

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

To any Sheriff of the State of Alabama—GREETING:

We command you that without delay you execute this Writ, and due return thereof how you have executed the same make to us immediately.

To Michel Lehmann,

WHEREAS, Frank Holz,

has this day filed a Bill of Complaint in said Court against

Michel Lehmann

praying, among other things, ~~that~~ "That a writ ~~an~~ injunction be issued to said Michel Lehmann directing and commanding him not to dispose of any of said crop of potatoes or interfere in the cultivation or gathering of the same."

And whereas, on said Bill of Complaint being exhibited to the Hon. A. E. Gamble,

Judge of the Circuit Court of Baldwin County, of the State of Alabama, on the

sixth day of May 1918., he did order that, upon Complainant entering

into bond, with sureties, in the sum of --Five Hundred-- Dollars,

payable to the Defendant and approved by the Clerk of this Court, and conditioned according to law, a Writ of Injunction issue out of said Court, according to the prayer of said Bill; and whereas, bond has been given, as required by said order.

These, therefore, are to command and strictly enjoin you from disposing of any of said crop of potatoes or interfering in the cultivation or gathering of the same.

until further order of this Court. And this you will in nowise omit, under penalty.

WITNESS, My hand as Clerk of said Court, at office, in

Bay Minette, Alabama, this sixth day of May 1918

Clerk.

3 Original

No. 90

CIRCUIT COURT, IN EQUITY.

Frank Holz,

vs.

Michel Lehmann,

Received in office on this the 6th

day of May 19 18

O E Eubank

Sheriff.

Executed by serving a copy of the
within Writ of Injunction upon

Michel Lehmann

on this the 7 day of
May 19 18

O E Eubank

Sheriff.

RECORDED

THE STATE OF ALABAMA,
Baldwin County.

FRANK HOLZ

Complainant.....

vs.

MICHEL LEHMANN

Defendant.....

CIRCUIT COURT OF

Baldwin County, Alabama.

IN EQUITY.

KNOW ALL MEN BY THESE PRESENTS, That we, Frank Holz, Charles Barclay
and

are held and firmly bound unto Michel Lehmann Defendant.....

in the sum of Five Hundred DOLLARS,

to be paid to the said Michel Lehmann Defendant.....

heirs or assigns, for the payment of which, well and truly to be made, we bind ourselves, jointly and severally, and each of us, our heirs, executors and administrators, firmly by these presents.

Witness our hands and seals, this day of May 19 18

WHEREAS, Frank Holz has prayed an injunction to prevent Michel Lehmann from gathering or selling or disposing of crop of Potatoes the partnership property of Frank Holz and Michel Lehmann said crop of potatoes being situated on about 1 1/2 acre od the SW 1/4 of t SW 1/4 Section 21 Tp. 7S. R. 6E. and about 9 acres on the SE 1/4 of SW 1/4 of Section 21 Tp. 7S. R. 6E. Baldwin County Alabama.

NOW, THEREFORE, The condition of the above obligation is such, that if the above bounden.....

Frank Holz his.....

executors, administrators, or any of them, shall and do well and truly pay, or cause to be paid, all damages and costs which any person may sustain by the suing out of such injunction, if the same is dissolved.....

then the above obligation to be void, otherwise to remain in full force.

And we, and each of us, hereby waive all our rights of claim of exemption we or either of us have now or may hereafter have under the Constitution and laws of the State of Alabama, and we hereby severally certify that we have property free from all encumbrance to the full amount of the above bond.

Witness our hands and seals, this 4th day of May 19 18

Taken and approved,

May 18 1918

T. W. McInnis

Clerk.

Frank Holz

(L. S.)

Charles Barclay

(L. S.)

James O. Oaks

(L. S.)

(L. S.)

No. 90

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT OF

Baldwin

IN EQUITY.

Frank Holz,

Complainant.....

vs.

Michael Schuman,

Defendant.....

INJUNCTION BOND.

Filed

5/6 1918

T. W. McInnis

Clerk.

Final Record..... Page.....

FRANK HOLZ,
Complainant.

-vs-

MICHEAL LEHMANN,
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA
BALDWIN COUNTY

(Agreement as to receiver.)

