

No. 47

CIRCUIT COURT OF

..... COUNTY,

IN EQUITY.

US.

DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL.

Filed in office this 20th day of

Nov 1917

J. W. McInnis
Register.

Entered in O. B. Page

First National Bank of St. Louis City, Tenn.
 a Corporation
 vs.
 Augusta M. Lunemann et. als.

CIRCUIT COURT OF
 Baldwin COUNTY.
 IN EQUITY.

In this cause it being made to appear to the Register that on the ~~18th~~ day of September 1917, a copy of the Bill of Complaint filed in this cause was sent to Augusta M. Lunemann, and on the 17th day of September 1917, a copy of said bill was sent to J. Miller Lunemann 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 20th and 21st day of September 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

Augusta M. Lunemann and J. Miller Lunemann
 Defendant.

This the 20th day of November 1917.

T. W. Recorder
 Register.

-----X
FIRST NATIONAL BANK, :
a corporation, :
Complainant. :
-----X

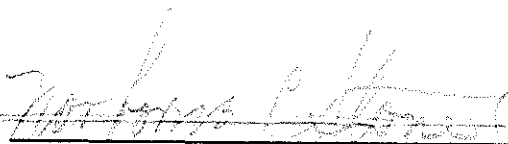
IN THE CIRCUIT COURT-EQUITY SIDE

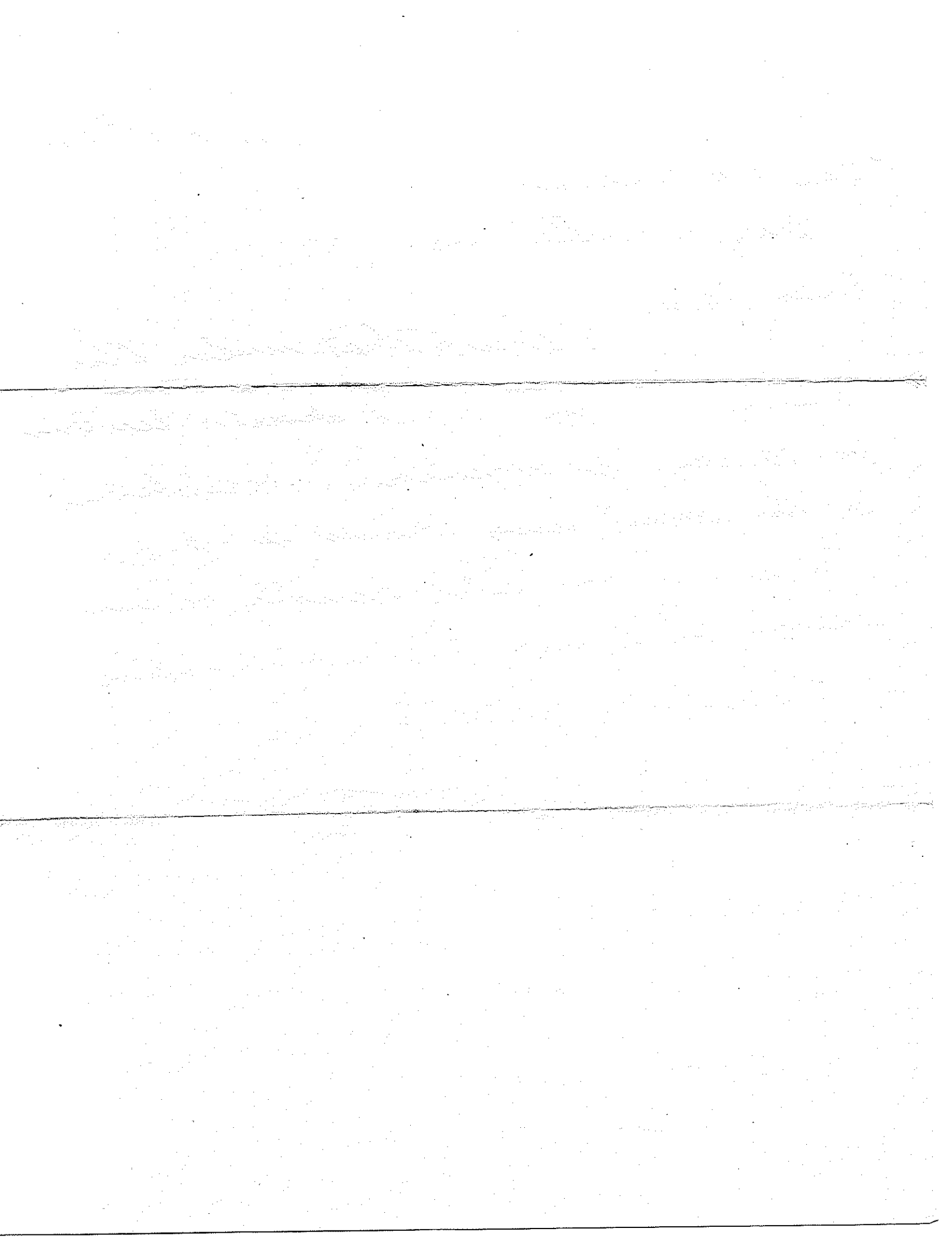
-vs-

BALDWIN COUNTY,
STATE OF ALABAMA.

