

121

Decree of sale on reference.

THE STATE OF ALABAMA.

County of Baldwin.

IN THE CIRCUIT COURT-EQUITY SIDE.

No. 121

-----X  
W. C. BARRINEAU,  
Complainant.  
-vs-  
ANDREAS WELSAND, and  
LIDIA WELSAND, his wife.  
Defendants  
-----X

This cause came on to be heard upon the pleadings and proofs in the cause, and thereupon, upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in his said Bill. It is therefore ordered, adjudged and decreed that the Complainant have a decree for the amount due on the note and mortgage, which is a lien upon the lands described in said bill, for the payment of the amount due on the note and mortgage described in the said Bill now due, including principal and interest and a reasonable attorneys' fee, and it having been referred to the Register to ascertain the amount due on said note and mortgage, including a reasonable attorneys' fee to the Complainant, and the report of the Register having been read in open court and lain over for one entire day and no exceptions having been filed; it is ordered, adjudged and decreed that the said report be in all things confirmed; And it appearing from said report that there is now past due the sum of \$1085<sup>60</sup>.

It is ordered, adjudged and decreed, that if the sum of \$1085<sup>60</sup>, with interest, which is now due, together with the costs of this suit to be taxed by the Register, is not paid within thirty days after the enrollment of this decree to the Register or the Complainant or his Solicitors of Record, the Register is ordered to advertise and sell for cash to the highest and best bidder, at public auction, before the Court House door in Baldwin County, Alabama, the following described lands, or as much thereof as is necessary to pay the said sum of \$1085<sup>60</sup> and the costs, viz;

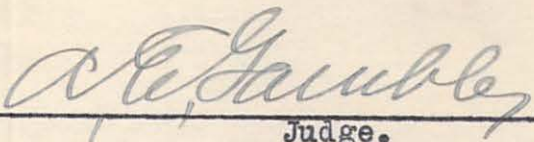
The Northwest quarter of Section Twenty-eight in Township Four South of Range Six East (NW $\frac{1}{4}$  of Sec. 28 in Tp. 4 S. R. 6 E.) of St. Stephen's Meridian, Baldwin County, State of Alabama. Containing one hundred and sixty acres, more or less.



The Register must first give notice of the time, place and terms of said sale, together with a description of the said property, by publication in a newspaper published in said county, once a week for three successive weeks and by posting up a notice at the Court House door for thirty (30) days previous to said sale. The Register will retain out of the proceeds of said sale the costs and expenses of this suit and sale and apply the remainder to the payment of the demand of the Complainant and the balance, if any, to be paid over to Andreas Welsand and Lidia Welsand, his wife.

It is ordered that the Register make a deed of conveyance of said land to the purchaser upon the payment of the purchase money, and if necessary on application of the Complainant, the Defendants having ten days notice to surrender the possession, issue process to place the purchaser in possession. Should the proceeds of said sale fail to pay the said costs and Complainant's debt, the Register will note the balance due. He will report to the next term of this Court his action in the premises.

This the 22<sup>nd</sup> day of May, 1919.

  
Judge.



(11)

Filed 5/22/1919  
J. H. Richardson  
Register

Decree recorded  
on minutes

FILED IN THE 11th DISTRICT

*After 5 days return to  
J. W. Richerson  
Clerk of the Circuit Court and  
Register in Chancery  
Bay Minette, Ala.*

4



NO. IX

Mr. Andreas Welsand

Chicago, Ill.



W.C. Barrineau,

THE STATE OF ALABAMA,  
Baldwin COUNTY.

vs.

IN EQUITY.

Andreas Wolsand and Lidia Wolsand his wife.

CIRCUIT COURT OF  
Baldwin COUNTY.

