

Wiley R. Mitchell,
Complainant,

Vs.

Joseph Mitchell, Lizzie Mitchell
Lewis, Effie Mitchell Resmonda, Leon Mitchell
Mitchell, Bede Mitchell and General J. Mitchell,
Respondents.

No. 116

In the Circuit Court of
Baldwin County, Alabama.

In Equity. No 116.

To the Honorable A.E. Gamble, Judge of the Circuit Court
of Baldwin County, Alabama, sitting in Equity:

Your Orator, Wiley R. Mitchell, respectfully represents
and shows unto your Honor:-

FIRST

That he is a resident of Baldwin County, Alabama, and over twenty-
one years of age, and resides at Seminole, in said County.

SECOND

That your Orator and respondents are joint owners or tenants in
common of the following described property situate in the County
of Baldwin, in the State of Alabama, to-wit:-

East half of the Northeast quarter, and the Northeast
quarter of the Southeast quarter of Section twenty-eight, in
Township six South, Range six East of St. Stephens Meridian in
Alabama, containing one hundred and twenty & 18/100 acres.

And Fractional "A", Northeast quarter of Section twenty-two
in Township six South, Range six East, containing one hundred
acres, with the improvements thereon.

Also one Ferry Flat Boat and four small Skiffs used in
connection with said Ferry.

THIRD.

That the respondents Joseph Mitchell and Effie Mitchell Resmonda
reside in Baldwin County, Alabama, near Seminole or Lillian; that
Lizzie Mitchell Lewis, wife of Wiley Lewis, reside near Pensacola,
Florida, R.F.D. Route No. 1; that Leon Mitchell resides in Pensacola,
Florida at 513 DeVilla St; that all of the above named respondents
are over twenty-one years of age and of sound mind; that Bede
Mitchell is over twenty-one years of age and of unsound mind; that

General J. Mitchell is a minor over the age of eighteen years and of sound mind; that the last named respondents reside in Baldwin County, Alabama, at Seminole.

FOURTH

That your Orator owns a one-seventh undivided interest in said property; that the respondents Joseph Mitchell, Lizzie Mitchell Lewis, Effie Mitchell Resmonda, Leon Mitchell, Bede Mitchell and General J. Mitchell each own a one-seventh ^{undivided} interest in said property.

FIFTH

That on said Fraction A, or N.E. $\frac{1}{4}$ of said Section 22, described in the second paragraph of this bill of complaint there are valuable improvements, including a ferry landing thereon, and one ferry flat boat and four small Skiff Boats used in connection with said ferry, which said improvements and boats are depreciating in value and are in the possession of and controlled by the said Joseph Mitchell one of the respondents to this suit, and is being managed and operated by him; that said ferry and boats produce an income of about Eighty Dollars per month which is collected by and used by the said Joseph Mitchell for his own benefit; that the other joint tenants named in the third paragraph of this bill of complaint have not received any money or other things of value by reason of the operation and management of said ferry since the 8th, day of December, 1917.

SIXTH.

That it is necessary to sell said property as the same cannot be equitably divided or partitioned among the joint owners or tenants in common without a sale thereof.

PRAYER FOR PROCESS.

To the end that justice may be done, your Orator prays that your Honor will take jurisdiction of this cause, and that summons be issued to the said Joseph Mitchell, Effie Mitchell Resmonda, Bede Mitchell and General J. Mitchell requiring them to appear and plead to, answer or demur to the original bill of complaint herein, with^d the time prescribed by law; Orator further prays that a copy of this bill of complaint be sent to Lizzie Mitchell Lewis and Leon Mitchell as required by an Act of the Legislature of Alabama approved September 18th, 1915, and that the said Lizzie Mitchell Lewis and Leon Mitchell who are non-residents of the State of Alabama be made parties respondent to this bill of complaint by process of publication as required by law in such cases and likewise requiring them to plead to, answer or demur to the allegations of this bill of complaint within the time specified in the order of publication. Prays further that a guardian ad-litem may be appointed to represent said minor and the said Bede Mitchell who is of unsound mind.

PRAYER FOR RELIEF

Orator prays your Honor, that upon the hearing of said cause your Honor will grant a decree to sell said property hereinabove described for the purpose of dividing the proceeds thereof among the joint owners or tenants in common as herein set out; that at the proper time a decree of reference may be granted directing the Register to ascertain what would be a reasonable solicitor's fee to be paid to complainant's solicitor for services rendered in this proceeding, and that such other and further orders and decrees may be made and granted as your Honor may deem necessary.

