

Post Office Department

OFFICIAL BUSINESS

Official Reg. No.

342



PAID BY ADDRESSEE  
POSTAGE WILL BE PAID BY ADDRESSEE

RETURN TO:

J. M. Buchanan  
(Name of sender)

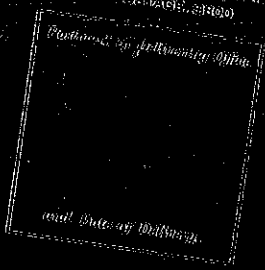
Street Number, if  
or Post Office Box

Post Office at

State

County

The recipient who delivers this official article must see that this card is properly placed, legibly postmarked, and mailed to the sender, without envelope or postage.



REGISTRY RETURN RECEIPT

Form 3523B

Received from the postmaster registered by letter, the original number of which appears on the reverse side of this card.

Date of delivery

(To be filled in by person receiving mail)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

(Street, house number or address)

(Signature of addressee or agent)

Registered mail, the delivery of which is guaranteed by the sender, is subject to the same liability as ordinary mail. The responsible person who customarily handles the ordinary mail of the addressee. When the above receipt has been properly signed, it must be pasted on the envelope of delivery and attached to the envelope without overlap or postage.

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*Northen Trust Company*  
*a corporation*

THE STATE OF ALABAMA,  
*Madison* County.

*John B. Watkins et al*  
<sup>us.</sup>

IN EQUITY,  
CIRCUIT COURT OF

COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,

Decrees of Confession against  
*Emile J. Nibler, John B. Watkins, James C. Rupert,*  
*William C. Rupert, Rupert Whitehurst & Co.*  
*John J. Nicholson, Elizabeth Rupert and Isaac M. Pickley;*  
*John F. Wiley, assignee in trust of James C. Rupert, William C. Rupert & of Rupert Whitehurst & Co.*  
*Partners of Dixie Land & Improvement Co.*  
*Assignee of Henry A. Host as Trustee of the Leukauf*  
*Banking Company.*

and in behalf of Defendant upon

No. 3

THE STATE OF ALABAMA,

*Baldwin* County.

IN EQUITY,

CIRCUIT COURT OF

*Baldwin* COUNTY.

*Northwest Company*  
*a corporation*

vs.

*John B. Watkins et al*

NOTE OF TESTIMONY.

Filed in Open Court this *5<sup>th</sup>*

day of *June* 19*17*

*G. Williams*  
Register.

THE STATE OF ALABAMA,

*Madison*

County.

CIRCUIT COURT, IN EQUITY.

No.

*Spring*

Term, 1917

*Northern Trust Company, a Corporation*

Complainants

vs.

*John B. Watkins et al.*

Defendants

Motion is hereby made for a Decree Pro Confesso against *John B. Watkins, James C. Rupert, William S. Rupert*  
*as assignees in bankruptcy of* ~~*Rupert, Whitcomb & Co.*~~ *Colin J. Nicholson, Elizabeth Rupert, Ida M. Pichler and John H. Harley, as* Defendants  
in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publica-  
tion was made under the order of this Court; and it having been shown by due proof to the Court that said  
Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this  
cause, to the date hereof.

This *7<sup>th</sup>* day of *June* 1917

*Bester & Young*  
*By M. Anderson*

Solicitor.

THE STATE OF ALABAMA,

.....County.

CIRCUIT COURT, IN EQUITY.

*Northern Trust Company*  
*a corporation*

Complainants.

vs.

*John Watkins et al*

Defendants.

MOTION FOR DECREE PRO  
CONFESSO ON PUBLICATION.

Filed *June 4<sup>th</sup>* 19*17*

*T. W. Rice*  
Register.

Recorded in.....Record,

Vol.....Page.....

Register.

Service by Registered Mail

8601 Motion for Decree Pro Confesso on ~~Publication~~

FOR SALE BY GEO. D. BARNARD & CO., ST. LOUIS. 5

THE STATE OF ALABAMA,

Madison County.

CIRCUIT COURT, IN EQUITY.

No. 23

Spring

Term, 1917

Northern Trust Company, a corporation Complainants

vs.

James P. Watkins et al

Defendants

Motion is hereby made for a Decree Pro Confesso against

Emile J. Bihler, defendant

Defendant

~~in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication of the Bill of Complaint filed in this cause was sent to said defendant by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed" and return receipt demanded under the order of this Court, and it having been shown by due proof to the Court that said defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this~~

cause, to the date hereof.

This 17th day of June 1917

Bestor & Young

Solicitor.

By H. L. Anderson

746 Code.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Northern Trust Company  
a corporation,  
Complainants.

vs.

John B. Watkins et al

Defendants.

MOTION FOR DECREE PRO  
<sup>Service by Registered Mail</sup>  
CONFESSO ~~ON~~ PUBLICATION.

Filed June 4<sup>th</sup> 1917

D. W. Rice  
Register.

Recorded in.....Record,

Vol.....Page.....

Register.



CIRCUIT COURT, IN EQUITY.

THE STATE OF ALABAMA,

*Caldwell* County.

No. *3*

*Spring*

Term, 19*17*

*Northern Trust Company, a Corporation* Complainant

vs.