Register

In this cause it being made to appear to the Judge of this Court, in Term time, by the affidavit.....of

W.C. Barrineau

agent of Complainant,

that the Defendant

Andreas Wolsand and Lidia Wolsand

are non-resident of the State of Alabama and reside in the City of Chicago Ill

and further, that in the belief of said affiant.....the Defendant.....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 Andreas Wolsand and Lidia Wolsand.

to answer or demur to the Bill of Complaint in this cause by the 7th day of October 1918

or after thirty days therefrom a decree Pro Confesso may be taken against them

This 7th day of August, 1918

T.W. Richardson

Register of the Circuit Court of  
Baldwin County, Ala.



No. 121.

W.C. Barrineau.

*vs.*

Andreas Welsand and

Lydia Welsand.

*ORDER OF PUBLICATION.*

*CIRCUIT COURT,*

Baldwin County.

Filed in office this 7th day of

August.

19

T.W. Richerson Clerk.

After 5 days return to  
J. W. Richerson  
Clerk of the Circuit Court and  
Register in Chancery  
Bay Minette, Ala.

200  
135  
66  
1636

Received and  
Filed 8/15-18  
J. W. Richerson



6.D.15  
6.D.11

(W)

Mrs. Lydia Welsand  
Chicago, Ill.

RETURNED TO  
UNCLAIMED  
6th DEPT.  
CHICAGO, ILL.  
U.S. O.

AUG  
18  
1918



W. W. Barrinau,

THE STATE OF ALABAMA,

Baldwin COUNTY.

vs.

IN EQUITY.

Andreas Welsand and Lidia Welsand his wife.

CIRCUIT COURT OF

Baldwin COUNTY.

In this cause it being made to appear to the <sup>Register</sup> of this Court, in Term time, by the affidavit.....of

W. C. Barrinsu

agent of Complainant,

that the Defendant Andreas Welsand and Lidia Welsand

are non-residents of the State of Alabama and reside in the City of Chicago Ill

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 Andreas Welsand and Lidia Welsand.

to answer or demur to the Bill of Complaint in this cause by the 7th day of October 1918

or on after thirty days therefrom a decree Pro Confesso may be taken against them

This 7th day of August, 1918.

Register of the Circuit Court of  
Baldwin County, Ala.



No. ....

121.

W.C. Barrineau.

vs.

Andress Welsand and

Lydia Welsand.

ORDER OF PUBLICATION.

CIRCUIT COURT,

County.

Baldwin

Filed in office this .....

7th

day of

19

August.

Clerk.

F.W. Richerson



Motion for decree "pro confesso" on publication.

W. C. BARRINEAU,  
Complainant.

-vs-

ANDREAS WELSAND and  
LIDIA WELSAND, his wife.  
Defendants.

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

Comes the Complainant in the above styled cause and shows unto the Court that an order of publication was made on the 7th. day of August, 1918 and which was duly published and directed to Andreas Welsand and Lidia Welsand, his wife, Defendants in said cause and which required the said defendants to answer or demur to the bill of complaint in this cause within thirty days after the 7th of September, 1918, and to this day, the defendants have failed so to do, Wherefore the Complainant moves the Court to grant a decree pro confesso against the said defendants.

This the 27th day of January, 1919.

*Stony & Stony*  
Solicitors for Comp't.

State of Alabama.  
Baldwin County.

In this cause it appears to the Register that the order of Publication heretofore made in this cause was published for four consecutive weeks, commencing on the 8 day of August 1918, in The Baldwin Times, a newspaper published in Baldwin County, Alabama, that a copy was posted at the Court House Door on the 7th day of August, 1918, in said county and state, and copies were mailed to each of said defendants on August 9th, 1918.

And it now further appearing to the Register, T. W. Richerson, that the said Andreas Welsand and Lidia Welsand, his wife, having to the date hereof, failed to demur, plead or answer the Bill of Complaint in this cause, it is now, therefore, on motion of the 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 Andreas Welsand and Lidia Welsand, his wife.

This the 27th day of January, 1919.

*T. W. Richerson*  
Register.



5200 (8)  
Motion for, and decree, pro  
Confesso.