Chas Hall
Solicitor for complainant.

FOOT NOTE:

Each of the respondents to the foregoing bill are hereby required to answer each and every allegation of the same, from paragraph one to six, inclusive, but answer under oath is not required and is hereby expressly waived.

Charles Hall
Solicitor for Complainant.

The State of Alabama:
County of Baldwin :

Before me, L. Glendon Jones a

Notary Public for said County in said State, on this the 25 day of July, 1918, personally appeared Wiley R. Mitchell, who is known to me, and being by me duly sworn, upon his oath says, that he has read the above bill of complaint and knows of his own knowledge that the allegations therein stated are true.

Wiley R. Mitchell

Sworn to and subscribed
before me this 25 day of
July, 1918.

L. Glendon Jones
Notary Public,

My Commission Expires February 18, 1919



Notice to Non-Resident and Order of Publication.

Wiley R. Mitchell, Complainant. vs Lizzie Mitchell Lewis and Leon Mitchell, et al. Respondents. The State of Alabama, Baldwin County. In Equity. No. 116. Circuit Court of Baldwin County.

In this cause it being made to appear to the Register of this Court in Vacation, by the affidavit of Wiley R. Mitchell, Complainant, that the Defendant's Lizzie Mitchell Lewis and Leon Mitchell, are non-residents of the State of Alabama and reside in Pensacola, in the State of Florida, and further, that in the belief of said affiant the Defendant's are 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 Lizzie Mitchell Lewis and Leon Mitchell, to answer or demur to the Bill of Complaint in this cause by the 2nd day of September, 1918, or after thirty therefrom a decree Pro Confesso may be taken against them.

This 27th day of July, 1918.

T. W. Richerson,
Register of the Circuit Court of Baldwin County, Ala.
Chas. Hall,
Atty for Complainant. 24-4t

Largest Weekly Circulation in South Alabama

Bay Minette, Ala.,

January 29th, 1919

R. Mitchell

Mitchell, et al

NOTICE TO NON-RESIDENT
Charles Hall, atty

E BALDWIN TIMES

ABNER J. SMITH, PROPR.

JOB PRINTING. BEST ADVERTISING MEDIUM

BEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

in 30 Days

ing above Notice to Non-Resident in The
Times in issues of August 1st, 8th, 15th, 22nd, 1918:
ads @ 4½ ¢ per word..... \$8.67

*Paid Jan, 29th 1919
Abner J. Smith
Publ. Office*

Wiley R. Mitchell,
Complainant,

Vs.

Joseph Mitchell, Lizzie
Mitchell Lewis, Effie Mitchell,
Resmonda, Leon Mitchell, Bede
Mitchell and General J. Mitchell,
Respondents.

: No. 116
: In the Circuit Court of
: Baldwin County, Alabama.

: In Equity.

Comes, Lizzie Mitchell Lewis -----, one of
the respondents in the above entitled cause, and answering the
bill of complaint filed in this cause says, that, I have read a
typewritten instrument of writing from paragraph one to six in-
clusive sent me by ~~the~~ Registered mail, by the Register of the
Circuit Court of Baldwin County, Alabama, which purports to be a
copy of the original bill of complaint filed in this cause in the
Circuit Court of Baldwin County, Alabama, on the 27th, day of July
1918, for the purpose of selling the following described property
situate in the County of Baldwin, in the State of Alabama, to-wit:

E. $\frac{1}{2}$ of N.E. $\frac{1}{4}$, and N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 28, in Township
6 South of Range 6 East, containing One hundred and twenty $\frac{2}{100}$ 18/100
acres ~~thirteen~~. And Fractional "A", NE $\frac{1}{2}$ of Section 22, in Township
6 South of Range 6 East, containing 100 acres, with the improve-
ments thereon.

Also one Ferry Flat Boat and four small Skiffs used in
connection with said Ferry,

upon the ground that it is necessary to sell said property as the
same cannot be equitably divided or partitioned among the joint
owners or tenants in common without a sale thereof, and for the
purpose of dividing the proceeds thereof among the joint owners or
tenants in common; that this respondent admits each and every para-
graph of said bill of complaint to be true and prays the court to
grant the relief prayed for in said bill of complaint.

Witnesses:

Witness W. W. Lewis
Witness F. B. Perce

Mrs Lizzie Mitchell Lewis

No. 116

Wiley R. Mitchell

vs.

