

633

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 633 January 4th Term 1927

James A. Wallace, Complainant

vs.

L.M. Flagler, Defendant

To T.W. Richerson, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Mabry & Crovatt,

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.

Mabry & Crovatt
Solicitor for Complainant.

No. 633

Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

James A. Wallace

vs.

L.M. Flagler,

REQUEST FOR DECREE IN
VACATION

FILED January 4th 1927.

Register

RECORDED IN RECORD

VOL. PAGE

Register

8581 NOTE OF TESTIMONY

... James. A. Wallace.....

.....

.....

vs.

..... L.M. Flagler.....

.....

.....

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

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

proof of publication and decree pro confesso,-----

.....

.....

.....

.....

.....

and in behalf of Defendant upon-----

.....

.....

.....

T. W. Williams

Register.

4
No. 633

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

James A. Wallace,

vs

L.M. Flagler,

NOTE OF TESTIMONY

Filed in Open Court this 26th
day of April 1927.

T. M. ...

Register

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 635 Jan 3rd Term, 19 27

James A. Wallace Complainant.....

vs. L.M. Flagler, Defendant.....

In this cause it appears to the Register..... that the order of publication here-
tofore made in this cause, was published for four consecutive weeks, commencing on the 28 day of

Oct, 1926 in the Baldwin Times,

a newspaper published in Bay Minette Alabama, that a copy of said order was posted at the Court

House door in Baldwin County, on the 28 day of

Oct 1926, and

And it now further appearing to the Register....., that the said

L.M. Flagler.

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-
fore, 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.....

L.M. Flagler,

This 3rd day of January, 1927

T. M. Richardson
Register.

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No. 633

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THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

James A. Wallace

vs.

L.M. Flagler,

DECREE PRO CONFESSO ON
PUBLICATION.

Issued Jan 3rd, 19 27

J. M. Rice

Register.

Recorded in **RECORDED** Record

Vol. Page

Register.

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 633. Vacation Term, 1927.

James A. Wallace, Complainants

vs.

L.M. Flagler, Defendants

Motion is hereby made for a Decree Pro Confesso against L.M. Flagler,

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 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 1st day of January 1927

746 Code.

Maby Smith, Solicitor.

No. 633

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

James A. Wallace

Complainants.

Vs.

L.M. Flagler,

Defendants.

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION.

Filed Jan 2nd, 1927

Register.

Recorded in Record,

Vol.

RECORDED

Register.

Baldwin Times Print, Bay Minette.

STATE OF ALABAMA
COUNTY OF BALDWIN.

In Circuit Court. In Equity.

James A. Wallace
vs.
L. M. Flagler.

Bill to Quiet and Determine Title.

To the Honorable John D. Leigh, Judge of the Circuit Court, Baldwin County, Alabama. In Equity sitting.

Now comes James A. Wallace and humbly complaining against L. M. Flagler respectfully shows unto your Honor as follows:

First.

That your orator, James A. Wallace, and defendant herein, L. M. Flagler, are both over the age of twenty one years, and that orator is now and has been a resident of said State and County for a number of years last past. That said defendant is not now a resident of said State and his address and place of residence is to your orator unknown.

Second.

That your orator, James A. Wallace, now owns and is peacefully possessed of the following described real property: the North half southwest quarter of the northwest quarter of Section Thirty Three (33), Township Six (6) south, Range Four (4) east, in Baldwin County, Alabama, and said peaceable possession of said real property has continued from June 1st. 1922, up to and including the date of the filing of this bill.

Third.

Your orator further alleges that said L. M. Flagler claims or is reputed to claim, unjustly, some title or interest in your orator's real property above described, the nature or character of such claim or title is unknown to your orator and he seeks that said L. M. Flagler be required by this Honorable Court to show the nature and extent of his claim or title and to have it adjudicated and determined by this Honorable Court.