It is agreed between Rickarby, Austill and Beebe, Attorneys for Defendant, and Stone & Stone, Attorneys for Complainant, that in the above matter that Herman Koehler, of Lillian, Baldwin County, Alabama, take charge of the crops which is the subject-matter of the above suit. That the said Herman Koehler cultivate, gather, market, and receive the proceeds for the same and hold the same subject to the orders of the court in which it is now pending, when the case is finally disposed of.

Dated this May 27th, 1918.

Rickarby Austill & Beebe
Attorneys for Defendant.

Stone & Stone
Attorneys for Complainant.

Bank of Albany
Compil

Michael Lehmann
Dist.

Agreement as to
Receiver

Filed May 27, 1908

T. W. Rice
Clerk

APPROVED FOR SIGNATURE
Richard W. Rice

JOHN W. HARRIS
Clerk

IN THE CIRCUIT COURT - 7 JULY 1908
STATE OF ALABAMA

THE STATE OF ALABAMA,

Baldwin County.

No. *90*, CIRCUIT COURT IN EQUITY.

Frank Holz

Complainant

Michel Lehmann

Defendant

Motion is hereby made for a Decree Pro Confesso against

Michel Lehmann

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant.....; and that said summons was duly served according to law, and that said Defendant.....has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This *29* day of *July* 19*18*, being *Monday*

Stuart Stave

Solicitor. *S*

No. 90

Page.....

THE STATE OF ALABAMA,

Baldwin County,

CIRCUIT COURT, IN EQUITY.

Fauk Holy

vs.

Michel Lehmann

MOTION FOR DECREE
PRO CONFESSO ON
PERSONAL SERVICE.

Filed July 29 1918

F. W. McCreary
Register.

Recorded in..... Record

Vol. 1 Page 1
F. W. McCreary
Register.

Frank Holz
Complainant.

vs.

Michel Lehmann,
Defendant.

THE STATE OF ALABAMA,
Baldwin COUNTY.
CIRCUIT COURT OF
Baldwin COUNTY,
IN EQUITY.

In this cause it being made to appear to the Court that a Summons was served upon the Defendant.....

Micheal Lehmann

by the Sheriff of Baldwin County ~~County~~, on the -seventh- day of

May 19 18, requiring him to appear and plead, answer or demur to the

Bill of Complaint in his cause within thirty days from the service of said Summons, and the said Defendant.....

having failed to plead, answer or demur to the said Bill to the date hereof. It is now, therefore, on motion of

Complainant, ordered and decreed that the said Bill of Complaint in this cause be, and it hereby is, in all things,

taken as confessed against the said.....

Michel Lehmann Defendant aforesaid.

This 29th day of July 19 18 on Monday.

J. W. Rice
Register ~~of the Circuit Court of~~
Circuit Court- Baldwin County.

762
No. -90-

IN EQUITY.

CIRCUIT COURT OF

Baldwin COUNTY,

Frank Holz.

vs.

Michel Lehmann

DECREE OF PRO CONFESSO.

Filed in office this 29th day of

July 19 18

T. Whicman

Register.

E. O. M.

THE STATE OF ALABAMA,

Baldwin

County.

CIRCUIT COURT, IN EQUITY.

Frank Holz

Complainant.....

vs.

Micheal Lehmann

Defendant.....

No. -90-

Now comes the Complainant by Stone & Stone,

Solicitor of Record, and makes application to the Register of said Court to issue a Commission to take the testimony in said cause, or oral examination, of the following named witnesses, who reside within the State of Alabama:

NAME OF WITNESS.

RESIDENCE OF WITNESS.

Frank Holz, Complainant

Near Elberta, Ala.

Mary Holz,

" " "

And they suggests the name of T. W. Richardson

who resides at Bay Minette, Ala. as a suitable person to be appointed Commissioner to take the testimony of said witness.....

This 20th day of August, 1918

[Handwritten Signature]

Solicitor for Complainant.

The Applicant for said Oral Examination is hereby required to give in writing..... days notice thereof, before the examination is taken, to the adverse party, or to..... Solicitor..... of Record, if either reside..... in this District, but if neither reside therein, the notice may be given by entry on the Order Book of the Clerk.

Register.

8th

No. -90-

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

APPLICATION FOR ORAL EXAMINATION.

Frank Holz,

vs.