AUGUSTA M. LUNEMANN, :
J. MILLER LUNEMANN, :
MARK H. LUNEMANN, :
ROGER A. LUNEMANN, :
Defendants: :
-----X

Comes Mark H. Lunemann, J. Miller Lunemann and Roger
a Lunemann, all of whom are infants, by Norborne C. Stone, their
guardian "ad litem", appointed in said cause, and denies the al-
legations of the bill of complaint in this cause filed and de-
mands strict proof thereof.


Guardian "ad litem" for Mark
H. Lunemann, J. Miller Lune-
mann and Roger A. Lunemann,
all infants.



Bay Minette, Ala.,

October 12th, 1917

M
First National Bank, a Corporation,
vs
Augusta M. Lunemann,

NOTICE TO NON-RESIDENT
W. H. Hawkins, Solicitor
for Complainant.

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 Notice to Non-Resident in The
Baldwin Times, in issues of September 27th and
October 4th and 11th, 1917:

165 words @ 3½ cents per word.....

\$5.77

Handwritten:
Baldwin Times
B. J. Smith

REGISTRY RETURN RECEIPT

Form 154B

Received from the postmaster registered article, the original number of which

appears on the reverse side of this card.

Date of delivery

July 25 1917

(To be filled in by person signing receipt)

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

(Signature of name of addressee)

(Signature of addressee's agent)

Registered matter, the delivery of which has not been restricted by the sender or the addressee, is deliverable to any responsible person who customarily receives the ordinary mail of the addressee. (See sec. 232, F. I. and D.) When the above receipt has been properly signed it must be postmarked with the name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

Received from the postmaster registered article, the original number of which appears on the reverse side of this card.
Date of delivery July 25 1917
Signature of name of addressee
Signature of addressee's agent

Bay Minette, Ala., February 2nd, 1918

M First National Bank of La Porte, City, Ia.,
vs
Augusta M. Lunemann,

REGISTER'S SALE UNDER DECREE
OF EQUITY, Circuit Court,
Baldwin County

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 notice in The Baldwin Times,
in issues of January 10th, 14th and 24th, 1918
169 words @ 3½ cents per word.....

RECEIVED BY THE BALDWIN TIMES
FEB 19 1918
PER ABNER J. SMITH

REGISTRY RETURN RECEIPT

Received from the postmaster, registered article, the original number of which

appears on the reverse side of this card.

Date of delivery SEP 20 1917

(To be filled in by person signing receipt)

(Signature of addressee)

Agnes M. Johnson

(Signature of address agent)

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

Registered matter, the delivery of which has not been restricted by the sender or the addressee, is deliverable to any responsible person who customarily receives the ordinary mail of the addressee. (See sec. 852, 17, and 1111.) When the above receipt has been properly signed, it must be postmarked with the name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

First National Bank, a
Corporation.

vs.

Augusta M. Lunemann,
J. Miller Lunemann,
Mark H. Lunemann,
Roger A. Lunemann.

In the Circuit Court of Baldwin County,

In Equity.

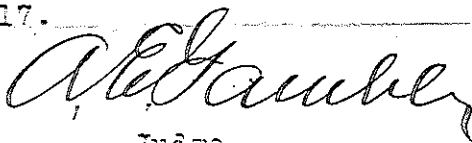
This cause is submitted to the Court upon the Original Bill and the motion of Complainant for an order by the Court directing the mode of service on the above named Mark H. Lunemann and Roger A. Lunemann, who are named as Respondents to the said Bill of Complaint and who are each under the age of fourteen, and, on consideration,

It is ordered, adjudged and decreed that the said Mark H. Lunemann and Roger A. Lunemann, are minors under the age of fourteen years, and reside with their Mother Augusta M. Lunemann, whose interest is opposed to the interest of said minors; that the Father of said minors is dead, and that they are non-residents of the State of Alabama, and,

It is further ordered that notice of the said Bill of Complaint and of the filing of same be given to said minors, Mark H. Lunemann and Roger A. Lunemann, by a publication for three successive weeks in some news paper of general circulation published at Bay Minette, Alabama, a copy of which paper containing said publication shall be mailed to the said minors and each of them at their Post Office address postage prepaid.

All other matters are hereby expressly reserved.

This September 21st 1917.



Judge.

Filed Sep 22nd 1917
T. W. Dickerson
Register

1917

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin

County.

No. 47

Bill

Term, 1917

First National Bank of La Porte City, Iowa, a Corporation

Complainant

vs. Augusta H. Lunemann Et als.

Defendant

In this cause it appears to the Register that the order of publication heretofore made in this cause, was published for ~~four~~ ^{three} consecutive weeks, commencing on the ~~27th~~ ^{27th} day of ~~November~~ ^{September} 1917, in 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 27th day of September 1917, and that another copy was sent by mail on the 27th day of September 1917, to Mark H. Lunemann and Roger A. Lunemann

And it now further appearing to the Register that the said

~~Mark H. Lunemann and Roger A. Lunemann~~

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

~~Mark H. Lunemann and Roger A. Lunemann~~

This 20th day of November 1917

[Signature]

Register.

