(1744)

THE STATE OF ALABAMA, )
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA \_ GREETING:

WE COMMAND YOU, that you summon Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schoetzow, Amna Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier and J. S. Lowry, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by J. A. Filgrim, against the said Wilhelmina Noltensmeier, et al., and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondents shall in no wise omit, under penalty of the law. And we further command that you return this writ with your execution thereof.

WITNESS, R. S. Duck, Register of said Court, this the // day of October, 1946.

Register By acce J- Nuch

J. A. PILGRIM,

Complainant

IN THE CIRCUIT COURT OF

Vs.

BAIDWIN COUNTY, ATABAWA

WILHEIMINA NOLTENSMEIER, ET AL., Respondents

IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA, IN EQUITY.

Comes your Complainant and avers that he is in peaceable possession and the owner of the following described real estate situated in the County of Baldwin, State of Alabama, to wit:

The South half (S<sub>2</sub>) of the Northeast Quarter (NEL) of the Southeast Quarter (SE<sub>2</sub>); and the West half (W<sub>2</sub>) of the Northwest Quarter (NW<sub>2</sub>) of the Southwest Quarter (SW<sub>2</sub>), Section Thirty-four (34), Township Seven (7) South, Range Five (5) East; and

The Northeast Quarter (NE) of the Northwest Quarter (NW), and the East half (E) of the Northeast Quarter (NE) of the Southwest Quarter (SW), Section Two (2), Township Eight (8) South, Range Five (5) East; and

The Southwest Quarter (SWZ) of the Southwest Quarter (SWZ), Section Thirty-three (33), Township Seven (7) South, Range Five (5) East; and

The West half (W) of the Northeast Quarter (EE) of the Southwest Quarter (SW), Section Fifteen (15), Township Eight (8) South, Range Five (5) East; and

The Northwest Quarter (NT2) of the Northwest Quarter (NT2); and the Northeast Quarter (NE2) of the Southeast Quarter (SE2); and the Southwest Quarter (SW2) of the Northeast Quarter (NE2), Section Five (5), Township Eight (8) South, Range Five (5) East....

Complainant further avers that he claims to own said lands in fee simple in his own right; that no suit is mending to enforce or test the validity of his right, title, interest or claim in and to said lands.

That the Respondents, Wilhelmina Moltensmeier, August Moltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schoetzow, Ama Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier, and J. S. Lowry, are over the age of twenty-one years and all of said Respondents are residents of the State of Alabama, except the said Anna Noltensmeier, who is a resident of the State of Ohio, and whose address is 9407 Parkview, Cleveland, Ohio, and August Moltensmeier, who is a resident of the State of Michigan, whose address is 108 East Henry Street, River Rouge, Michigan, and Lillie Noltensmeier George, who is a resident of the State of Washington, and whose address is R. F. D., Sunnyside, Washington, and said Respondents claim or are reputed to claim some right, title, interest or encumbrance in and to the above specifically described

Your Complainant hereby calls upon the said Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier, Schoetzow, Anna Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Moltensmeier and J. S. Lowry to set forth and specify their title, claim, interest, or encumbrance in and to the said lands specifically described above, or in and to any part thereof and to set forth and specify by what instrument the same are derived and created.

WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said Wilhelmina Moltensmeier, August Noltensmeier, Lillie Woltensmeier George, Sophie Moltensmeier Schoetzow, Anna Moltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Nolten smeier and J. S. Lowry party Respondents to this cause of action requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court;

Complainant further prays that upon a final hearing hereof your Honor will decree that the said Wilhelmina Noltensmeier, August Noltensmeier, Lillie Moltensmeier George, Sophie Moltensmeier Schoetzow, Anna Moltensmeier, Henry C. Woltensmeier, Fred K. Woltensmeier, Karl Woltensmeier and J. S. Lowry have no estate, interest, right, claim, title or encumbrance in and to the lands specifically described above; that your Honor will give and grant your Complainant such other, further, different or general relief as he may be entitled to receive and as in duty bound he will ever pray.

> V4/An Forest A. Christian, Foley, Alabama

Solicitor for Complainant

THE STATE OF ALABAMA, )
BALDWIN COUNTY.