Micheal Lehmann

Filed in office this -20-

day of August 19 18

Register.

THE STATE OF ALABAMA,
Baldwin County.

No. -90-

CIRCUIT COURT IN EQUITY.

Frank Holz, Complainant

vs.

Micheal Lehmann Defendant

DEPOSITION OF Mary Holz.

By virtue of the ~~Commissioner's order~~ ^{order to take oral testimony} issued by the Register for said Court of said County, in the above stated cause pending in said Court of said County,

I, ~~T. J. Richerson~~ ^{T. J. Richerson} the Commissioner named in said ~~Commissioner's~~ ^{order} have called and caused to come before me

Mrs. Mary Holz.

the witness named in the Commission, and having first sworn the said witness to speak the truth, the whole truth and nothing but the truth, the said witness deposes and says as follows:

My name is Mary Holz, I am the wife of Frank Holz, the complainant in the above cause. Frank Holz and Micheal Lehmann are both resident os Baldwin County, Alabama, and over twenty-one years of age.

During the year 1917 they formed a partnership for the purpose of growing potatoes. Holz was to furnish the land, part of the labor and teams and Lehmann was to furnish fifteen hundred pounds of fertilizer for each acre ~~planted~~, and the seed. They planted under, this agreement about ten and one-half acres in Section twenty-one in Tp. 7 S. R. 6 E but Lehmann would not furnish but sevenhundred and fifty pounds per acre and refused to furnish any more. This caused the crop to be damaged about \$350.00 worth. My husband furnished the land, and his labor and his teams and part of the seed, and after the crop was growing, Lehmann tried to break the partnership and stop my husband from going on the land and cultivating the crop. He said he had leased the biggest part of the land and was going to take all of the crop. My husband had to h're lawyers to get his rights and even after the papers from the court were served on Lehmann, he would not let my husband tend the crop or have anything to do with it but drove him off.

I heard this partnership agreement made in my presence at our house and it was just like I have stated it. I helped cut these potatoes and plant the same.

Mary Holz

I, Thos. Reseman the said Commissioner, hereby certify that the foregoing testimony was taken down in writing by myself in the words of the witness, and were read over to her, that she assented, swore to and subscribed the same in my presence, the 22 day of Aug 1918, at Bay Springs Alabama; that I have personal knowledge of, or had proof made before me of the identity of the witness, and that I am not of counsel or of kin to any of the parties to said cause, or in any manner interested in the result thereof.

And I enclose the said Deposition, together with the Commission and Interrogatories, Direct and Cross, and documents which were deposed to, in an envelope properly indorsed and sealed and returned to the Register for said Court of said County.

Given under my hand and seal, this 22nd day of Aug 1918
Thos Reseman (I. S.)
 Commissioner.

WITNESS' FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below :

Witness.....	Days attendance at \$1.50 per day, \$.....
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,

COMMISSIONER'S FEES.

Commissioner..... Days at \$1.50 per day, \$.....
 Words at 20c per 100,

900

No. -90- Page.....

THE STATE OF ALABAMA,
 Baldwin County.
 CIRCUIT COURT, IN EQUITY.

Frank Holz

vs.
 Micheal Lehmann

DEPOSITION TAKEN BEFORE
 COMMISSIONER

DEPOSITION OF
 Mary Holz

for Complainant

Filed Aug 22 1918

Published by order of Court,
 19
Thos Reseman Register.

THE STATE OF ALABAMA, } No.
Baldwin County. } CIRCUIT COURT IN EQUITY.
Frank Holz Complainant.....
 vs.
Michael Lehmann Defendant.....

DEPOSITION OF Frank Holz, Complainant.

order to take oral testimony

By virtue of the ~~Commissioner~~ Commissioner hereto annexed, issued by the Register for said Court of said County, in

the above stated cause pending in said Court of said County,

I, *J. W. [Signature]* the Commissioner named in said order ~~Commission~~,
 have called and caused to come before me.....

Frank Holz

the witness named in the Commission, and having first sworn the said witness to speak the truth, the whole truth and nothing but the truth, the said witness deposes and says as follows:

My name is Frank Holz, I am over the age of twenty-one years and reside in Baldwin County, State of Alabama, near Elberta.

