

STATE OF ALABAMA)
*
BALDWIN COUNTY)

1969

TO THE SHERIFF OF SAID COUNTY:

You are hereby commanded to restore Gus Stevens to possession of the lands and tenements which he recovered of Melton H. Lang in an action of unlawful detainer in the Circuit Court of Baldwin County, Alabama, on the 16th day of June, 1953, said lands being situated in Baldwin County, Alabama, and being described as follows, to-wit:

Northeast Quarter (NE $\frac{1}{4}$) of Section 7, Township 5
South, Range 3 East.

You are further directed, of the goods, chattels, lands and tenements of the said Melton H. Lang, you cause to be made the sum of \$ 12 90, which the said Gus Stevens has recovered for his cost in that behalf expended.

WITNESS my hand this 17th day of June, 1953.

W. J. Ruck

Clerk of the Circuit Court of Baldwin
County, Alabama

#1969

Received in Sum
the 17 day of June 53
and of the State of

Executed July 10, 1953
By giving Gus
Stewart possession
of the within
described place

Taylor Wilkins
Sheriff
By V. F. Hall
D. S.

GUS STEVENS,
Plaintiff,
VS.
MELTON H. LANG,
Defendant.

I
I
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I
I
IN THE JUSTICE COURT OF
H.T. CHILDRESS
JUSTICE OF THE PEACE
BALDWIN COU NTY, ALABAMA

Comes now the plaintiff in the above styled cause and gives notice of appeal from the ^{judgment of the} Justice of The Peace Court rendered on April 16th, 1953, and also from the judgment of said Court overruling his motion for a Writ of Possession on April 16th, 1953.


Attorney for Plaintiff

GUS STEVENS

Plaintiff,

VS.

MELTON H. LANG,

Defendant.

IN THE JUSTICE COURT OF

H. T. CHILDRESS

BALDWIN COUNTY, ALABAMA

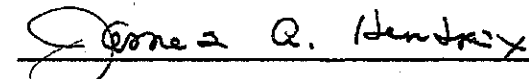

MOTION

Comes the Plaintiff in the above styled cause and moves the Court to enter a Writ of Possession for the Plaintiff on the following grounds:

1. That on the 3rd day of April, 1953, the defendant herein was served with the affidavit and writ as provided for in the 1940 Code of Alabama, Title 31, Sections 35 and 36.

2. That the defendant herein failed to file a counter affidavit within three days (Sundays and Holidays Excepted) as required by the 1940 Code of Alabama, Title 31, Section 38.

WHEREFORE, Plaintiff moves the Court to make and enter a Writ of Possession forthwith, without further proceedings, ordering the Sheriff of Baldwin County, Alabama, to restore the Plaintiff to possession of the lands and tenements sued for in this cause.

Attorneys for Plaintiff

MOTION

GUS STEVENS,
Plaintiff,
VS.
MELTON H. LANG,
Defendant.

IN THE JUSTICE COURT OF
H. T. CHILDRESS
BALDWIN COUNTY, ALABAMA

[illegible]

1969

Melton W. Lang
appellant

vs.

Mrs. Stevens,
appellee

Unlawful Detainer
appeal filed 4-17-53

FILED

4-17-53

ALICE J. DICK, Clerk

J. Mashburn Jr.

J. A. Hendrick
J. R. Owen.

GUS STEVENS.

Plaintiff,

VS.

MELTON H. LANG,

Defendant.

IN THE JUSTICE COURT OF

H.T. CHILDRESS

JUSTICE OF THE PEACE

BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA)

BALDWIN COUNTY

Before me, the undersigned authority, within and for said County in said State, personally appeared GUS STEVENS, who, after being by me first duly and legally sworn, deposes and says:

That he is the owner of the following described property situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Section 7, Township 5 South,
Range 3 East

That the said MELTON H. LANG is the tenant and is now in possession of said premises; that the said tenant has held and now holds the said premises over and beyond the term for which the same was rented, or after his right to possession has terminated, and after Affiant's demand therefor.