Nov 20-1917

No. 47 Page

THE STATE OF ALABAMA,

County.

CIRCUIT COURT, IN EQUITY.

vs.

DECREE PRO CONFESSO ON PUBLICATION.

Nov 20 1917 Issued.

W. M. McKeown Register.

Recorded in. Record

Page Vol.

Register.

THE STATE OF ALABAMA,
Baldwin }
County.

No. 47

CIRCUIT COURT, IN EQUITY.

First National Bank of La Porte City, Iowa, a Corporation Complainant

vs.

Augusta M. Lunemann Et als. Defendant

In this cause it is made to appear to the Register by the _____ of _____, Solicitor
for Complainant _____
that the Defendant _____ and _____ are under the
age of fourteen years, and that J. Miller Lunemann, defendant is over
the age of fourteen years, and that more than 30 days have elapsed since
service upon him, and he has not nominated a guardian ad litem, and
in the belief of affiant, infants _____
Mark F. Lunemann and Roger A. Lunemann
are of the age of _____ years; and that a summons on the Bill of
Complaint in this cause was served upon the defendants _____
Lunemann by publication, as directed by the Court, and upon J. Miller
Lunemann by registered mail on to-wit. September 17th, 1917,
said infant _____, on the _____ day of _____ 19____, and that as no
one has been nominated by the said _____ J. Miller Lunemann
to act as Guardian ad Litem for said infant _____; and it further appearing that
Horborne C. Stone Esq., _____ is in all respects a suitable person to act as
Guardian ad Litem for said infant _____; and having filed his consent in writing to act as such, it is now ordered
by the Register that he is hereby appointed Guardian ad Litem in this cause for the said infant _____ Defendant.

Witness my hand, this 22nd day of November 1917

D. W. Richardson
Register.

ACCEPTANCE.

I, Horborne C. Stone _____ hereby accept the above appointment as Guardian
ad Litem, and consent to act as such in the above cause.

Witness my hand, this 22nd day of November 1917

Horborne C. Stone
Guardian ad Litem.

No. 47 Page.....

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

vs.

APPOINTMENT AND ACCEPTANCE
OF GUARDIAN AD LITEM.

Filed

Nov 22nd 1917

D. W. Williams

Register.

Recorded in.....Record,

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

Register.

Report of Register

State of Alabama, No. 47--

Baldwin County. Circuit Court of Baldwin County, In Equity.

November term 1917.

First National Bank of La Porte City, Iowa, a Corporation, Complainant
vs. Augusta M. Lunemann et. als, defendants.

To the Hon. A. E. Gamble, Judge of said Court:

The Register of this Court begs to report that in obedience to the order and decree of this Court made on November 26th., 1917, to hold a reference in the above stated cause, and report the amount due the Complainant by the defendants on the note and mortgage described in the bill in this cause; including a reasonable attorney's fee.

He held said reference at his office in Bay Minette, Alabama on November 26th. 1917, and was attended by W. H. Hawkins Esq. Solicitor of record for Complainant, and by Horborne C. Stone, guardian ad litem for the minor defendants J. Miller Lunemann, Mark H. Lunemann and Roger A. Lunemann.

It was ascertained from the original note and mortgage that the amount due on said note and mortgage was \$898.48, and it was ascertained from the testimony of W. S. Anderson Esq., that the reasonable attorney's fee in this case under the terms of said note and mortgage is 120.00.

I therefore report to the Court that the amount due by the defendants to the Complainants under the terms of said note and mortgage at this date is 1018.48.

All of which is respectfully submitted. W. S. Anderson Register.

Read in open Court this 26th day of November 1917 and ordered to lie over.

Filed 11/26/917
M. W. [unclear]
~~State~~
Register

1917

1917

1917

1917

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin

County.

No. 47

Term, 1927

Term, 1927

First National Bank of St. Louis City, Mo.

Complainant

vs.

Augusta M. Linnemann et al.

Defendant

This cause came on to be heard upon the pleadings and proofs in the cause, and thereupon, upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said Bill. It is therefore ordered, adjudged and decreed that the Complainant has a

Lien upon the Land described in said Bill for the

Amount due on note and mortgage now due, including principal and interest, and it having been referred to the Register to ascertain the amount due by note and mortgage described in the bill

the Complainant, and the report of the Register having been read in open Court, and lain over one entire day, and no exceptions having been filed; it is ordered, adjudged and decreed, that said report be in all things ratified and confirmed. And it appearing from said report that there is now past due the sum of

One Thousand Eighteen & 46/100 (1818.46) Dollars,

and that there is still unpaid installments of purchase money amounting to the sum of Dollars,

which have not yet matured, and which bear interest from the date of the purchase of said Land. It is ordered, adjudged and decreed, that if said sum of One Thousand Eighteen & 46/100 Dollars,

with interest, which is now due, together with the costs of this suit to be taxed by the Register, is not paid within

30

days after the Enrollment of this Decree, to the Register or Complainant or Solicitors of Record, the Register is ordered to advertise and sell for cash to the highest and best bidder, at public auction, before the Court House door in Bay Minette Alabama, the

following described Land, or as much thereof as is necessary to pay and the Costs, viz.:

The North East Quarter of the North West Quarter of Section Thirty Four and the North East Quarter of the South West Quarter of Section Thirty Five, all in Township Five South of Range Four East, in Baldwin County State of Alabama.