*John B. Watkins et al* Defendant

To *W. Richardson*, Register:

In the above stated cause a Decree Pro Confesso having been taken against the <sup>all</sup> Defendants, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by *Pester & Young* Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

*Pester & Young*  
Solicitors for Complainant.

No. 3 Page .....

THE STATE OF ALABAMA,

.....County.

CIRCUIT COURT, IN EQUITY.

*Northern Trust Company*  
*& Corporation*

vs.

*John D. Watkins*

*et al.*

REQUEST FOR DECREE IN  
VACATION.

Filed *June 5th* 19 *17*

*G. W. Rice*  
Register.

Recorded in.....Record

Vol.....Page.....

Register.

The Northern Trust Company,  
Complainant

versus

John B. Watkins, et als.,  
Respondents

In the Circuit Court of  
Baldwin County  
In Equity

Comes the Dixie Land and Improvement Company, a corporation organized and created under the laws of the State of Alabama and being one of the respondents in the above entitled cause and for answer to said complaint says, that it makes no claim to and that it has no right, title or interest in or encumbrance upon Farms three (3), four (4), five (5), six (6), eleven (11), twelve (12) as per plat on file in the office of the Alabama, Sumatra and Havana Tobacco Company, being the northwest quarter and the north half of the south west quarter of Section 18, Township 6 south of Range 4 east in Baldwin County, Alabama, containing two hundred and forty (240) acres, more or less. This respondent agrees and consents that a decree quieting this title may be entered in said cause as prayed for by the complainant, so far as it, this respondent, is concerned and respondent having fully answered, prays that it may be dismissed with its costs in this behalf incurred.

DIXIE LAND and IMPROVEMENT COMPANY

By

Charles Barclay

As

President

WITNESS:-

Anne Colles

The Northern Trust  
Company

vs.

John B. Watkins  
et al.

Assignor of Dixie  
Land & Improvement

Company

Filed 6/1/1917  
T. W. Williams  
Register

*[Faint, illegible text, possibly a signature or stamp]*

NORTHERN TRUST COMPANY, #  
Complainant #

-vs-

JOHN B. WATKINS, et al #  
Defendants #

CIRCUIT COURT OF BALDWIN COUNTY

IN EQUITY

Comes the complainant in the above stated cause and by leave of Court, first had and obtained, amends its Bill of Complaint by striking out the words "Receiver and" where ever they occur in the Bill of Complaint so that the Bill may be one against Henry A. Herst, as Trustee of the Leinkauf Banking Company, a corporation instead of against Henry A. Herst as "Receiver and Trustee" of the Leinkauf Banking Company, a corporation.

*Burt Young*  
Solicitors for Complainant.....

Northern Trust Co.

vs.

John B. Watkins

Amendment To  
Bill of Complaint

Filed Feb 1917  
T. W. Richmond  
Register

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THE STATE OF ALABAMA,  
Baldwin, County.

CIRCUIT COURT OF  
Baldwin COUNTY,  
IN EQUITY.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Henry Horst, Dixie Development Company,  
Emile J Bihler,

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after  
the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited  
by Northern Trust Company, a Corporation.

against said Henry Horst, Emile Bihler, Dixie Development Company et-als.

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T.W. Richerson, Register of said Circuit Court, this

31st day of January 1917.

*T.W. Richerson*

Register.

*Original*  
18 Copy  
Serve on *Hester/Honest*

CIRCUIT COURT OF  
Baldwin COUNTY,  
IN EQUITY.

No. 3

SUMMONS.

Northern Abstract Co.

*MB*

vs.

John Watkins et al.

Best and Young.

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,

Baldwin County.

Received in office this 20  
day of April 1907

*W. H. Salomey*  
Sheriff.

Executed this 21 day of  
April 1907

by leaving a copy of the within Summons  
with *Sammy Hart*

*W. H. Salomey*  
Defendant  
Sheriff.

By *H. B. Semple*  
Deputy Sheriff.



of the State of Alabama.

Prayer for Relief.

And your complainant further prays that upon the hearing of this cause, your Honor will inquire into and ascertain the true nature of the claim, interest or encumbrance asserted by each of the defendants, and will decree that none of said defendants has any right, title, claim estate or interest in or encumbrance upon any part of said lands, and that the title of your complainant may be fully established and declared to be absolute and in fee simple, free from all right, title, interest, or claim of all of said defendants, and that each of the defendants, be further enjoined from asserting any interest in and claim in or encumbrance upon the said lands as against you complainant, and that the title of complainant be further established and declared perfect and that your complainant may have such other or further relief as it may be entitled to in the premises, and as may be just and equitable.

Bestor and Young.

Solicitors for Complainant.

Foot Note. Each of the defendants are required to answer, but not under oath, all of the allegations contained in the foregoing bill of complaint from paragraph one to paragraph three, both inclusive, but under oath as to such answers hereby expressly waived.

Bestor and Young.

Solicitors for Complainant.

State of Alabama,

Baldwin County,

)

Before me, James E Duggan, a Notary Public in and for the above State and County, personally

appeared D.P. Bestor, Jr. who being by first duly sworn upon oath says, that he is one of the Solicitors for the complainant, in the foregoing causes, and that he has read the allegations of the foregoing bill of complaint, that the investigation as to names, ages, and places of residence of the various parties defendant was made by affiant and that the facts set out in the bill of complaint are true to the best of his information and belief.