Wherefore, the premises considered, your orator

prays that the defendant be required by this Honorable Court to show cause of the nature and extent of his alleged claim of title and have it adjudicated and determined, and your orator further prays that if it be adjudicated that the defendant has no valid or enforceable claim, title or demand as to or against the said real property of your orator, described herein, that whatever document ^{he} may have or hold, under or by which he wrongfully claims title or interest in said property, that such document be cancelled as a cloud upon orator's title, and that he, his heirs, executors, administrators, legal representatives or assigns and any person, persons, firms or corporations claiming in, through or by him, be forever barred from all claim to any estate, title, claim or interest in said real property or any of the rights, privileges or appurtenances thereunto belonging or in anywise appertaining or from whatever interest or title which he is claiming, which the court finds and decrees to be unjust or without right and for such other and further relief as to this Honorable Court may seem meet and proper

Maly & Corvath
Attorneys for Orator.

Foot Note. The defendant, L. M. Flagler, is required to answer every allegation of the foregoing bill, but not under oath. Oath is hereby expressly waived.

Maly & Corvath
Attorneys for Orator

STATE OF ALABAMA
COUNTY OF BALDWIN.

James A. Wallace being duly sworn according to law, deposes and says that he is the orator in the within and foregoing Bill in Equity and has read said Bill, and the same is true of his own knowledge, except such matters as are therein stated on information and belief, and as to such statements he believes them to be true.

James A. Wallace

Sworn to and subscribed before
me this 21 day of October, 1926.

Robert J. [Signature]
Notary Public
Baldwin County, Ala.

MY COMMISSION EXPIRES
NOVEMBER 12TH, 1927.

NOTICE TO NON-RESIDENT.

Moore Ptg. Co.—Bay Minette.

James A. Wallace,

No. 630.

vs.

L.M. Flagler,

The State of Alabama,

Baldwin County.

Circuit Court, in Equity.

This the ~~27th~~ 27th, day of

October, 1926.

In this cause it being made to appear to the Clerk of this Court by the affidavit of James A. Wallace,

that the Defendant L.M. Flagler,

is a non-resident of the State of Alabama and his address and place of residence being unknown to affiant, and that said L.M. Flagler, claims or is reputed to claim unjustly, some title or interest in affiant's real property described as follows: North half of the Southwest quarter, of the Northwest quarter of Section thirty three (33) Township Six (6) South Range Four (4) East, Baldwin County, Alabama.

and further, that, in the belief of said Affiant, the Defendant over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring L.M. Flagler, the said

to answer or demur to the Bill of Complaint in this cause by the 4th, day of December, 1926, or after thirty days therefrom a decree Pro Confesso may be taken against the said L.M. Flagler,

Mabry & Cravatt, Atty's for Complainant.

T.W. Richerson, Register.

Largest Weekly Circulation in South Alabama

Bay Minette, Ala., 10/1/26

M

Whickerson

THE BALDWIN TIMES

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

10/28

Wallace W. Hayler #633-229

10.76

Mabry & Crovatt Atty

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

R. B. VAIL
EDITOR AND PROPRIETOR

BAY MINETTE, ALA.

ALFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

R. B. Vail, 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 _____

Wallace vs Flagler # 633

Was published in said Newspaper for 4 consecutive weeks in the following
issues:

Date of first publication	<u>October 28 - 1926</u>	Vol. <u>37</u>	No. <u>39</u>
Date of second publication	<u>November 4</u>	Vol. <u>37</u>	No. <u>40</u>
Date of third publication	<u>11</u>	Vol. <u>37</u>	No. <u>41</u>
Date of fourth publication	<u>18</u>	Vol. <u>37</u>	No. <u>42</u>

Subscribed and sworn to before the undersigned this 6th day of
December 1926, R. B. Vail
Publisher.

W. H. ...
Clerk Circuit Court

NOTICE TO NON-RESIDENT

The State of Alabama, Baldwin County, Circuit Court, in Equity, this is the 27th day of October, 1926.