The Register must first give notice of the time, place and terms of said sale, together with a description of said property, by publication in a newspaper published in said County, once a week for three successive weeks and by posting up notice at the Court House door for thirty days previous to said sale. The Register will retain out of the proceeds of said sale the costs and expenses of this suit and sale and apply the remainder to the payment of the demand of the Complainant First National Bank of St. Louis City, Mo. and the balance, if any, pay Augusta M. Linnemann, Defendant

It is ordered that the Register make a Deed of Conveyance of said Land to the purchaser upon the payment of the purchase money, and if necessary on application of the Complainant, the Defendant, having 10 days notice to surrender the possession, issue process to place the purchaser in possession. Should the proceeds of said sale fail to pay said costs and Complainant's debt, the Register will note the balance due. He will report to the next term of this Court his action in the premises.

This 27th day of November 1927

854 Code.

W. H. G. Judge

No. 47 Page.....

THE STATE OF ALABAMA,

Del. Co. County.

CIRCUIT COURT, IN EQUITY.

First National Bank of Del. Co., Ala.,
Plaintiff, vs. a Corporation

Complainants,
vs.

Accounts of Del. Co., Ala.

Defendants.

DECREE OF SALE ON REFERENCE.

Made..... 19.....

Register.

Filed 11/27/1917
M. W. [Signature]
Register

Recorded in..... Record

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

Recorded in [Signature] Register.
Page 71

THE STATE OF ALABAMA,

Baldwin

County.

No. 47

CIRCUIT COURT, IN EQUITY.

Term, 19

First National Bank of La Porte City, Iowa.

a Corporation.

Complainant

vs.

Defendant

THIS CAUSE coming on to be further heard, upon the report of the Clerk, and said report having been read in open Court at a former day, and having lain over one entire day for exceptions.

it is ordered, adjudged and decreed, that said report be in all things ratified and confirmed.

And it appearing from the report of the Clerk, that the sum of

Eight Hundred Eighty Eight & 85/100

DOLLARS,

is still due and unpaid, it is ordered, adjudged and decreed that the Complainant

have and recover of said Defendant August M. Lunemann, J. Miller Lunemann, Merk H. Lunemann and Roger L. Lunemann,

said sum of Eight Hundred eighty eight & 85/100

DOLLARS,

for which let execution issue.

Witness my hand, this

8th

day of

March

1918

W. C. Gandy

Judge.

No. 47

THE STATE OF ALABAMA,

Barbour County.

CIRCUIT COURT, IN EQUITY.

First National

Bank & Corporation

Complainant.....

vs.

Augusta M. Lunsman

et al

Defendant.....

DECREE CONFIRMING REPORT.

Filed Mar 9th 1915

J. W. Kinsman
Register.

Recorded on Minutes
Page 10.

THE STATE OF ALABAMA,
Baldwin County. }
County.

No. 47 CIRCUIT COURT, IN EQUITY.

First National Bank of La Porte City, Iowa, Complainant.

vs.

Augusta M. Lunemann et. als. Defendant.

To Hon. A. M. Gamble, Judge:

WHEREAS, A Decree of Sale was rendered on the 27th day of November, 1910, by the Court, that unless the sum of One Thousand Eighteen & 00/100 Dollars, with interest, that being the sum reported by the Register as due, together with the costs of said suit, was paid within 30 days after the enrollment of said decree to the Register or Complainant or its Solicitors of Record, the Register was ordered to advertise and sell the land described in said decree and report the same to the next term of this Court.

NOW, THEREFORE, The Defendant, having wholly failed and refused to comply with the requirements of said decree within the time specified, I hereby report that as Register I sold the following described real estate, viz: North East Quarter of North West Quarter of Section 34, and the North East Quarter of the South West Quarter of Section 35, all in Township 5 South of Range Four East, in Baldwin County, State of Alabama.

at public sale between the hours of 11 o'clock a. m. and 4 o'clock p. m., on Monday, the 25th day of February, 1910, at the Court House door of Baldwin County, Alabama, to First National Bank of La Porte City, Iowa for the sum of Two Hundred Dollars, after first having given notice of the day, place and terms of said sale, and a description of the real estate for three successive weeks in the Baldwin Times a newspaper published in said County, and also by posting up for thirty days at the Court House door of said County a notice of said sale.

I further certify that, in accordance with said decree, full payment of the purchase money having been paid to me by First National Bank of La Porte City, Iowa I made a deed of said land to First National Bank of La Porte City, Iowa.

I further certify that I retained of the proceeds of said sale the costs and expenses of suit and sale, applying the remainder to the payment of the demand of Complainant as far as it would extend.

I further certify that there is still due Complainant the sum of Eight Hundred Eighty Eight & 00/100 (\$888.00) Dollars.

All of which is respectfully submitted, this 25th day of February, 1910.

[Signature]
Register.

THE STATE OF ALABAMA,
.....County.

CIRCUIT COURT, IN EQUITY.

*First National
Bank & Corporation*

vs.

