LILLA BARTON, OLIVIA B. STROHM, VICTORIA MOODY, MRS. THOMAS SPRECHER and RUTH K. BARTON,

Complainants.

-VS-

IN THE CIRCUIT COURT-EQUITY SIDE STATE OF ALABAMA BALDWIN COUNTY

No. 848

BRAINARD WAYNE JOHNSON.

Respondent.

FINAL DECREE.

This cause comes on regularly to be heard in term time and is submitted by the Complainants for Final Decree on Original Bill of Complaint, Order of Publication as to Non-resident Defendant as issued by the Register on May 30, 1929, Affidavit of Publication of Order of Publication as filed in this cause on June 21st, 1929, Certificate by Register as to issuance, publication, posting and mailing of Order of Publication, Motion for Decree Pro Confesso on Service by Publication, Decree Pro Confesso on Service by Publication and Testimony as Noted by the Register, and thereupon the Court ascertains and decrees that this cause is at issue.

Upon consideration of said cause it is made to appear and the Court hereby ascertains that the Complainants are entitled to the relief prayed for.

IT IS NOW, THEREFORE, HEREBY CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT:-

That the Complainants have judgment as prayed for in their Bill of Complaint.

That the Respondent, Brainard Wayne Johnson, has no right. title or interest in or encumbrance upon the following described lands, or any part thereof, viz:-

> The East half of the Northeast Quarter of the Northwest Quarter (Es of NEt of NWt) of Section Thirty-three (33) in Township Six (6) South of Range Six (6) East, in Baldwin County, Alabama.

That the Register of this Court shall, within thirty days from the rendition of this Decree, file the same or a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, the county in which the land lies, and tax the expense

(page one)

thereof in the costs of the cause. The Probate Judge shall record such Decree in the same book and manner in which deeds are recorded and index the same in the name of Brainard Wayne Johnson in direct index and in the names of Lilla Barton, Olivia B. Strohm, Victoria Moody, Mrs. Thomas Sprecher and Ruth K. Barton in the Reverse Index.

That the Complainants be and they hereby are taxed with all the costs of this cause, for which let execution issue.

Done in term time this 24 day of September, 1930.

State of Alabama.

The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

	f the State of Alabama MAND YOU, That yo				
- 1	Brainard Wa	ayne Johnson			
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of		ounty, to be and a	opear before tl	ne Judge of th	e Circuit Court
of Baldwin Count	y, exercising Chancery	jurisdiction, with	in thirty days	after the se	ervice of Sum-
mons, and there t	o answer, plead or dem	nur, without oath,	to a Bill of Co	mplaint lately	exhibited by
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aid Defendant sha his writ with your	and perform what said all in no wise omit, und endorsement thereon,	er penalty, etc. to our said Court	And we further immediately u	command tha on the execut	it you return ion thereof.
WITNESS, February,	T. W. Richerson, Regi	ster of said Circuit	Court, this	8th_	day of
	193 0		w.C.	un	·

Lilla Barton, Olivia B. Strohm, Victoria Moody, Mrs Thomas Sprecher and Ruth K. Barton, Complainants.

vs.
Brainard Wayne Johnson.
----Respondent.

In the Circuit Court Equity Side.

State of Alabama Baldwin County.No.848.

FINAL DECREE.

This cause comes on regularly to be heard in term time and is submitted by the Complainants for final Decree on Original Bill of Complaint, Order of Publication as to Non Resident Defendant as issued by the Register on May 30,1929, Affidavit of Publication of Tororder of Publication as filed in this cause on June 21st,1929, Certificate by Register as to issuance, publication, posting and mailing of order of Publication, Motion for Decree Pro confesso on Service by Publication and testimeny as noted by the Register, and thereupon the Court ascertains and decrees that this cause is at issue.

Upon consideration of said cause it is made to appear and the Court hereby ascertains that the Complainants are entitled to the relief prayed for.

IT IS PNOW, THEREFORE, HEREBY CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT:-

That the Complainants have judgment as prayed for in their Bill of Complaint.

That the Respondents Brainard Wayne Johnson, has no right, title or interest in or encumbrance upon the following described lands, or any part thereof, viz:-

The East half of the Northeast Quarter of the Northwest Quarter (E_2) of NE $_4$ of N.W. $_4$) of Section Thirty -three (33) in Township Six (6) South of Range Six(6) East, in Baldwin County, Alabama.