I am complainant in a certain cause, Number ninety, pending in this court against Micheal Lehmann, who is a resident of Baldwin County, Alabama, over the age of twenty-one years; Yes. Micheal Lehmann formed a partnership with me during the year of 1917 for the purpose of growing potatoes. I was to furnish the land and the labor, he was to furnish fifteen hundred pounds of fertilizer per acre, planted. I did contribute my labor and my teams in plantin cultivating said crop and the land. We were to share equally in the profits and losses of said crop. Under this partnership agreement we planted one and one-half acres of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 21 Tp. 7 S. R. 6E and nine acres on the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 21 Tp. 7 S. R. 6 E.

Micheal Lehmann did not live up to his part of the agreement and only furnished 750 pounds per acre and causing a great loss in said crop amounting to at least \$350.00 . He repeatedly refused to furnish the full amount as agreed.

I had in charge the nine acres tract mentioned above which belonged to one Frischwho allowed me to cultivate the same for the

care of it and I had planted a large crop of velvet beans on this land the year before, which I plowed under to enrich the land.

After the potatoes were planted and while they were growing, Micheal Lehmann tried to repudiate the partnership agreement and after awhile he employed the firm of Rickarby, Austill and Beebe and I employed the firm of Stone & Stone and while negotiations were pending for a settlement of the partnseship rights, Micheal Lehmann, secretly, and without the knowledge of myself or my Solicitors, obtained a lease on the nine acre tract from Frisch the owner and drove me away from the crop and stated that none of it belonged to me as he had leased the land.

I have been damaged at least \$350.00 by the failure of Micheal Lehmann to furnish the fertilizer as he agreed to do and have been put to the trouble and expense of employing attorneys in the sum of One Hundred Dollars, which is a reasonable fee. The crop was harvested and marketed by S. A. Scott, he being the receiver agreed upon and who now holds the proceeds of said crop. Even after the injunction was issued by the Judge of this court he drove me away from this crop and threatenēd me with violence if I attempt- ed to gather said crop or harvest the same as this court had giv- en me the right to do.

Frank Holz

I, T. W. Rice the said Commissioner, hereby certify that the foregoing testimony was taken down in writing by myself in the words of the witness, and were read over to him, that he assented, swore to and subscribed the same in my presence, the 22nd day of Aug, 1918, at Bay Minette Alabama; that I have personal knowledge of, or had proof made before me of the identity of the witness, and that I am not of counsel or of kin to any of the parties to said cause, or in any manner interested in the result thereof.

And I enclose the said Deposition, together with the Commission and Interrogatories, Direct and Cross, and documents which were deposed to, in an envelope properly indorsed and sealed and returned to the Register for said Court of said County.

Given under my hand and seal, this 22nd day of Aug, 1918

T. W. Rice (L. S.)
Commissioner.

WITNESS' FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below :

Witness.....	Days attendance at \$1.50 per day, \$.....
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,

COMMISSIONER'S FEES.

Commissioner..... Days at \$1.50 per day, \$.....
..... Words at 20c per 100,

100

No. 90 Page

THE STATE OF ALABAMA,
Barlowin County.

CIRCUIT COURT, IN EQUITY.

Frank Holly

vs.
Medical Lohman

DEPOSITION TAKEN BEFORE
COMMISSIONER

DEPOSITION OF
Frank Holly

for Barlowin

Filed Aug 22 1918.

Published by order of Court,

19
T. W. Rice Register.

STATE OF ALABAMA),
County of BALDWIN)

SS

IN THE CIRCUIT COURT, EIGHTH JUDGE;

IN RE HOLEZ-LEWMAN CONTESTATION.

TO THE HONORABLE A. T. CAMPBELL, JUDGE:

I, The Undersigned, S. A. Scott,
Appointed Receiver in the above Cause as per paper hereto Attached, marked
Exhibit "A",

Respectfully Submit the following Report for your approval:

I employed the necessary labor for the purpose and dug the
Potatoes as instructed, paying therefore as per checks and Vouchers, Receipts,
hereto attached and marked Exhibit "B" Nos. 1 to 8 inclusive, and by the sale of
Cull Potatoes as shown on Vouchers numbered 3, 4, 7 & 8, the said Culls amounting
to the sum of Ten & 31/100 (10.31) Dollars.