D.P. Bestor Jr.

Subscribed and sworn to before me on this 5th day of January 1917.

James E Duggan.

Notary Public, Mobile, County, Ala.

that it does own as trustee said above described real- estate.

Second: Complainant further shows unto your Honor that the defendants, and each of them, claim or are reputed to claim some right, title or interest in or encumbrance upon said lands, and complainant now calls upon them and each and every one of them to set forth and specify his, her, or their title, claim, interest or encumbrance in and to and upon said lands and how and by what instrument or instruments the same is derived and created.

Third: Complainant further shows unto your Honor that there is no pending suit pending to test or enforce the validity of the title, claim or encumbrance asserted by any of the respondents hereinabove named.

Prayer for process.

To the end therefore, that equity may be done in the premises, complainant prays that each of the above named parties, that is to say John B Watkins; James C Rupert; Williams and Rupert; Rupert, Whitehurst and Company; Colin J Nicholson, Elizabeth Rupert, Ida K Fickler; and John F Bailey, as assignees in Bankruptcy of James C Rupert, and of Williams and Rupert, Whitehurst and Company who if living are over the age of twenty-one years and whose places of residence are unknown to complainant and cannot be ascertained after diligent inquiry having been made to ascertain the same, but who complainant is informed and believes and from such information and belief states the fact to be that they are non-residents of the State of Alabama, and if dead against their respective heirs, devisees, next of kin, and personal representatives whose names, ages and residences are unknown to complainant and cannot be ascertained after diligent inquiry, but complainant is informed and believes that they are full of age and non-residents of the State of Alabama, Dixie Land and Improvement Company, which is an Alabama, Corporation, having its principal place of business in <sup>The City of</sup> Bay Minette, County, of Baldwin, State of Alabama Henry A Horst Trustee and receiver of the Leinlauf Banking Company, who is over the age of twenty-one years and resides in the City of Mobile, Alabama, and Emile J Bihler, who is over the age of twenty-one years and resides at 2835 Sheffield Avenue, in the City of Chicago, State of Illinois; may be made parties defendant to this bill of complaint, and that due process and subpoena may be issued to each of said defendants whose names are given and who reside in the State of Alabama, and that due process by publication or otherwise as the law prescribes may be had against each and all of the other defendants who are non-residents

To The Honorable A.E. Gamble, Judge of the Circuit Court of  
Baldwin County, Alabama.

Your orator the Northern Trust Company, a Corporation organized and created under the laws of the State of Illinois and duly qualified to business in the State of Alabama, brings this, its Bill of Complaint, as Trustee under the last will and testament of John Cudahy, Deceased (said will being duly probated and recorded in the Probate Court of Baldwin County, Alabama,) against John B. Watkins; James C. Rupert; Williams and Rupert; Rupert Whitehurst and Company, Elizabeth Rupert, Colin J. Nicholson; Ida M. Pickler, and Emile J. Bihler, if living and if dead then against their respective heirs, devisees, next of kin and personal representatives, whose names ages and residence are unknown to complainant and cannot be ascertained after diligent inquiry, but complainant is informed and believes and from such information alleges that they are all of full age and non-residents of the State of Alabama, and against the the Dixie Land and improvement Company, a Corporation organized and created under the laws of the State of Alabama, Henry A. Horst, as receiver and trustee of the Leinlauf Banking Company, a Corporation organized and created under the laws of the State of Alabama, and against John P. Bailey, as assignee in bankruptcy of James C. Rupert, and of William Rupert, and of Rupert, Whitehurst and Company, and their respective successors and assigns, and against all persons claiming by, or under them, or any of them, and shows unto your Honor:

First: That the complainant is a citizen of the State of Illinois and having its principal place of business in the City of Chicago, Illinois but duly qualified to do business in the State of Alabama, according to the statute in such cases made and provided, and is in quiet and peaceable possession of the following described real property situated in the County of Baldwin, State of Alabama, viz: Three (3), Four (4), Five (5) Six (6) Eleven (11), and Twelve (12), as per plat on file in the office of the Alabama, Sumatra, and Havana Tobacco Company, being the North West Quarter and North Half of the South West Quarter of Section Eighteen (18) Township Six (6) South, Range Four (4) East, containing two hundred and forty (240) acres, more or less, claiming to own the same as trustee under the terms and provisions of the last will and testament of John Cudahy, deceased, and swears

Final Decree.

The State of Alabama,

Baldwin County.

No. 5. Circuit Court, In Equity.

-----Term 1917.

Northern Trust Company, a Corporation, Complainant.

John B Watkins, et-al. Defendants.

This cause coming on to be heard was submitted for decree on the pleadings and decrees pro-confesso as noted, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to relief.

