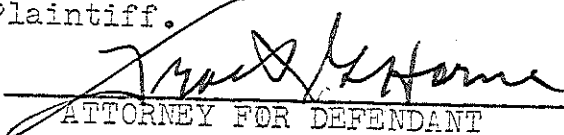


1088

PEOPLES FERTILIZER COMPANY, PLAINTIFF	X Y O U R C O U R T	IN THE CIRCUIT COURT OF
VS.		BALDWIN COUNTY, ALABAMA
MORRIS TAYLOR, DEFENDENT		LAW SIDE. NO. 1088.

I, Frank G. Horne, attorney for Morris Taylor, the Defendant in the above styled case do hereby certify that on the 17th day of March, 1948, I forwarded copies of the attached interrogatories to Hybart and Chason, attorneys at law Bay Minette, Alabama, by letter duly addressed to them and properly stamped, as attorneys of record for Plaintiff.



ATTORNEY FOR DEFENDANT

INTERROGATORIES PROPOUNDED TO ADVERSE PARTY:

PEOPLES FERTILIZER COMPANY, PLAINTIFF § IN THE CIRCUIT COURT OF
VS. § BALDWIN COUNTY, ALABAMA.
MORRIS TAYLOR, DEFENDANT § LAW SIDE. NO. 1088.

Interrogatories to be propounded to Plaintiff by Defendant under Article 8 of Title 7 of the Code of Alabama for 1940.

INTERROGATORY NO. 1:- Please state whether or not the property claimed in this suit are claimed under and by virtue of a mortgage or mortgages from the Defendant to the Plaintiff?

INTERROGATORY NO. 2:- If you state that the property was conveyed to the Plaintiff by the Defendant by a mortgage or mortgages please state the dates of the said mortgages and each of them and the amounts thereof?

INTERROGATORY NO. 3:- Please state whether or not the mortgages were given by the Defendant to the Plaintiff to secure an indebtedness growing out of the purchase of fertilizer from the Plaintiff by the Defendant?

INTERROGATORY NO. 4:- Please attach hereto a full and complete statement showing the amount of fertilizer furnished the Defendant by the Plaintiff, the date the said fertilizer was sold to the Defendant and the date of the delivery of the said fertilizer, and the amount claimed to be due the Plaintiff by the Defendant?

INTERROGATORY NO. 5:- If any other articles of merchandise were sold by the Plaintiff and included in the mortgage indebtedness please state the articles furnished, the date they were furnished, the amount charged to the Defendant?

INTERROGATORY NO. 6:- If you state that the property was conveyed to the Plaintiff and the Plaintiff claims its title under and by virtue of a mortgage or mortgages please state whether or not the mortgages are separate and independent transactions or whether one of them is a renewal of the other?

INTERROGATORY NO. 7:- Please state the indebtedness claimed to be owing by the Plaintiff to the Defendant in this cause?

INTERROGATORY NO. 8:- Is J. R. Harding an officer of the Plaintiff Corporation?

INTERROGATORY NO. 9:- Is J. R. Harding the general manager or manager of the Plaintiff Corporation?

INTERROGATORY NO. 10:- Please state the extent of his duties and authority?


ATTORNEY FOR DEFENDANT.

STATE OF ALABAMA

ESCAMBIA COUNTY

Personally appeared before me R. F. Brier
a Natany Public, Frank G. Horne, who being duly sworn de-
poses and says that Peoples Fertilizer Company is the party
Plaintiff in a suit now pending in the Circuit Court of Baldwin
County, Alabama, wherein Morris Taylor is the Defendant, that
Frank G. Horne, affiant, is Attorney for Defendant in said cause,
that the answers to the foregoing interrogatories will be material
evidence upon the trial of the said cause in behalf of the said
Defendant.

Frank G. Horne

Sworn to and subscribed before me this _____ day
of November, 1947.