I sold the marketable Potatoes thru the Baldwin Producers
Cooperation, as per Exhibit "C" numbered 1 to 3 inclusive, receiving therefore the
sum of One hundred twenty three & 17/100 (123.17) Dollars, which as instructed I
deposited in the Baldwin County Bank as shown by Deposit Slips and Statements of
the said Bank hereto attached and marked Exhibit "D", numbered 1 to 4 inclusive.

The balance due from the sale of the Potatoes after paying the
expenses as stated above, amounts to the sum of Thirty & 11/100 (30.11) Dollars,
as shown by Statement of the Baldwin County Bank, for which sum I have drawn my
check as Receiver, payable to Hon. T. W. Pickerson Clerk of Court.

Respectfully submitted for your approval.


Receiver

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

Aug. 17,

19.

No.

6

PAY TO THE
ORDER OF

A. J. Mosley

\$ *5.00*

Five and 100/100

DOLLARS

6

AUG 30 1918

Good Rec.

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

Aug. 13,

19*18*

No.

4

PAY TO THE
ORDER OF

Frank H. Acton

\$ *11*

31

Olson & H/100

DOLLARS

6

AUG 27 1918

H. Hall

61-258 **BALDWIN COUNTY BANK** 61-258

BAY MINETTE, ALA.

19

No.

**PAY TO THE
ORDER OF**

\$

DOLLARS

SEP 10 1918

6

Lillian, Ala., June 30, 1918

#8

Holtz-Lehman Receivership,

S. A. Scott Receiver

In Acct. with

S. A. Scott, Receiver

June 10 to 30. To 2 days managing digging and marketing potatoes, @ \$2.50

\$5.00

Contra
To 600# culls @ 25¢
Balance

\$150

3.50

Received payment

Scott

*Approved by
Richard Dept
at
Holtz-Lehman
Atty for Compt.*

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

Sept 10, 1918

19

No.

8

**PAY TO THE
ORDER OF**

Wm. S. ...

\$

300

DOLLARS

6

SEP 10 1918

Lillian, Ala., June 25, 1918

Holtz-Lehman Receivership,
S. A. Scott Receiver,

#7

In Acct. With

A. Schwartz & Mrs. Schwartz, Lillian, Ala.

June 14,

To 5 days each, 10 days picking potatoes @\$2 \$20.00

Contra

By 1112# culls @ 25¢ \$2.78
To balance 17.22

\$20.00 \$20.00

Received Payment

A. Schwartz

*W. J. ...
W. J. ...
W. J. ...
W. J. ...
W. J. ...
W. J. ...*

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

Aug. 13,

19*18*

No. *7*

PAY TO THE
ORDER OF

A. Schwarts

N.P. 61-29

\$*1772*

Seventeen & 7/100

DOLLARS

6

AUG 27 1918

W. H. Seal & Co.

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

19

No.

9

**PAY TO THE
ORDER OF**

Alford

\$

1000

DOLLARS

6

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

Aug. 13, 1918

No. *5*

PAY TO THE
ORDER OF

Mike Lehman

\$ *10.00*

Jan & Prof. 00

00

OCT -8 1918

DOLLARS

Boyd

6

Lillian, Ala., June 25, 1918

#4

Holtz-Lehman Receivership,
S. A. Scott Receiver,

In Acct. With
Frank Holtz, Lillian, Ala.

June 14.	To	4 $\frac{1}{2}$ days, John, picking potatoes @ \$2	\$ 9.00
	"	4 $\frac{1}{2}$ " Puth, " " @.75¢	3.37
			<u>\$12.37</u>

	Contra		
By	426# culls @25¢	\$ 1.06	
	Balance	<u>11.31</u>	
		\$12.37	

Received payment,

Frank Holtz

*Spurred
The fairly assessed & Book
Clays for Dept*

Lillian, Ala., June 25, 1918

#5

Holtz-Lehman Receivership,
S. A. Scott Receiver,

In Acct. With
Mike Lehman & Mrs. Lehman, Lillian, Ala.

June 14. To 1 day Mr. Lehman & 4 days Mrs. Lehman @\$2 \$10.00

Received payment,

Michael Lehmann

*W. D. Browned
W. C. Barkley
Atty for Debt
Atty & Clerk
Atty for Camp*

Disapproved. Out of
Proportion to other
Bids.