It is therefore ordered and decreed that the defendants, Emile J Bihler, John B Watkins, Colin J Nicholson, Elizabeth Rupert, Ida M Fickler, The Dixie Development Company, a Corporation, Henry A Herst as Trustee of the Leinlauf Banking Company, a corporation, James C Rupert, William C Rupert and Rupert, Whitehurst and Co, and John P Bailey, as Assignee in Bankruptcy of James C Rupert, Williams and Rupert and Rupert, Whitehurst & Co., if they be living, and if they be dead, then their heirs at law, next of kin, personal representatives, devisees or assignees or their successors in interest have no estate or interest or incumbrance on the following described lands in Baldwin County, State of Alabama, or any part thereof, viz:

Farms Three (3), Four (4), Five (5), Six (6), Eleven (11) and Twelve (12) as per plat on file in the office of the Alabama Sumatra & Havana Tobacco Company, being the North--West quarter and the North Half of the South--West quarter of Section Eighteen (18) in Township Six (6) South, Range Four (4) East, containing two hundred and forty (240) acres more or less.

It is further ordered that the Register of this Court, within thirty days from this date, filed a certified copy of this decree in the office of the Probate Judge of Baldwin County, Alabama, for record therein, and that the cost thereof be taxed in the costs of this cause.

This Decree is subject to the provisions of sections 5170 and 5171 of the Code of Alabama of 1907, and Complainant is hereby directed to send a certified copy hereof to each of the defendants, who has not been personally served with process, if their residence can be ascertained.

It is further ordered that Complainant pay the costs of this cause for which let execution issue.

In Vacation this 5th, day of June 1917.

A. E. Gamble, Judge.

Filed June 9th, 1917.

T. F. Richerson, Register.

Baldwin County. ) CIRCUIT COURT, IN EQUITY.

T. F. Richerson, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 5th day of June 1917, in the cause of Northern Trust Company, a Corporation, Complainant vs. John B Watkins et-als. Defendants, as appears of record in said Court. Witness my hand and the seal of said Court, this 7th day of June 1917,

*T. F. Richerson*  
Register.

Final Decree.

The State of Alabama,  
Baldwin County.

No. 3. Circuit Court, In Equity.

-----Term 1917.

Northern Trust Company, a Corporation, Complainant.

----VW----

John B Watkins, et-al. Defendants.

This cause coming on to be heard was submitted for decree on the pleadings and decrees pro-confesso as noted, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to relief.

It is therefore ordered and decreed that the defendants, Emile J Bihler, John B Watkins, Colin J Nicholson, Elizabeth Rupert, Ida M Pickler, The Dixie Development Company, a Corporation, Henry A Horst as Trustee of the Leinkauf Banking Company, a corporation, James C Rupert, William C Rupert and Rupert, Whitehurst and Co, and John F Bailey, as Assignee in Bankruptcy of James C Rupert, Williams and Rupert and Rupert, Whitehurst & Co., if they be living, and if they be dead, then their heirs at law, next of kin, personal representatives, devisees or assignees or their successors in interest have no estate or interest or incumbrance on the following described lands in Baldwin County, State of Alabama, or any part thereof, viz:

Farms Three (3), Four (4), Five (5), Six (6), Eleven (11) and Twelve (12) as per plat on file in the office of the Alabama Sumatra & Havana Tobacco Company, being the North--West quarter and the North Half of the South--West quarter of Section Eighteen (18) in Township Six (6) South, Range Four (4) East, containing two hundred and forty (240) acres more or less.

It is further ordered that the Register of this Court, within thirty days from this date, file a certified copy of this decree in the office of the Probate Judge of Baldwin County, Alabama, for record therein, and that the cost thereof be taxed in the costs of this cause.

This Decree is subject to the provisions of sections 3170 and 3171 of the Code of Alabama of 1907, and Complainant is hereby directed to send a certified copy hereof to each of the defendants, who has not been personally served with process, if their residence can be ascertained.

It is further ordered that Complainant pay the costs of this cause for which let execution issue.

In Vacation this 8th, day of June 1917.

A. E. Gamble, Judge.

Filed June 9th, 1917.

T. W. Richerson, Register.

State of Alabama  
Baldwin County, ) CIRCUIT COURT, IN EQUITY.

I, T. W. Richerson, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 8th, day of June 1917, in the cause of Northern Trust Company, a Corporation, Complainant ---vs--- John B Watkins et-als, Defendants, as appears of record in said Court. Witness my hand and the seal of said Court, this the 9th, day of June 1917,

*T. W. Richerson*  
-----  
Register.

Final Decree.

The State of Alabama,

Baldwin County. )

No. 3. Circuit Court, In Equity.

-----Term 1917.

Northern Trust Company, a Corporation, Complainant.

-----VW-----

John B Watkins, et-al. Defendants.

This cause coming on to be heard was submitted for decree on the pleadings and decrees pro-confesso as noted, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to relief.

It is therefore ordered and decreed that the defendants, Emile J Bibler, John B Watkins, Colin J Nicholson, Elizabeth Rupert, Ida M Pickler, The Dixie Development Company, a Corporation, Henry A Horst as Trustee of the Leinkauf Banking Company, a corporation, James C Rupert, William C Rupert and Rupert, Whitehurst and Co, and John P Bailey, as Assignee in Bankruptcy of James C Rupert, Williams and Rupert and Rupert, Whitehurst & Co., if they be living, and if they be dead, then their heirs at law, next of kin, personal representatives, devisees or assignees or their successors in interest have no estate or interest or incumbrance on the following described lands in Baldwin County, State of Alabama, or any part thereof, viz:

Farms Three (3), Four (4), Five (5), Six (6), Eleven (11) and Twelve (12) as per plat on file in the office of the Alabama Sumatra & Havana Tobacco Company, being the North--West quarter and the North Half of the South--West quarter of Section Eighteen (18) in Township Six (6) South, Range Four (4) East, containing two hundred and forty (240) acres more or less.