James A. Wallace, No. 633, vs. L. M. Flagler.

In this cause it being made to appear to the Clerk of this Court by the affidavit of James A. Wallace, that the Defendant L. M. Flagler is non-resident of the State of Alabama, and his address and place of residence being unknown to affiant, and that said L. M. Flagler, claims or is reputed to claim unjustly, some title or interest in affiant's real property described as follows: North half of the Southwest quarter of the Northwest quarter of Section Thirteenth, Township Six (6) East, Baldwin County, Alabama.

DUPLICATE \$3.00 COSTS

Second Page

633

James Wallace

vs

Tom Flager

Filed Dec 6/916

Per Receiver
Registered

STATE OF ALABAMA
COUNTY OF BALDWIN.

In Circuit Court. In Equity.

James A. Wallace
vs.
L. M. Flagler.

Bill to Quiet and Determine Title.

To the Honorable John D. Leigh, Judge of the Circuit Court, Baldwin County, Alabama. In Equity sitting.

Now comes James A. Wallace and humbly complaining against L. M. Flagler respectfully shows unto your Honor as follows:

First.

That your orator, James A. Wallace, and defendant herein, L. M. Flagler, are both over the age of twenty one years, and that orator is now and has been a resident of said State and County for a number of years last past. That said defendant is not now a resident of said State and his address and place of residence is to your orator unknown.

Second.

That your orator, James A. Wallace, now owner and is peacefully possessed of the following described real property: the North half southwest quarter of the northwest quarter of Section Thirty Three (33), Township Six (6) south, Range Four (4) east, in Baldwin County, Alabama, and said peaceable possession of said real property has continued from June 1st. 1922, up to and including the date of the filing of this Bill.

Third.

Your orator further alleges that said L. M. Flagler claims or is reputed to claim, unjustly, some title or interest in your orator's real property above described, the nature or character of such claim or title is unknown to your orator and he seeks that said L. M. Flagler be required by this Honorable Court to show the nature and extent of his claim or title and to have it adjudicated and determined by this Honorable Court.

Wherefore, the premises considered, your orator

prays that the defendant be required by this Honorable Court to show cause of the nature and extent of his alleged claim of title and have it adjudicated and determined, and your orator further prays that if it be adjudicated that the defendant has no valid or enforceable claim, title or demand as to or against the said real property of your orator, described herein, that whatever document ^{he} may have or hold, under or by which he wrongfully claims title or interest in said property, that such document be cancelled as a cloud upon orator's title, and that he, his heirs, executors, administrators, legal representatives or assigns and any person, persons, firms or corporations claiming in, through or by him, be forever barred from all claim to any estate, title, claim or interest in said real property or any of the rights, privileges or appurtenances thereunto belonging or in anywise appertaining or from whatever interest or title which he is claiming, which the court finds and decrees to be unjust or without right and for such other and further relief as to this Honorable Court may seem meet and proper

M. J. & C. Smith
Attorneys for Orator.

Foot Note. The defendant, L. M. Flagler, is required to answer every allegation of the foregoing bill, but not under oath. Oath is hereby expressly waived.

STATE OF ALABAMA

COUNTY OF BALDWIN.

James A. Wallace being duly sworn according to law, deposes and says that he is the orator in the within and foregoing Bill in Equity and has read said Bill, and the same is true of his own knowledge, except such matters as are therein stated on information and belief, and as to such statements he believes them to be true.

Sworn to and subscribed before
me this ___ day of October, 1926.

