

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-vs-

W. TYSON HAYS,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

B O N D.

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That W. Tyson Hays, as Principal, and the Undersigned, as Sureties, are held and firmly bound unto the Peoples Fertilizer Company, a Corporation, in the sum of ~~One Hundred & Twenty-five~~ Dollars (\$~~125.00~~), for the payment of which well and truly to be made 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 12th day of April, 1932.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That Whereas, the Peoples Fertilizer Company, a Corporation, did on the 26th day of March, 1932, 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 described personal property, to-wit:-

1 Bay Horse about nine years old named Dan; 1 Jersey Cow about seven years old named Bessie; 1 Jersey Cow about eight years old named Beauty; 2 Jersey Heifers named Star and May; 4 hogs, being all the hogs owned by W. Tyson Hays on January 29th, 1931; 25 chickens, being all chickens owned by W. Tyson Hays on January 29th, 1931; One Horse Wagon, complete with Harness; 1 Cultivator; All crops of cotton, corn, potatoes and other farm products grown during year 1931.

which said Writ was placed in the hands of W. R. Stuart as Sheriff of Baldwin County, Alabama, on the 26th day of March, 1932, and executed by him on the 31st day of March, 1932, by taking into his possession the following described property, viz:-

One (1) Horse & Wagon and Harness; Two Cultivators. (Walking); One Riding Cultivator; One Georgia Stock; About Seventy (75) bushels of corn on cob; One Cow named Bessie and ~~One~~ (2) Heifers.

AND WHEREAS. the possession of said property has been restored to Defendant on the execution of this Bond;

NOW, THEREFORE, if the Defendant is cast in said suit and shall within thirty days thereafter deliver the said property to the Plaintiff, 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.

Taken and approved this
12th day of April, 1932.

W. R. Stuart
Sheriff of Baldwin County,
Alabama.

W. Tyson Hays SEAL

H. T. Childers SEAL

D. W. Fields SEAL

STATE OF ALABAMA,
BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That the Peoples Fertilizer Company, a Corporation, as principal and the undersigned, as Sureties, are held and firmly bound unto W. Tyson Hays, his heirs, executors and administrators, in the sum of Twenty-five Dollars (\$25.00) for the payment of which, well and truly to be made, we bind ourselves, our and each of our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 26 day of March, 1932.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That Whereas, the above bound Peoples Fertilizer Company, a Corporation, has on this day sued out from the office of the Clerk of the Circuit Court of Baldwin County, Alabama, a Writ of Detinue returnable at the next term of the Circuit Court of said County in said Court, against the said W. Tyson Hays, for the recovery of the following described property, viz:-

1 Bay Horse about nine years old named Dan;
1 Jersey Cow about seven years old named Bessie; 1 Jersey Cow about eight years old named Beauty; 2 Jersey Heifers named Star and May; 4 hogs, being all the hogs owned by W. Tyson Hays on January 29th, 1931; 25 chickens, being all chickens owned by W. Tyson Hays on January 29th, 1931; One Horse Wagon, complete with Harness; 1 Cultivator; All crops of cotton, corn, potatoes and other farm products grown during year 1931.

Now, if the said Peoples Fertilizer Company, a Corporation, shall fail in said suit and shall pay to the said W. Tyson Hays, the Defendant in said suit, all such costs and damages as he may sustain by the wrongful Complaint, then this instrument to be void, otherwise to remain in full force and effect.

PEOPLES FERTILIZER COMPANY,
A Corporation.

By [Signature] SEAL

[Signature] SEAL

Blardie Stone SEAL

Taken and approved this
26 day of March, 1932.

[Signature]
Clerk of the Circuit Court,
Baldwin County, Alabama.

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-vs-

W. TYSON HAYS,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA,

BALDWIN COUNTY.

AFFIDAVIT.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, R. C. Ward, a Notary Public

in and for said County in said State, personally appeared W. M. Stuart, who is known to me and who after being by me first duly and legally sworn doth depose and say under oath as follows:

That he is the President and Agent of and for the Peoples Fertilizer Company, a Corporation, and as such is duly authorized to make this Affidavit; that the following described property, to-wit:

1 Bay Horse about nine years old named Dan;
1 Jersey Cow about seven years old named Bessie;
1 Jersey Cow about eight years old named Beauty;
2 Jersey Heifers named Star and May;
4 hogs, being all the hogs owned by W. Tyson Hays on January 29th, 1931;
25 chickens, being all chickens owned by W. Tyson Hays on January 29th, 1931;
One Horse Wagon, Complete with Harness;
1 Cultivator;
All crops of cotton, corn, potatoes and other farm products grown during year 1931;

for the recovery of which it has instituted suit this day in the Circuit Court of Baldwin County, Alabama, is the property of said Company.

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 24th day of March, 1932.

R. C. Ward
Notary Public, Baldwin County,
State of Alabama.

STATE OF ALABAMA,
BALDWIN COUNTY.