*Augusta Lawrence
et al*

REGISTER'S REPORT OF SALE OF
REAL ESTATE.

Filed *Feb 24* 19*08*

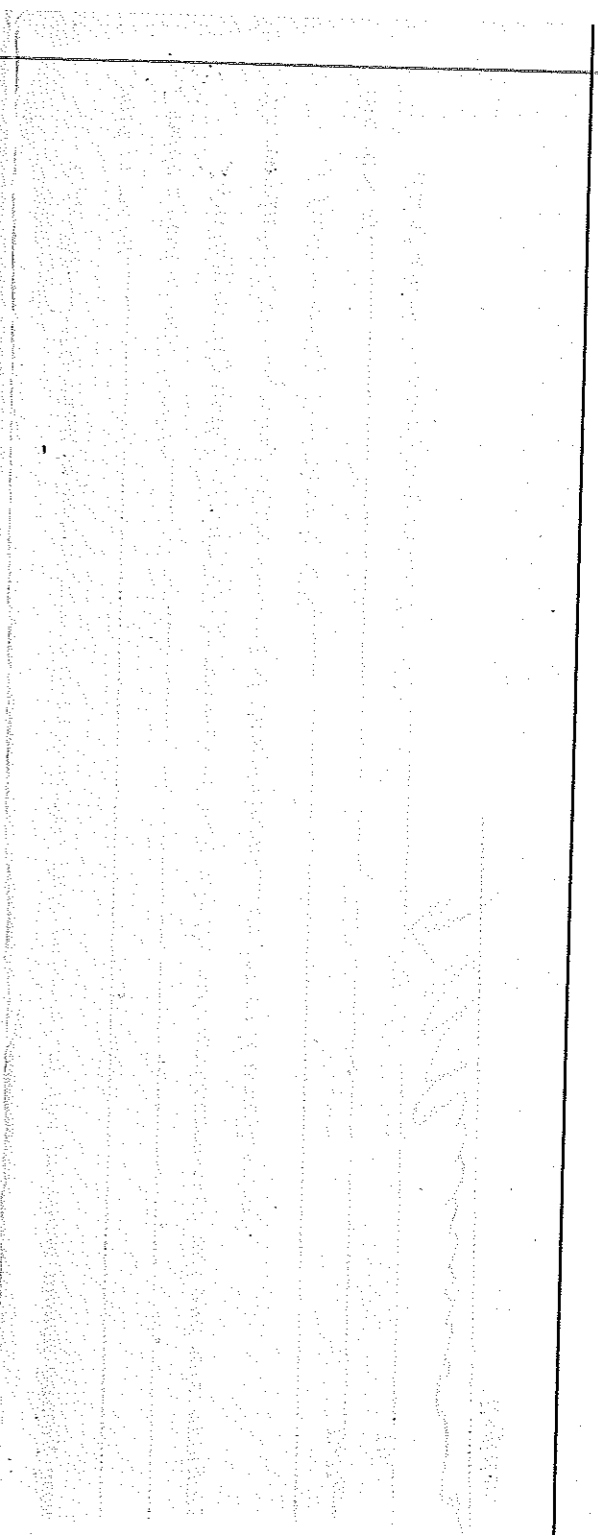
J W Lawrence
Register.

Recorded in.....Record

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

Register.

115-5-1-3



W. H. HAWKINS

ATTORNEY-AT-LAW

BAY MINETTE, ALA.

2/25/18,

Received from W. H. Hawkins Atty \$10.⁰⁰
in full of Guardian Ad Litem fee in
matter of First National Bank of La Porte
City, Iowa.

W. H. Stone
Guardian Ad Litem

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

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

NOTICE TO NON-RESIDENT

First National Bank, a Corporation

vs

Augusta M. Lunemann, et als, Defendants

Was published in said Newspaper for 3 consecutive weeks

in the following issues:

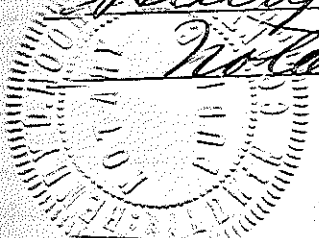
Date of first publication	September 27th, 1917	Vol. 28	No. 32
“ “ second “	October 4th, 1917	Vol. 28	No. 33
“ “ third “	October 11th, 1917	Vol. 28	No. 34
“ “ fourth “		Vol. _____	No. _____

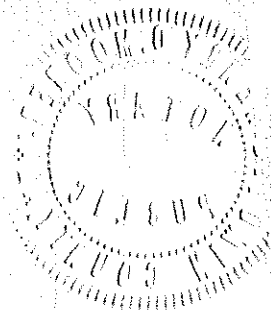
Subscribed and sworn to before the undersigned

this 12th day of October 1917.

Henry Thomas
Notary Public

Abner J. Smith
Publisher.





Filed 10/12/91
T. W. Williams
Register

Paid by
Hawkes

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

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 REGISTERS SALE UNDER DECREE OF EQUITY.

First National Bank of La Porte City, Iowa, Complainant

vs

Augusta M. Lunemann, et al Defendants.