W. C. Barrineau,  
Complainant.

-vs-

Andreas Welsand and Lidia  
Welsand, his wife,  
Defendants.

---

CIRCUIT COURT-EQUITY SIDE  
STATE OF ALABAMA  
BALDWIN COUNTY

---

Filed this the 27th day of  
January, 1919.

*T. W. Richardson*  
Register.

Granted this the 27th day  
of January, 1919.

*T. W. Richardson*  
Register.

Stone & Stone,  
Solicitors for Complainant.



(Affidavit of Non-residence)

\*\*\*\*\*

W. C. BARRINEAU, \*  
Complainant. \*

-vs- \*

ANDREAS WELSAND, \*  
LIDIA WELSAND. \*  
Defendants. \*

\*\*\*\*\*

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

No. \_\_\_\_\_

STATE OF FLORIDA.

ESCAMBIA COUNTY .

Personally appeared before me, M Sample,  
a Notary Public in and for said County and State, W. C. Barrineau,  
who, after being by me first duly sworn, deposes and says that he  
is the complainant in the above cause, that he is informed and veri-  
ly believes that Andreas Welsand and Lidia Welsand, the defendants,  
in the above stated cause, are non-resident of the state of Alabama  
and resides in the City of Chicago, Illinois, but their more part-  
icular address to him is unknown and cannot be ascertained after  
diligent inquiry, and that the said defendants, in his belief, are  
both over the age of twenty-one (21) years.

Sworn to and subscribed before me this 31st day of July, 1918.

M Sample  
Notary Public  
Escambia County,  
State of Florida.

my commission expires  
March 12th 1922



Offendant of non. residence

2nd

M.C. Barrman

- vs -

Andrew Wilson et al,

(2)

Filed in office this  
J. W. Richmond 1918  
Register





THE STATE OF ALABAMA,

Baldwin

County.

CIRCUIT COURT, IN EQUITY.

No. 119.

Fall

Term, 19 18

W.C. Barrinau

vs.

Complainant

Andreas Welsand and Lydia Welsand.

Defendant

I, T.W. Richerson

Register of said Court, hereby

certify that on the affidavit of W.C. Barrinau

on the 7th day of August 19 18 an Order of Publication was made to

Andreas Welsand and Lidia Welsand.

who

non-resident, who reside at Chicago, Ill.

and was published in the Baldwin Times,

a newspaper published in Bay Minette, Ala.

Alabama, once a week for four consecutive weeks, requiring the said

-W.C. Andreas Welsand and Lydia Welsand,

to demur, plead to or answer the Bill of Complaint in the above cause on or before the 7th day of

August 19 18, and failing to do so ~~within thirty days~~ a Decree Pro Confesso may be

taken against them in said cause; that a copy of said order was forwarded by mail on the 9th

day of August 19 18, addressed to Lydia Welsand Andreas Welsand and

Chicago, Ill

and that one other copy of said order was posted at the Court House door of said County for four consecutive weeks.

Witness my hand, this

day of

19 18

T.W. Richerson

Register.



4th 27  
No. 119. Page.....

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

W.C. Barrinaw

vs.

Andreas Welsand, and

Lidia Welsand.

REGISTER'S CERTIFICATE OF  
PUBLICATION.

Issued 5th day 1917

Register.

Recorded in.....Record

Vol.....Page.....

Register.





V. O. Barrineau,

THE STATE OF ALABAMA,  
COUNTY.

vs.

IN EQUITY.

Andrew Nelson and Lida Nelson his wife,

CIRCUIT COURT OF  
BALDWIN COUNTY.

Register

In this cause it being made to appear to the Judge of this Court, in Term time, by the affidavit.....of

V. O. Barrineau

agent of Complainant,

that the Defendant.....Andrew Nelson and Lida Nelson

is a non-resident of the State of Alabama and resides in the city of Chicago Ill

and further, that in the belief of said affiant.....the Defendant.....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 Andrew Nelson and Lida Nelson.

to answer or demur to the Bill of Complaint in this cause by the 7th day of October 1910  
or after thirty days therefrom a decree Pro Confesso may be taken against them

This 7th day of August, 1910.