That the Register of this Court shall within thirty days from the rendition of this Decree, file the same or a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, the County in which the land lies, and tax the expense thereof in the costs of the cause, The Probate Judge shall record such Decree in the same book and manner in which deeds are recorded and index the same in the name of Brainard Wayne Johnson in direct index and in the names of Lillq Barton, Olivia BLStrohm, Victoria Moody, Mrs. Thomas Sprecher and Ruth K.Barton in the Reverse Index.

That the Complainants be and they hereby are taxed with all the costs of this cause, for which let execution issue.

Done in term time this 24th day of September, 1930.

F.W.Hare.

Judge 21st Judicial Circuit of the State of Alabama.

State of Alabama, Baldwin County.

I.T.W.Richerson, as Register of the Circuit

Court of Baldwin County, Alabama, hereby certify that the foregoing is a true and correct copy of the "Final Decree" as as rendered in that certain cause in the Circuit Court Equity Side -Baldwin County, Alabama, wherein Lilla Barton et al are Complainants and Brainard Wayne Johnson is Respondent, being cause numbered 848, as the same appears of record in said Court.

In witness whereof, I herunto set my hand, as Register, and affix the Seal of said Court on this the 24th day of September, 1930.

As Register.

LILLA BARTON, OLIVIA B. STROHM, VICTORIA MOODY, MRS. THOMAS SPREGHER and RUTH K. BARTON

Jomplainants.

IN THE CIRCUIT COURT-EQUITY SIDE, STATE OF ALABAMA,

DALININ GOINTY.

io e

BRAINARD WAYNE JOHNSON,

Residents/

INTIME TO HON-RESIDENTS.

Complainants in this cause having filed their Bill of Complaint alleging this they own and claim to own in their own right, and are in the peaceable possession of the following described lands in Baldwin County, Alabama, viz: " The East half (Eg) of the Northeast quarter (NE) of the Northwest quarter (NE) of Section Thirty-three (35) in Township Six (6) South of Range Six (6) East", that the Respondent named in the Bill of Complaint claims or is reputed to claim some right, title or interest in, or encumbrance upon said lands, and dalling upon said Respondent to set footh and specify his title, claim or interest or encumbrance upon the said lands, or any part thereof, and how and by what instrument the same is derived; that no suit is pending to enforce or test the validity of such title, claim or encumbrance asserted by the Respondent or by anyone else, there being no pending litigation involving in any way the title to said lands.

And it being made to appear to the Register of this Court by the Affidevit of Morborne Stone as Agent of and Attorney for the Compleinants, appended to the Bill, that the Respondent, Brainard Wayne Johnson, is over the age of SI years, is a non-resident of the State of Alabama, and resides at 830 S. Wabash Ave., Chicago, Illinois.

IT IS THEREFORE ordered that notice by publication be given to Brainard Wayne Johnson, the Respondent in said cause, by publication to be made in the Baldwin Times, a newspaper printed in the English Language, published and of general circulation in Baldwin County, Alabama, said publication to be made once a week for four consecutive weeks and the said Respondent, Brainard Wayne Johnson be and he is hereby requested to answer or domur to said Bill before the day of the Respondent of the Respon

In witness whereof I hereunto set my hand and affix the seal of said Courty this <u>30</u> day of 1929.

Jankenson Register LILLA BARTON, OLIVIA B. STROHM, VICTORIA MOODY, MRS. THOMAS SPRECHER and RUTH K. BARTON,

Complainants.

BRAINARD WAYNE JOHNSON,

Respondent.

IN THE CIRCUIT GOURT-EQUITY SIDE, STATE OF ALABAMA, BALDWIN COUNTY.

TO THE HONORABLE THE CIRCUIT COURT-EQUITY SIDE, STATE OF ALABAMA, BALDWIN COUNTY AND THE HON. FRANCIS W. HARE, JUDGE THEREOF.

Comed you Complainants, Lilla Barton, Olivia B. Strohm, Victoria Moody, Mrs. Thomas Sprecher and Ruth K. Barton, and exhibit this their Bill of Complaint against the Respondent, Brainard Wayne Johnson and for grounds thereof, shows:-

FIRST. That your Complainants are over the age of 21 years and that the subject matter of this cause is real property located in Baldwin County, Alabama.