It is further ordered that the Register of this Court, within thirty days from this date, filed a certified copy of this decree in the office of Probate Judge of Baldwin County, Alabama, for record therein, and that the cost thereof be taxed in the costs of this cause.

This Decree is subject to the provisions of sections 3170 and 3171 of the Code of Alabama of 1907, and Complainant is hereby directed to send a certified copy hereof to each of the defendants, who has not been personally served with process, if their residence can be ascertained.

It is further ordered that Complainant pay the costs of this cause for which let execution issue.

In Vacation this 8th, day of June 1917.

A.E. Gamble, Judge.

Filed June 9th, 1917.

T.W. Richerson, Register.

State of Alabama

Baldwin County. )

CIRCUIT COURT, IN EQUITY.

I, T.W. Richerson, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 8th, day of June 1917, in the cause of Northern Trust Company, a Corporation, Complainant ---vs--- John B Watkins et-als, Defendants, as appears of record in said Court.

Witness my hand and the seal of said Court, this the 9th, day of June 1917,

*T.W. Richerson*

Register.

Northern Trust Company,  
a Corporation

vs.

John B. Watkins et al.

CIRCUIT COURT OF  
Pulaski COUNTY.

IN EQUITY.

In this cause it being made to appear to the Register that on the 3<sup>rd</sup> day of

February 1917, a copy of the Bill of Complaint filed in this cause was sent to

Emile J. Pihler

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed,"

and return receipt demanded addressed to the Register of this Court; and that on the 8<sup>th</sup> day of

February 1917, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Emile J. Pihler

Defendant....

This the 4<sup>th</sup> day of June 1917.

T. W. Nicolson  
Register.

No. 3

CIRCUIT COURT OF

..... COUNTY,

IN EQUITY.

*Northern Trust Company  
& Corporation*

vs.

*John B. Watkins et al*

DECREE PRO CONFESSO AFTER  
NOTICE BY REGISTERED MAIL.

Filed in office this 4th day of  
June 1917.

*J. W. Rice*  
Register.

Entered in O. B. .... Page .....



THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin

County.

No. 3

Spring

Term, 1917

Northern Trust Company a corporation,

Complainant

vs.

James B. Watkins et al.

Defendant

In this cause it appears to the Register that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 1<sup>st</sup> day of February 1917, in the The Baldwin Times a newspaper published in Baldwin County Alabama, that a copy of said order was posted at the Court House door in Baldwin County on the 1<sup>st</sup> day of February 1917, and that another copy was sent by mail on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, to \_\_\_\_\_.

And it now further appearing to the Register that the said

John B. Watkins, James C. Rupert, Williams & Rupert, Rupert, Whitehurst & Co., Colin J. Nicholson, Elizabeth Rupert & Ida M. Pickler and John F. Bailey as Assignee in Bankruptcy of James C. Rupert, Williams & Rupert and Rupert, Whitehurst & Co.

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

John B. Watkins, James C. Rupert, Williams & Rupert, Rupert, Whitehurst & Co., Colin J. Nicholson, Elizabeth Rupert and Ida M. Pickler and against John F. Bailey as Assignee in Bankruptcy of James C. Rupert, Williams & Rupert, and Rupert Whitehurst & Co.

This 4<sup>th</sup> day of June 1917

T. W. Richardson

Register.

No. 3 Page.....

THE STATE OF ALABAMA,

..... County.

CIRCUIT COURT, IN EQUITY.

*Northern Trust Co*  
*a Corporation*

*vs.*  
*John B. Watkins*  
*et al*

DECREE PRO CONFESSO ON  
PUBLICATION.

Issued *June 4<sup>th</sup> 1917*

*T. W. Nicolson*  
Register.

Recorded in..... Record

Vol..... Page.....

Register.

No. 3

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Northern Trust  
Company, a corporation  
Complainant.....

vs.

John B. Watkins  
et als  
Defendant.....

ORIGINAL BILL.

Filed Jan. 31 1917

D. W. Rice  
Register.

Bestor Young  
Solicitor.

Recorded in General Record  
# 1 Page 2576.

Northern Trust  
Company, a Corporation

va

John Walker  
et al.

Filed Feb 1st 1917

T. W. Williams  
Register

BESTOR, BESTOR & YOUNG  
MOBILE, ALA.

STATE OF ALABAMA )  
COUNTY OF MOBILE )

Before me, James E. Duggan, a Notary Public in and for the above State and County, personally appeared D.P. Bestor, Jr., who being by me first duly sworn upon oath says that he is one of the solicitors for the complainant in the foregoing cause and that he has read the allegations of the foregoing bill of complaint; that the investigation as to names, ages, and places of residence of the various parties defendant was made by affiant and that the facts set out in the bill of complaint are true to the best of his information and belief.