T. W. McIlwain

Register of the Circuit Court of  
Baldwin County, Ala.



3 mcl

No. 121.

(5)

W. C. Barrinau.

vs.

Andreas Welsand and  
Lydia Welsand.

ORDER OF PUBLICATION.

CIRCUIT COURT,

Baldwin County.

Filed in office this 7th day of

August. 19.

T. W. Richerson Clerk.



THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No.                                           Term, 19 19

W. C. Barinan Complainant  
vs. Andrew Meland and Lida Meland Defendant 5

In this cause it appears to the Register W. C. Barinan that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 8th day of Aug, 19 18, in the Baldwin Times a newspaper published in Baldwin Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 8th day of Aug 19 19, and

And it now further appearing to the Register W. C. Barinan, that the said

Andrew Meland and Lida Meland

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 W. C. Barinan that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

Andrew Meland and Lida Meland

This 21 day of July, 19 19

W. C. Barinan

Register.



with (9)  
No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY

*J. C. Barman*

vs.

*Andrew Gilman*  
*D. Lillian Gilman*

DECREE PRO CONFESSO ON  
PUBLICATION.

Issued *7/21* 19*17*

*D. W. Williams*  
Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.



# 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

## Notice of Sale.

W. C. Barrineau, Complainant, vs. Andreas Welsand and Lidia Welsand, his wife, Defendants. In the Circuit Court, Equity Side, State of Alabama, Baldwin County. No. 121

By virtue of a decree rendered at the Spring Term, A. D., 1919, of the Circuit Court, Equity Side, Baldwin County, Alabama, in said cause, I shall proceed to sell to the highest and best bidder, for cash, at public auction, before the Court House Door in Baldwin County, Alabama, the following described lands, or as much thereof as is necessary to pay the sum of \$1085, with interests and costs, viz:

The Northwest quarter of section twenty-eight in township four south of range six east, (NW ¼ of Sec 28, tp 4 s r 6 e) of St. Stephen's Meridian, Baldwin County, State of Alabama. Containing one hundred and sixty acres, more or less.

Said sale to be held on Monday, August 25th, 1919, between the legal hours of sale and to satisfy said decree.

Witness my hand this 19th day of July, 1919.

T. W. Richerson,  
Register.

Stone & Stone  
Attorneys for Complainant.  
23-3t

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 of Sale.

W. C. Barrineau, Complainant, vs. Andreas Welsand and Lidia Welsand, his wife, Defendants. In the Circuit Court, Equity Side, State of Alabama, Baldwin County. No. 121

Was published in said Newspaper for 3 consecutive weeks in the following issues:

Date of first publication	July 24th, 1919	Vol. 30	No. 23
" " second "	July 31st, 1919	Vol. 30	No. 24
" " third "	August 7th, 1919	Vol. 30	No. 25
" " fourth "		Vol. _____	No. _____

Subscribed and sworn to before the undersigned

this 18 day of Aug 1919.

T. W. Richerson  
Clerk Circuit Court  
Baldwin

Abner J. Smith  
Publisher.



this day of

Subscription and amount to be paid for the undersigned.

to the amount of

to the amount of

to the amount of

Date of first publication  
in the following manner:

Vol.	10
No.	30
Vol.	10
No.	30
Vol.	10
No.	30

to be paid for 2 copies of the same

Filed 8/18/1919.  
D.W. Dickinson  
Register



Notice of Sale.

W. C. Barrineau, Complainant, vs.  
Andreas Welsand and Lidia Welsand, his wife, Defendants.

In the Circuit Court, Equity Side,  
State of Alabama, Baldwin County.