Copy

Jessie A Wallace
vs

L M Tilgner

Filed Oct 23/26
T W Rice
Register

Bay Minette, Ala.,

May 11 1927

J. W. Richardson

City

IN ACCOUNT WITH

G. W. Humphries

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Deed Tax and Mortgage Tax

Rec. Fee

Total

Please Return Bill With Remittance		Deed Tax and Mortgage Tax	Rec. Fee	Total
To	Deed Rec. Mart. from J. A. Wallace vs L. M. Flagler		65	
"	J. A. Wallace vs " " "		16	81
				81
<p>Paid 5/11/27</p> <p>G. W. Humphries</p> <p>J. W. Richardson</p>				

Largest Weekly Circulation in South Alabama

Bay Minette, Ala.,

M. J. W. Richardson, Register

THE BALDWIN TIMES

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

To notice To Non-Resident. of

James a Wallace vs L. M. Flagler

234 words 4 times

\$10 53

054
03

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

R. B. VAIL
EDITOR AND PROPRIETOR

BAY MINETTE, ALA.

ALFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

John Hilburn, being duly sworn, deposes and says that he is the ~~PUBLISHER~~ *Foreman* of THE BALDWIN TIMES, a Weekly Newspaper published at Bay

Minette,, Baldwin County, Alabama; that the notice hereto attached of _____

Notice To Non-Resident of

James a Wallace

vs

L. M. Flagler

Was published in said Newspaper for 4 consecutive weeks in the following

October 28 1926 Vol. 37 No. 39

Date of second publication *November 4, 1926* Vol. 37 No. 40

Date of third publication *November 11, 1926* Vol. 37 No. 41

Date of fourth publication *November 18, 1926* Vol. 37 No. 42

Subscribed and sworn to before the undersigned this 1st day of

Jan 1927
T. W. Richerson
Clerk Circuit Court

John Hilburn
~~Publisher~~
Foreman

NOTICE TO NON-RESIDENT

The State of Alabama, Baldwin County, Circuit Court, in Equity. This is the 27th day of October, 1926.
James A. Wallace, No. 633, vs L. M. Flagler.
In this cause, it being made to appear to the Clerk of this Court by the affidavit of James A. Wallace that the Defendant L. M. Flagler is non-resident of the State of Alabama, and his address and place of residence being unknown to affiant, and that said L. M. Flagler claims or is reputed to claim unjustly, some title or interest in affiant's real property described as follows: North half of the Southwest quarter of the Northwest quarter of Section Thirty-three (33) Township Six (6) South Range Four (4) East, Baldwin County, Alabama, and further in the belief of said affiant the Defendant is over the age of 21 years, it is therefore ordered that publication be made in The Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week, for four consecutive weeks, requiring the said L. M. Flagler to answer to or demur to the Bill of Complaint in this cause, by the 27th day of November, 1926, or after thirty days therefrom a decree in favor of the said L. M. Flagler. Pro Confesso may be taken against L. M. Flagler.
T. W. RICHERSON, Register.
C. B. Cravatt, Atty's. for Complainant.
39-46

James A. Wallace,

No. 633.

Complainant.

In the Circuit Court of Baldwin County, Alabama,

vs.

In Equity.

L. M. Flagler, Defendant.

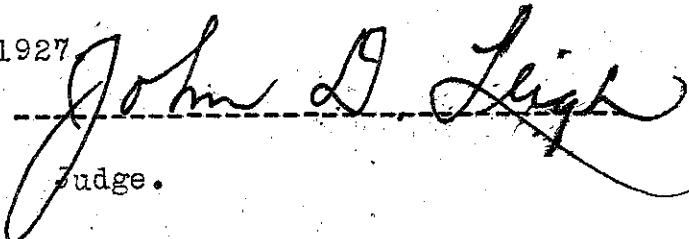
This cause coming on to be heard was submitted for decree on bill of complaint, proof of publication and decree pro confesso as noted, and upon consideration thereof the court is of the opinion that the complainant, ~~John~~ James A. Wallace is entitled to relief.

