

196

-----X
 HERMAN KOEHLER,
 Complainant.
)
)
 -vs-
)
)
 JOHN E. MILSTEAD, Sr., MARION
 E. MILSTEAD, JOHN E. MILSTEAD,
 Jr., DUDLEY MILSTEAD, ~~DUDLEY~~ *George*
 MILSTEAD, WILHEMINA NICKS,
 JESSE E. MCCOY, THOMAS W. CROSBY,
 LESLIE K. IRVINE, A. P. SMITH,
 W. J. L'ENGLE, JOHN B. FOLEY,
 SAMUEL L. PICKLER,
 GAUNT CREBS, And such other persons
 as may be the next of kin,
 legatees, devisees or heirs at
 law of such of the above parties
 that may be dead.
)
)
 DEFENDANTS.
)
 -----X

IN THE CIRCUIT COURT-EQUITY SIDE.
 STATE OF ALABAMA
 BALDWIN COUNTY
 No. _____

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
 EQUITY SIDE, AND THE HON. A. E. GAMBLE, JUDGE THEREOF, SITTING IN EQUITY:

Your Orator, Herman Koehler, respectfully represents and shows unto
 your Honor and unto this Honorable Court as follows:-

F I R S T.

That your Orator is a bona fide resident of Baldwin County, State
 of Alabama, where he has resided for many years past. That his address
 is Lillian, Alabama. That the subject matter of this suit is real estate
 that is situated in Baldwin County, State of Alabama. That the defend-
 ants against whom this bill is exhibited are John E. Milstead, Sr., Mar-
 ion E. Milstead, John E. Milstead, Jr., George Milstead, Dudley Milstead,
 Dudley Milstead, Arvella Milstead, Wilhemina Nicks, Jesse E. McCoy, Thom-
 as W. Crosby, Leslie K. Irvine, A. P. Smith, W. J. L'Engle, John B. Foley,
 Samuel L. Pickler, and Gaunt Crebs, and such other persons as may be the
 next of kin, legatees, devisees, or heirs at law of such of the above
 parties defendant as may be dead. That Jesse E. McCoy and Thomas W.
 Crosby reside at Atmore, Alabama. That John B. Foley resides at 2835-45
 Sheffield Avenue, Chicago, Illinois. That the addresses of the other
 parties defendant are not known to your orator nor can they be ascertain-
 ed after diligent inquiry on his part. That all of the above parties
 defendant, so far as your Orator has been able to ascertain, are over
 the age of twenty-one years, and that Your Orator verily believes and al-

leges that they are over the age of twenty-one years.

S E C O N D .

That your Orator is in the actual and peaceable possession of the following described lands in Baldwin County, State of Alabama, viz:-

The north half of the northwest quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$) of section seventeen (17) in township seven (7) south of range five (5) east.....

claiming to own the same, in his own right, and that said lands have been continuously in the actual occupancy and peaceable possession of your Orator, and those under whom he claims, for a period of more than twenty years, during all of which time, the persons under whom your orator claims, and from whom he derives title to said lands, have occupied and claimed title all of the time until said lands were sold to orator, who is now in actual possession, claiming to own the same in his own right in fee simple as aforesaid.

T H I R D .

That the defendants, whose names are heretofore set out, and their next of kin, devisees, legatees and heirs at law, claim, or are reputed to claim, some right, title or interest in or encumbrance upon such lands, or some part thereof, and to hold a lien or encumbrance thereon.

That there are no suits now pending to test the validity of or to enforce such title, claim or encumbrance, in any court of competent jurisdiction.

WHEREFORE, Your Orator calls upon the said defendants, and each of them, and their next of kin, devisees, legatees or heirs at law, to set forth and specify, his, her or their claims, title, interest or encumbrance, in, to or upon said lands, or any part thereof, and how and by what instrument or instruments, the same is or are derived and created.


PRAYER FOR PROCESS.

To the end therefore, that equity may be done in the premises, Orator, prays that the defendants named herein be made party respondents to this original bill of complaint, by the usual processes of this honorable court; that subpoenas be issued or service be had, requiring each and every one of them to appear and plead, answer or demur, to this bill

within the time required by law, under the pains and penalties of this honorable court. That said respondents may be required by this honorable court, to set forth and specify his, her or their, title, claim, interest or encumbrance, in, to or upon said lands, and how and by what instrument or instruments the same is derived.


