower and one copy retained by you.

Special Instructions:

Pay all debts in full.

Have attorney furnish evidence that tax assessment has been corrected. Also evidence of fulfillment of instruction #1 which reads as follows:

- "1. Furnish bank with additional abstract sheet showing execution and recordation of correction deed from M. B. Grimes to applicants."

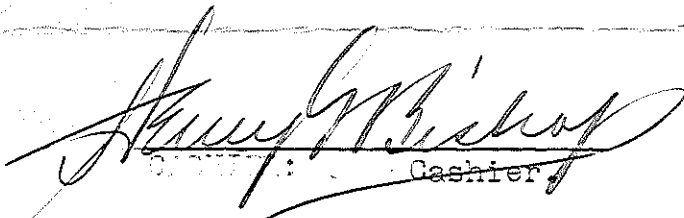
Please furnish copy of Form 599-B showing name of borrower designated to act in association matters.

[Handwritten signature]

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that the BANK OF FAIRHOPE in consideration of the sum of Four Hundred Ninety-Five Dollars, the receipt of which is hereby acknowledged, does hereby sell, assign and transfer unto FRANCES G. RUSS and BERNARD GRIMES a certain chattel mortgage executed by M. H. GRIMES on June 18, 1938, and recorded in Mortgage Book Number 77 at page 209 in the office of the Judge of Probate of Baldwin County, State of Alabama, for their use and benefit, hereby authorizing them to collect money due on the same in the name of the Bank of Fairhope or otherwise but at their own expense, covenanting that the sum of Four Hundred Ninety-Five Dollars is due thereon with interest having been paid until May 28, 1939.


Cashier

BANK OF FAIRHOPE

By  President.

STATE OF ALABAMA

BALDWIN COUNTY.

I, Gayle Wilder a Notary Public within and for said State and County, hereby certify that Kirby Wharton, whose name as President and Henry G. Bishop whose name as Cashier of the Bank of Fairhope 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, in their capacity as such officers, executed the same voluntarily on the day the same bears date and with full authority.

Given under my hand and official seal on this the 24 day of February, 1939.


Notary Public, Baldwin County
Alabama.

CREDITOR'S RECEIPT

STATE OF AlabamaCOUNTY (PARISH) OF Baldwin

AGREEMENT

WHEREAS Francis Grimes Russ and Bernard Grimes, hereinafter called "debtor", is indebted to the undersigned in the sum of \$ 495.00 for (here briefly set out nature of indebtedness) same being UNSECURED, (or SECURED by recorded in Records of

Book _____, Page _____ County, State of _____). And bearing interest at the rate of _____ % annually.

AND WHEREAS, The Federal Land Bank of New Orleans and/or the Agent of the Land Bank Commissioner has loaned to debtor the money with which to pay said indebtedness upon the condition and agreement that said indebtedness would be reduced and scaled down and that the undersigned would accept from debtor a sum less than the amount due in full payment and satisfaction of said indebtedness.

NOW, THEREFORE, the undersigned for and in consideration of the above and in further consideration of the sum of \$ 495.00 in hand paid by debtor, receipt of which is acknowledged, does hereby accept said sum of \$ 495.00 in full and final payment and satisfaction of said indebtedness and/or any other indebtedness owed by debtor to the undersigned. Undersigned further agrees not to collect, attempt to collect, or revive in any way any further part of said indebtedness, nor take any new security therefor, and undersigned states that he has no understanding or arrangement with debtor that, when the loan and/or loans heretofore being made are closed, any consideration will be given him by debtor for the amount which the debt has been scaled down or any part thereof. Undersigned further agrees and agrees that the security set out in the first paragraph above has been satisfied or record is recorded, and that there are no further liens or encumbrances securing this indebtedness.

WITNESS my hand on this the 19 day of May 1939

~~BANK OF FAIRHOPE, Fairhope, Ala.~~

WITNESS:

Dorothy Pearson

Pero.

In case a simple receipt and no reduction or scale down of debt, simply strike out second paragraph above.

Loan Proceeds Account
Progressive N. F. L. A.

BAY MINETTE, ALA.,

May 19

1939

No.