It is therefore ordered and decreed that the defendant L. M. Flagler, his heirs, executors, administrators, legal representatives or assigns or any person or persons, firms or corporation claiming in, through or by him have no estate or interest in or encumbrance upon the following described lands, or any part thereof, viz.:- North half of Southwest ~~xxxx~~ quarter of the Northwest quarter of Section thirty three(33), Township Six (6) South of Range Four (4) East, in Baldwin County, Alabama.

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

It is further ordered that complainants pay the costs of this cause, for which execution may issue.

Done this the ^{30th} day of April 1927



Judge.

20

Final Decree

Final Decree of 1927
The Recorder
Repealed

RECORDED

WOODFORD MABRY
ALFRED H. CROVATT

MABRY & CROVATT
ATTORNEYS & COUNSELORS
FOLEY, ALABAMA

October 21st., 1926.

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

Dear Sir:-

In Re: James A. Wallace Vs. L. M. Flarler.

Herewith we beg to hand you Bill to Quiet Title etc. in the above matter, which kindly file.

You will note that the defendant is a non resident, therefore service will have to be perfected by publication.

With regards etc., we are,

Very truly yours,

Mabry & Crovatt

STATE OF ALABAMA
COUNTY OF BALDWIN.

Ex Parte Michael Ulrich.

Circuit Court of Baldwin County, Alabama.

To the Honorable John D. Leigh, Judge of the Circuit Court, Baldwin County, Alabama. In Equity sitting.

Comes petitioner, Michael Ulrich, and shows unto the Court as follows:

First. That on or about the 1st day of July 1926, a decree of divorce was granted by this Honorable Court, in a case wherein Michael Ulrich was complainant and Minnie Ulrich was respondent, said complainant, ^{and Cross Respondent} being your petitioner, which decree dissolved the bonds of matrimony existing between said Michael Ulrich and Minnie Ulrich on the ground of cruel treatment. That in said decree of divorce no order was made allowing or disallowing your petitioner to marry again.

Second. Your petitioner avers that he is an able bodied man of good character and habits and bears an excellent reputation in the community in which he lives; is domestic by nature and enjoys home life.

The premises considered, petitioner prays that a decree be rendered allowing him to marry again.

Respectfully submitted,

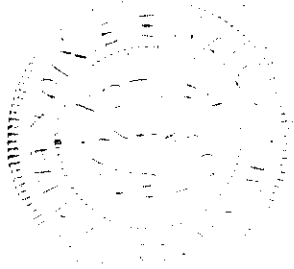
Richard, Bube & Hall,
Michy & Lovett
Solicitors for petitioner.

STATE OF ALABAMA
COUNTY OF BALDWIN.

In person appeared before me, the undersigned,
an officer duly authorized to administer oaths, [Signature]
who being first duly sworn deposes and says on oath that he has
known Michael Ulrich, the person named in a petition to be al-
lowed to remarry, for more than one year and during that time
has had opportunity to observe the conduct and character of the
said Michael Ulrich, and he has always found him to be a man
of good moral character and habits, is industrious, reliable
and trustworthy, and is of a home loving nature. Deponents
avers further that said Michael Ulrich bears an excellent re-
putation in the community in which he lives.

Sworn to and subscribed before me
this 12 day of Oct., 1926.

[Signature]
Notary Public Baldwin County, Alabama.



STATE OF ALABAMA
COUNTY OF BALDWIN.

In person appeared before me, the undersigned, an officer duly authorized to administer oaths, Frank Holz who being first duly sworn deposes and says on oath that he has known Michael Ulrich, the person named in a petition to be allowed to remarry, for more than one year and during that time has had opportunity to observe the conduct and character of the said Michael Ulrich, and he has always found him to be a man of good moral character and habits, is industrious, reliable and trustworthy, and is of a home loving nature. Deponents avers further that said Michael Ulrich bears an excellent reputation in the community in which he lives.

Sworn to and subscribed before me
this 12 day of Oct, 1926.

Dixie E. Tailor
Notary Public Baldwin County, Alabama.

Frank Holz