SECOND. That Brainard Wayne Johnson, the Respondent, is over the age of 21 years and is a non-resident of the State of Alabama, residing at 850 S. Wabash Ave., Chicago, Illinois.

THRD. That your Complainants claim to own in their own right and are in the peaceable possession of the following described land in Baldwin County, Alabama, Viz:-

East half (B) of the Northeast quarter (NE) of the Northwest Suarter (NW) of Section Thirty-three (55) in Township Six (6) South of Range Six (6) East.

TOURTH. That no suits are pending to enforce or test the validity of such claim, title or encumbrance asserted or reputed to be asserted by the Respondent or anyone else, there being no pending litigation involving in any way the title to said lands.

reputed to claim some right, title or interest in or encumbrance upon the said lands and your Complainants hereby call upon the said Respondent to set forth and specify his title, claim or interest or encumbrance upon said lands or any part thereof and how and by what instrument the same is derived and created.

respectfully pray that the above named party against whom this suit is brought, be made party Defendant to this cause and be brought into Court by Publication or through such other order, decree or process as may be appropriate in the premises.

That upon a final hearing of this cause it be rendered adjudged and decreed that the above named party against whom this cause is brought has no right, title or interest in or holds any lien or encumbrance upon the land hereinabove described, or any part thereof, and that against the said party, your Complainants have a good and perfect title to all of said lands and that their said title to said lands be forever quieted as against the above named Respondent. Should Complainants be mistaken in the relief herein sought, then that such other, further and different relief be granted Complainants as may be equitable in the premises, and as in duty bound, they will ever pray, etc.

Solicitor for complainants.

FOOT NOTE:-

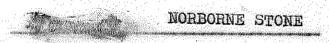
The Respondent is required to answer each paragraph of the foregoing Bill of Complainant from "FIRST" to "FIFTH" both inclusive but answer under eath is hereby expressly waived.

Solicitor for Complainants.

STATE OF ALABAMA.
BALDWIN COUNTY.

Before me, the undersigned authority in and for said County in said State, personally expeared Norborne Stone who is known to me and who, after being by my first duly and legally sworn, doth depose and say under seath as follows:-

the age of 21 years and is a resident of Haldwin County, Alabama; that he is the same person whose name is signed to the foregoing Bill of Complaint as Solicitor for Complainants; that he is the Agent of and Attorney for the Complainants; Lilla Barton, Olivia B. Strohm, Victoria Moody, Mrs. Thomas Sprecher and Ruth K. Barton and as such is authorized to make this Affidavit; that Brainard Wayne Johnson, the Respondent in said cause, is over the age of 21 years and is a non-resident of the State of Alabama, residing at 850 S. Wabash Ave., Chicago, Illinois, and that service by publication against the said Brainard Wayne Johnson is necessary to make him party Defendant to said cause.



Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 20th day of May 1925.

John Chason

Notary Public, Baldwin County,

Seal

Summonsoriginal					Mod	ore Printing Co	., Bay Minet	ite, Ala
The State of Baldwin	of Alaba	ma,}	Circuit	Court c	of Baldw	in County	, In Equ	i ity
To Any Sheriff of the	State of Alaban	a-GREET	`ING:			vägyletugäänliö.	Approximation and action	e yen en kanaa
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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 <u>8th</u> day of February, 193

T. W. Richerson

Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

LILLA BARTON, ET AL, Complainants,

IN THE CIRCUIT COURT-EQUITY SIDE STATE OF ALABAMA

-VS-

BALDWIN COUNTY.

.

No. 848.

BRAINARD WAYNE JOHNSON,
Respondents.

DECREE PRO CONFESSO ON SERVICE BY PUBLICATION.

In this cause it appearing that the Order of Publication heretofore made on May 30, 1929 by the Register against the Respondent, was duly published in the Baldwin Times, a newspaper published at Bay Minette, Alabama, printed in the English language and of general circulation in Baldwin County, Alabama, the county where published, said publication being made once a week for four consecutive weeks, being made in the issues of May 30th, June 6th, June 13th and June 20, 1929; that the Register did post up at the door of the Courthouse of Baldwin County, Alabama a copy of said Order and did send by mail copy thereof to the Defendant at his residence shown by the Bill of Complaint, said notice being so posted up and mailed on the 31st day of May, 1929, being within twenty days from the making of said Order, and it now further appearing that the Respondent has to the date hereof, being more than thirty days after the period specified in the Order of Publication, failed to appear and plead, answer or demur to the Bill of Complaint in this cause, and without the time for answering or pleading having been extended.