Lawson & Thayer
Calculators for Comp.
Richardly Avenue
Atty Gen Dept

Lillian, Ala., June 25, 1918

#6

Holtz-Lehman Receivership

S. A. Scott Receiver

In Acct. With

A. F. Moseley, Lillian, Ala.

June 14. To 2 days, boy and 1 mule, hauling 54 bushels potatoes to Foley \$7.29
(prove behind other team)

Settled at \$5⁰⁰

Received payment, A. F. Moseley,

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

July 22, 1918

No. *1*

PAY TO THE
ORDER OF

Frank Beck

\$ *40.00*

Forty & no/100

DOLLARS

6

JUL 23 1918

Beck Rec.

Lillian, Ala., June 25, 1918

#1

Exhibit B

Holtz-Johnman Receivership,
S. A. Scott Receiver,

In Acct. With
Frank Beck, Lillian, Ala.

June 18.	To 51 days digging potatoes @ \$5	\$27.50
" 2 $\frac{1}{2}$ "	" hauling " to Foley @ \$5	12.50
		<u>\$40.00</u>

Received Payment,

Frank Beck

*Approved
 by
 Charles Beck
 Receiver
 for
 Holtz-Johnman
 Receivership
 S. A. Scott
 Receiver*

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

Aug. 13, 1918

No.

2

PAY TO THE
ORDER OF

Nick Binger
Three ~~100~~

\$ *3*⁰⁰/₁₀₀

DOLLARS

6

AUG 23 1918

Beck Rec.

61-258 **BALDWIN COUNTY BANK** 61-258

BAY MINETTE, ALA. *Oct 3* 19 *18* No. *319*

PAY TO THE ORDER OF

Wm. J. ... \$ *3.00*

DOLLARS

Acct. ...
signed ...
...

6

OCT - 4 1918

61-258

BALDWIN COUNTY BANK

61-258

BAY MINETTE, ALA.

Aug. 13,

19*18*

No. *3*

PAY TO THE
ORDER OF

W. B. Simmons

N.P.
18-39

\$ *2.00*

Three & no/100

DOLLARS

Beall

6

SEP 9

Lillian, Ala., June 25, 1918

#3

Holtz-Lehman Receivership,
S. A. Scott Receiver,

In Acct. With
W. B. Simmons, Lillian, Ala.

June 14. To 4 days, Joe, picking potatoes @ .75¢ \$3.00

Received payment

W. B. Simmons

Original lost
after payment.

*Ordered
Richard Cuswell, Dubuque
Itoyo for Deft
Muriel
Doble for Comp.*

#2

Lillian, Ala., June 25, 1918

Holtz-Lehman Receivership
S. A. Scott Receiver,

In Acct. With
Nick Bingert, Lillian, Ala.

June 14. To 3 days, Mrs. Bingert, picking potatoes @ \$2 \$6.00

" | " " " " "

Contra
By 1987# culls @ 25¢ \$4.97
Balance 1.03
6.00

2.00
1.00
3.00

- Error

Payment Dick B.

STATEMENT OF ACCOUNT

Name SA. Scott Receiver

Address Summerdale, Ala.



IS THE ABOVE YOUR
CORRECT ADDRESS

IN ACCOUNT WITH
BALDWIN COUNTY BANK

BAY MINETTE, ALA.

Statement of your Account to close of business 1-10-19

PLEASE EXAMINE AT ONCE, IF NO ERROR IS REPORTED IN TEN DAYS THE ACCOUNT WILL BE CONSIDERED CORRECT

PATTERSON, PRINTER, MOBILE

DATE	CHECKS IN DETAIL	DATE	DEPOSITS
	BALANCE BROUGHT FORWARD	SEP 30	43.11
4	3.00 -		
NOV 7	10.00 -		
#4			
BALANCE			30.11

This statement is furnished to our customers instead of balancing the pass book. It saves you the trouble of bringing the pass book to the bank and waiting for it to be balanced. These statements will be found very convenient to check up and file. If no error is reported within ten days the account will be considered correct. USE YOUR PASS BOOK ONLY AS A RECEIPT BOOK IN MAKING DEPOSITS.

Exhibit C

#1

In Account With the
Baldwin County Producers' Corp.