32

BALDWIN COUNTY BANK

61-258

PAY TO THE
ORDER OF

The Bank of Fairhope, Fairhope, Ala

\$495.00

Four Hundred Ninety-five and 00/100

DOLLARS

Francis Grimes Russ, et al a/c in full

LOAN PROCEEDS ACCOUNT
PROGRESSIVE N. F. L. A.

PAID TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.
ALL PRIOR ENDORSEMENTS GUARANTEED
THE MERCHANTS NATIONAL BANK
OF MOBILE
MOBILE, ALA.
E. G. CLEVERDON, Cashier

2 PAID THROUGH CLEARING HOUSE 2

MAY 25 1939

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.
ALL PRIOR ENDORSEMENTS GUARANTEED
THE MERCHANTS NATIONAL BANK
OF MOBILE
MOBILE, ALA.
E. G. CLEVERDON, Cashier

6412 121

Rail.

549

JURY LIST, FIRST WEEK.

SEPTEMBER 9, 1940

- ~~1. C. Maynard Cogan, Farmer, Batham.~~
- ~~2. Harvey S. Rodgers, Geodetic Survey, Perdido.~~
- ~~3. Scrap T. Shiver, Farmer, Perdido.~~
- ~~4. Herbert H. Killcrease, Farmer, Bay Minette.~~
- ~~5. Thomas L. Taylor, Farmer, Bay Minette.~~
- ~~6. Joe C. Durant, Farmer, Bay Minette.~~
- ~~7. Larkin T. Rhodes, Merchant, Bay Minette.~~
- ~~8. Edward D. Noonan, Newport, Bay Minette.~~
- ~~9. Neal H. McDuffie, Cafe Operator, Bay Minette.~~
- ~~10. Curtis B. Daniels, Merchant, Bay Minette.~~
- ~~11. James E. Young, Merchant, Bay Minette.~~
- ~~12. Leonard J. Hooper, Newport, Bay Minette.~~
- ~~13. James H. Faulkner, Publisher, Bay Minette.~~
- ~~14. Hiram C. Taylor, Farmer, Bay Minette.~~
- ~~15. James D. Morris, Farmer, Gateswood.~~
- ~~16. Hattie V. Harrell, Merchant, Stapleton.~~
- ~~17. Alton B. Hankins, Farmer, Loxley.~~
- ~~18. Eddie L. Hiles, Mechanic, Loxley.~~
- ~~19. Ferdinand A. Corie, Farmer, Loxley.~~
- ~~20. Andy L. McDaniel, Farmer, Robertsdale.~~
- ~~21. Nolan P. Cooper, Farmer, Rosinola.~~
- ~~22. John T. Hadley, Laborer, Foley.~~
- ~~23. James A. Walters, Farmer, Bon Secour.~~
- ~~24. J. Emmet Wenzel, Merchant, Bon Secour.~~
- ~~25. Thomas L. Steele, Farmer, Bon Secour.~~
- ~~26. James A. Crane, Mechanic, Stockton.~~
- ~~27. Preston Snowden, Contractor, Bay Minette.~~
- ~~28. Y. Charles Hall, Farmer, Bay Minette.~~
- ~~29. John H. Hadley, Filling Station, Bay Minette.~~
- ~~30. James Lee Smith, Teacher, Bay Minette.~~
- ~~31. Norvelle Lee Cabaniss, Farmer, Bay Minette.~~
- ~~32. W. DeVan, Stapleton Insurance, Bay Minette.~~
- ~~33. Jesse W. Joyner, Filling Station, Bay Minette.~~
- ~~34. William J. Etheridge, Plumber, Bay Minette.~~
- ~~35. H. Pete Jones, Merchant, Bay Minette.~~
- ~~36. Will F. Herron, Carpenter, Bay Minette.~~
- ~~37. Dennis C. Byrne, Filling Station, Bay Minette.~~
- ~~38. Dennis B. Howell, Barber, Bay Minette.~~
- ~~39. Sherman M. Gideons, Salesman, Bay Minette.~~
- ~~40. William A. Thompson, Ins. Agent, Bay Minette.~~
- ~~41. Frank M. Fennear, Clerk, Bay Minette.~~

B8 / IIII /
A7 / IIII /

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12
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41
14
27