No. 121

By virtue of a decree rendered at the Spring Term, A. D., 1919, of the Circuit Court, Equity Side, Baldwin County, Alabama, in said cause, I shall proceed to sell to the highest and best bidder, for cash, at public auction, before the Court House Door in Baldwin County, Alabama, the following described lands, or as much thereof as is necessary to pay the sum of \$1085, with interests and costs, viz:

The Northwest quarter of section twenty-eight in township four south of range six east, (NW  $\frac{1}{4}$  of Sec 28, tp 4 s r 6 e) of St. Stephen's Meridian, Baldwin County, State of Alabama. Containing one hundred and sixty acres, more or less.

Said sale to be held on Monday, August 25th, 1919, between the legal hours of sale and to satisfy said decree.

Witness my hand this 19th day of July, 1919.

T. W. Richerson,  
Register.

Stone & Stone  
Attorneys for Complainant.  
23-3t

Largest Weekly Circulation in South Alabama

*Bay Minette, Ala.,*

August 16th, 1919

linear, Complainant

Welsand, et al, Defendants

Notice of Sale, Circuit  
Court, Equity Side  
Stone & Stone, Attys

## **BALDWIN TIMES**

**ABNER J. SMITH, PROPR.**

**B PRINTING. BEST ADVERTISING MEDIUM**

**T PRICES.**

**LOCAL AND LONG DISTANCE TELEPHONE**

**30 Days**

3 above Notice of Sale in The Baldwin Times  
of July 24th, 31st and August 7th, 1919:

@  $3\frac{1}{2}$  ¢ per word.....

\$6.44

*Paid August 18, 1919  
By Stone & Stone.  
for Baldwin Times  
per A. C. Smith*



*Bay Minette, Ala.,*

September 5th, 1918

*M*

W. C. Barrineau

vs

Andreas Welsand, et al

NOTICE TO NON-RESIDENT

# 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 the above Notice to Non-Resident in The  
Baldwin Times in issues of August 8, 15, 22, 29, 1918:  
203 words @  $4\frac{1}{2}$  cents per word.....

\$9.13

*Paid Aug 19, 1918  
The Baldwin Times  
per P. C. Smith*



# 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

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

W. C. Barrineau vs Andreas Welsand, et al

In Equity, Circuit Court of Baldwin County, Ala.

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

Date of first publication	August 8th, 1918	Vol. 29	No. 25
“ “ second “	August 15th, 1918	Vol. 29	No. 27
“ “ third “	August 22nd, 1918	Vol. 29	No. 28
“ “ fourth “	August 29th, 1918	Vol. 29	No. 29

Subscribed and sworn to before the undersigned

this 5<sup>th</sup> day of Sept 1918.

T. W. Richerson  
Clerk Circuit Court,

Abner J. Smith  
 Publisher.

### Notice to Non-Residents and Order of Publication.

W. C. Barrineau vs. Andreas Welsand and Lidia Welsand, his wife. No. 121. The State of Alabama, Baldwin County. In Equity. Circuit Court of Baldwin County.

In this cause it being made to appear to the Judge of this Court, in Term time, by the affidavit of W. C. Barrineau, Complainant, that the Defendants, Andreas Welsand and Lidia Welsand, his wife, are non-residents of the State of Alabama, and when last heard from resided in the City of Chicago, State of Illinois, but their more particular address is unknown to affiant, and further, that in the belief of said affiant the Defendants are over the age of twenty-one years; it is therefore ordered that publication be made in the The Baldwin Times, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks requiring that the said Andreas Welsand and Lidia Welsand, his wife, to answer or demur to the Bill of Complaint in this cause by the 7th day of October, 1918, or a decree Pro Confesso may be taken against them.

This 8th day of August, 1918.

T. W. Richerson,

Register of the Circuit Court of Baldwin County, Ala.

Stone and Stone, Attorneys.

25-4t



REPORT OF REGISTER AS TO SALE OF LANDS UNDER DECREE.