It is, therefore, on motion of the Complainants ordered and decreed by the Register that the said Original Bill of Complaint and it hereby is in all things taken as confessed against the said Brainard Wayne Johnson, Respondent.

IN WITNESS WHEREOF, I hereunto set my hand as Register and affix the seal of the Circuit Court of Baldwin County, Alabama, on this the 4th day of August, 1930.

Del Register.

LILLA BARTON, ET AL,

Complainants,

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY

No. 848.

Respondents.

MOTION FOR DECREE PRO CONFESSO ON SERVICE BY PUBLICATION. TO THE HON. T. W. RICHERSON, REGISTER:

Come the Complainants, by Norborne Stone as their Solicitor of record, and move that a Decree Pro Confesso on Service by Publication be made and entered in this cause against the Respondent, Brainard Wayne Johnson, and for grounds of this Motion show that the Order of Publication against said Respondent as heretofore made in this cause has been duly published, posted and mailed as required by law and that more than thirty days have elapsed after the period specified in the Order of Publication, and that said Respondent has failed to plead, answer or demur to the Original Bill of Complaint in this cause and that the time for so answering or pleading has not been extended.

wherefore, Complainants move that a Decree Pro Confesso on Service by Publication be made and entered against the Respondent.

olicitor for Complainants.

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LILLA BARTON, ET AL, Complainants.

-VS-

BRAINARD WAYNE JOHNSON,

Respondent.

IN THE CIRCUIT COT

STATE OF

BALDWI

No

CERTIFICATE BY REGISTER AS TO ISSUANCE, PUBLING OF ORDER OF PUBLICATION AS TO NON-RESTD

I, T. W. Richerson, as Register of the Side-of Baldwin County, Alabama, do hereby certify been shown and made to appear by Affidavit of the S and Agent of the Complainants, appended to the Bill that the Defendant was a non-resident of the State siding at and his post-office address being as alleged in the Bill of Complaint, and that said Defendant was over the age of twenty-one years, I, as such Register, did on the 30th day of May, 1929, make an Order against said Defendant requiring him to answer or demur to the Bill of Complaint before the 30th day of June, 1929, being a day not less than thirty nor more than fifty days from the making thereof; that I had said Order of Publication published in the Baldwin Times, a newspaper published at Bay Minette, Alabama, printed in the English language and of general circulation in Baldwin County, Alabama, the county where published, said publication being made once a week for four consecutive weeks, being made in the issues of May 30th, June 6th, June 13th and June 20th, 1929; that I did post up at the door of the Court House of Baldwin County, Alabama, a copy of said Order and did send by mail another copy thereof to the Defendant at the residence shown by the Bill of Complaint, said Notice being by me so posted up and sent by mail on the 31st day of May, 1929, being within twenty days from the making of said Order.

IN WITNESS WHEREOF, I hereunto set my hand as Register and affix the seal of said Circuit Court, on this the seal day of the 1930

Mouleum As Register.

LILLA BARTON, OLIVIA B. STROHM, VICTORIA MOODY, MRS. THOMAS SPRECHER and RUTH K. BARTON.

Complainants.

-75-

BRAINARD WAYNE JOHNSON.

Respondent.

IN THE CIRCUIT COURT-EQUITY
SIDE, STATE OF ALABAMA,
BALDWIN COUNTY.
No. 84-8

TO THE HONORABLE THE CIRCUIT COURT-EQUITY SIDE, STATE OF ALABAMA, BALDWIN COUNTY AND THE HON. FRANCIS W. HARE, JUDGE THEREOF.

Come you Complainants, Lilla Barton, Olivia B. Strohm, Victoria Moody, Mrs. Thomas Sprecher and Ruth K. Barton, and exhibit this their Bill of Complaint against the Respondent, Brainard Wayne Johnson and for grounds thereof, shows:-

FIRST. That your Complainants are over the age of 21 years and that the subject matter of this cause is real property located in Baldwin County, Alabama.