R. F. Brier

*A copy of witness
interrogatories of this the
2nd day of Apr-1948
[Signature]
Atty for Pla -*

INTERROGATORIES

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
LAW SIDE, NO. 1088

PEOPLES FERTILIZER CO.
PLAINTIFF

VS.

MORRIS TAYLOR,
DEFENDANT

FILED

MAR 18 1948

FILED ALICE J. DUCK, Clerk

CLERK

LAW OFFICES
HORNE & HODNETTE
ATMORE, ALABAMA

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That We, Peoples Fertilizer Company are held and firmly bound unto Morris Taylor, his heirs, executors and administrators, in the sum of Twenty Five Dollars (\$25.00), for the payment of which, we bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 6 day of September, 1947.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas the above bounden Peoples Fertilizer Company has, on the 6th day of September, 1947, sued out from the office of the Clerk of the Circuit Court of Baldwin County, in the State of Alabama, a writ of Detinue, returnable within thirty days from the date hereof in the Circuit Court of Baldwin County against the said Morris Taylor, for the recovery of the following described property, to-wit:-

175 head range cattle marked split in one ear underbit in other ear branded with figure 10.
50 head of Range Cattle, Branded M. T., Six (6) unbroke colts about 2 years old; 1 mare named Grace, about 9 years old, weight about 1100 lbs; 1 mare named Blackie, about 10 years old, weight about 1100 lbs; 1 Saddle horse, named Bob, about 7 years old, weight about 750 lbs; 1 H Model Farmall Tractor & Equipment.

NOW, if the said Peoples Fertilizer Company shall fail in said suit, and shall pay to the said Morris Taylor the Defendant in said writ, all such costs and damages as he may sustain by the wrongful suing out of said Writ of Detinue, then this obligation, to be void, otherwise to remain in full force and effect.

PEOPLES FERTILIZER COMPANY

BY: W R Stewart SEAL.

W R Stewart SEAL.

J R Harding SEAL.

Taken and approved this

6 day of September, 1947.

Alice J. Leach

RECORDED
1088

DETINUE BOND.

PEOPLES FERTILIZER COMPANY,
a Corporation,

Plaintiff,

-VS-

MORRIS TAYLOR,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

LAW SIDE.

Filed September 6th, 1947.

Alice J. Luck

PEOPLES FERTILIZER COMPANY,
A CORPORATION,

PLAINTIFF,

VS.

MORRIS TAYLOR,

DEFENDANT.

IN THE CIRCUIT COURT OF
OF BALDWIN COUNTY, ALABAMA.
LAW SIDE. NO. 1088.

Now comes the Defendant in the above styled cause and after leave asked and obtained suggests to the Court that the Plaintiff claims title to the property involved in this suit under and by virtue of two mortgages, one executed February 26, 1946 and payable June 1, 1946 and one dated February 8, 1947 and payable April 15, 1947, and requires that a Jury ascertain the amount of the mortgage debt due by the Defendant to the Plaintiff in accordance with the provisions of Section 929, 930, and 931 of Title 7 of the Code of Alabama for 1940.


ATTORNEY FOR DEFENDANT

The Defendant demands a trial by Jury of the issues in this cause.


ATTORNEY FOR DEFENDANT

PEOPLES FERTIEIZER COMPANY,
A CORPORATION,

PLAINTIFF,

VS.

MORRIS TAYLOR,

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
LAW SIDE. NO. 1088.

Now comes the Defendant in the above styled
cause and files this his demurrer to the Complaint filed in this
cause and as grounds therefor assigns the following:-

FIRST: That said Complaint fails to state a cause
of action.

SECOND: That said Complaint fails to state a cause of
action with the particularity required by law.


ATTORNEY FOR DEFENDANT

The Defendant demands a trial by Jury of the
issues in this cause.


ATTORNEY FOR DEFENDANT

RECORDED *

Filed 10-7-48
Alice J. Decker
Clerk.

PEOPLES FERTILIZER COMPANY,
Plaintiff,

vs.