PRAYER FOR RELIEF.

That upon a final hearing of this cause, that your Honor will render, adjudge and decree that the said defendants, their next of kin, devisees, legatees and heirs at law, have no title, estate, claim or interest in or encumbrance in, to or upon the lands or any part thereof above described; that the title of the complainant is absolute and in fee, free from all right, title, interest or claim or encumbrance, which the said respondents or defendants, or any of them, their next of kin, devisees, legatees, or heirs at law, may have or claim; that your Honor will further grant unto your Orator such other and further or such further and different relief as he may, in equity and good conscience be entitled to receive in the premises, And, as in duty bound, he will ever pray, etc., etc.,


Solicitors for Complainant.

Foot Note:-

Each of the respondent and defendants named above, their heirs at law, devisees, legatees or next of kin, are required to answer each and every paragraph of the foregoing bill of complaint, from "FIRST" to "THIRD.", both inclusive, but not under oath, answer under oath being hereby expressly waived.


Solicitors for Complainant.

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 Jesse E Mc Coy, and Thomas W Crosby,

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of Escambia 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 Summons, and there to
answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by.....

Herman Koehler.

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against said Jesse E Mc Coy, Thomas W Crosby et al.

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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 10th day of September

1919.

T. W. Richerson
Register.

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

Original and

copy
Serve on Jesse E Mc Coy and Thomas W Crosby
Atmore, Ala.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

Received in office this 10th,

No. 196.

day of Sept, 1919.

SUMMONS.

W.R. Stewart

Sheriff.

Herman Koehler,

Executed this 17th day of

September 1919

by leaving a copy of the within Summons with

*J.E. McCoy and
Thomas W Crosby*

Defendant

W.R. Stewart

Sheriff

vs.

By _____

Deputy Sheriff.

Jesse E Mc Coy, Thomas
W Crosby et al.

*9/17-19
Stewart*

Stone and Stone.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, et al.,
Defendants.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

BALDWIN COUNTY

STATE OF ALABAMA.

BALDWIN COUNTY.

Personally appeared before me, T. W. Richerson, Register in Chancery, Circuit Court, Equity Side, Norborne Stone, one of the solicitors for the complainant, who, being duly sworn, deposes and says;

That John B. Foley is a non-resident of the State of Alabama, and resides at 2835-45 Sheffield Avenue, Chicago, Illinois. That the addresses of John E. Milstead, Sr., Marion E. Milstead, Arvella Milstead, John E. Milstead, Jr., Dudley Milstead, ^{George Milstead} Wilhemina Nicks, Leslie K. Irvine, Samuel L. Pickler, A. P. Smith, W. J. L'Engle, and Gaunt Crebs, if they be living and their heirs at law, devisees, legatees and Next of kin, are unknown to him and cannot be ascertained after diligent inquiry on his part; that he is informed and verily believes that they are over the age of twenty-one years.

That the defendants described as next of kin, legatees, devisees and heirs at law are unknown to the complainant or his solicitors and that he has made diligent inquiry to ascertain their names and their their addresses are unknown and cannot be ascertained.

Norborne Stone
Solicitor for Complainant.

Sworn to and subscribed before me
this 9th day of September, 1919.

T. W. Richerson
Register Circuit Court, Equity side.

THE STATE OF NEW YORK

IN SENATE,
January 10, 1919.

REPORT OF THE COMMISSIONERS OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE
ON APRIL 10, 1918, CONCERNING THE LANDS BELONGING TO THE STATE
AND THE MANNER OF THEIR DISPOSITION.

Filed 9/9-1919,
D. Williams
Register

3rd

OFFICE OF THE COMMISSIONERS OF THE LAND OFFICE
ALBANY, N. Y.

Notice to Non Residents.

ALL COUNTY ADVERTISING

CIRCULATION GUARANTEED TO BE THE LARGEST IN BALDWIN COUNTY

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE No. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

ABNER J. SMITH, 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

Notice to Non Residents.