Before me, Gus Schultz, a Notary Public in and for said State and County, personally appeared Forest A. Christian, who upon oath deposes and says:

That he is the agent of, and the attorney for, the Complainant in the above styled cause and is therefore duly authorized to make this oath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of 21 years, and that the following respondents are non-residents: Anna Moltensmeier, who is a resident of the State of Chic, and whose address is 9407 Parkview, Cleveland, Ohio, and August Moltensmeier, who is a resident of the State of Michigan, whose address is 108 East Henry Street, River Rouge, Michigan, and Lillie Moltensmeier George, who is a resident of the State Of Washington, whose address is R. F. D., Sunnyside, Washington, that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believes, and so states, that the same are true.

FOREST A. CHRISTIAN

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed by me, this the 15th day of October, 1946.

Notary Public

My commission expires:

3-25-49

The State	of	Alabam	a,
Baldw	in Co	ounty.	

No. 1744 CIRCUIT COURT IN EQUITY.

J. a. Polyran 22. Complainant...

vs.

Wilhelmina Nottensmeier et al Defendant

Motion is hereby made for a Decree Pro Confesso against Lellie Herry

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

The State of Alabama, Baldwin County.  CIRCUIT COURT, IN EQUITY  J. A. Pilgrim.
CHARLES TO THE CONTROL OF MARKET AND
T A Dilowin
vs.
Wilhelmina Noltensmeier et al.
NAMES AND ADMINISTRATION OF THE PROPERTY OF TH
MOTION FOR DECREE PRO CONFESSO ON PERSONAL SERVICE
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Moore Printing Company, Bay Minette, Ala.

THE STATE OF ALABAMA,

BAIDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA GREETING:

WE COMMAND YOU, that you summons Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schoetzow, Anna Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier, and J. S. Lowry, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by J. A. Pilgrim, against the said Wilhelmina Noltensmeier, et al., and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondents shall in no-wise omit, under penalty of the law. And we further command that you return this writ with your execution thereof.

WITNESS, R. S. Duck, Register of said Court, this the // day of October, 1946.

Register By alice J. Rusch

7. 1 - 2 w m 1

J. A. PILGRIM,

Complainant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

vs.

WILHELMINA NODTENSMEIER, ET AL.,

Respondent s

IN EQUIPY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDY H COUNTY, ALABAMA, IN EQUITY.

Comes your Complainant and avers that he is in peaceable possession and the owner of the following described real estate situated in the County of Baldwin, State of Alabama, to wit:

The South half (So) of the Northeast Quarter (NE2) of the Southeast Quarter (SE2); and the West half (Wo) of the Northwest Quarter (NW2) of the Southwest Quarter (SW2), Section Thirty-four (34), Township Seven (7) South, Range Five (5) East; and

The Northeast Quarter (NE) of the Northwest Quarter (NE), and the East half (E) of the Northeast Quarter (NE) of the Southwest Quarter (SNE), Section Two (2), Township Eight (8) South, Range Five (5) East; and

The South west Quarter ( $SW_2$ ) of the Southwest Quarter ( $SW_2$ ), Section Thirty\_three (33), Township Seven (7) South, Range Five (5) East; and

The West half (W2) of the Northeast Quarter (NE2) of the Southwest Quarter (SW2), Section Fifteen (15), Township Eight (8) South, Range Five (5) East; and

The Northwest Quarter (NW2) of the Northwest Quarter (NW2); and the Northeast Quarter (NE2) of the Southeast Quarter (SW2) of the Northeast Quarter (NE2), Section Five (5), Fownship Eight (8) South, Range Five (5) East...

Complainant further avers that he claims to own said lands in fee simple in his own right; that no suit is pending to enforce or test the validity of his right, title, interest or claim in and to said lands.

That the Respondents, Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schoetzow, Anna Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier, and J. S. Lowry, are over the age of twenty-one years and all of said Respondents are residents of the State of Alabama, except the said Anna Noltensmeier, who is a resident of the State of Ohio, and whose address is 9407 Parkview, Cleveland, Ohio, and August Noltensmeier, who is a resident of the State of Michigan, whose address is 108 East Henry Street, River Rouge, Michigan, and Lillie Noltensmeier George, who is a resident of the State of Washington, and whose address is R. F. D., Sunnyside, Washington, and said Respondents claim or are reputed to claim some right, title, interest or encumbrance in and to the above specifically described lands.

Your Complainant hereby calls upon the said Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schoetzow, Ama Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier, and J. S. Lowry to set forth and specify their title, claim, interest, or encumbrance in and to the said lands specifically described above, or in and to any part thereof and to set forth and specify by what instrument the same are derived and created.

WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said Wilhelmina Moltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sohpie Noltensmeier Schoetzow, Anna Moltensmeier, Henry C. Moltensmeier, Fred K. Moltensmeier, Karl Noltensmeier and J. S. Lowry party Respondents to this cause of action requiring them to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court;

Complainant further prays that upon a final hearing hereof your Honor will decree that the said Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schoetzow, Anna Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier and J. S. Lowry have no estate, interest, right, claim, title or encumbrance in and to the lands specifically described above; that your Honor will give and grant your Complainant such other, further, different or general relief as he may be entitled to receive and as in duty bound he will ever pray.

Forest A. Christian, Foley, Alabama Solicitor for Complainant THE STATE OF ALABAMA. )

BALDWIN COUNTY.

Before me, Gus Schultz, a Hotary Public in and for said State and County, personally appeared Forest A. Christian, who upon eath deposes and says:

That he is the agent of, and the attorney for, the Complainant in the above styled cause and is therefore duly authorized to make this eath; that in the belief of the affiant all of the Defendants named in the foregoing Bill of Complaint are over the age of 21 years, and that the following respondents are non-residents: Anna Moltensmeier, who is a resident of the State of Chic, and whose address is 9407 Parkview. Cleveland, Ohio, and August Moltensmeier, who is a resident of the State of Michigan, whose address is 108 Mast Henry Street, River Rouge, Michigan, and Millie Moltensmeier George, who is a resident of the State of Washington, whose address is R. F. D., Sammyside, Washington, that all the other matters and facts stated in the foregoing Bill of Complaint upon information and belief, and verily believes, and so states, that

Francis Chrulus

Sworn to and subscribed before me, a Motary Public, whose seal is hereto affixed by me, this the / Lay of October, 1946,

Western Public C

My consission expires:

J. A. Pilgrim	CIRCUIT COURT OF Baldwin County.
vs. Wilhelmina Noltensmeier et	
In this cause it being made to appear to th	
day of	of the Bill of Complaint filed in this cause was a Noltensmeier, and August-Woltensmeier
Defendant, by registered mail, postage prepaid, maddressed," and return receipt demanded addressed day of	ed to the Register of this Court; and that on the
And it further appearing to the Register th or demur to the said Bill to the date hereof, it is no adjudged and decreed by the Register that the said things taken as confessed against the said. Lilli smeier, and August Noltensmeier	d Bill of Complaint be, and it hereby is in all e Noltensmeier George, Anna Nolten
This the 79th day of Dece	mber 1926.  Olice Luck Register.

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	vs.		
Wilhalmi	na.Noltensme	ier	at al
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J. A. Pilgrim,	THE STATE OF ALABAMA,  BALDWIN COUNTY
Complainant	J
VS.  Wilhelmina Noltensmeier, et al.,  Respondents	IN EQUITY  CIRCUIT COURT OF BALDWIN COUNT
This cause is submitted in behalf of Complainant a	
and in behalf of Defendant upon on decree pro	confesso

Fra ex 45 Chr 14 144

Aliel Aluch Register.

No.
The State of Alabama,
IN EQUITY CIRCUIT COURT OF BALDWIN COUNTY
J. A. Pilgrim,
VS. Complainant
Wilhelmina Noltensmeier, et al
Respondents
NOTE OF TESTIMONY
Filed in Open Court this
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Moore Printing Co.

to this date.

The State of Alabama, Baldwin County.	\ No. 1744_ CIR	CUIT COURT IN	EQUITY.
J. a. Pilgrin			ainant
	<b>∀s.</b>		
Wilhelmina Molte	- ensmeier		endant
Motion is hereby made for a Decree Pro Con Jenry C. Nattensmerer Jard Nottensmerer	nfesso against Wilh	elmina Mo Nottenso	tenom
and Noltensmerer. J	- 5. Law	eryDe	fendant
in the above stated cause, on the ground that	more than thirty days	have exapsed since s	service of
summons upon said Defendant_S_; and that s	said summons was duly	served according t	o law, and
that said Defendant Shall Lfailed to demur,	plead to or answer the	Bill of Complaint in	this cause

No,		Page
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Moore Printing Company, Bay Minette, Ala.

:	J. A. Pilgrim	
Vs.		Complainant,
	Wilhelmina Nolte	ensmeier et al. Respondent.

In the Circuit Court.