Buyers and Sellers for the Growers

Car NO. 15461 Foley, Ala., 6/17 1918

Mr S. L. Scott Receiver

Lillian Ala

36	Sacks — lbs Irish Pot's No. 1	190	61	56
10	Sacks 30 lbs Irish Pot's No. 2	140	13	02
	Hampers Irish Potatoes No. 1		<hr/>	
	Hampers Irish Potatoes No. 2		74	58

Charges:

Hampering	180	233	
Commissions	185	53	224
Hampers	39		
Sacks	720	930	1387
	210		<hr/>
			60.71

#2

In Account With the
Baldwin County Producers' Corp.
Buyers and Sellers for the Growers

Car NO. 16840 Foley, Ala., 6/19 1918

Mr S. A. Scott Receiver
Wilham
Ala

14	Sacks 20 lbs Irish Pot's No. 1	210	26 88
14	Sacks - lbs Irish Pot's No. 1	200 Rate	25 20
	Hampers Irish Potatoes No. 1		
11	Hampers Irish Potatoes No. 2	180	16 12
			<u>68 20</u>

Charges:

Hampering		73 203	
Commissions	8/	70	
Hampers	75	60 204	
Sacks	48		
	280	8 00	12 07
	280		
	240		<u>56 13</u>

#3

In Account With the
Baldwin County Producers' Corp.
Buyers and Sellers for the Growers

Car NO. 165-36 Foley, Ala., 7/15 1918

Mr. S. L. Scott Receiver
Summerdale
Ala

3	Sacks	20 lbs Irish Pot's No. 1	180	5 22
2	Sacks	30 lbs Irish Pot's No. 2	130	2 73
	Hampers	Irish Potatoes No. 1		7 95
	Hampers	Irish Potatoes No. 2		

Charges:

Hampering	15	28
Commissions	15	24
Hampers	9	
Sacks	60	7 10
	50	

6 33
56 13
60 71
173 17
109 11
133 48

Culls

Exhibit A.

FRANK HOLZ,	:	
Complainant.	:	IN THE CIRCUIT COURT, EQUITY SIDE,
	:	
VS	:	STATE OF ALABAMA, BALDWIN COUNTY.
	:	
MICHAEL LEHMAN,	:	
Defendant.	:	

AGREEMENT AS TO RECEIVER.

Whereas, heretofore, on May 27th, 1918, the Attorneys for the Defendant, Rickarby, Austill & Beebe, and the Attorneys for the Complainant, Stone & Stone, entered into an agreement by which Herman Koehler was agreed upon as a person to take charge of, cultivate, gather and market the crop now in dispute in this matter and to hold the proceeds pending the orders of the court when the case was finally settled, and Whereas, Herman Koehler was unable to act as agreed upon and did not take charge of the crop, owing to other business.

NOW, THEREFORE, it is mutually agreed between Rickarby, Austill & Beebe, Attorneys for Michael Lehman, Defendant, and Stone & Stone, Attorneys for Complainant, Frank Holz, that S.A. Scott of Lillian, Baldwin County, Alabama, take charge of the Irish Potatoe crop which is the subject matter of the above suit. That S.A. Scott cultivate, gather, market and sell the same as he sees best for the interest of all concerned and that he hold the proceeds intact until the case is finally disposed of and he is ordered by the Court to turn over the proceeds to one, or both parties to the suit. No money is to be paid out of said proceeds to anyone except by the order of the Court, except for the actual expenses of gathering and marketing the crop of which S A Scott shall keep an itemized account. All monies to be deposited forthwith in Baldwin County Bank by Scott

It is agreed that said S.A. Scott shall be paid
as his commission five per cent of the net proceeds.

This agreement shall go into effect when signed
by the attorneys and the parties hereto.

Dated at Bay Minette, Alabama, this May 31st,
1918.

Reckard, Austell & Beebe
Attorneys for Defendant.

Hones & Hones
Attorneys for Complainant.

Michael Lehmann
Defendant.

Frank Holz
Complainant.

FRANK HOLZ,
Complainant,
-vs-
MICHAEL LEHMAN,
Respondent .

)
) IN THE CIRCUIT COURT-EQUITY SIDE,
)
) STATE OF ALABAMA.
)
) BALDWIN COUNTY.
)

F I N A L D E C R E E .