-----X	
W. C. BARRINEAU,	)
Complainant.	)
	)
-vs-	)
	)
ANDREAS WELSAND and	)
LIDIA WELSAND, his wife.	)
Defendants.	)
-----X	

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

TO THE HONORABLE ARTHUR E. GAMBLE, JUDGE OF THE CIRCUIT COURT  
BALDWIN COUNTY, STATE OF ALABAMA, SITTING IN EQUITY:-

WHEREAS, a decree was rendered on the twenty-second (22d) day of May, nineteen hundred and nineteen (1919) of said court, that unless the defendants, Andreas Welsand and Lidia Welsand, his wife, pay to the Complainant, W. C. Barrineau the amount of one thousand and eighty-five and 68/100 dollars (\$1,085.60) with interest, being the sum declared to be due the complainant by the defendants upon the claim in the bill mentioned, within thirty (30) days from the date of this said decree, together with the costs of suit, that the register of said court proceed, without delay, to sell the lands in the bill described and report his action therein to the said court.

NOW THEREFORE, I, T. W. Richerson, as Register and Master in Chancery, do hereby certify and report that the defendants having wholly failed and refused to comply with the requirements of said decree within the time specified:

I did, on Monday, the 25th day of August, 1919, after advertising the time, place and terms of said sale, together with a description of the lands in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, State of Alabama, for three weeks, sell at public outcry to the highest bidder for cash, in front of the court house door of Baldwin County, Alabama, the following lands to-wit;

The northwest quarter of section twenty-eight in township four south of range six east (NW $\frac{1}{4}$  Sec. 28 Tp. 4 S. R. 6 E) in Baldwin County, State of Alabama, containing one hundred and sixty (160) acres, more or less.

at and for the sum of one thousand one hundred and seventy three and no/100 dollars (\$1,173.00), which was the best and highest bid for the same at



W. C. Barrineau, )

vs. )

Andreas Welsand and )

Lidia Welsand. )

In the Circuit Court of Baldwin County, Alabama,

In Equity.

This cause is submitted for final decree on the report of the Register of date the 27th day of August 1919, and on the motion of Complainant for the confirmation thereof, and the said report having been filed in the office of the Register of this Court on the said Aug. 27th 1919, and having remained therein since said date and, no objections or exceptions having been filed thereto, on consideration,

It is ordered, adjudged and decreed that the said report of the register be confirmed and the same is hereby ratified and in all things confirmed.

Done this Sept. 27th 1919.

*A. G. Gamble*  
Judge.



Filed Sept 30th 1917

T. W. Picum  
Register

Deere Recorded on  
minutes



STATE OF ALABAMA.

BALDWIN COUNTY.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

To the Honorable, the Circuit Court of the Second Judicial Circuit, Equity Side, which includes the County of Baldwin, and the Honorable A. E. Gamble, Judge thereof, in Equity Sitting:-

Your Orator, W. C. Barrineau, presents this, his Original Bill of Complaint against Andreas Welsand and Lidia Welsand, his wife, and respectfully shows unto Your Honor;

-FIRST-

That Your Orator is a resident of Pensacola, in the State of Florida and is over the age of twenty-one (21) years. That the Defendants, Andreas Welsand and Lidia Welsand, his wife, are both over the age of twenty-one years and are non-residents of the State of Alabama, and when last heard from resided in the City of Chicago, State of Illinois, their more particular address is unknown to Orator and cannot be ascertained after diligent inquiry. That the subject-matter of this suit is real property situated in Baldwin County, State of Alabama.

-SECOND-

That the said Andreas Welsand owned, on August 5th, 1914, the following described real property situated in aforesaid County and State, to-wit;

The North-west quarter of Section twenty-eight (28) in Township Four (4) South of Range (6) Six, East of St. Stephen's Meridian in Alabama. Containing One Hundred and Sixty acres, more or less.

