

WILLIAM FIALA,

Complainant,

vs.

JOSEPH SCHULTZ, et al,

Respondents.

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, _____
For Service By
Affidavit ~~or~~ Publication, Decrees Pro Confesso on Publication, _____
Decrees Pro Confesso on Personal Service, Register's Certificate, _____

and in behalf of Defendant upon _____



Register.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 267 January, Term, 1937

WILLIAM FIALA, Complainant

Vs.

JOSEPH SCHULTZ, et al Defendant

Motion is hereby made for ~~x~~ Decree Pro Confesso against ~~Albert Schultz, Samuel Schultz,~~
~~Ida Brinkman, Hilda Railey, Fred Railey, Thelma Railey, Annie Railey,~~
~~Fred Railey, Leo Remy, Levine Remy, Troy Remy, John Nello Remy,~~
~~Ethel Remy, Leroy Remy, Hilda Davis, Ada LaCoste,~~ 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 5th day of January 1937

Lloyd A. Magney
Solicitor.

The State of Alabama,
Baldwin County.

{ No. 267 CIRCUIT COURT IN EQUITY.

WILLIAM FIALA, Complainant

VS.

JOSEPH SCHULTZ, et al., Defendant.s

Motion is hereby made for a Decree Pro Confesso against Joseph Schultz, Theresa Lipscomb, Winifred Touart, Mary Bain, Earl Railey and Agnes Steiner,

Defendant .s

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant.s; and that said summons was duly served according to law, and that said Defendant.s have failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 5th day of January 19 37

Lloyd A. Magney, Solicitor.

WILLIAM FIALA,
Complainant,
-vs-
JOSEPH SCHULTZ et al,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY
No. 267

CERTIFICATE OF REGISTER

STATE OF ALABAMA }
BALDWIN COUNTY }

I, R. S. Duck, Register in Chancery of Baldwin County, Alabama, do hereby certify:

That upon the filing of the bill of complaint on October 20th, 1936, it appearing from the affidavit of Lloyd A. Magney, attorney for the complainant, that the respondents Ida Brinkman, Hilda Davis, Albert Schultz, Samuel Schultz, Fred Railey, Thelma Pailey, Hilda Railey, Annie Railey, Fred Railey, Ada Lacost, Leo Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy and Leroy Remy, are each and all non-residents of the State of Alabama, I caused to be prepared a notice to each and all of said non-resident defendants, requiring them to plead, answer or demur to the bill of complaint by the 24th day of November, 1936, or in thirty days thereafter a decree pro confesso against them and each of them.

This notice I caused to be published in The Onlooker, a legal newspaper published at Foley, Alabama, for four consecutive weeks, commencing with the issue dated October 22nd, 1936, and ending with the issue dated November 12th, 1936, proof of the publication of said notice being on file in this cause.

On said 20th day of October, 1936, I also posted a copy of said notice at the door of the Baldwin County Court house and thereafter mailed a copy of said notice to each of the non-resident defendants, whose address was known, being the respondents, Hilda Davis, Albert Schultz, Samuel Schultz, Fred Railey, Thelma Railey, Hilda Railey, Anna Railey and Fred Railey.

That none of said respondents have made any appearance or filed any pleading in said cause, although the time fixed for them to do so has expired.

I further certify that on said October 20th, 1936, I issued summons to each of the respondents, Joseph Schultz, Agnes Steiner, Earl Railey, Mary Bain, Winifred Touart and Theresa Lipscomb, and delivered the same to the sheriff of Mobile County, who made return on each of said summons, showing personal service on respondents Joseph Schultz and Agnes Steiner on October 23rd, 1936; On Earl Railey on October 27th, 1936; on Mary Bain on November 25th, 1936 and on Winifred Touart and Theresa Lipscomb on October 28th, 1936, and none of said respondents have made any appearance or filed any pleading in said cause.

IN WITNESS WHEREOF: I have hereunto set my hand this 5th

day of ~~December~~, ~~1936~~.