*D.P. Bestor, Jr.*

Subscribed and sworn to before me  
on this 5 day of January, A.D. 1917

*James E. Duggan*  
Notary Public, Mobile County, Ala.

is an Alabama corporation, having its principal place of business in the City of Bay Minette, County of Baldwin, State of Alabama; Henry A. Horst, as trustee and receiver of the Leincauf Banking Company, who is over the age of twenty-one years and resides in the City of Mobile, Alabama; and Emile J. Bihler, who is over the age of twenty-one years and resides at 2835 Sheffield Avenue, in the City of Chicago, State of Illinois; may be made parties defendant to this bill of complaint, and that due process and subpoena may be issued to each of said defendants whose names are given and who reside in the State of Alabama, and that due process by publication or otherwise as the law prescribes may be had against each and all of the other defendants who are non-residents of the State of Alabama.

Prayer for Relief.

And your complainant further prays that upon the hearing of this cause, your Honor will inquire into and ascertain the true nature of the claim, interest or encumbrance asserted by each of the defendants and will decree that none of said defendants has any right, title, claim estate or interest in or encumbrance upon any part of said lands, and that the title of your complainant may be fully established and declared to be absolute and in fee simple, free from all right, title, interest, or claim of all of said defendants, and that each of the defendants be further enjoined from asserting any interest in and claim in or encumbrance upon the said lands as against your complainant, and that the title of complainant be further established and declared perfect and that your complainant may have such other or further relief as it may be entitled to in the premises, and as may be just and equitable.

*Beta Zarny*  
Solicitors for Complainant

Foot Note:- Each of the defendants is required to answer, but not under oath, all the allegations contained in the foregoing bill of complaint from paragraph one to paragraph three, both inclusive, but answers under oath as to such answers is hereby expressly waived.

*Beta Zarny*  
Solicitors for Complainant

Five (5), Six (6), Eleven (11), and Twelve (12), as per plat on file in the office of the Alabama, Sumatra, and Havana Tobacco Company, being the Northwest Quarter and North Half of the Southwest Quarter of Section Eighteen (18), Township Six (6) South, Range Four (4) East, containing two hundred and forty (240) acres, more or less, claiming to own the same as trustee under the terms and provisions of the last will and testament of John Cudahy, deceased, and avers that it does own as trustee said above described real estate.

Second: Complainant further shows unto your Honor that the defendants, and each of them, claim or are reputed to claim some right, title or interest in or encumbrance upon said lands, and complainant now calls upon them and each and every one of them to set forth and specify his, her, or their title, claim, interest or encumbrance in and to and upon said lands and how and by what instrument or instruments the same is derived and created.

Third: Complainant further shows unto your Honor that there is no suit pending to test or enforce the validity of the title, claim or encumbrance asserted by any of the respondents hereinabove named.

Prayer for Process

To the end, therefore, that equity may be done in the premises, complainant prays that each of the above named parties, that is to say: John B. Watkins; James C. Rupert; Williams and Rupert; Rupert, Whitehurst and Company; Colin J. Nicholson; Elizabeth Rupert; Ida M. Pickler; and John F. Bailey, as assignee in bankruptcy of James C. Rupert; and of Williams and Rupert; and of Rupert, Whitehurst and Company, who if living are over the age of twenty-one years and whose places of residence are unknown to complainant and cannot be ascertained, after diligent inquiry having been made to ascertain the same, but who complainant is informed and believes and from such information and belief states the fact to be that they are non-residents of the State of Alabama, and if dead against their respective heirs, devisees, next of kin, and personal representatives whose names, ages and residences are unknown to complainant and cannot be ascertained after diligent inquiry, but complainant is informed and believes that they are all of full age and non-residents of the State of Alabama; Dixie Land and Improvement Company, which

✓

TO THE HONORABLE A. E. GAMBLE, JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA.

Your orator, The Northern Trust Company, a corporation organized and created under the laws of the State of Illinois, and duly qualified to do business in the State of Alabama, brings this, its Bill of Complaint, as Trustee under the last will and testament of John Cudahy, deceased (said will being duly probated and recorded in the Probate Court of Baldwin County, Alabama), against John B. Watkins; James C. Rupert; Williams and Rupert; Rupert; Whitehurst and Company; Elizabeth Rupert; Colin J. Nicholson; Ida M. Pickler; and Emile J. Bihler, if living and if dead then against their respective heirs, devisees, next of kin and personal representatives, whose names, ages and residence are unknown to complainant and cannot be ascertained after diligent inquiry, but complainant is informed and believes and from such information alleges that they are all of full age and non-residents of the State of Alabama; and against the Dixie Land and Improvement Company, a corporation organized and created under the laws of the State of Alabama; Henry A. Horst, as receiver and trustee of the Leinkauf Banking Company, a corporation organized and created under the laws of the State of Alabama, and against John F. Bailey, as assignee in bankruptcy of James C. Rupert, and of Williams and Rupert, and of Rupert, Whitehurst and Company, and their respective successors and assigns, and against all persons claiming by, through, or under them, or any of them, and shows unto your Honor-

First: That the complainant is a citizen of the State of Illinois, created and existing under the laws of the State of Illinois and having its principal place of business in the City of Chicago, Illinois, but duly qualified to do business in the State of Alabama, according to the Statutes in such cases made and provided, and is in quiet and peaceable possession of the following described real property situated in the County of Baldwin, State of Alabama, viz: Farms Three (3), Four (4),



D. P. BESTOR, JR.  
WM. J. YOUNG

BESTOR & YOUNG  
ATTORNEYS AND COUNSELLORS AT LAW  
MOBILE, ALABAMA

1917  
May  
31

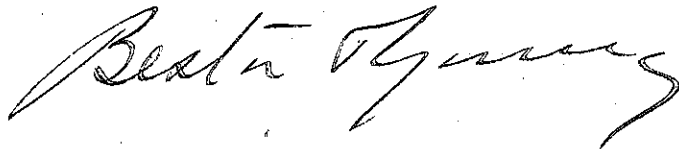
T. W. Richerson, Esq.,  
Clerk Circuit Court,  
Bay Minette, Alabama.