Was published in said Newspaper for 3 consecutive weeks

in the following issues:

Date of first publication	January 10th, 1918	Vol. 28	No. 47
“ “ second	January 17th, 1918	Vol. 28	No. 48
“ “ third	January 24th, 1918	Vol. 28	No. 49
“ “ fourth		Vol. _____	No. _____

Subscribed and sworn to before the undersigned

this 2nd day of Feb 1918.

T. W. Richerson
Clerk Circuit Court

Abner J. Smith
Publisher.

Register's Sale under a Decree in Equity. First National Bank of La Porte City, Iowa, Complainant. vs. Augusta M. Lunemann, J. Miller Lunemann, Mark H. Lunemann, Roger A. Lunemann, Defendants.

Under and by virtue of a decree of foreclosure rendered at the Fall term of the Circuit Court of Baldwin County, Alabama, in Equity, on to-wit: November 27th, 1917, by the honorable A. E. Gamble, Judge of said Court, in the above entitled case, I shall proceed to sell at public auction, before the Court House in Bay Minette, Alabama, for cash, to the highest and best bidder, during the hours of public sale, on Monday, February 17th, 1918, the following described real estate, situated in Baldwin County, Alabama, to-wit: [The North East quarter of the North West quarter of Section 35, and the North East quarter of the South West quarter of Section 35, in Township Five South of Range Four East of St. Stephens Meridian, Baldwin County.

Witness my hand this 9th day of January, 1918.

T. W. Richerson, Register.
W. H. Hawkins, Solicitor for complainant.

State of Alabama, (No. 47. Circuit Court, Baldwin County, Alabama.

Baldwin County. (In Equity.

First National Bank of La Porte City, Iowa, a Corporation vs. Augusta M. Lunemann Et. Als, Defendants.

This cause coming on to be heard this day, during the present term, is submitted on the original bill and exhibits thereto and the decree pro confesso against the defendants, and on consideration it is ordered, adjudged and decreed by the Court, that Complainant is entitled to the relief prayed for.

It is further ordered, that it be referred to the Register of this Court to ascertain the amount due by defendants to the Complainant under the note and mortgage described in the Bill in this cause, including a reasonable attorney's fee provided in said note and mortgage, to the date of this report, and to report his findings to this Court as soon as may be.

It further appearing to the Court that Horborne C. Stone Esq., has been appointed and has accepted the appointment of guardian ad. litem for the minor defendants, it is hereby ordered that he have notice of the time and place of said reference.

All further orders and decrees are hereby reserved until after the coming in of said report of the Register.

In term time this 26th day of November 1917.

W. E. Gaubler
----- Judge.

Filed Nov 26/17
M. Williams
~~W. Williams~~
Register

Affidavit of Non-Residence.

First National Bank,
a Corporation.
Complainant.

vs.

Augusta M. Lunemann
J. Miller Lunemann,
Mark H. Lunemann,
Roger A. Lunemann.
Defendants.

In Equity, Circuit Court of Baldwin County,
Alabama.

State of Alabama,
Baldwin County.

Personally appeared before me, T. W. Richerson, Register of said Court, in and for said County and State, W. H. Hawkins, Solicitor for Complainant, who being duly sworn, deposes and says that he is informed and verily believes that Augusta M. Lunemann, J. Miller Lunemann, Mark H. Lunemann and Roger A. Lunemann, are non-residents of the State of Alabama, and reside at St. Cloud, Minnesota, and that Augusta M. Lunemann is over the age of twenty one years, and is the widow of J. H. Lunemann, deceased. That J. Miller Lunemann is 16 years of age; Mark H. Lunemann is 11 years of age and that Roger A. Lunemann is 5 years of age, all of these minors living with their mother Augusta M. Lunemann at St. Cloud, Minnesota.

W. H. Hawkins

Solicitor for Complainant.

Sworn to and subscribed before me, this 11th day of September 1917.

T. W. Richerson

Register.

No 47

Filed 9/13/917
G W Bellman
Praying

F. R.

Note.

\$800.00

La Porte City, Iowa, July 31, 1915.

July 31, 1917, after date, for value received, I promise to pay to the order of The First National Bank, of La Porte City, Iowa, Eight Hundred # Dollars, at its banking office in La Porte City, Iowa, in gold coin or its equivalent with interest at seven per cent per annum ~~until due~~ from date until due, and eight per cent, per annum after due until paid, interest payable semiannually. If the interest is not paid when due, it shall draw interest at eight per cent per annum until paid, and a failure to pay interest when due shall cause the whole note to become due and collectible at once. In case this note is not paid when due, the makers, sureties, x endorsers and guarantors of this note agree to pay a reasonable attorney fee if suit is brought hereon and a reasonable collection fee to the attorney or justice of the peace collecting the same without suit, and consent that any justice of the peace may have jurisdiction to the amount of \$300.00 in case of suit thereon and hereby severally waive presentment for payment, notice of non-payment, protest, diligence in bringing suit against any party hereto, and consent that the time of payment may be extended without notice thereof.

J. H. Lunemann.

Stamps 16cts.

together with ~~taxes~~ a reasonable fee for plaintiff's attorney, out of the aforesaid real estate.