January 1937

R. L. Deach

The State of Alabama, } Circuit Court of Baldwin County, In Equity
Baldwin County

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Joseph Schultz, Agnes Steiner,
Theresa Lipscomb, Winifred Touart, Mary Bain, Earl Railey, Ida
Brinkman, Hilda Davis, Albert Schultz, Samuel Schultz, Fred Railey,
Thelma Railey, Hilda Railey, Annie Railey, Fred Railey, Ada Lacoste,
Leo Remy, Levine Remy, Troy Remy, John Nello, Remy, Ethel Remy,
Leroy Remy

of _____ 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 Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

William Fiala

against said Joseph Schultz, 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, Robert S. Duck, Register of said Circuit Court, this 20th day
of October 1936

Robert S. Duck Register

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

WILLIAM FIALA,
Complainant,
vs
JOSEPH SCHULTZ et al,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

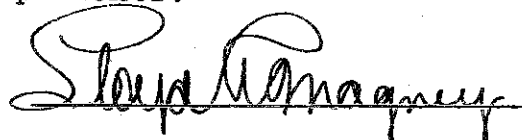
AFFIDAVIT FOR SERVICE
BY PUBLICATION

STATE OF ALABAMA)
BALDWIN COUNTY)

Lloyd A. Magney, being first duly sworn, on his oath deposes and says:-

That he is solicitor of record for the above named complainant; that the respondent, Ida Brinkman, is a non-resident of the State of Alabama, her place of residence being unknown to the complainant and to this affiant; that the respondent, Hilda Davis, is a non-resident of the State of Alabama, residing at Onset, in the state of Massachusetts; that the respondent, Albert Schultz, is a non-resident of the State of Alabama, residing at Houston, in the State of Texas; that the respondent, Samuel Schultz, is a non-resident of the State of Alabama, residing at Houston, in the state of Texas; that the respondents, Fred Railey, Thelma Railey, Hilda Railey, Annie Railey and Fred Railey, are each and all non-residents of the State of Alabama, residing at Biloxi, in the State of Mississippi; that the respondent, Ada LaCoste, is a non-resident of the State of Alabama, her place of residence being unknown to your complainant and this affiant; that the respondents, Leo Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy and Leroy Remy, are each and all non-residents of the State of Alabama, their places of residence being unknown to the complainant and to this affiant.

This affidavit is made for the purpose of procuring service by publication upon said respondents.


Lloyd A. Magney

Subscribed in my presence and sworn to before me this 70th
day of October, 1936.

Gus Schultz

Notary Public

R. S. DUCK

Register and Clerk of the
Circuit Court, Baldwin County
BAY MINETTE, ALA.

DECEMBER 21, 1936.

Mr. Samuel Schultz,
Houston, Texas.

Re: FIALA vs. SCHULTZ, et al.

Dear Sir:

I am enclosing herewith a copy
of the notice of publication in the above
styled case.

Very truly yours,

R. S. Duck (2)

R. S. Duck,
Register in Chancery.

RSD:MLF
Encl.

The State of Alabama,
Baldwin County.

No. 200 CIRCUIT COURT IN EQUITY.

WILLIAM FIALA, Complainant

vs.

JOSEPH SCHULTZ, et al. Defendants

In this cause it appears to the Register
that a summons requiring the Defendants, Joseph Schultz, Theresa Lipscomb,
Winifred Touart, Mary Bain, Earl Railey and Agnes Steiner,

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days
after the service of said Summons upon said Defendants
was served upon them by the Sheriff of Mobile County, Alabama, on the
day of 19

Joseph Schultz and Agnes Steiner, Oct. 23, 1936; Earl Railey, Oct.
27, 1936; Winifred Touart and Theresa Lipscomb, Oct. 28, 1936
and Mary Bain, November 25, 1936.

And the said Defendants having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of Elroy A. Magney, Solicitor for
Complainant,

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things
taken as confessed against the said Respondents, Joseph Schultz, Agnes
Agnes Steiner, Earl Railey, Winifred Touart, Theresa Lipscomb and
Mary Bain.

Defendants aforesaid.

This 5th day of January 1937

R. S. Smith

Register.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

1937

No. 267 Jan. Term, 1937

WILLIAM FIALA, Complainant

vs. JOSEPH SCHULTZ, et al Defendants

In this cause it appears to the Register, Robert S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 22nd day of October, 1936, in the Foley Onlooker a newspaper published in Foley Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 20th day of October 1936, and

And it now further appearing to the Register Robert S. Duck, that the said Albert Schultz, Samuel Schultz, Ida Brinkman, Hilda Railey, Fred Railey, Thelma Railey, Annie Railey, Fred Railey, Leon Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy, Leroy Remy, Hilda Davis, Ada LaCoste,

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 Robert S. Duck, that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Albert Schultz, Samuel Schultz, Ida Brinkman, Hilda Railey, Fred Railey, Thelma Railey, Annie Railey, Fred Railey, Leo Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy, Leroy Remy, Hilda Davis, Ada LaCoste.