-THIRD-

That on or about August 5th, 1914, the said Andreas Welsand and Lidia Welsand became indebted to Fred Ott in the sum of Seven Hundred and Seventy Dollars (\$770.00). That said indebtedness is evidenced by a certain promissory note made and executed by the said Andreas Welsand and Lidia Welsand, his wife, to Fred Ott on August 5th, 1914. That a copy of said note is hereto attached and marked "Exhibit "A" .



and made a part of this Bill. That to secure the payment of the said indebtedness, the said Andreas Welsand and Lidia Welsand, his wife, did, for the above named valuable consideration of Seven Hundred and Seventy Dollars (\$770.00), execute to the said Fred Ott a certain Mortgage Deed on the Fifth day of August, Nineteen Hundred and Fourteen (Aug. 5, 1914.). That the said Mortgage Deed was filed for record and duly recorded in the Office of the Judge of Probate of Baldwin County, Alabama, in Mortgage Book Number Thirteen (13) on pages 613 and 614 on the 15th day of August, 1914. The original of said mortgage is hereto attached and marked "Exhibit "B"", and made a part of this Bill.

-FOURTH-

That the aforesaid Fred Ott did, for a valuable consideration, transfer, assign and deliver to your Orator the said Note, Mortgage Deed and the indebtedness secured thereby. That at the time of the said assignment and transfer no part of the said indebtedness had been paid. *A copy of said assignment is hereto attached and marked "Exhibit C."*

-FIFTH-

That the time for the payment of the indebtedness evidenced by the said Note and secured <sup>by</sup> the said Mortgage Deed has passed. That the said sum of \$770.00, with interest thereon, being the amount of the said indebtedness, or any part thereof, has never been paid according to the provisions in the said note and Mortgage Deed, but is still due and owing to your Orator, together with a great arrear of interest thereon.

-SIXTH-

That there is nowhere contained in said Mortgage Deed any provision or power of sale whereby a foreclosure of the Mortgage can be made, a sale be had and the satisfaction of the debt secured thereby be obtained. That because of this it is necessary that Your Orator come into this Honorable Court to obtain satisfaction of the indebtedness, together with his necessary costs and expenses in that behalf expended.

-SEVENTH-

That the indebtedness for which the said Mortgage was given as security not being paid, it thereupon became necessary for the Orator to employ attorneys to enforce the collection thereof and file



this Bill in this Honorable Court to foreclose the said mortgage. That the said mortgage, the original of which is hereto attached and marked "Exhibit 'B'", contained a clause whereby the said Andres Welsand and Lidia Welsand, his wife, should pay all costs and expenses the said Mortgagee might be put to in collecting said promissory note by foreclosure of this mortgage, or otherwise, including a reasonable attorneys' fees. Orator alleges that the said reasonable attorneys' fees is One Hundred Dollars (\$100.00), for which sum the said mortgage is a lien and should by this Honorable Court be decree to be owing to Orator by the said Andreas Welsand and Lidia Welsand, his wife.

PRAYER FOR PROCESS AND RELIEF

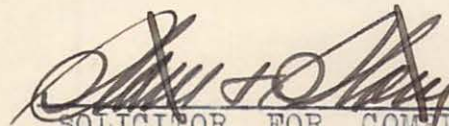
THE PREMISES CONSIDERED; your Orator prays;

FIRST:-That the said Andreas Welsand, and Lidia Welsand, his wife, be made party respondents to this Original Bill of Complaint by the usual process of this Honorable Court and that they be required to answer, plead or demur to the same within the time required by law, under the pains and penalties of this honorable Court.

SECOND:-That your Honor will order that a reference be had before the Register of this Court and that an account be taken at said reference of what is due and owing to Your Orator for principal money and interest under said mortgage, together with the cost of this suit, including a reasonable attorneys' fee, for which a provision is made in the said mortgage. Upon the taking of the account and the ascertaining of the amount due and owing, that a decree may be made by your Honor, ordering the Defendants, Andreas Welsand and Lidia Welsand, his wife, to pay unto your orator this amount as ascertained by reference, within thirty days from the rendering of the decree, your Orator be ready and willing, and hereby offering, upon being paid his principal, interest and costs, including a reasonable attorneys' fee, as provided in said mortgage, to cancel the mortgage of record and deliver up all papers concerning the same unto the defendants, or either of them as your Honor may direct: that in default of such payment by the Defendants with-