Herman Kohler, Complainant. Vs. John B. Foley, John E. Milstead, Sr., Marion E. Milstead, Arvella Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Leslie K. Irvine, Samuel L. Pickler, A. P. Smith, W. J. L'Engle, and Gaunt Crebs and their heirs at law, devisees, legatees and next of kin, Defendants. In the Circuit Court. Equity Side. State of Alabama, Baldwin County. No. 196.

Was published in said Newspaper for 4 consecutive weeks
issues:

Publication	September 11th, 1919	Vol.	30	No.	30
'	September 18th, 1919	Vol.	30	No.	31
'	September 25th, 1919	Vol.	30	No.	32
'	October 2nd, 1919	Vol.	30	No.	33

on to before the undersigned

of October 1919.

Abner J. Smith
Circuit Court

Abner J. Smith
Publisher.

T. W. Richerson,
Register.

Stone and Stone,
Attys for Complainant.
30-4t

Herman Kohler, Complainant. Vs. John B. Foley, John E. Milstead, Sr., Marion E. Milstead, Arvella Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Leslie K. Irvine, Samuel L. Pickler, A. P. Smith, W. J. L'Engle, and Gaunt Crebs and their heirs at law, devisees, legatees and next of kin, Defendants. In the Circuit Court. Equity Side. State of Alabama, Baldwin County. No. 196.

In this cause it being made to appear to the Register of this Court by the affidavit of Norborne Stone, Solicitor for Complainant, that the defendants John B. Foley, John E. Milstead, Sr., Marion E. Milstead, Arvella Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Leslie K. Irvine, Samuel L. Pickler, A. P. Smith, W. J. L'Engle, Gaunt Crebs and their heirs at law, devisees, legatees and next of kin, are non residents of the State of Alabama, are over the age of twenty-one years of age, that the address of John B. Foley, is 2835-45 Sheffield Avenue, Chicago, Illinois, to the best of his knowledge and belief, but that the addresses of the other defendants cannot be ascertained after diligent inquiry and search on his part and that they have been made unknown parties to the above bill of complaint because they are necessary parties.

And it appearing from the said bill of complaint that the complainant claims to own and is in the peaceable possession of the following described lands, namely:

The north half of the northwest quarter (N 1/2 of N. W. 1/4) of section seventeen (17) in township seven (7) south of range five (5) east, in Baldwin County, State of Alabama.

That each of the defendants claim or is reputed to claim, some right, title or interest in or encumbrance upon the said lands; that no suit is pending to test the validity of such claim, title or encumbrance, that the complainant calls upon each defendant to set forth and specify his title claim, interest or encumbrance upon the said lands, or any part thereof, and how and by what instrument the same is derived and created, and prays that his title to the said land be quited as against the said defendants and each of them, that it be decreed that complainant has a good and perfect title to all of said lands as against the defendants, and each of them, and it be further decreed that none of the defendants have any right, title or interest in, or hold any lien or encumbrance upon, the said lands.

It is therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, State of Alabama, once a week for four consecutive weeks, requiring the said defendants, their heirs at law, devisees, legatees and next of kin, to answer or demur to the bill of complaint in this cause by the 13th day of October, 1919, or after thirty days therefrom a decree pro confesso may be taken against them.

Done and order at Bay Minette, Alabama, this the 10th day of September, 1919.

4m

Filed Oct 13th 1919
D. W. Nicolson
Register

HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, et al.,
Defendants.

CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

No. 196.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. RICHESON, Clerk of the Circuit Court of Baldwin County, Alabama, personally appeared, Norborne Stone, who is known to me and who, after being by me first duly sworn, deposes and says under oath:-

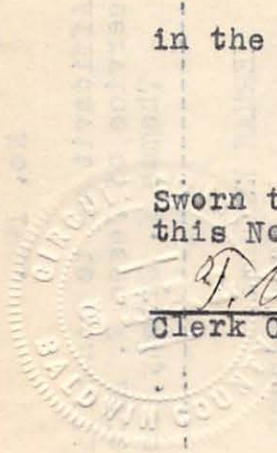
I am one of the Attorneys for Herman Koehler, the complainant in the above styled cause.

Jesse E. McCoy and Thomas W. Crosby, two of the defendants in the above styled cause, from the beginning of this cause have resided in Escambia County, Alabama; that they have been engaged solely in civil pursuits at and since the filing of this cause; that they have not, at any time since the filing of this suit, nor ^{are} ~~or~~ they now, in the military or naval service of the United States.

