

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Come J. C. McLEOD and H. E. McWHINNIE, and humbly com-
plaining against I. J. SCHILLER, respectfully show unto your Honor
as follows:

FIRST:

That your complainant, J. C. McLeod, is over the age of
twenty-one years and a resident of Baldwin County, Alabama; that
your complainant, H. E. McWhinnie, is over the age of twenty-one
years and a non-resident of the State of Alabama, his post-office
address being Pensacola, Florida; that the defendant, I. J. Schiller,
is over the age of twenty-one years and a non-resident of the State
of Alabama, his last known address being 4730 N. Western Avenue,
Chicago, Illinois.

SECOND:

That the complainants are the owners of and in the peace-
able possession of the following described lands situated in the
County of Baldwin, State of Alabama, to-wit:

North half of the Northwest quarter of Section three
(3), Township five (5) South, Range three (3) East,
in Baldwin County, Alabama.

THIRD:

That the said I. J. Schiller claims or is reputed to
claim some right, title or interest in, or incumbrance upon the
above described lands, or some part thereof, and the complainants
call upon him to set forth and specify his right, title, claim, in-
terest in or incumbrance upon the said lands, or any part thereof,
and to show how and by what instrument or instruments the same is
derived or created.

FOURTH:

That there is no suit pending to enforce or test the
validity of the complainants' title to the said lands, or to en-
force or test the validity of the defendant's right, title, claim

or interest in or incumbrance upon the said lands, or any part thereof.

WHEREFORE, your complainants pray this Honorable Court take jurisdiction of the cause made by this bill of complaint and make the said I. J. Schiller a party defendant hereto, and by appropriate process require him 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.

Complainants further pray that upon a final hearing of this cause this Honorable Court will make and enter an order and decree adjudging and decreeing that the said defendant, I. J. Schiller, has no right, title, claim, interest in or incumbrance upon the said lands, or any part thereof, and that the title to the said lands be quieted and established in these complainants as against the said defendant; and that the said defendant be forever enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title or interest in, or incumbrance upon, the said lands, or any part thereof.

And these complainants pray for such other, further or different relief as in equity they shall be entitled to receive in the premises.

Hube Hall & Beebe
Solicitors for Complainants.


Defendant is required to answer each and every allegation of the foregoing bill of complaint, Paragraphs FIRST to FOURTH inclusive, but not under oath; oath is hereby expressly waived.

Beebe, Hall & Beebe
Solicitors for Complainants.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned, a Notary Public in and for said State and County, this day personally appeared W. C. BEEBE, who being by me duly sworn, deposes and says that he is attorney for J. C. McLeod and H. E. McWhinnie in the suit pending in the Circuit Court of Baldwin County, Alabama, in Equity, against I. J. Schiller; that the said I. J. Schiller is a non-resident of the State of Alabama; that his last known address was 4730 North Western Avenue, Chicago, Illinois; that the place of residence and post-office address of the said I. J. Schiller is otherwise unknown; that he has made diligent search and inquiry to ascertain the same and has been unable to do so.



Sworn to and subscribed before
me on this the 15th day of April,
1938.



Notary Public, Baldwin County,
Alabama.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

J. C. McLEOD, & H. E. McWHINNIE, _____, Complainant

Vs.

I. J. SCHILIER, _____, Defendant

To R. S. DUCK, _____, 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 _____ Beebe, Hall & Beebe, _____

_____ 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.

Beebe, Hall Beebe

Solicitor for Complainant.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____ July Term, 1938

J. C. McLEOD and H. E. McWHINNIE, Complainant

I. J. SCHILLER, Defendant

In this cause it appears to the Register R. S. DUCK, that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 12th day of May -1938, 192, 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 12th day of May -- 1938 192, and

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

I. J. SCHILLER,

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 R. S. DUCK, that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

I. J. SCHILLER

This 5th day of July -1938. 192

R. S. Duck

Register

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

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

I. J. SCHILLER,

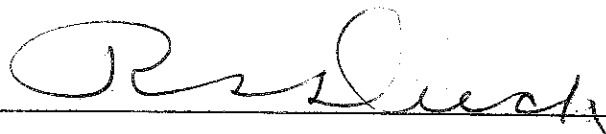
4730 N. Western Avenue, Chicago, Ill.,
of ~~#####~~ be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

J. C. McLEOD and H. E. McWHINNIE,

against said I. J. SCHILLER,

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 15th day
of April 193 8

 Register

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

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Come J. C. McLEOD and H. E. McWHINNIE, and humbly com-
plaining against I. J. SCHILLER, respectfully show unto your Honor
as follows:

FIRST:

That your complainant, J. C. McLeod, is over the age of
twenty-one years and a resident of Baldwin County, Alabama; that
your complainant, H. E. McWhinnie, is over the age of twenty-one
years and a non-resident of the State of Alabama, his post-office
address being Pensacola, Florida; that the defendant, I. J. Schiller,
is over the age of twenty-one years and a non-resident of the State
of Alabama, his last known address being 4730 N. Western Avenue,
Chicago, Illinois.