And the grantors and each of them hereby relinquishes their right of dower in the real estate herein mentioned, subject to the above reservations and Conditions.

In testimony whereof, the said parties of the first part have hereunto set hand the day and year first above written.

Witnesses. J. H. Lunemann L. S.
C. D. Schwab Auguste M. Lunemann L. S.
J. E. Pramann.

State of Minnesota,
Stearns County.

On this 31st day of July A. D. 1915 before me personally appeared J. H. Lunemann and Augusta M. Lunemann his wife to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

C. D. Schwab
Notary Public in and for said County.

Notarial Seal. Notary Public, Stearns County, Minn.
My Commission expires Feb. 14, 1918.

State of Alabama,
Baldwin County.

I, J. H. H. Smith, Judge of Probate for said County, hereby certify that the following privilege tax has been paid on the within instrument as required by acts 1902 & 1903 viz \$1 cts 20.

J. H. H. Smith, Judge of Probate
By J. L. Kessler, Clerk.

The State of Alabama,
Baldwin County.

Office of the Judge of the Probate Court.

I, J. H. H. Smith, Judge of said Court in and for said County, do hereby certify that the within instrument was filed in this office for record on the 15th day of August 1915 at ----- o'clock, and I further certify that the same is duly recorded in Record Book No. 15 Mtgs Page 278 and duly examined.
Witness my hand this 15th day of August 19----

J. H. H. Smith, Judge of Probate Court.
J. L. Kessler Clerk.

all taxes and assessments so paid by the said party of the second part, together with all interest at the rate of eight per cent per annum, and foreclosure or in any other lawful mode, to make the amount of said note, due, and the said party of the second part or his assigns, may proceed by the said party of the second part, then the whole indebtedness shall become three months after the same are due and payable, which taxes may be paid by on the above described real estate shall remain unpaid for the space of money or any part thereof, principal or interest, or if the taxes assessed and it is further agreed if default shall be made in the payment of said full force.

even date herewith, then these presents to be void, otherwise to remain in full force and effect to the tenor and effect of the one promissory note of the said J. H. Lummern payable to First National Bank of La Porte City, Iowa, bearing date July 1917 with interest thereon at the rate of seven per cent per annum according to the tenor and effect of the one promissory note on the 1st day of August 1917 or cause to pay to the said First National Bank, its successors or assigns, the sum of Eight Hundred Dollars on the 1st day of August 1917 or cause to pay to the said First National Bank, its successors or assigns, that if the said J. H. Lummern his heirs, executors or administrators, the same. Provided always and these presents are upon this express condition that if the said J. H. Lummern his heirs, executors or administrators, administrators and assigns, against all persons whomsoever lawfully claiming

rent and demand the title unto the said party of the second part and his assigns forever. The said party of the first part hereby covenanting that the above described premises are free from any incumbrance, and they will warrant and defend the title unto the said party of the second part and his assigns forever, and his administrators or

NO HAVE AND DO HOLD the premises above described with all the appurtenances thereto belonging unto the said second party, and his administrators or assigns, all in Township five South, Range Four East, Section thirty four and the north-east quarter of the south-west quarter of section thirty to-wit: The north east quarter of the north-west quarter of section thirty estate, lying and being situated in the County of Baldwin, State of Alabama, second part and his administrators or assigns the following described real

these presents, grant, bargain, sell and convey unto the said party of the first part eight hundred \$ Dollars, the receipt whereof is hereby acknowledged, do by witnesses: That the said party of the first part, for the consideration of La Porte City, of Blackhawk County and State of Iowa, of the second part, and State of Minnesota, of the first part and First National Bank of La between J. H. Lummern and Auguste M. Lummern his wife of Stearns County, this indenture, made the 1st day of July A. D. nineteen hundred fifteen

Solicitor for Complaint.

W. H. Shaw

the oath of each defendant being hereby waived.

The defendants are each required to answer the foregoing Bill of Complaint from paragraph one to three, inclusive, but not under oath.

Foot-note.

Solicitor for Complaint.

W. H. Shaw

may seem just and equitable, and your Orestor will ever pray etc.

Creator further shows unto your Honor that said mortgage was filed for

record in the office of the Probate Judge of Baldwin County, Alabama, on

the 13th day of August 1916 and was duly recorded on the same day.

Creator shows that this note and mortgage have never been paid, although

mortgages have been often requested to pay same. The debt evidenced by

said note and mortgage is past due, and said note and mortgage is still the

property of your Creator, and it has frequently demanded the payment of the

same but the mortgagors have failed to pay said indebtedness.

Prayer for Process.

To the end that equity may be done in the premises, Creator prays that de-

pendant Auguste L. Lummern and J. Miller Lummern, the minor, be made

defendants to this bill, and service secured on them as required by acts

of the Legislature of 1915, page 604, and it appearing that Mark H. Lummern

and Roger A. Lummern are under the age of 14 years and their interests are

adverse to their mother, Auguste M. Lummern, that your Honor is requested

to direct the mode of service on the said Mark H. Lummern and Roger A.

Lummern, and that the said Auguste M. Lummern be required to appear,

plead, answer or appear to the foregoing bill of complaint within the time

required by law and in accordance with the rules and practices of this

Honorable Court.