Norborne Stone

Sworn to and subscribed before me
this November 10th, 1919, being Monday.

T. W. Richeson
Clerk Circuit Court, Baldwin County, Ala.



Affidavit as to non-military
service of Jesse E. McCoy and
Thomas W. Crosby, Defts.

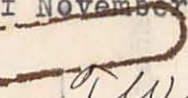
HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, et al.,
Defendants.

Circuit Court-Equity Side.
State of Alabama.
Baldwin County.

Filed in this office this 10th.
day of November, 1919.


T. W. Richardson
REGISTER.

HERMAN KOEHLER,
Complainant.

No. 196.

-vs-

CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

JOHN E. MILSTEAD, Sr.,
et al.,
Defendants.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. Richerson, Clerk of the Circuit Court of Baldwin County, Alabama, personally appeared Norberne Stone, who is known to me and who, after being by me first duly sworn, deposes and says;

That he is a practicing attorney and is one of the attorneys for the complainant, Herman Koehler, in the above styled cause,

That John B. Foley, one of the defendants in said cause, is not now, nor has he been since the filing of the complaint in this cause, in the military or naval service of the United States; that as to John E. Milstead Sr., Marion E. Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Leslie K. Irvine, A. P. Smith, W. J. L'Engle, Samuel L. Pickler, Gaunt Crebs, and such other persons as may be the next of kin, legatees, devisees or heirs at law of such of the above parties that may be dead, he has been unable, after diligent inquiry on his part, to ascertain whether they are in the military or naval service or not; that as to such parties that may be the next of kin, devisees, legatees and heirs at law of such of the named defendants as may be dead, they are unknown to affiant and consequently he is unable to ascertain whether they are in the military or naval service or not; that he has no information that any of the above named defendants are in such service, or any information indicating such, or that any of them have ever been in such service.

Sworn to and subscribed before me
this 17th day of November, 1919.

Clerk Circuit Court, Baldwin Co., Ala.

6 W

No. 196.

Affidavit as to Military Service.

Herman Koehler,
Complainant.

-vs-

John E. Milstead, et al.,
Defts.

Circuit Court-Equity side.
State of Alabama.
Baldwin County.

Filed in this office this
November 17th, 1919.

W. K. [Signature] REGISTER.

-----X
HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, et al.,
Defendants.
-----X

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

No.196.

Motion is hereby made for a decree pro confesso against John E. Milstead, Sr., Marion E. Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Leslie K. Irvine, A. P. Smith, W. J. L'Engle, ^{John B. Foley} Samuel L. Pickler and Gaunf Crebs, and such other persons as may be the next of kin, legatees, devisees or heirs at law of the above named parties that may be dead, 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 this court that said defendants above named are non-resident of the state of Alabama and that they are over the age of twenty-one years so far as complainant can ascertain after diligent inquiry and that their addresses cannot be ascertained after diligent inquiry on the part of the complainant, said defendants having failed to answer, plead or demur to the bill in this cause to the date hereof.

This November 17th, 1919.

Stone & Stone
Solicitors for Complainant.

Hemman Keebler,
Complainant.

-vs-

John E. Milstead, et al.,
Defendants.

Motion for decree pre-con-
fesse against part of Def-
endants on service by publi-
cation.

Granted this November 17th, 1919.

W. W. Keener
Register.

Filed in this office this Nov.
17th, 1919.

W. W. Keener
REGISTER.

[Faint, mostly illegible text from the reverse side of the page, appearing as bleed-through or ghosting.]

HERMAN KOEHLER,
Complainant.

No. 196.

CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

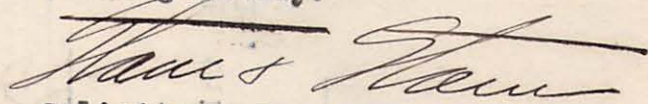
-vs-

JOHN E. MILSTEAD, et al.,
Defendants.