Joseph Mitchell, et al.

In Circuit Court
of Baldwin County.

In Equity.

.....
Filed Aug 23, 1918
T. W. Meisner
Register

Bay Minette, Ala.,

September 5th, 1918

M

Wiley R. Mitchell, Complainant

vs

Lizzie Mitchell Lewis, et al, Respondants

NOTICE TO NON*RESIDENT

Chas. Hall, Atty

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 above Notice in The Baldwin Times, in issues
of August 1st, 8th, 15th, 22nd, 1918:

195 words @ 4½ cents per word.....

\$8.67

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE NO. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

AFFIDAVIT OF PUBLICATION

Notice to Non-Resident and Order of Publication.

Wiley R. Mitchell, Complainant, vs Lizzie Mitchell Lewis and Leon Mitchell, et al. Respondents. The State of Alabama, Baldwin County. In Equity. No. 116. Circuit Court of Baldwin County.

In this cause it being made to appear to the Register of this Court, in Vacation, by the affidavit of Wiley R. Mitchell, Complainant, that the Defendant's Lizzie Mitchell Lewis and Leon Mitchell, are non-residents of the State of Alabama and reside in Pensacola, in the State of Florida, and further, that in the belief of said affiant the Defendant's are 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 Lizzie Mitchell Lewis and Leon Mitchell, to answer or demur to the Bill of Complaint in this cause by the 2nd day of September, 1918, or after thirty therefrom a decree Pro Confesso may be taken against them.

This 27th day of July, 1918.

T. W. Richerson,

Register of the Circuit Court of Baldwin County, Ala.

Chas. Hall,

Atty for Complainant. 24-4t

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-Resident

Wiley R. Mitchell, Complainant

vs

Lizzie Mitchell Lewis, et al, Respondents.

Was published in said Newspaper for 4 consecutive weeks

times:

Date of first publication	August 1st, 1918	Vol.	29	No.	24
“ “ second “	August 8th, 1918	Vol.	29	No.	25
“ “ third “	August 15th, 1918	Vol.	29	No.	26
“ “ fourth “	August 22nd, 1918	Vol.	29	No.	27

Subscribed and sworn to before the undersigned

this 5th day of Sept 1918.

T W Richerson
Clerk Circuit Court.

Abner J. Smith
Publisher.

Filed 9/5-18
T. M. Hoover
Register

Handwritten text, possibly a signature or name, appearing vertically on the right side of the page.

Handwritten text, possibly a date or initials, appearing vertically on the right side of the page.

Handwritten text, possibly a name or address, appearing vertically on the right side of the page.

Wiley R. Meador

vs.

Josefa Bustos et al

CIRCUIT COURT OF
Baldwin COUNTY,
IN EQUITY.

I, Wiley R. Meador, Register of said Court, do hereby certify that I

did, on the 7 day of July 1918, send to

Josefa Bustos Defendant

whose address was Omecola Glen

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such receipt was duly received and filed by me in this cause, on the 30 day of

July 1918

Witness my hand, this 4 day of Nov 1918

Wiley R. Meador

Register.

No. 114

CIRCUIT COURT OF

Baldwin COUNTY,
IN EQUITY.

Wiley A. Wheeler

vs.

Joseph Wheeler
et al

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this 4

day of Nov 1918

J. M. Baldwin
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 Joseph Mitchell, Effie Mitchell
Resmonda, Bede Mitchell, and General J Mitchell,

of Baldwin 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

Wiley R Mitchell

against said Joseph Mitchell, Effie Mitchell Resmonda, Bede Mitchell, and
General J. Mitchell.

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 27th day of July,

1918.



Register.

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

ORIGINAL.

Serve on.....

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 116.

SUMMONS.

Wiler R Mitchell,

vs.

Joseph Mitchell, et-als.

Chas Hall.

Solicitor for Complainant.

Recorded in Vol..... Page.....

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 27th

day of July, 1918.

C. C. Eubanks

Sheriff.

Executed this 22 day of

August 1918

by leaving a copy of the within Summons with

*Joseph Mitchell et al Mitchell
Resmond, Be Mitchell & General
Mitchell*

Defendant

C. C. Eubanks

Sheriff

By *A. R. Richerson*

Deputy Sheriff.