SECOND. That Brainard Wayne Johnson, the Respondent, is over the age of 21 years and is a non-resident of the State of Alabama, residing at 830 S. Wabash Ave., Chicago, Illinois.

THIRD. That your Complainants claim to own in their own right and are in the peaceable possession of the following described land in Baldwin County. Alabama, viz:-

East half (\mathbb{E}_{2}^{1}) of the Northeast quarter ($\mathbb{N}\mathbb{E}_{4}^{1}$) of the Northwest quarter ($\mathbb{N}\mathbb{E}_{4}^{1}$) of Section Thirty-three (33) in Township Six (6) South of Range Six (6) East.

FOURTH. That no suits are pending to enforce or test the validity of such claim, title or encumbrance asserted or reputed to be asserted by the Respondent or anyone else, there being no pending litigation involving in any way the title to said lands.

FIFTH. That the Respondent above named claims or is reputed to claim some right, title or interest in or encumbrance upon the said lands and your Complainants hereby call upon the said Respondent to set forth and specify his title, claim or interest or encumbrance upon said lands or any part thereof and how and by what instrument the same is derived and created.

wherefore, the premises considered, your complainants respectfully pray that the above named party against whom this suit is brought, be made party Defendant to this cause and be brought into Court by Publication or through such other order, decree or process as may be appropriate in the premises.

That upon a final hearing of this cause it be rendered adjudged and decreed that the above named party against whom this cause is brought has no right, title or interest in or holds any lien or encumbrance upon the land hereinabove described, or any part thereof, and that against the said party, your Complainants have a good and perfect title to all of said lands and that their said title to said lands be forever quieted as against the above named Respondent. Should Complainants be mistaken in the relief herein sought, then that such other, further and different relief be granted Complainants as may be equitable in the premises, and as in duty bound, they will ever pray, etc.

Solititor for Complainants.

FOOT NOTE:-

The Respondent is required to answer each paragraph of the foregoing Bill of Complainant from "FIRST" to "FIFTH" both inclusive but answer under oath is hereby expressly waived.

Selicitor for Complainants.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority in and for said County in said State, personally appeared Norborne Stone who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath as follows:-

the age of 21 years and is a resident of Baldwin County, Alabama; that he is the same person whose name is signed to the foregoing Bill of Complaint as Solicitor for Complainants; that he is the Agent of and Attorney for the Complainants, Lilla Barton, Olivia B. Strohm, Victoria Moody, Mrs. Thomas Sprecher and Ruth K. Barton, and as such is authorized to make this Affidavit: that Brainard Wayne Johnson, the Respondent in said cause, is over the age of 21 years and is a non-resident of the State of Alabama, residing at 850 S. Wabash Ave., Chicago, Illinois, and that service by publication against the said Brainard Wayne Johnson is necessary to make him party Defendant to said cause.

Morm How

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 29 day of Way 1929.

Notary Public, Beldwin County,

SERVE ON Brainard Wayne Johnson	THE STATE OF ALABAMA,				
Circuit Court of Baldwin County	BALDWIN COUNTY	-			
In Equity					
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SUMMONS	day of 19-	!			
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Strohm Victoria Moody, Mrs.	Executed thisday	y o			
Thomas Sprecher and Ruth K.		-i			
Barton	by leaving a copy of the within Summons w	vitl			
vs. Brainard Wayne Johnson	Defendan	t,			
	Sherif	f .			
	By	f,			
Norborne Stone					
Solicitor for Complainant					
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STATE OF ALABAMA. BALDUIN COUNTY.

21 years and is a non-resident of the State of Alabema, residing Weyne Johnson, the Respondent in said cause, is over the age of and as Suc is authorized to make this Affidavit: that Brainard Stanhall Tictoria Moody, Mrs. Thomas Sprecher and Ruth K. Barton gent & at Attorney for the Complexithys, Lilla Barton, Olivia of Complaint as Bolicitor for Capifainants"; that he is the helis the same person whose name is signed to the foregoing Dyears and is a resident of Maldwin County, Alabana; ⁺OĮ, That his name talker forthe stone; that he is over Aoth/depose and say under -: smoffo, known to me and who, after be he by me first duly and legally said County in said State, persolate apeared Norborne Stone who Before me, the understaned euthority in and for

publication against the said Brainard Wayne Johnson is necessary

at 850 S. Wabash Ave., Chicago, Illinois, and that service by

NORBORNE STONE

Sworn to and subscribed before me, a Notary Public whose seal is hereto affixed, this 20th day of May 1929.

to make him party Defendant to said cause.