SECOND:

That the complainants are the owners of and in the peace-
able possession of the following described lands situated in the
County of Baldwin, State of Alabama, to-wit:

North half of the Northwest quarter of Section three
(3), Township five (5) South, Range three (3) East,
in Baldwin County, Alabama.

THIRD:

That the said I. J. Schiller claims or is reputed to
claim some right, title or interest in, or incumbrance upon the
above described lands, or some part thereof, and the complainants
call upon him to set forth and specify his right, title, claim, in-
terest in or incumbrance upon the said lands, or any part thereof,
and to show how and by what instrument or instruments the same is
derived or created.

FOURTH:

That there is no suit pending to enforce or test the
validity of the complainants' title to the said lands, or to en-
force or test the validity of the defendant's right, title, claim

or interest in or incumbrance upon the said lands, or any part thereof.

WHEREFORE, your complainants pray this Honorable Court take jurisdiction of the cause made by this bill of complaint and make the said I. J. Schiller a party defendant hereto, and by appropriate process require him 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.

Complainants further pray that upon a final hearing of this cause this Honorable Court will make and enter an order and decree adjudging and decreeing that the said defendant, I. J. Schiller, has no right, title, claim, interest in or incumbrance upon the said lands, or any part thereof, and that the title to the said lands be quieted and established in these complainants as against the said defendant; and that the said defendant be forever enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title or interest in, or incumbrance upon, the said lands, or any part thereof.

And these complainants pray for such other, further or different relief as in equity they shall be entitled to receive in the premises.

Bube Hall Beebe
Solicitors for Complainants.

Defendant is required to answer each and every allegation of the foregoing bill of complaint, Paragraphs FIRST to FOURTH inclusive, but not under oath; oath is hereby expressly waived.

Bube Hall Beebe
Solicitors for Complainants.

vs.

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, _____

*original bill of complaint
served by publication, proof of
publication and depositions
conferred*

and in behalf of Defendant upon _____

R. S. Duch

Register.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____, Term, 193

J. C. McLeod and H. E. McWhinnie Complainant.
Vs.

I. J. Schiller Defendant.

Motion is hereby made for a Decree Pro Confesso against *I. J. Schiller* 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 *July* 193*8*

Bebe Hall Bebe
By W. C. Bebe Solicitor.

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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

NOTICE TO NON-RESIDENT

The State of Alabama, Baldwin County. Circuit Court, in Equity.

J. C. McLEOD and H. E. McWHINNIE, Complainants, No. 407,
Vs. I. J. SCHILLER, Respondent.

This the 27th day of April, 1938.

In this cause it being made to appear to the Clerk of this Court by the affidavit of W. C. Beebe, Attorney for Plaintiff that the Defendant, I. J. SCHILLER is a non-resident of the State of Alabama and further, that, 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 I. J. Schiller, Respondent, to answer or demur to the Bill of Complaint in this cause by the 12th day of June, 1938, or after thirty days therefrom a decree Pro Confesso may be taken against him.

R. S. DUCK, Register.
BEEBE, HALL & BEEBE, Attorneys, 15-4t.

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner 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

J. C. McLeod and H. E. McWhinnie vs. I. J. Schiller

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

Date of first publication	<i>May 12, 1938</i>	Vol. <i>49</i>	No. <i>15</i>
Date of second publication	<i>" 19, 1938</i>	Vol. <i>49</i>	No. <i>16</i>
Date of third publication	<i>" 26, 1938</i>	Vol. <i>49</i>	No. <i>17</i>
Date of fourth publication	<i>June 2, 1938</i>	Vol. <i>49</i>	No. <i>18</i>