Affiant now desires possession of said premises and avers that the said MELTON H. LANG has refused or omitted possession to him when so demanded. Affiant prays that the Justice Court of H. T. Childress, in and for said County, require the said MELTON H. LANG to deliver to Affiant, the owner of said premises, full and quiet possession of same and remove the said MELTON H. LANG with his property found thereon away from the said premises.

Sworn to and subscribed before me on
this, the 3rd day of April, 1953.

Notary Public, Baldwin County, Alabama.

My Comm. expires 4/10/56

IN THE JUSTICE COURT
H.T. CHILDRESS
JUSTICE OF THE PEACE
BALDWIN COUNTY, ALABAMA

GUS STEVENS,
Plaintiff,
vs.
MELTON H. LANG,
Defendant.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, within and for said
County in said State, personally appeared GUS STEVENS, who,
after being by me first duly and legally sworn, deposes and says:
That he is the owner of the following described property
situated in Baldwin County, Alabama, to-wit:

Northeast Quarter of Section 7, Township 2 South,
Range 3 East

That the said MELTON H. LANG is the tenant and is now in
possession of said premises; that the said tenant has held and
now holds the said premises over and beyond the term for which
the same was rented, or after his right to possession has ter-
minated, and after Affiant's demand therefor
Affiant now desires possession of said premises and avers
that the said MELTON H. LANG has refused to admit possession
to him when so demanded. Affiant prays that the Justice Court
of H.T. Childress, in and for said County, require the said
MELTON H. LANG to deliver to Affiant, the owner of said premises,
full and quiet possession of same and remove the said MELTON H.
LANG with his property found thereon away from said premises.

*Collected by Sheriff's Office
1300
after no action
1300
after no action*

*By Sheriff's Office
Melton H. Lang*

Executed April 3, 1953

1567

Sworn to and subscribed before me on
this the 3rd day of April, 1953.

Notary Public, Baldwin County, Alabama
My Comm. Expires 4/10/54

GUS STEVENS,
Plaintiff,
VS.
MELTON H. LANG,
Defendant.

IN THE JUSTICE COURT OF
H.T. CHILDRESS
JUSTICE OF THE PEACE
BALDWIN COUNTY, ALABAMA

TO: TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA: GREETINGS:

Gus Stevens, having filed in this Court the attached affidavit, as provided by the 1940 Code of Alabama, as amended; Title 31, Section 35, you are hereby commanded to serve a copy of said affidavit at once upon the said Defendant, Melton H. Lang, together with a copy of this writ notifying him that after the expiration of three days from the service of this, not counting Sundays or legal holidays, you will proceed with the execution of this writ and remove and eject the said Melton H. Lang, together with his goods from the following described premises, to-wit:

Northeast Quarter of Section 7, Township 5 South,
Range 3 East

and deliver the possession of said premises to the said Gus Stevens or his authorized agent, and make return to this Court.

Dated this the 3rd day of April, 1953.

H. P. Childress
Justice of Peace

6681 E. Stevens
H. P. Childress
M. H. Lang
H. P. Childress

H. P. Childress
M. H. Lang
H. P. Childress

GUS STEVENS, Plaintiff,
 vs.
 MELTON H. LANG, Defendant.
 IN THE JUSTICE COURT OF
 H.T. CHILDRRESS
 JUSTICE OF THE PEACE
 BALDWIN COUNTY, ALABAMA

TO: TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA: GREETINGS:

Gus Stevens, having filed in this Court the attached
 affidavit, as provided by the 1940 Code of Alabama, as amended;
 Title 31, Section 35, you are hereby commanded to serve a copy
 of said affidavit at once upon the said Defendant, Melton H. Lang,
 together with a copy of this writ notifying him that after the
 expiration of three days from the service of this, not counting
 Sundays or legal holidays, you will proceed with the execution
 of this writ and remove and eject the said Melton H. Lang, to-
 gether with his goods from the following described premises,

to-wit:

Northeast Quarter of Section 7, Township 5 South,
 Range 3 East

and deliver the possession of said premises to the said Gus Stevens
 or his authorized agent, and make return to this Court.
 Dated this the 22 day of April, 1953.