This 5th day of January 1937

R. Duck

Register.

WILLIAM FIALA,
Complainant,
vs.
JOSEPH SCHULTZ et al,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY, NO. 267

DECREE

This cause coming on to be heard on the bill of complaint, the certificate of the register as to the service upon the respondents and decrees pro confesso against the respondents and it appearing to the court from the proof on file that the service upon the respondents and each of them is, in all things, due and regular and in conformity with the laws of the State of Alabama and that the court has jurisdiction of the respondents and the subject matter of the cause, the same was submitted to the court.

The allegations of the bill of complaint having been confessed the court finds that said allegations are true and the complainant entitled to relief as prayed for in his bill.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the respondents, Joseph Schultz, Agnes Steiner, Theresa Lipscomb, Winifred Touart, Mary Bain, Earl Railey, Ida Brinkman, Hilda Davis, Albert Schultz, Samuel Schultz, Fred Railey, Thelma Railey, Hilda Railey, Annie Railey, Fred Railey, Ada Lacoste, Leo Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy, Leroy Remy and each of them have no right, title, interest in or encumbrance upon the following described real estate in Baldwin County, Alabama, to-wit:

From the Southeast corner of township eight (8) south of range three (3) east, run west 13 chains and 72 links and thence north 39 degrees nine (9) minutes east, 3 chains and 78 links for a point of beginning; thence north 39 degrees and 45 minutes west 54 chains and 36 links; thence north 68 degrees west, 6 chains, more or less, to a stake on the east margin of Bon Secour River at the mouth of a ditch; thence north 22 degrees and 30 minutes east one (1) chain and 98 links up the margin of Bon Secour River; thence south 68 degrees east 6 chains; thence south 39 degrees and 45 minutes east, 54 chains and 36 links, more or less, to the east line of the John Cook Grant in Township eight (8) south of Range three (3) east; thence south 39 degrees and 9 minutes west 2 chains and 2 links to the point of beginning; containing ten

(10) acres, more or less, and being lot numbered two (2) according to a plat dated December 23rd, 1908, in the division of the estate of John LaCoste, Sr., and certified by N. L. Durant, County Surveyor, and being a part of lot numbered six (6) according to the plat and survey of E. E. Carpenter, County Surveyor in the division of the estate of Adele Cook, and being a fractional part of the John Cook Grant, Section thirty-five (35) township eight (8) south of Range three (3) east.....

That the complainant is in actual possession thereof and is the owner of said lands and the title of the complainant in and to said lands is hereby quieted and confirmed in him.

Complainant is to pay the costs of this action taxed at

\$ 51,26.

Dated at Monroeville, this 6th day of January

193 7.

J. W. Hare

Judge

WILLIAM FIALA,
Complainant,

-vs-

JOSEPH SCHULTZ, AGNES STEINER,
THERESA LIPSCOMB, WINIFRED
TOUART, MARY BAIN, EARL RAILLEY,
IDA BRINKMAN, HILDA DAVIS,
ALBERT SCHULTZ, SAMUEL SCHULTZ,
FRED RAILLEY, THELMA RAILLEY,
HILDA RAILLEY, ANNIE RAILLEY,
FRED RAILLEY, ADA LACOSTE,
LEO REMY, LEVINE REMY, TROY
REMY, JOHN NELLO REMY, ETHEL
REMY, LEROY REMY,

Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN CHANCERY SITTING:

PART ONE

Your Complainant, William Fiala, respectfully shows to the Court that he is over the age of twenty-one (21) years and a resident of Baldwin County, Alabama; that the respondent, Joseph Schultz, is over the age of twenty-one (21) years and a resident of Mobile County, Alabama, residing at Bayou La Batre therein; that the respondent, Agnes Steiner, is over the age of twenty-one (21) years and a resident of Mobile County, Alabama, residing at Bayou La Batre therein; that the respondent, Theresa Lipscomb, is over the age of twenty-one (21) years and a resident of Mobile County, Alabama, residing at 1357 Old Shell Road in Mobile therein; that the respondent, Winifred Touart, is over the age of twenty-one (21) years and a resident of Mobile County, Alabama, residing at 1313 Springhill Avenue in Mobile therein; that the respondent, Mary Bain, is over the age of twenty-one (21) years, residing in Mobile County, Alabama, RFD #1, Theodore, Alabama, therein; that the respondent, Earl Railey, is over the age of twenty-one years and a resident of Mobile County, Alabama, residing at Bayou La Batre therein; that the respondent, Ida Brinkman, is over the age