Comes the complainant, Herman Koehler, by his Solicitors of Record, Stone & Stone, and shows unto the Court that a summons was issued out of this court on the 10th. day of September, 1919, directed to Jesse & McCoy and Thomas W. Crosby, two of the defendants in the above styled cause, ordering them to appear and plead, answer or demur, within thirty days from the service thereof, to the bill of complaint, filed in said cause; that the same was duly served upon the said defendants upon the 17th. day of September, 1919 and that the said defendants have, to this day, failed to appear and plead, answer or demur, to the said bill of complaint;

WHEREFORE, complainant moves that a decree "pro confesso" be entered against the said defendants, who are not in the military or naval service of the United States as shown by affidavit duly filed herewith.

This 10th day of November, 1919, being Monday.


Solicitors for Complainant.

No. 196.

Motion for decree pro confesso
against Thomas W. Crosby and
Jesse E. McCoy, two of the defts.

HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, et al.,
Defendants.

CIRCUIT COURT-EQUITY SIDE.
State of Alabama.
Baldwin County.

GRANTED THIS NOV. 10, 1919.

J. W. Register REGISTER.

Filed in this office this November
10th, 1919.

J. W. Register REGISTER.

-----X
HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, Sr., et al.
Defendants.
-----X

No. 196.

CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA
BALDWIN COUNTY

In this cause, it having been made to appear to the Court, by a certificate of publication herein filed, that the order of publication heretofore made in this cause, was published for four consecutive weeks commencing on the 11th day of September, 1919, in the Baldwin Times, a newspaper published in Baldwin County, Alabama, that a copy of said order was posted at the door of the court house of said county on the same day, that a copy of said order was deposited in the Post Office on the same day, directed to John B. Foley, 2835-45 Sheffield Ave, Chicago, the only one of defendants whose address was known; that said order of publication was addressed to the following defendants; John E. Milstead, Sr., Marion E. Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Leslie K. Irvine, A. P. Smith, W. J. L'Engle, John B. Foley, Samuel L. Pickler, Gaunt Grebs, and such other persons as may be the next of kin, devisees, legatees or heirs at law of such of the above named parties as may be dead; and it further appearing that all of the defendants above named have, to the dat hereof, failed to plead, answer or demur, to the bill of complaint in this cause, as directed by said order of publication within the time required by law,

It is therefore, on motion of the complainant, ordered and decreed by the court that the said bill or complaint, be and the same hereby is, in all things taken as confessed as against all of the said defendants.

This the 17th day of November, 1919, being Monday.

T. W. R. R. R.

REGISTER.

Decree "pro confesso" against
all of defendants except Jesse
E. McCoy and Thomas W. Crosby.

HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, Sr., etal.
Defendants.

Circuit Court-Equity Side.
State of Alabama.
Baldwin County.

Filed in this office this
November 17th, 1919.

D. W. Williams REGISTER.

-----X
HERMAN KOEHLER,)
Complainant.)
-vs-)
JOHN E. MILSTEAD, Sr., et al.)
Defendants.)
-----X

No. 196.

CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

In the above cause it being made to appear to the Register that a summons was duly served on Thomas W. Crosby and Jesse E. McCoy, two of the defendants, by the Sheriff of Baldwin County, Alabama, on the 17th day of September, 1919, requiring them to appear and plead, answer or demur, to the bill of complaint herein filed, with thirty days from service thereof, and that the said above named defendants, Thomas W. Crosby and Jesse E. McCoy, have failed, to the date hereof, to so appear and plead, answer or demur.

It is therefore, on motion of the complainant, ordered and decreed by the court that the said bill of complaint be and the same hereby is in all things taken as confessed against the two above named defendants.

This the 10th day of November, 1919.

W. H. R. R. R. REGISTER.

10
No. 196.

Decree pro confesso against
Jesse E. McCoy and Thomas W.
Crosby, two defendants.

HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, SR., et al.
Defendants.

CIRCUIT COURT-EQUITY SIDE.
State of Alabama.
Baldwin County.

Filed in this office this 10th.
day of November, 1919.

D. W. Rice REGISTER.

Herman Kochler
Complainant

vs.

John E. Mulstead et al.
Defendants

No 196

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,

*order of publication, certificate of publication,
affidavit of ~~publ~~ military service
recue pro-confess*

and in behalf of Defendant upon _____

J. W. Robinson

Register

11
No. 196

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Herman Kochler

vs.