John Chason

Notary Public, Baldwin County,
Alabama.

Seal

SERVE ON Brainard Wayne Johnson	THE STATE OF ALABAMA, BALDWIN COUNTY			
Circuit Court of Baldwin County In Equity				
	Received in office this			
No SUMMONS	day of19			
Lilla Barton, Olivia B.	Sheriff.			
Strohm Victoria Moody, Mrs.	Executed thisday o			
Thomas Sprecher and Ruth K. Barton	by leaving a copy of the within Summons with			
	by leaving a copy of the within Sammons with			
vs. Brainard Wayne Johnson	Defendant.			
	Sheriff. By Deputy Sheriff.			
Norborne Stone	Och 8, Copy of Bill V summons new Deff. by Regument			
Solicitor for Complainant Recorded in Vol Page				

LILLA BARTON, ET AL,	THE STATE OF ALABAMA,
Complainants	BALDWIN COUNTY
VS.	IN EQUITY,
BRAINARD WAYNE JOHNSON,	GIRCUIT COURT OF BALDWIN COUNTY.
Respondents. This cause is submitted in behalf of Comp	lainant upon the original Bill of Complaint,
그 이 보면이 하는데 살아보다는 그 학생들은 그는 그는 사람들은 살아 살아 하는 것이 되었다면 하는데 살아 되었다. 그는 사람들은 그는 사람들은 그는 사람들은 그는 사람들이 되었다.	esident Defendant as Issued by the At of Publication, Order of Publica-
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· · · · · · · · · · · · · · · · · · ·	Register

8581 NOTE OF TESTIMONY

AFTER FIVE DAYS RETUR

T. W. RICHERSON

GISTER AND CLERK OF THE CIRCUIT COURT BALDWIN COUNTY

BAY MINETTE, ALA.

keturn Receipt Requested, Ecc Paid.

Deirer to addressee only.

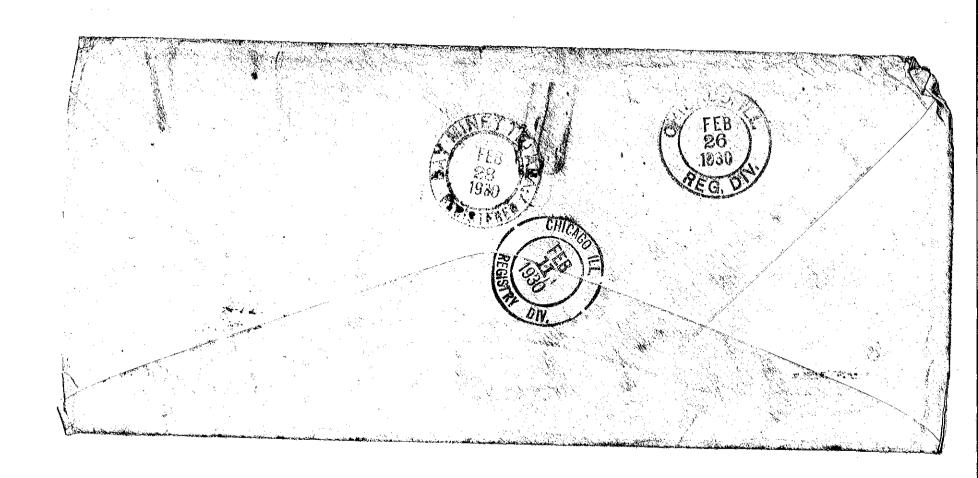
(Deliver to addressee only)

(Return receipt demanded)

Brainard Wayne Johnson,

830 S. Vabash St...





No
THE STATE OF ALABAMA BALDWIN COUNTY
IN EQUITY, CIRCUIT COURT OF BALDWIN COUNTY
LILIA BARTON ET AL,
Compleinants.
VS
BRAINARD WAYNE JOHNSON Respondent.
NOTE OF TESTIMONY
Filed in Open Court this 23 d
Register

MOORE PTGCO

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