 Justice of Peace

Sheriff
 Taylor Wilkins
 By
 Edleigh S. Teachman

Executed April 3, 1953
 By Serving Copy on
 Melton H. Lang

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

William B. King

(Signature or name of addressee)

2 *William B. King*

(Signature of addresser or agent—Agent should enter addressee's name on line ONE above)

Date of delivery *1941*

OFFICIAL BUSINESS

PRINTED FOR PRIVATE USE OR VOID PAYMENT OF POSTAGE. \$1.00
(GPO)

POSTAL OFFICE

Return to 208-11

(NAME OF SENDER)

Street and Number,
or Post Office Box

REGISTERED ARTICLE

Post Office

NO 2

INSURED PARCEL

51-1242

State

February 19, 1953

Mr. Melton Lang
Lexley, Ala.

Dear Mr. Lang:

You are hereby notified that I have elected to terminate your tenancy on the following described property situated in Baldwin County, Alabama to-wit:

1/4 of Section 7 Township 5 South, Range 3 East,

and you are hereby notified to quit and deliver up possession of the same to me within, by, on or before the 3rd day of March 1953.

Dated this _____ day of February, 1953.

Ous Stevens
Landlord

1969

FILED

SEP 3 1953

ALICE J. DUCK, Clerk

The State of Alabama, {
Baldwin County.

That we, Gus Stevens, _____
are held and firmly bound unto Melton H. Lang _____
in the sum of One Hundred - - - - - Dollars,
for the payment of which, well and truly to be made, we bind ourselves and each of us, our and each of
our heirs, executors and administrators, jointly and severally. But upon condition, that if the above
bound Gus Stevens _____ shall prosecute to
effect an appeal by him taken this day to the next term of the Circuit _____ Court of
Baldwin County from a judgment rendered against him in favor of said Melton H. Lang _____
_____ by H. T. Childress _____
a justice of the peace for said county, ~~for the sum of~~ in an action for unlawful detainer.
_____ Dollars, ~~debt in said appeal, shall pay such judgment, both as to~~
~~debt and costs as may be rendered against him by the said~~ Circuit _____ Court of
Baldwin County, then, in either of said events, this obligation to be void, otherwise to remain in full
force and effect.

Given under our hands and seals, this the 16th day of April 1953.

Approved:

Gus Stevens _____ (L. S.)

_____ (L. S.)

H. T. Childress _____ J. P. _____ (L. S.)

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

APPEAL BOND

JUSTICE'S COURT OF

PLAINTIFF

VS.

DEFENDANT

Filed this _____ day of _____ 19____

FILED

4-17-53
ALICE J. DUCK, Clerk

GUS STEVENS,

Plaintiff,

VS.

MELTON H. LANG,

Defendant.

IN THE JUSTICE COURT OF

H. T. CHIDRESS

JUSTICE OF THE PEACE

BALDWIN COUNTY, ALABAMA.

STATE OF ALABAMA,

COUNTY OF BALDWIN.

Before me, ~~TELFAR~~ J. MASHBURN, JR., a Notary Public, within and for said County in said State, personally appeared MELTON H. LANG, who is known to me, and who, being first by me duly and legally sworn, deposes and says:

That he is in possession of the following described situated in Baldwin County, Alabama, to-wit:

The Northeast quarter (NE $\frac{1}{4}$) of Section Seven (7), Township Five (5) South, Range 3 East;

That his right of possession has not terminated or been forfeited; and that he still has a good and lawful right to the possession of said premises.

Wherefore, Affiant prays the Justice Court of H. T. Chidress to set a day to hear this cause, and, upon a hearing, to dissolve said writ heretofore issued depriving him of his lawful possession.

Further Deponent says not.

Melton H. Lang

Sworn to and subscribed before me on this the 7th day of April, 1953.

J. A. Mashburn, Jr.
Notary Public, Baldwin County, Alabama.
My commission expires March, 1957.

Mon - After
Wed -
Thurs -

RECORDED

1

1

GUS STEVENS,

Plaintiff,

VS.