MORRIS TAYLOR,

Defendant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1088

J. R. Harding, who is Vice-president and general manager of the Plaintiff in the above styled cause, said Plaintiff being a corporation, in answer to the interrogatories propounded to the Plaintiff by the Defendant in said cause says, under oath, as follows:

INTERROGATORY NO. 1:- Yes

INTERROGATORY NO. 2:- The said Mortgage is dated February 26, 1946, and secured a debt of \$4,863.35, and the other Mortgage is dated February 8, 1947, and secured a debt of \$5,060.00.

INTERROGATORY NO. 3:- Yes.

INTERROGATORY NO. 4:- I have attached hereto an itemized statement showing the dates that the fertilizer was sold to the Defendant by the Plaintiff, the amount sold, the kind of fertilizer and the cost thereof. Practically all of this fertilizer was delivered to or received by the Defendant on the dates shown in such statement.

INTERROGATORY NO. 5:- No other articles of merchandise sold to Defendant.

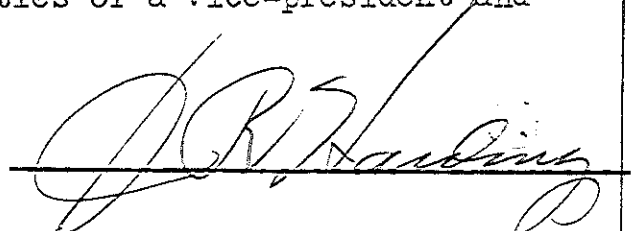
INTERROGATORY NO. 6:- The Mortgage dated February 8, 1947, is a renewal of the Mortgage dated February 26, 1946, with added indebtedness for fertilizer sold the Defendant by the Plaintiff after the execution of the said Mortgage.

INTERROGATORY NO. 7:- \$5,060.00 to which is to be added interest and attorney's fee.

INTERROGATORY NO. 8:- Yes.

INTERROGATORY NO. 9:- Yes.

INTERROGATORY NO. 10:- General duties of a Vice-president and general manager.

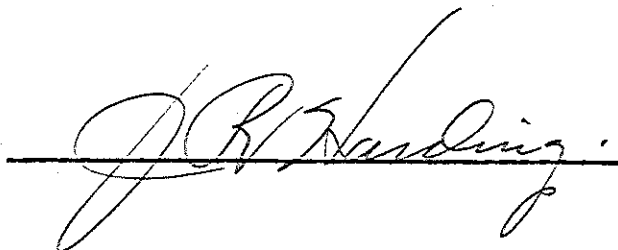


STATE OF ALABAMA

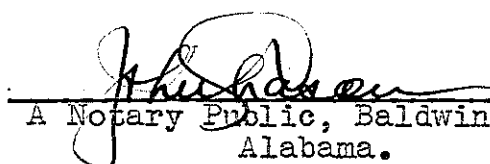
BALDWIN COUNTY

Before me, John Chason, a Notary Public, in and for said State and County, personally appeared J. R. Harding, who is known to me and who, after being duly and legally sworn doth depose and say, under oath, as follows:

That his name is J. R. Harding; that he is Vice-president and general manager of Peoples Fertilizer Company, a corporation, the Plaintiff in the above styled cause; that he is cognizant of the facts inquired about in the instrument propounded by the Defendant to the Plaintiff in the above styled cause; that his answers to such interrogatories as above set out are true and correct.



Sworn to and subscribed before me
this 2 day of April, 1948.



A Notary Public, Baldwin County,
Alabama.

February 25, 1946.