Subscribed and sworn before the undersigned this 7 day of

June 1938
J. M. McWhinnie
or P. Beebe

J. H. Faulkner
Publisher

**CIRCUIT COURT, BALDWIN COUNTY, ALA.
IN EQUITY**

No. 402

J. C. Melrod et al
VS.
J. J. Schiller

PLAINTIFF
DEFENDANT

BILL OF COSTS

FEES OF REGISTER		Dollars	Cents	Brought Forward	
Filing each bill and other papers	\$ 10	1	00	For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	\$ 715
Issuing each subpoena	50		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof	40		40	Each notice sent by mail to creditor	15
Entering each return thereof	15			Filing receipting for and docketing each claim, etc.	25
For each order of publication	1 00		100	For all entries on subpoena docket, etc.	50
Issuing Writ of injunction	1 50			For all entries on commission docket, etc.	50
For each copy thereof	50			Making final record. per 100 words	15
Entering each return thereof	15			Certified copy of decree	1 00
Issuing Writ of Attachment	1 00			Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof	15			TOTAL FEES OF REGISTER..	
Docketing each case	1 00		100	FEES OF SHERIFF	12 16
Entering each appearance	25			Serving and returning subpoena on deft.	\$1 50
Issuing each decree pro confesso on per ser.	1 00			Serving and returning subpoena for witness	65
Issuing each decree pro confesso on publica	1 00		100	Levying attachment	1 50
Each order appointing guardian	1 00			Entering and returning same	25
Any other order by Register	50		50	Selling property attached	
Issuing Commission to take testimony	50			Impanelling Jury	75
Receiving and filing	10			Executing Writ of possession	2 50
Endorsing each package	10			Collecting execution for costs	1 50
Entering order submitting cause	50		50	Serving and returning sci. fa., each	65
Entering any other order of court	25			Serving and returning notice	65
Noting all testimony	50		50	Serving and returning writ of injunction	1 50
Abstract of cause, etc.	1 00			Serving and returning writ of exeat.	1 50
Entering each decree	75		75	Taking and approving bonds, each	75
For every 100 words over 500	15		75	Collecting money on execution	
Taking account, etc.	3 00			Making Deed	2 50
Taking testimony, etc	15			Serving and returning application, etc.	1 00
Each report, 500 words or less	2 50		75	Serving attachment, contempt of court.	1 50
For every 100 words over 500	15			TOTAL FEES OF SHERIFF..	
Amount claimed less than \$500, etc	2 00			RECAPITULATION	
Issuing each subpoena	25			Register's Fees	
Witness certificate, each	25			Sheriff's Fees	
Issuing execution, each	75			Commissioner's Fees	
Entering each return	15			Solicitor's Fees	
Taking and approving bond, each	1 00			Witness Fees	
Making copy of bill, etc	15			Guardian Ad Litem	
Each notice not otherwise provided for	50			Printer's Fees	
Each certificate or affidavit, with seal	50			Trial Tax	3 00
Each certificate or affidavit, no seal	25			Recording Decree in Probate Court	
Hearing and passing on application, etc.	3 00			TOTAL	23 59
Each settlement with Receiver, etc.	3 00				
Examining each voucher of Receiver, etc	10				
Examining each answer, etc.	3 00				
Recording resignation, etc	75				
Entering each certificate to Supreme Court	50				
Taking questions and answers, etc	25				
For all other ser relating to such proceedings	1 00				
For services in proceeding to relieve minors, etc., same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per cent; all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.					
Sub Total Carried Forward					

Received payment this _____ day of _____ 193_____

Register.

J. C. McLEOD and
H. E. McWHINNIE,

Complainants,

vs.

I. J. SCHILLER,

Respondent..

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause coming on to be heard, was submitted for final decree upon the bill of complaint, decree pro confesso, and the same being considered, the Court is of the opinion that complainants are entitled to the relief prayed for in their bill of complaint;

It is therefore ORDERED, ADJUDGED AND DECREED that the respondent, I. J. SCHILLER, has no right, title, claim, interest in or incumbrance upon the North half of the Northwest quarter of Section 3, Township 5 South, Range 3 East, in Baldwin County, Alabama, or any part thereof, and that the title to the said land be and the same is quieted and established in the said J. C. McLeod and H. E. McWhinnie, complainants, and that the said respondent, I. J. Schiller, be and he is enjoined from asserting or attempting to assert, or from claiming or attempting to claim any right, title, interest in, or incumbrance upon the said land, or any part thereof.

It is further ORDERED, ADJUDGED AND DECREED that the complainants pay the cost of this suit, for which let execution issue.

It is further ORDERED, ADJUDGED AND DECREED that the Register of this Court file and have recorded in the office of the Judge of Probate of Baldwin County, Alabama, in the Record of Deeds a certified copy of this decree within thirty (30) days from this date, and that the cost thereof be taxed as a part of the cost of this proceeding.

Done in vacation at Monroeville, Alabama, this the 7th
day of July, 1938.


Judge.

Statement

THE BALDWIN TIMES

BAY MINETTE, ALABAMA

6/6/38, 1938

Hon. R. S. Duck

City

Advertising:

J. C. McLeod and He E. McWhinnie

Vs. I. J. Schiller

165 words @ ~~4 1/2~~ ----- \$7.43

Job Printing:

UICK
Clerk Of The
Baldwin County
Minnette, Ala.

REGISTERED MAIL

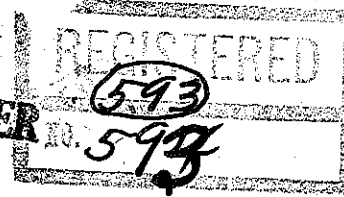
RETURN RECEIPT REQUESTED.

Return Receipt Requested
Fee Paid
Deliver to addressee only.

NOT THERE \$2.50

DELIVER TO ADDRESSEE ONLY.

RETURN TO WRITER



I. J. Schiller,
4730 N. Western Avenue,
Chicago, Illinois.

Return Receipt Requested
Fee Paid

RETURN TO WRITER

Deliver to addressee only.

Bay Minette, Ala., 2/22 1940

R. S. Duck

city

IN ACCOUNT WITH

G. W. ROBERTSON

Judge of Probate, Baldwin County

Please Return Bill With Remittance

Recording	from	to	Privilege Tax	Rec. Fee	Total
Deed	J. C. McLeod et al	J. J. Schiller		60	60
<p>Paid July 8, 1938 G. W. Robertson by M. J. W.</p>					

Statement

THE BALDWIN TIMES

BAY MINETTE, ALABAMA

6/6/38 _____, 193_____

Hon. R. S. Duck

City _____

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