In Equity No. 1744

# DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondents wilhelming
Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier,
and J. S. Lowery
by the Sheriff of Baldwin County, on the 25th day of October
194 <u>6</u>
And it further appears to the Register, that the said Wilhelmina Noltensmeier, Henry
C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier, and J. S. Lowery
, the Respondent , having to the date hereof, ailed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
n motion of Forest A. Christian Solicitors
Solicitors or 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 Wilhelmina Noltensmeier,
Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier, and J. S. Lowery
This 9th day of December , 1946.
Register.

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Baldwin Times Print

J. A. PILGRIM,

Complainant,

VS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

WILHEIMINA NOLTENSMEIER, ET AL., Respondents.

### FINAL DECREE

This cause coming to be heard is submitted for final decree upon the Bill of Complaint, motion for decree pro confesso on personal services and by registered mail and it appears to the Court that J. A. Pilgrim, the Complainant, is in actual, peaceable, adverse possession of the following described real estate situated in Baldwin County, Alabama, to-wit:

The South half (S2) of the Northeast Quarter (NE2) of the Southeast Quarter (SE2); and the West half (W2) of the Northwest Quarter (NW2) of the Southwest Quarter (SW2), Section Thirty-four (34), Township seven (7) South, Range five (5) East; and

The Northeast Quarter (NE2) of the Northwest Quarter (NW2), and the East half (E2) of the Northeast Quarter (NE2) of the Southwest Quarter (SW2), Section two (2), Township eight (8), South, Range five (5) East; and

The Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ), Section thirty-three (33), Township seven (7) South, Range five (5) East; and

The West half ( $\mathbb{W}_{2}$ ) of the Northeast Quarter ( $\mathbb{N}\mathbb{H}_{2}^{\perp}$ ) of the Southwest Quarter ( $\mathbb{S}\mathbb{W}_{2}^{\perp}$ ), Section fifteen (15), Township eight (8) South, Range five (5) East; and

The Northwest Quarter (NW1) of the Northwest Quarter (NW1); and the Northeast Quarter (NE1) of the Southeast Quarter (SE1); and the Southwest Quarter (SW1) of the Northeast Quarter (NE1), Section five (5), Township eight (8) South, Range five (5) East...

being the lands described in the Bill of Complaint and against which these proceedings are brought, claiming to own the same in his own right in fee simple and using the same in every way that said land is susceptibe to use.

And it appearing to the Court that no suit is pending to tes Complainant's title to, interest in or right to possession of said lands.

And it appearing to the Court that the Defendants, whose names are set forth in the Bill of Complaint, have had due notice of these proceedings by personal service or by registered mail as prescribed by law and the rules of this Court, and the Court understanding the same is of the opinion that Complainant is entitled to the relief prayed for in his Bill of Complaint. IT IS ORDERED, ADJUDGED AND DECREED that any claim, title to, or interest in or encumbrance upon the aforesaid lands or any part thereof that Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schootsow, Anna Noltensmeier, Henry C. Noltensmeier, Fred K. Nolten-

smeier, Karl Noltensmeier and J. S. Lowry hold, or claim to hold, are a cloud upon the title of the Complainant in the cause as to the aforesaid lands and that their said title to, interest in, lien or encumbrance upon said lands or any part thereof are hereby declared to be null and void and as such are removed as a cloud upon the title of the Complainant and that such title to, interest in, lien or encumbrance upon said lands, or any part thereof, held by the said Defendants, or any of them, are hereby removed and held for naught as being void and of no force and effect, and that said Defendants have no interest in, title to, lien or encumbrance upon said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this Decree be recorded in the office of the Judge of Probate in Baldwin County, Alabama, and that said Decree shall be indexed in the indirect indexes in the name of J. A. Pilgrim and that it shall be indexed on the direct indexes on the records of Baldwin County, Alabama, in the name of Wilhelmina Noltensmeier, August Noltensmeier, Lillie Noltensmeier George, Sophie Noltensmeier Schoetzow, Anna Noltensmeier, Henry C. Noltensmeier, Fred K. Noltensmeier, Karl Noltensmeier and J. S. Dowry and that the Register of this Court shall within thirty days from the rendition of the Decree, file said certified copy of this Decree in the Office of the Judge of Probate and tax the expenses thereof as part of the costs of the proceedings, and that the Probate Judge shall record such copy in the same books and manner in which deeds are recorded and indexed in the same manner as said Decree, orders and directs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that J. A. Pilgrim be and he is taxed with the cost of these proceeds for the execution of any issue.

Dated at fry Mwelle, Alabama, this 11th day of December, 1946.

F. W. Hare, Judge of the 21st Judicial Circuit

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ET AL.

Respondents.

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