This cause comes on to be heard upon the Original Bill of Complaint, Decree for Temporary Writ of Injunction, Injunction Bond, Writ of Injunction, First Agreement as to Receiver, Second Agreement as to Receiver, Report of Receiver, Motion for Decree Pro Confesso on Personal Service, Decree Pro Confesso on Personal Service, Application for Oral Examination, Proof as noted by the Register, Request for Decree in Vacation, ^{Order Granting Request} and Order of the Court submitting ^{for} Final Decree and upon consideration thereof the Court finds that said cause is at issue and ready for Final Decree and it being shown to the satisfaction of the Court that the allegations as contained in the Original Bill of Complaint are true and that the Complainant is entitled to the relief therein prayed for, it is therefore;

Ordered, adjudged and decreed:-

FIRST:-

That the Temporary Writ of Injunction heretofore issued in this cause on May 6th., 1918 be and the same hereby is made permanent.

SECOND:

That all of the acts of and things done by S. A. Scott, as Receiver in this cause be and the same hereby are approved and confirmed and that he be and hereby is discharged as such Receiver.

THIRD:

That the Partnership existing between the Plaintiff and Defendant be and the same hereby is dissolved and that the Complainant have and recover of the Respondent, as monies due him as partner in such partnership, and as damages for breach of said partnership agreement the sum of \$100.00 and for the collection of said sum, after crediting any amounts derived under the next paragraph hereof, execution may issue.

(Page two)

FOURTH:

That the costs of this cause be and the same hereby are taxed against said partnership and ordered paid out of the funds paid into court by said Receiver and now in the hands of the Register and any balance of said funds remaining after the payment of the costs of this cause are ordered to be paid over in satisfaction of the Decree to the complainant, the same being hereby condemned for that purpose.

Done this February 28th, 1929.

J. W. Nave
Judge.

LAW OFFICES
NORBORNE STONE

FRANK HOLZ,
Complainant,
-vs-
MICHAEL LEHMAN,
Respondent.

)
) IN THE CIRCUIT COURT-EQUITY SIDE.
)
) STATE OF ALABAMA.
)
) BALDWIN COUNTY.
)

NOTE OF TESTIMONY.

This cause is submitted for Final Decree on behalf of the
Complainant upon:-

Original Bill of Complaint.
Decree for Temporary Writ of Injunction.
Injunction Bond,
Writ of Injunction.
First Agreement as to Receiver.
Second Agreement as to Receiver.
Report of Receiver.
Motion for Decree pro confesso on Personal Service.
Decree pro confesso on Personal Service.
Application for Oral Examination.
Testimony of the Complainant, Frank Holz.
Testimony of Mary Holz, witness for Complainant.
Request for Decree in Vacation.
Order Granting Request for Decree in Vacation.

And is submitted on behalf of the Defendant upon:

Dated this February 28th, 1929.

T. W. Rice
Register.

FRANK HOLZ,
Complainant,
-vs-
MICHAEL LEHMAN,
Respondent.

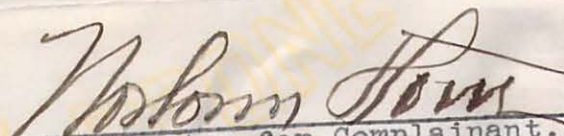
IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

REQUEST FOR DECREE IN VACATION.

Comes the Complainant and shows unto the Register that in this cause a Decree pro confesso has been taken, and the evidence having been taken that the cause is ready for submission for Final Decree, no defense having been interposed.

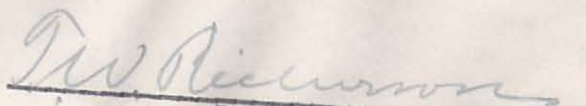
Wherefore Complainant, by Norborne Stone as his Solicitor of record, files this his written Request that the cause be submitted for Final Decree and, upon the Note of Testimony being made out and filed, that the Register shall at once deliver all papers in said cause to the Judge for Final Decree.

Dated this February 28th, 1929.


Solicitor for Complainant.

The above request and motion is hereby granted and the Complainant is ordered to forthwith make out and file his Note of Testimony whereupon all papers shall at once be delivered to the Judge for Final Decree.

Dated this February 27th., 1929.


Register.