Dear Sir:-

~~We beg to enclose you herewith the answer of the~~  
Dixie Land and Improvement Company in the case of Northern  
Trust Company versus John B. Watkins, et als. We would be  
obliged if you would file this paper among the records in said  
case.

This suit is now in shape for the final decree and  
we would be obliged if you would advise us if the Equity side  
of your Court is now open so that a final decree may be ren-  
dered. If not, please be so kind as to advise us when your  
Court will be open therefor.

Yours very truly,



DPB:R

ENC.

The Northern Trust Company  
Complainant

versus

John B. Watkins, et als  
Respondents

In the Circuit Court of Baldwin County  
IN Equity

Comes Henry A. Horst, as ~~Respondent~~ Trustee of the  
Leinkauf Banking Company, a corporation, organized and created un-  
der the laws of the State of Alabama, being one of the respondents  
in the above entitled cause, and for answer to said complaint says,  
that as such ~~Respondent~~ Trustee he makes no claim to and that he  
has no right, title or interest in or encumbrance upon the lands  
mentioned in said bill of complaint and he further agrees and con-  
sents that a decree may be entered in said cause, as prayed for by  
the complainant, so far as he, as such ~~Respondent~~ Trustee for the  
said Leinkauf Banking Company, is concerned, and respondent having  
fully answered, prays that he may be dismissed with his costs in  
this behalf incurred.

*Henry A. Horst*

As ~~Respondent~~ Trustee  
for the Leinkauf Banking  
Company, a corporation.

WITNESS:

*Walter Martin*

The Northern Trust Co.

vs.

John B. Watkins  
et al.

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Answer of Henry A  
Hort, as Trustee of  
the Lindebank Banking  
Company, to the  
Bill of Complaint.

Filed 9/26/1917  
J. W. Nicholson  
Register

Final Decree.

The State of Alabama ) No. 3. Circuit Court, In Equity.  
Baldwin County. ) ..... Term 1917.

Northern Trust Company, a corporation, Complainant

VS.

John B. Watkins, et al.

Defendants.

This cause coming on to be heard was submitted for decree on the pleadings and decrees pro confesso as noted, and upon consideration thereof the Court is of the opinion that the Complainant is entitled to relief.

It is therefore ordered and decreed that the defendants, Emile J. Bihler, John B. Watkins, Colin J. Nicholson, Elizabeth Rupert, Ida M. Pickler, The Dixie Development Co. a corporation, Henry A. Horst as Trustee of the Leinkauf Banking Company, a corporation, James C. Rupert, Williams & Rupert and Rupert, Whitehurst & Co. and John F. Bailey, as Assignee in Bankruptcy of James C. Rupert, Williams & Rupert and Rupert, Whitehurst & Co., if they be living, and if they be dead, then their heirs at law, next of kin, personal representatives, devisees or assignees or their successors in interest, have no estate or interest in or encumbrance on the following described lands in Baldwin County, State of Alabama, or any part thereof, viz:

Farms Three (3), Four (4), Five (5), Six (6), Eleven (11) and Twelve (12), as per plat on file in the office of the Alabama Sumatra & Havana Tobacco Company, being the North-West quarter and the North Half of the South-West quarter of Section Eighteen (18) in Township Six (6) South, Range Four (4) East, containing two hundred and forty (240) acres more or less.

It is further ordered that the Register of this Court, within thirty days from this date, file a certified copy of this decree in the office of the Probate Judge of Baldwin County, Alabama, for record therein, and that the cost thereof be taxed in the costs of this cause.

This Decree is subject to the provisions of sections 3170 and 3171 of the Code of Alabama of 1907, and Complainant is hereby directed to send a certified copy hereof to each of the defendants, who has not been personally served with process, if their residence can be ascertained.

It is further ordered that Complainant pay the costs of this cause for which let execution issue.

In Vacation, this 8<sup>th</sup> day of June 1917.



Judge.

... of ...

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Recorded on Minutes  
Page 7.

Decree

Filed 6/9/1917  
P W Beckwith  
Register

**Chancery Notice.**

The Northern Trust Company versus John B. Watkins, and others, No. 3.—Circuit Court of Baldwin County, in Equity.