Morris Taylor,
Bay Minette, Alabama

In Account With

PEOPLES FERTILIZER COMPANY

Foley, Alabama

1946			
Jan. 7	5. tons	4-10-7	Del.
21	1. ton	Nit-Soda	"
21	10. tons	4-10-7	
21	6. tons	4-10-7	
	4. tons	4-10-7	
22	10. tons	4-10-7	
29	8. tons	4-10-7	
30	10. tons	4-10-7	

Feb. 1	10. tons	4-10-7
55	16. tons	4-10-7
13	6. tons	4-10-7
14	6. tons	4-10-7
15	6. tons	4-10-7
15	5. tons	4-10-7
15	6. tons	4-10-7
16	5. tons	4-10-7
18	5. tons	4-10-7
18	5. tons	4-10-7
19	5. tons	4-10-7
22	5. tons	4-10-7
25	5. tons	4-10-7
	<u>144. tons</u>	

139 tons	4-10-7 @ 35.22	\$4895.58
4 tons	4-10-7 @ 33.08	132.32
1 ton	Nit Soda 40.95	40.95
<u>144 tons</u>		<u>\$5068.85</u>
less hauling 137 tons @ \$1.50		<u>205.50</u>

\$4863.35

May 10, 1946.

Morris Taylor

Bay Minette, Alabama

In Account With

PEOPLES FERTILIZER COMPANY

Foley, Alabama.

Statement rendered

\$4863.35

1946
March 4
5
6
7
13
15
15
5. tons 4-10-7
5. tons 4-10-7
5. tons 4-10-7
5. tons 4-10-7
5. tons 6-8-4
6. tons 6-8-4
6. tons 4-10-7
37. tons

15. tons 4-10-7 @ 35.22.....\$ 528.30
11. tons 4-10-4 @ 33.08..... 363.88
11. tons 6-8-4 @ 35.94..... 395.34
37. tons \$1287.52

Less hauling @ 1.50 per ton..... 55.50

\$1232.02

Dealers license..... 1.00

1233.02
\$6096.37

Amount of Account

\$6357.37

Less Hauling @ \$1.50

261.00

\$6096.37

8/1/46 Credit by Cash
Discount

\$1000.00

111.11

1111.11
\$4985.26

Plus interest 90 days @ 6%

Note Due 4/15/47.....

74.74
\$5060.00

Answer to Interrogatories

Peoples Fert Co
Fla -

VS
Morris Taylor
Deft

Filed Apr 2, 1948

Alice Luck
Clerk

NOTE DUE 4/12/48

\$2000.00

6/1/48 Credit in Cash

\$7000.00

\$10000.00

Less PAYING @ \$1.20

\$2224.33

\$2224.33

Debtors Interest

\$1532.00

\$1532.00

Less PAYING @ 1.20 per 100

\$22.20

\$22.20

ROBERTS PRINTING COMPANY
11400 W. 11th
OKLAHOMA CITY, OKLA.
Phone 246170

MAY 10 1948

PEOPLES FERTILIZER COMPANY,
a Corporation,

Plaintiff,

-VS-

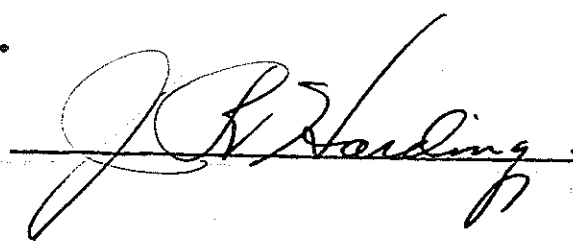
MORRIS TAYLOR,

Defendant.

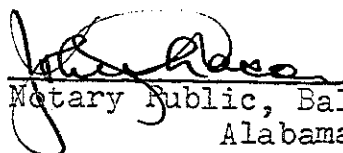
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
LAW SIDE..

Before me, John Chason, a Notary Public in and for
Baldwin County, Alabama, personally appeared Mr. J. R. Harding,
who is general manager of the Peoples Fertilizer Company and as
such is duly authorized to make this affidavit:-

That the property sued for in the above styled cause
is the property of the Plaintiff.



Sworn to and subscribed
before me this 6th day of
September, 1947.


Notary Public, Baldwin County,
Alabama.

RECC
RECORDED
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DETINUE AFFIDAVIT

PEOPLES FERTILIZER COMPANY,
a Corporation,

Plaintiff,

-VS-

MORRIS TAYLOR,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

LAW SIDE.

Filed September 6th, 1947.

Alice J. Neuch