*John E. Milled
et al.*

NOTE OF TESTIMONY.

Filed in Open Court this 19

day of Nov 1919

W. R. ...

Register

-----X
HERMAN KOEHLER,
Complainant.

vs-

JOHN E. MILSTEAD Sr., Marion E. Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Jesse E. McCoy, Thomas W. Crosby, Leslie K. Irvine, W. J. L'Engle, A. P. Smith, John B. Foley, Samuel L. Pickler, and Gaunt Grebs, and such other persons as may be the next of kind, legatees, devisees or heirs at law of such of the above parties as may be dead.

IN THE CIRCUIT COURT-EQUITY SIDE
STATE OF ALABAMA.
BALDWIN COUNTY.
No. 196.

-----X
This cause is submitted in term time upon the original Bill of Complaint, pleadings, decree pro confesso and proof as noted by the Register:

And it being shown by affidavit that none of the defendants against whom decrees pro confesso was taken are in the military or naval service of the United States, and the court having previously ordered by separate decree that a final decree by default be taken against them in this cause, and the court being of the opinion that the complainant is entitled to the relief for which he prays in his bill of complaint;

IT IS ORDERED, ADJUDGED AND DECREED by the Court that none of the defendants, namely, John E. Milstead, Sr., Marion E. Milstead, John E. Milstead, Jr., Dudley Misleatd, Gorge Milstead, Wilhemina Nicks, Jesse E. McCoy, Thomas W. Crosby, Leslat K. Irvine. W. J. L'Engle, A. P. Smith, John B. Foley, Samuel L. Pickler, Gaunt Grebs and such other persons as may be the next of kin, legatees, devisees or heirs at law of such of the above named parties as may be dead, have any right, title or interest in, or hold any lien or encumbrance upon, the following described lands, namely;

The North half of the ^{with} southwest quarter of section seventeen in township seven south of range five east (N $\frac{1}{2}$ of ~~the~~ Sec. 17 Tp. 7 S. R. 5 E.) Baldwin County, State of Alabama. NW $\frac{1}{4}$

- page number two-

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the title of the Complainant to said lands is good and perfect as against the defendants, and each of them; that a certified copy of this decree be recorded in the office of the Judge of Probate of Baldwin County, Alabama,; that a certified copy of this decree be mailed to each defendant who has not appeared and whose address is known; that at the expiration of one year, unless sooner vacated, shall become absolute as to the defendants brought in by publication, it being now absolute as against the defendants receiving personal service and being residents of this state; and that the complainant do pay the costs of this cause, for which let execution issue.

November, 26th, 1919.

W. E. Gaubey JUDGE.

~~2~~

... the defendant ...
... the plaintiff ...
... the court ...
... the law ...
... the facts ...
... the evidence ...
... the testimony ...
... the exhibits ...
... the arguments ...
... the conclusions ...
... the final judgment ...

... the defendant ...
... the plaintiff ...
... the court ...
... the law ...
... the facts ...
... the evidence ...
... the testimony ...
... the exhibits ...
... the arguments ...
... the conclusions ...
... the final judgment ...

November 26

Filed Nov 26 1899
P. M. Richardson
Clerk

Decree recorded on
minute book 72

Notice to Non Resident.

Herman Kohler,

Complainant.

vs.

John B Foley, John E Milstead, Sr.,
Marion E Milstead, Arvella Milstead,
John E Milstead, Jr., Dudley Milstead,
George Milstead, Wilhemina Nicks,
Leslie K Irvine, Samuel E Pickler,
A.P. Smith, W.J.L'Engle, and Gaunt Crebs
and their heirs at law, devisees, legatees and
next of kin, defendants.

In the circuit court
Equity side, state of
Alabama, Baldwin county
No. 196.

In this cause it being made to appear to the Register of this Court by the affidavit of Norborne Stone, Solicitor for complainant, that the defendants John B Foley, John E Milstead, Sr., Marion E Milstead, Arvella Milstead, John E Milstead, Jr., Dudley Milstead, George Milstead, Wilhemina Nicks, Leslie K Irvine, Samuel E Pickler, A.P. Smith, W.J.L'Engle, Gaunt Crebs and their heirs at law, devisees, legatees and next of kin, are non residents of the state of Alabama, are over the age of twenty-one years of age, that the address of John B Foley, is 2835-48 Sheffield Avenue, Chicago Illinois. to the best of his knowledge and belief, but that the addresses of the other defendants cannot be ascertained after diligent inquiry and search on his part and that they have been made unknown parties to the above bill of complaint because they are necessary parties.