In this cause it appearing from the sworn allegations of the bill of complaint in connection with an affidavit on file that John B. Watkins, James C. Rupert, Williams and Rupert, Rupert, Whitehurst and Company, Colin J. Nicholson, Elizabeth Rupert, Ida M. Pickler and John F. Bailey, as assignee in bankruptcy of James C. Rupert, and of Williams and Rupert, and of Rupert, Whitehurst and Company, if alive, are respectively over the age of twenty-one years and that their respective residences are unknown to complainant, but are believed to be non-residents of the State of Alabama; that Emile J. Bihler, who is over twenty-one years of age and when last heard of resided at No. 2835 Sheffield Avenue, in the City of Chicago, State of Illinois; that if said John B. Watkins, James C. Rupert, Williams and Rupert, Rupert, Whitehurst and Company, Colin J. Nicholson, Elizabeth Rupert, Ida M. Pickler, and Emile J. Bihler, be dead, then their respective heirs, devisees, next of kin and personal representatives are unknown to complainant and cannot be ascertained after diligent inquiry, all of whom are over twenty-one years of age but their places of residence are unknown to complainant.

And it further appearing that the above named or described defendants claim or are reputed to claim some right, title, and interest in or encumbrance upon the following described real property situated in the County of Baldwin, State of Alabama, viz: Farms three (3), four (4), five (5), six (6), eleven (11), and twelve (12), as per plat on file in the office of the Alabama, Sumatra and Havana Tobacco Company, being the northwest quarter and north half of the southwest quarter of section eighteen (18), Township six (6) south, Range four (4) east, containing two hundred and forty (240) acres, more or less.

It is further ordered and decreed that they plead, answer or demur to the allegations of the bill of complaint filed against them in this cause before the 9th day of March, 1917, or upon the expiration of thirty days from said date the same will be taken as confessed against them.

It is further ordered that notice of this order by published once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama.

T. W. Richerson,  
Register.

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ALL COUNTY ADVERTISING

CIRCULATION GUARANTEED TO BE THE LARGEST IN BALDWIN COUNTY

# THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE NO. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

ABNER J. SMITH, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

CHANCERY NOTICE #3

Circuit Court of Baldwin County, in Equity.

The Northern Trust Company,

VS

John B. Watkins, and others.

Was published in said Newspaper for 4 consecutive weeks  
issues:

Publication	February 1st, 1917	Vol. 27	No. 50
	February 8th, 1917	Vol. 27	No. 51
	February 15th, 1917	Vol. 27	No. 52
	February 22nd, 1917	Vol. 28	No. 1

Subscribed and sworn to before the undersigned

this 26 day of February 1917.

T. W. Richerson  
Clerk Circuit Court,

Abner J. Smith  
Publisher.

Largest Weekly Circulation in South Alabama

*Bay Minette, Ala.,*

February 26th, 1917

*M* The Northern Trust Company  
vs  
John B. Watkins and others

CHANCERY NOTICE #3  
Circuit Court Baldwin County, Ala  
TW Richerson, Register.

# THE BALDWIN TIMES

ABNER J. SMITH, PROPR.

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

To publishing above Chancery Notice in The  
Baldwin Times, in issues of Feb 1st, 8th, 15th and 22nd, 1917:

422 words @ 4½ cents per word..... \$16.99

dred and forty (240) acres, more or less.

It is further ordered and decreed that they plead, answer or demur to the allegations of the bill of complaint filed against them in this cause before the <sup>1917</sup> 9th day of March/ or upon the expiration of thirty days from said date the same will be taken as confessed against them.

It is further ordered that notice of this order be published once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama.

50-47  
~~February 1, 8, 15, 22, 1917.~~

*J. W. Williams*  
Register



175

Filed Jan 31/17  
T. W. Kinnaman

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175

# Chancery Notice

The Northern Trust Company  
versus  
John B. Watkins, and others

Circuit Court of Baldwin County  
In Equity  
Order of Publication

No 3.

In this cause it appearing from the sworn allegations of the bill of complaint in connection with an affidavit on file that John B. Watkins, James C. Rupert, Williams and Rupert, Rupert, Whitehurst and Company, Colin J. Nicholson, Elizabeth Rupert, Ida M. Pickler, and John F. Bailey, as assignee in bankruptcy of James C. Rupert, and of Williams and Rupert, and of Rupert, Whitehurst and Company, if alive, are respectively over the age of twenty-one years and that their respective residences are unknown to complainant, but are believed to be non-residents of the State of Alabama; that Emile J. Bihler, who is over ~~xxxxxx~~ ~~xx~~ twenty-one years of age and when last heard of resided at No. 2835 Sheffield Avenue, in the City of Chicago, State of Illinois; that if said John B. Watkins, James C. Rupert, Williams and Rupert, Rupert, Whitehurst and Company, Colin J. Nicholson, Elizabeth Rupert, Ida M. Pickler, and Emile J. Bihler, be dead, then their respective heirs, devisees, next of kin and personal representatives are unknown to complainant and cannot be ascertained after diligent inquiry, all of whom are over twenty-one years of age but their places of residence are unknown to complainant.

And it further appearing that the above named or described defendants claim or are reputed to claim some right, title, and interest in or encumbrance upon the following described real property situated in the County of Baldwin, State of Alabama, viz: Farms three (3), four (4), five (5), six (6), eleven (11), and twelve (12) as per plat on file in the office of the Alabama, Sumatra and Havana Tobacco Company, being the north west quarter and north half of the south west quarter of section <sup>south</sup> eighteen (18) Township six (6), Range four (4) east, containing two hun-