IN THE CIRCUIT COURT-LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. Tyson Hays to appear within thirty days from the service of this Writ in the Circuit Court to be held for said County at the place of holding same, then and thereto answer the Complaint of the Peoples Fertilizer Company, a Corporation.

Witness my hand this 26 day of March, 1952.

J. W. Richardson
Clerk.

COMPLAINT.

PEOPLES FERTILIZER COMPANY,
A Corporation,

Plaintiff,

-vs-

W. TYSON HAYS,

Defendant.

IN THE CIRCUIT COURT-LAW SIDE

STATE OF ALABAMA.

BALDWIN COUNTY.

The Plaintiff claims of the Defendant the following described personal property, to-wit:-

1 Bay Horse about nine years old named Dan;
1 Jersey Cow about seven years old named Bessie;
1 Jersey Cow about eight years old named Beauty;
2 Jersey Heifers named Star and May;
4 hogs, being all the hogs owned by W. Tyson Hays on January 29th, 1951;
25 chickens, being all chickens owned by W. Tyson Hays on January 29th, 1951;
One Horse Wagon, complete with harness;
1 Cultivator;
All crops of cotton, corn, potatoes and other farm products grown during year 1951;

with the value of the hire or use thereof during the detention, viz, from the 1st day of May, 1951, to March 25th, 1952.

Hyatt Hens Johnson
Attorneys for Plaintiff.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, W. C. Beebe, a Notary Public in and for said State and County, this day personally appeared W. J. Osborne, who being first duly sworn, deposes and says: that he is Liquidating Agent for the Consolidated State Bank; that the following described personal property, to-wit:

One Bay Horse named "Dan"; One Jersey Milch cow named "Bessie" and One International Harvester.

upon which a writ of Detinue from the Circuit Court of Baldwin County, Alabama, issued the 26th day of March, 1932, in favor of Peoples Fertilizer Company, a corporation, against W. Tyson Hays, has been levied by W. R. Stuart, Sheriff of Baldwin County, Alabama, is not the property of said W. Tyson Hays, but is the property of the said Consolidated State Bank, as successor to the Loxley State Bank, under and by virtue of a chattel mortgage executed on the 15th day of January, 1930, in the sum of SIXTY-FIVE (\$65.00) DOLLARS, and recorded on January 31, 1930, in Mortgage Book 48, page 18, of the Records of Baldwin County, Alabama, and that the said Consolidated State Bank has a just claim to the said property levied on, in that the said mortgage hereinabove described is due and unpaid.

W. J. Osborne
Liquidating Agent.

Sworn to and subscribed before me on this the 10 day of January, 1935.

W. C. Beebe
Notary Public, Baldwin County, Alabama.

PEOPLES FERTILIZER COMPANY,
a corporation,

Plaintiff,

vs.

W. TYSON HAYS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned, a Notary Public in and for said State and County, this day personally appeared W. TYSON HAYS, who being by me duly sworn, deposes and says that he is the defendant in the above styled cause; that the plaintiff in said cause has sued to recover, among others, the following chattels, namely, One Bay Horse named "Dan"; one Jersey milch cow named "Bessie" and one International Harvester.

Affiant further says that the title to the said property is in the Consolidated State Bank, as successor to the Loxley State Bank, a corporation; that the title of the said Consolidated State Bank as aforesaid to the said property is derived through and held under that certain mortgage executed by this affiant to the Loxley State Bank dated January 15, 1930, in the sum of Sixty-five Dollars (\$65.00), and recorded in the office of the Judge of Probate of Baldwin County, Alabama, on the 31st day of January, 1930, in Book 48 of Mortgages, page 18; that the said indebtedness is unpaid, and that the said Consolidated State Bank, as successor to said Loxley State Bank, has a just and legal title to the said property, and that the said mortgage to the said Loxley State Bank and now held by the said Consolidated State Bank, is prior to the claim of the plaintiff in this cause. That the said Consolidated State Bank, as successor to the Loxley State Bank, is not a party to this suit; that there is no collusion between the said Consolidated State Bank and this affiant and the said Consolidated State Bank, as successor to the Loxley State Bank, claims to own the said property under the said mort-

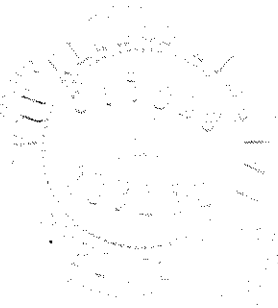
gage, and this affiant prays an order that the said Consolidated State Bank, as successor to said Loxley State Bank, be required on notice to come in and defend this suit.

W. Tyson Hays

Sworn to and subscribed before
me, this 10th day of January,
1933.

W. Beebe

Notary Public, Baldwin County,
Alabama.



PEOPLES FERTILIZER COMPANY,
a corporation,

Plaintiff,

vs.

W. TYSON HAYS,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA. AT LAW.

Comes the defendant in the above styled cause, and for
answer to plaintiff's complaint, says:

1. That he is not guilty of the matters alleged
therein.

Becke + Hall
Attorneys for Defendant.

The Defendant demands trial

by Jury:

Becke + Hall
Attorneys for Defendant.