of twenty-one years and a non-resident of the State of Alabama, her place of residence being unknown to your complainant; that the respondent, Hilda Davis, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Onset, in the State of Massachusetts; that the respondent, Albert Schultz, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Houston, in the State of Texas; that the respondent, Samuel Schultz, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Houston, in the State of Texas; that the respondent, Fred Railey, is over the age of twenty-one years, and a non-resident of the State of Alabama, residing at Biloxi, in the State of Mississippi; that the respondent, Thelma Railey, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Biloxi, in the State of Mississippi; that the respondent, Hilda Railey, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Biloxi, in the State of Mississippi; that the respondent, Annie Railey, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Biloxi, in the State of Mississippi; that the respondent, Fred Railey, is over the age of twenty-one years and a non-resident of the State of Alabama, residing at Biloxi, in the State of Mississippi; that the respondent, Ada LaCoste, is over the age of twenty-one years and a non-resident of the State of Alabama, her place of residence being unknown to your complainant; that the respondent, Leo Remy, is over the age of twenty-one years and a non-resident of the State of Alabama, his place of residence being unknown to your Complainant; that the respondent, Levine Remy, is over the age of twenty-one years and a non-resident of the State of Alabama, her place of residence

being unknown to your complainant; that the respondent, Troy Remy, is over the age of twenty-one years and a non-resident of the State of Alabama, his place of residence being unknown to your complainant; that the respondent, John Nello Remy, is over the age of twenty-one years and a non-resident of the State of Alabama, his place of residence being unknown to your complainant; that the respondent, Ethel Remy, is over the age of twenty-one years and a non-resident of the State of Alabama, her place of residence being unknown to your complainant; that the respondent, Leroy Remy, is over the age of twenty-one years and a non-resident of the State of Alabama, his place of residence being unknown to your complainant.

PART TWO

1. Your complainant avers that he is in the peaceable possession of, claiming to own the same in his own right, the following described lands in Baldwin County, Alabama, to-wit:

From the Southeast corner of township eight (8) south of range three (3) east, run west 13 chains and 72 links and thence north 39 degrees nine (9) minutes east, 3 chains and 78 links for a point of beginning; thence north 39 degrees and 45 minutes west 54 chains and 36 links; thence north 68 degrees west, 6 chains, more or less, to a stake on the east margin of Bon Secour River at the mouth of a ditch; thence north 22 degrees and 30 minutes east one (1) chain and 98 links up the margin of Bon Secour River; thence south 68 degrees east 6 chains; thence south 39 degrees and 45 minutes east, 54 chains and 36 links, more or less, to the east line of the John Cook Grant in Township eight (8) south of Range three (3) east; thence south 39 degrees and 9 minutes west 2 chains and 2 links to the point of beginning; containing ten (10) acres, more or less, and being lot numbered two (2) according to a plat dated December 23rd, 1908, in the division of the estate of John LaCoste, Sr., and certified by N. L. Durant, County Surveyor, and being a part of lot numbered six (6) according to the plat and survey of E. E. Carpenter, County Surveyor in the division of the estate of Adele Cook, and being a fractional part of the John Cook Grant, Section thirty-five (35), township eight (8) south of Range Three (3) east.....

2. That the respondents are heirs of one Adele Cook, deceased, but not all of the heirs of the said Adele Cook. Some of the heirs of the said Adele Cook have conveyed their interest in the above described lands and by various mesne conveyances, the interests of such heirs have been vested in your complainant and it is, therefore, unnecessary to make the heirs who have so conveyed their interests, parties respondent to this bill of complaint. That all of the heirs of the said Adele Cook are as follows:

The respondent, Joseph Schultz, who is a son of Adele Cook, deceased.

The respondent, Albert Schultz, and the respondent, Samuel Schultz, who are the only children of Alex Schultz, deceased, who was a son of Adele Cook.

The respondents, Theresa Lipscomb, Ida Brinkman, Winifred Touart, Mary Bain and Hilda Davis, who are the daughters of Henry Schultz, deceased, who was a son of Adele Cook.