No. 116

The State of Alabama, Baldwin County

Wiley R. Mitchell
Complainant,
Lizzie Mitchell Lewis
and
Leon Mitchell, et al.
Respondents

In the Circuit Court of
Baldwin County.
IN EQUITY. No. 116.

In this cause it is made to appear to the Register, by the affidavit of

Wiley R. Mitchell
that Lizzie Mitchell Lewis
and Leon Mitchell

.....; and further, that in the belief
of said affiant, said defendant is over the age of twenty-one years.

It is therefore ordered by the Court that publication be made in the Baldwin
Times, a newspaper published in the Town City of
Bay Minette, County of Baldwin, State of Alabama,
for four consecutive weeks, requiring the said Lizzie Mitchell
Lewis and Leon Mitchell

to appear and plead to, answer or demur to the Bill of Complaint in said cause by the Second
day of September or in thirty days thereafter a decree *Pro Confesso* may
be rendered against them.

Witness my hand this 27th day of July 1918

T. W. Richardson
Register.

No. 116

IN THE CIRCUIT COURT OF
.....COUNTY.
IN EQUITY.

vs.

Order of Publication

Filed 27th day of

July 1918
D. M. Wilson
Register.

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Leon Mitchell

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *7-29-18*, 191

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 217

INSURED PARCEL

No. _____

Return to

J. M. Richerson
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at

Dunsmuir

State _____



*Filed
7/30-18
W. Richerson*

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Lipin
Mrs Helena

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *AUG 20 1918*, 191

Form 3811

Filed 8/21/18
T. W. Dickinson
Register

c 5-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 355-

INSURED PARCEL

No. _____

Return to J. W. Richerson

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at Bay Minette

State Ala

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, -----, 191

Form 3811

© 5-6116

Postmaster

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 218

INSURED PARCEL

No. _____

Return to T. W. Richerson

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at Quincy

State Ill

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

Wiley R. Mitchell,
Complainant,

Vs.

Joseph Mitchell, Lizzie
Mitchell Lewis, Effie
Mitchell Resmonda, Leon
Mitchell, Bede Mitchell
and General J. Mitchell.
Respondents.

No. 116

In the Circuit Court of
Baldwin County, Alabama.

In Equity.

Comes, *Joseph Mitchell*, one of the respondents in the above entitled cause and answering the original bill of complaint filed in this cause, says that I have read said bill from paragraph one to six inclusive filed in this cause in the Circuit Court of Baldwin County, Alabama, on the 27th day of July 1918, for the purpose of selling the following described property situated in the County of Baldwin, State of Alabama, to-wit:-

$E\frac{1}{2}$ of N.E. $\frac{1}{4}$ and N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 28, in Township 6 South of Range 6 East, containing 120.18 acres, and Fractional A, N.E. $\frac{1}{4}$ of Section 22, Township 6 S.R.6 E., containing 100 acres, with the improvements thereon, also one ferry flat boat and four small skiffs used in connection with said ferry, upon the ground that it is necessary to sell said property as the same cannot be equitably divided or partitioned among the joint owners or tenants in common without a sale thereof, and for the purpose of dividing the proceeds thereof among the joint owners or tenants in common; that this respondent admits each and every paragraph of said bill of complaint to be true and prays the court to grant the relief prayed for in said bill of complaint. *Aug. 23. 1918.*

Witnesses:

Lornelia Hall

Joseph Mitchell

Wiley R. Mitchell

Wiley R. Mitchell

No. 116

Wiley R. Mitchell

vs.

Joseph Mitchell,
et al.

In Circuit Court of
Baldwin County, Ala.

In Equity.

Filed 8/23-1918
T. W. Williams
Register

[Faint, illegible markings]

Henry R. Mitchell

vs.

*Joseph Mitchell
et al*

CIRCUIT COURT OF

Brewer COUNTY,

IN EQUITY.

I, Register of said Court. do hereby certify that I

did, on the *7* day of *July* 19*18*, send to.....

Lizzie Mitchell Lewis Defendant.....

whose address was *Imperial Glen*.....

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the

Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court;

and that such receipt was duly received and filed by me in this cause, on the *21* day of

Aug 19*18*

Witness my hand, this *4* day of *Nov* 19*18*

J. W. Beckman

Register.

No. 116

CIRCUIT COURT OF

Barber COUNTY,

IN EQUITY.

Wiley R. Wheeler

vs.

Joseph Mitchell
et al

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this 4

day of Nov 19 18

J. McCreary

Register.