And it appearing from the said bill of complaint that the complainant claims to own and is in the peaceable possession of the following described lands, namely:

The north half of the northwest quarter (N $\frac{1}{2}$ of N.W. $\frac{1}{4}$) of section seventeen (17) in township seven (7) south of range five (5) east, in Baldwin county, state of Alabama.

That each of the defendants claim or is reputed to claim, some right title or interest in or encumbrance upon the said lands; that no suit is pending to test the validity of such claim, title or encumbrance, that the complainant calls upon each defendant to set forth and specify his title claim, interest or encumbrance upon the said lands, or any part thereof, and how and by what instrument the same is derived and created, and prays that his title to the said land be quieted as against the said defendants and each of them, that, it be decreed that complainant has a good and perfect title to all of said lands as against the defendants, and each of them, and it be further decreed that none of the defendants have any right, title or interest in, or hold any lien or encumbrance upon, the said lands.

It is therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, state of Alabama, once a week for four consecutive weeks, requiring the said defendants, their heirs at law, devisees, legatees and next of kin, to answer or demur to the bill of complaint in this cause by the 13th, day of October 1919, or after thirty days therefrom a decree pro confesso may be taken against them.

Done and order at Bay Minette, Alabama, this the 10th, day of September, 1919.

N. W. Stone
-----Register.

Stone and Stone
Attys for Complainst.

1914

1915

1916

1917

1918

1919

1920

1921

1922

1923

1924

Filed 9/10-19
J. W. Richardson
Register

Bay Minette, Ala.,

October 4th, 1919

M

Herman Kohler, Complainant
vs
John B. Foley, et als

THE BALDWIN TIMES

ABNER J. SMITH, PROPR.

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

To publishing Non-Resident Notice in The Baldwin
Times in issues of September 11th, 18th, 25th,
and October 2nd, 1919:

522 words @ $4\frac{1}{2}$ ¢ per word,.....

\$23.49

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 Jesse E Mc Coy, and Thomas W Crosby,

of Escambia 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 Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Herman Kochler.

against said Jesse E Mc Coy, Thomas W Crosby et al.

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 10th day of September

1919.

T. W. Richerson

Register.

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

Copy

Jesse E Mc Coy and Thomas

Crosby

Serve ^{copy} on Atmore, Ala.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

Received in office this 10th
day of Sept. 1919.

No. 196

Sheriff.

SUMMONS.

Executed this _____ day of

191 _____

by leaving a copy of the within Summons with

Defendant

Sheriff

By _____
Deputy Sheriff.

Herman Koehler,

*2 50
12
3000*

vs.

Jesse E Mc Coy, Thomas
Crosby et al.

Stone and Stone.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

-----X
HERMAN KOEHLER,
Complainant.

-vs-

JOHN E. MILSTEAD, et al.,
Defendants.
-----X

CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

No. 196.

It appearing to the court from the affidavit of the solicitor of record for the complainant, on file in this cause, that, with the exception of John B. Foley, Jesse E. McCoy and Thomas W. Crosby, that he cannot determine whether or not the defendants, including the unknown defendants brought in by publication, are, or have been, in the military or naval service of the United States, since the filing of said original Bill of Complaint, and it not having been shown otherwise that any of the said defendants or or have been in such service, with the above exception, but there being nothing to indicate that any of them are or have been in such service,

It is hereby ordered, directed and decreed by the court that a final decree by default be entered against the said defendants in said cause.

Done in term time this November 17th, 1919.

Alb. Gumbly

JUDGE

NCS

RECEIVED
COMMISSIONER

7-17

W. H. ...

STATE OF ...

...

The undersigned do hereby certify that the following is a true and correct copy of the original bill of ...

...

It is hereby certified, attested and decreed by the Court that the above is a true and correct copy of the original bill of ...

...

Filed Nov 17/919
T. Whiteman
Register

...

Tax