The respondents, Earl Railey, Fred Railey, Thelma Railey, Hilda Railey and Annie Railey, who are the children of Cecile Burns Railey, deceased, who was a daughter of the said Adele Cook, deceased, and the respondent, Fred Railey, who is the husband of the said Cecile Burns Railey, deceased.

The respondent, Agnes Steiner, who is a daughter of Jacob Schultz, deceased, who was a son of said Adele Cook, deceased.

In addition to the above, John D. LaCoste, deceased, was a son of the said Adele Cook, deceased. The said John D. LaCoste, deceased, left surviving

of the respondents or any of them.

4. Your complainant calls upon the respondents and each of them to set forth and specify his or her title, claim, interest or encumbrance and how and by what instrument the same is derived and created.

PART THREE

PRAYER OF PROCESS

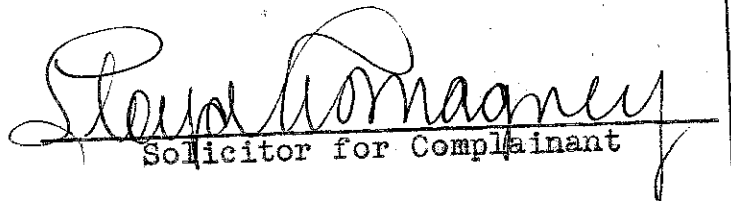
The premises considered, your Complainant prays that your Honor will grant to him the writ of summons of the State of Alabama, directed to the respondents, Joseph Schultz, Theresa Lipscomb, Winifred Touart, Mary Bain, Earl Railey and Agnes Steiner, commanding them, and each of them, to appear within thirty (30) days from the service of the writ, to answer or plead to, or demur to this bill of complaint and to stand to and abide such decree as may be entered herein; and your complainant would further pray that your Honor direct that the Register of this Court make out and superintend the appropriate order of publication to the non-resident respondents, Albert Schultz, Samuel Schultz, Ida Brinkman, Hilda Railey, Fred Railey, Thelma Railey, Annie Railey, Fred Railey, Leo Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy, Leroy Remy, Hilda Davis, Ada LaCoste, commanding them within thirty (30) days after the period specified in the order of publication, to appear and to answer or plead to, or demur to this bill of complaint and to stand to and abide such decree as may be entered herein, and your complainant shall ever pray, & c.

PART FOUR

PRAYER FOR RELIEF

Your complainant further prays that your Honor will take jurisdiction of this cause and proceed to a hearing thereof and

and that upon such hearing, your Honor will consider and determine the title, claim, interest or encumbrance of the respondents and each of them in and to the lands hereinbefore described and will adjudge and decree that the said respondents and each of them, have no right, title or interest or encumbrance upon the lands hereinbefore described or any part thereof and that your Honor will enter a decree quieting and confirming the title of the complainant in and to said lands and that your complainant may have such other, different and further relief in the premises as may be just and equitable.


Solicitor for Complainant

FOOT NOTE

The respondents, Joseph Schultz, Agnes Steiner, Theresa Lipscomb, Winifred Touart, Mary Bain, Earl Railey, Ida Brinkman, Hilda Davis, Albert Schultz, Samuel Schultz, Fred Railey, Thelma Railey, Hilda Railey, Annie Railey, Fred Railey, Ida LaCoste, Leo Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy, and Leroy Remy, are each hereby required to answer the allegations of part two (2) of the foregoing bill of complaint from paragraph numbered one (1) to paragraph numbered four (4), inclusive, but not under oath, oath to answer being hereby expressly waived.


Solicitor for Complainant.

him his children, Cora LaCoste, Adele LaCoste, Ida Lacoste, John Lacoste, Donat LaCoste and Joseph LaCoste, none of whom are made respondents hereto, for the reason that each has conveyed his or her interest in said lands and by various mesne conveyances the interests of such parties are now vested in your complainant.

The said John D. LaCoste, deceased, left another child surviving him, a daughter, Kate Remy, who is now deceased and she left surviving her as her only heirs, her children, the respondents, Leo Remy, Levine Remy, Troy Remy, John Nello Remy, Ethel Remy and Leroy Remy. The said John D. LaCoste, deceased, left surviving him another daughter, Clara McCormic, who is now deceased and who left surviving her as her only children and heirs at law, Daniel McCormic, OGrady McCormic and Denis McCormic, who are not made respondents hereto for the reason that as aforesaid, they have executed conveyances of their interest in and to said lands. The said John D. LaCoste left surviving him, one other child, Ada LaCoste.