Prayer for Relief.

And then may it please your Honor to take jurisdiction of this cause and by

proper orders and decrees to require the defendants to pay to Creator the

amount due under said note and mortgage.

That an account may be taken and stated showing what is due for the principal

and interest of said debt, including a reasonable attorney's fee to the

Solicitor of your Creator, together with the costs of this proceeding, and

that your Honor will order and decree, that if the same be not presently

paid, at a time to be fixed and determined by this Honorable Court, that

your Honor will order a sale of the land described in said mortgage, by the

Register of this Court to pay and satisfy the amount found to be due by de-

fendants to Creator, including such reasonable fee for your Creator's Soli-

-citor, the costs of this Court, and the expenses of such sale; and that the

equity of redemption of said defendants in said lands be forever barred and

foreclosed; and that your Honor will grant to your Creator, such other, fur-

-ther and different relief as it may be entitled to and as to your Honor may

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First National Bank, a Corporation
Complainant.

vs.

Augusta M. Lummern,

J. Miller Lummern,

Mark H. Lummern

Roger A. Lummern.

Defendants.

To the honorable A. H. Gamble, Judge of the Circuit Court of Baldwin County, Ala-

Alabama:

Plaint National Bank, a Corporation, exhibits this bill of complaint

against Augusta M. Lummern, J. Miller Lummern, Mark H. Lummern and Roger
A. Lummern, and humbly complaining sheweth to your Honor:

First.

That creator is a corporation duly incorporated under the laws of the

State of Iowa, and that Augusta M. Lummern is a non-resident of the State
of Alabama, residing at St. Cloud, Minnesota, and is over the age of twenty

one years. That J. H. Lummern, one of the mortgagors named since the
making of the mortgage hereinafter described, leaving a widow, Augusta M.

Lummern, who is also administratrix of his estate, and the following

heirs to-wit: - J. Miller Lummern, 16 years of age; Mark H. Lummern, 11

years of age and Roger A. Lummern, 4 years of age, all of whom live with

their mother Augusta M. Lummern at St. Cloud, Minnesota.

Second.

Creator sheweth unto your Honor that on or about July 31st, 1915, J. H.

Lummern and Augusta M. Lummern secured a loan from your Creator of Eight

Hundred Dollars, and in order to secure the payment of the same, said J. H.

Lummern and Augusta M. Lummern made and executed a note and mortgage

and conveyed to your Creator certain real estate, particularly described

in said mortgage. A copy of said note and mortgage is hereto attached and

marked, "Exhibit A", and made a part of this bill of complaint.

By the terms of said note and mortgage, the mortgagors agreed to pay a

reasonable attorney's fee and all other expenses incident to the collection

of the debt hereby secured, if there was a default in the payment of said

note and mortgage.

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin County. }

No. 47 Fall Term, 1917

First National Bank, a Corporation of La Porte City, Iowa Complainants

vs.

Augusta H. Lunemann et. als. Defendants

Motion is hereby made for a Decree Pro Confesso against Augusta H. Lunemann, J. Miller

Lunemann, Mark H. Lunemann and Roger A. Lunemann Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and the said Augusta H. Lunemann and and J. Miller Lunemann also being served by registered mail and J. Miller Lunemann also being served by registered mail 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 19th day of November 1917

W. H. Hawkins

746 Code.

Solicitor.

No.

Page

THE STATE OF ALABAMA,

County.

CIRCUIT COURT, IN EQUITY.

Complainants.

vs.

Defendants.

MOTION FOR DECREE PRO
CONFRESSO ON PUBLICATION.

Filed
Nov 19th 1917

[Handwritten Signature]

Register.

Recorded in.....
Record,

Page.....

Register.

First National Bank a Corporation

vs.

Augusta M Luneman et als.

CIRCUIT COURT OF

Baldwin COUNTY,

IN EQUITY.

I, T.W. Richerson, Register of said Court. do hereby certify that I

did, on the 20th day of Sept 19 17, send to

Defendant

whose address was Saint Cloud, Minn

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

Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court;

and that such receipt was duly received and filed by me in this cause, on the 28th day of

Sept 19 7

Witness my hand, this 30th day of Sept 1917

T W Richerson

Register.

No.

CIRCUIT COURT OF

..... COUNTY,
IN EQUITY.

us.

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this... 30

day of... Sep 1917

T. W. Morrison

Register.

~~First National Bank a Corporation~~

vs.

~~Auguste M. Lunonen et als.~~

CIRCUIT COURT OF

~~Baldwin~~ COUNTY,
IN EQUITY.

I, ~~E. W. Richerson,~~ Register of said Court, do hereby certify that I

did, on the ~~20th~~ day of ~~Sept~~ 19 ~~17~~, send to

Defendant.

whose address was ~~Saint Cloud, Minn~~

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

Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court;

and that such receipt was duly received and filed by me in this cause, on the ~~28th~~ day of

~~Sept~~ 19 ~~7~~

Witness my hand, this ~~30th~~ day of ~~Sept~~ 19~~17~~



Register.

No.

CIRCUIT COURT OF

..... COUNTY,
IN EQUITY.

vs.

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this 31

day of Sep 1917

G. M. Munn
Register.