MELTON H. LANG,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

MOTION

Comes the Plaintiff in the above styled cause and moves the Court to set a day for the trial of the said cause.

The Plaintiff has not demanded a trial by jury and the Defendant has not demanded a trial of the said cause by jury as provided by Title 7, Section 264, 1940 Code of Alabama.

John A. Hickey

John R. O'Quinn

Attorneys for Plaintiff.

5-25-53 Motion presented and after agreement of parties is ordered to be set down on Non jury docket at the next call of the docket on Tuesday June 16, 1953
Hubert M. Hester
Quinn

RECORDED
INDEXED

MOTION

GUS STEVENS,
Plaintiff,
VS.
MELTON H. LANG,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 1969

FILED

MAY 20 1958

ALICE L. DUCK, Clerk

Gus Stevens,
Plaintiff,
VS.
Melton H. Lang,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA. APEALED
FROM THE JUSTICE COURT.

TRIED IN OPEN COURT BEFORE HON. HUBERT M. HALL, ON June 16th.
1953. P

HON. JAMES R. OWEN, REPRESENTING THE PLAINTIFF.

MR. GUS STEVENS, THE PLAINTIFF, BEING FIRST DULY SWORN, TESTIFIED:

Direct Examination by Mr. Owen.

Q. Is this Mr. Gus Stevens?

A. Yes, sir.

Q. Mr. Stevens, are you the Plaintiff in the case of Gus
Stevens vs. Melton H. Lang?

A. Yes, sir.

Q. Are you acquainted with the property described in the complaint?

A. Yes, sir.

Q. Is that property in Baldwin County, Alabama?

A. Yes, sir.

Q. What is the nature of the premises? Are there any dwelling
houses on it?

A. Yes, there is a six room house and a barn and about 25 acres

in cultivation.

Q. Who is living on these premises?

A. Melton H. Lang.

Q. Is he the defendant?

A. Yes, sir.

Q. What arrangements did you have with the defendant when he moved there?

A. We agreed to go on halves; I was to furnish everything and he was to do the work; that was in May of '51; we advanced him in '51 and he planted soy beans and I paid for the fertilizer seed and all and he harvested the beans and sold them and I had to pay for everything out of my one.

Q. In December of 1952 did you have some other arrangement with the defendant?

A. I told him, "You get off of my place; I have lost \$4,000.00 and I had loaned him about \$900.00 personal money and I said, "I'll just put you on a salary and I 'm going to give you \$30.00 a week until I can find somebody to sell the place to.

Q. You were paying him by the week?

A. Yes, sir, and paying the lights and his transportation and gas.

Q. All right, in February of this year - 1953, did you give the defendant any notice to quit or to get off?

- A. Yes, sir, me and Mr. Jim Hendrix, a young lawyer at Robertsdale went and talked to the man and told him that we had a prospective buyer and would appreciate it if he would get off.
- Q. What kind of notice did you give him? - How long did you tell him he would have?
- A. I told him two weeks notice and he was not satisfied so I gave him three weeks which was up to March 9th., 1953.
- Q. Up to March 9th, 1953?
- A. Yes, sir and I was still paying the salary up to that time.
- Q. Is the defendant still on the premises?
- A. Yes, sir.
- Q. And you are the owner of the premises?
- A. Yes, sir.
- Q. He is holding over after his term, is that correct?
- A. Yes, sir.
- Q. You have a right to the possession of this property now?
- A. Yes, sir.

I hereby certify that the foregoing, consisting of pages 1 to 3 both inclusive, is a correct copy of the testimony in the case of Gus Stevens Plaintiffs vs. Melton H. Lang, defendant, tried in open Court on the 16th day of June, 1953, before Hon. H. M. Hall, Judge.

This the 16th day of June, 1953.

Louise D. Dunsen
Court Reporter

1969

1944. The following information was obtained from the
file of the Bureau of the Census, Washington, D. C.
and is subject to the usual conditions of the
Bureau of the Census, Washington, D. C.
The above information was obtained from the
file of the Bureau of the Census, Washington, D. C.
and is subject to the usual conditions of the
Bureau of the Census, Washington, D. C.

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100-443887-1000