The above and foregoing are all of the heirs of Adele Cook, deceased.

3. That the title of your complainant to the lands hereinbefore described is denied or disputed and the respondents and each of them claims or is reputed to own said lands or some part thereof, or some interest therein, and no suit is pending to enforce or test the validity of such title, claim or encumbrance.

RECORDED

Suek

No. _____

Page *6-550*

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

vs.

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed *January 5, 1937*

A. B. Suek

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

RECORDED

Duck
6-549

No.

Page

State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Complainant

Vs.

Defendant

**Motion for Decree Pro Confesso
On Publication.**

Filed *Jan 5,*, 193*7*

R. S. Duck

Register.

Recorded in Record,

Vol. Page

Register.

RECORDED

Duck

6-557

No. _____

The State of Alabama

BALDWIN COUNTY

IN EQUITY

Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 5

day of January 1937

R. Duck
REGISTER

RECORDED

Suek

No.

Page *6,550*

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

vs.

**DECREE PRO CONFESSO
OF PUBLICATION**

Issued *Jan. 5,* 19*37*

R. J. Suek
Register.

Recorded in Record

Vol. Page

Register.

RECORDED
INDEXED
6-550

No. _____ Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

vs.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued Jan 5 1937

B. S. Smith
Register.

over
RECORDED
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

WILLIAM FIALA,

Complainant,

VS

JOSEPH SCHULTZ et al,

Respondents.

AFFIDAVIT FOR SERVICE BY
PUBLICATION

Filed Oct. 20, 1936

D. S. Duck, Register

LLOYD A. MAGNEY
Attorney
Foley, Alabama.

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Digniel

Serve on
Circuit Court of Baldwin County
IN EQUITY

No. 267
SUMMONS

William Fisher,
Complainant

Joseph Schultz,
et al,
Respondents

Alford A. Maxwell
Solicitor for Complainant

Recorded in Vol. _____ Page _____

Alford A. Maxwell

RECORDED
2 weeks
6-5-48

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this 21st day of Oct, 1936

W. M. L. L. L.
SHERIFF

Executed this _____ day of _____ 1936
by leaving a copy of the within Summons with

Defendant _____
Sheriff _____
By _____
Deputy Sheriff

Received 22 Day of Oct 1936
and on 23 Day of Oct 1936
I served a Copy of the within summons
on Joseph Schultz, Agnes Steiger
and on October 27, 1936
served a copy on Carl
Railey and on November 25,
1936 I served a copy
Mary Bann

R. L. HOLCOMBE, Sr., Clerk

By Fitz Abridge & Elie
Larique - D. S.

Received 27 Day of Oct 1936
and on 28 Day of Oct 1936
I served a Copy of the within summons
on Guineed, Pawant, Phersia
Lipcomh
by service on _____

R. L. HOLCOMBE, Sr., Clerk

By Mrs. Bernstein

Foley, Ala., _____, 1936

BARCHARD PUBLISHING CO.

The Foley Onlooker

Robertsdale News-Herald

Robert S. Duck
Bay Minette, Ala.

HIGH QUALITY JOB PRINTING

Statement as Rendered

Legal

William Fiala vs
Joseph Schultz, et al.

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AFFIDAVIT OF PUBLICATION

I, Frank V. Barchard

Editor of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for 4 consecutive weeks, com-
mencing with the issue dated Oct. 22, 1936, and
ending with the issue dated Nov. 12, 1936.

Frank V. Barchard

Subscribed and sworn to before me this 17 day

of December, 1936.

Notary Public.

My Commission Expires Oct. 11, 1936

NOTICE TO NON-RESIDENTS

State of Alabama, }
Baldwin County. }
In the Circuit Court of
Baldwin County, Alabama.
In Equity. No. 267.

PERITA

Alabama Extension Service and the
Progressive Farmer-Ruralist at the
annual meeting of the Alabama
Farm Bureau Federation here Nov
17 and 18.
Initiations are also being sen
to 20 farmers designated as
Master Farmers in 1927 and 1928
asked that they, together with
their wives, be present on the night
of November 17 when the five new
Master Farmers are named.
Master Farmers named in 1927
are J. Boyd, Hackleburg; Em
Grat, Dale; J. W. Hathorn, Do
than; Bob Hurst, Shorter; R. E.
Lambert, Darlington; W. H. King
Elma; H. Lightfoot, Troy; J. R.
H. Lumm, Albertville; John R.
Witt, Be Mine; and L. C. Young
Montgomery. Those named in 1928
are Alvin F. Bebel, St. Joseph
Tenn.; L. Chambers, Beaz
J. L. Eds, Tyler; C. P. Har
well, Delle; E. R. Jamieson
Greensboro Wyatt Key, Miland
City; T. Marriot, Utah; C. C.
Miller, Cross; Will Howard
Smith, Fvillie; and Soth P
Storrs, Woka.

NOTICE TO NON-RESIDENTS

State of Alabama, }
Baldwin County. }

In the Circuit Court of
Baldwin County, Alabama.
In Equity. No. 267.

William Fiala,
Complainant,

vs.

Joseph Schultz, Agnes Steiner,
Theresa Lipscomb, Winifred
Touart, Mary Bain, Earl Railey,
Ida Brinkman, Hilda Davis, Al-
bert Schultz, Samuel Schultz,
Fred Railey, Thelma Railey,
Hilda Railey, Annie Railey,
Fred Railey, Ada Lacoste, Leo
Remy, Levine Remy, Troy
Remy, John Nello Remy, Ethel
Remy, Leroy Remy,
Respondents.

In this cause it is made to ap-
pear to the Register by the affi-
davit of Lloyd A. Magney, attor-
ney for the Complainant, in the
one year.

It is therefore ordered by the
Register that publication be made
in The Foley Onlooker, a news-
paper published in Baldwin County,
Alabama, once a week for four con-
secutive weeks, requiring them and
each of the said respondents, to
plead, answer or demur to the Bill
of Complaint in this cause by the
24th day of November, 1936, or in
thirty days thereafter a decree
pro confesso may be taken against
them and each of them.

Dated this 20th day of October,
1936.

R. S. DUCK,
Register in Chancery.

LLOYD A. MAGNEY,
Solicitor for Complainant.

22-29-5-12

AFFIDAVIT OF PUBLICATION

I, Frank V. Barchard

Editor of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for 4 consecutive weeks, com-
mencing with the issue dated October 22, 1936, and
ending with the issue dated November 12, 1936.

Frank V. Barchard

Subscribed and sworn to before me this 14 day

of Dec, 1936.

[Signature]
Notary Public.

My Commission Expires Oct. 11, 1936.

R. S. DUCK
Register and Clerk of the
Circuit Court, Baldwin County
BAY MINETTE, ALA.

Post paid 505
[Signature]



Open By

Mr. Samuel Schultz,
Houston, Texas

Mistake
[Signature]

RETURN
TO WRITER
UNCLAIMED



Foley, Ala., 1936

BARCHARD PUBLISHING CO.

The Foley Onlooker

Robertsdale News-Herald

Robert S. Duck
Bay Minette, Ala.

HIGH QUALITY JOB PRINTING

Statement as Rendered

Legal

William Fiala vs

Joseph Schultz, et al.

17

46

AFFIDAVIT OF PUBLICATION

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Editor of The Onlooker, published at

Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Oct. 22, 1936, and

ending with the issue dated Nov. 12, 1936.

Frank V. Barchard

Subscribed and sworn to before me this 17 day

of December, 1936.

Notary Public.

My Commission Expires Oct. 11, 1936

NOTICE TO NON-RESIDENTS

State of Alabama, }
Baldwin County. }

In the Circuit Court of }
Baldwin County, Alabama. }
In Equity. No. 267. }

BERITA

Masters Farmers named in 1927 are J. Boyd, Hackleburg; Emory, G. J. W. Hathorn, Dothan; J. W. Hurst, Shorter; R. H. Lamber, Darlington; W. H. King, Helms; H. Lightfoot, Troy; J. R. H. Lamm, Albertville; John R. Witt, Be Mins; and L. C. Young, Montgomery. Those named in 1928 are Alvin F. Behel, St. Joseph, Tenn.; J. L. Chambers, Boaz; J. L. Edgds, Tyler; C. P. Harwell, Daille; E. R. Jamieson, Greensboro; Wyatt Key, Milledge City; T. Marriot, Urich; C. O. Miller, Aveross; Will Howard Smith, Wille; and Soth P. Stotts, Wika.

Intimations are also being sent to the 20 farmers designated as Masters Farmers in 1927 and 1928 asking that they, together with their wives, be present on the night of November 17 when the five new Masters Farmers are named.

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