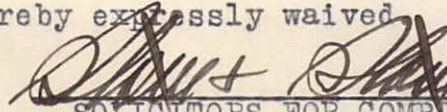


in the thirty days that the Defendants be foreclosed of all equity of redemption in the mortgaged premises; that the mortgaged premises be sold and the proceeds therefrom be applied to the payment of the mortgage debt, principal and interest, and the costs of this suit, together with a reasonable attorneys' fee for the carrying on of the same, as provided for in said mortgage; that the defendants be adjudged to pay any deficiency remaining after such application of the proceeds; and for such other and further, or further and different relief to your Orator as he may in justice and good conscience be entitled. And as in duty bound, he will ever pray, etc., etc.,

  
SOLICITOR FOR COMPLAINANT

FOOT NOTE

The Defendants, Andreas Welsand, and Lidia Welsand, his wife, are required to answer each and every paragraph of the above Bill of Complaint from "FIRST" to "SEVENTH", both inclusive, but not under oath, answer under oath being hereby expressly waived.

  
SOLICITORS FOR COMPLAINANT



REPORT OF REGISTER AS TO SALE OF LANDS UNDER DECREE.

-----X  
W. C. BARRINEAU,  
Complainant. )  
-vs- )  
ANDREAS WELSAND and  
LIDIA WELSAND, his wife. )  
Defendants. )  
-----X

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

TO THE HONORABLE ARTHUR E. GAMBLE, JUDGE OF THE CIRCUIT COURT  
BALDWIN COUNTY, STATE OF ALABAMA, SITTING IN EQUITY:-

WHEREAS, a decree was rendered on the twenty-second (22d) day of May, nineteen hundred and nineteen (1919) of said court, that unless the defendants, Andreas Welsand and Lidia Welsand, his wife, pay to the Complainant, W. C. Barrineau the amount of one thousand and eighty-five and 68/100 dollars (\$1,085.60) with interest, being the sum declared to be due the complainant by the defendants upon the claim in the bill mentioned, within thirty (30) days from the date of this said decree, together with the costs of suit, that the register of said court proceed, without delay, to sell the lands in the bill described and report his action therein to the said court.

NOW THEREFORE, I, T. W. Richerson, as Register and Master in Chancery, do hereby certify and report that the defendants having wholly failed and refused to comply with the requirements of said decree within the time specified:

I did, on Monday, the 25th day of August, 1919, after advertising the time, place and terms of said sale, together with a description of the lands in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, State of Alabama, for three weeks, sell at public outcry to the highest bidder for cash, in front of the court house door of Baldwin County, Alabama, the following lands to-wit;

The northwest quarter of section twenty-eight in township four south of range six east (NW $\frac{1}{4}$  Sec. 28 Tp. 4 S. R. 6 E) in Baldwin County, State of Alabama, containing one hundred and sixty (160) acres, more or less.

at and for the sum of one thousand one hundred and seventy three and no/100 dollars (\$1,173.00), which was the best and highest bid for the same at



said sale.

I further certify that the purchaser having complied with the terms of sale I executed to W. C. Barrineau a deed to said lands.

I further certify that out of the proceeds of said sale I retained the sum of \$ 65<sup>79</sup>, as costs of suit, commissions and expenses of sale and the remainder I applied to the satisfaction of the complainant's demands, said balance equalling said demands.

All of which is respectfully submitted this the 27th day of August, 1919.

D. W. Barrineau  
REGISTER.



REPORT OF REGISTER.

STATE OF ALABAMA.)  
BALDWIN COUNTY.)

CIRCUIT COURT-EQUITY SIDE

No. 121.

-----X  
W. C. BARRINEAU,  
Complainant.

-VS-

ANDREAS WELSAND, and  
LIDIA WELSAND, his wife,  
Defendants.  
-----X

TO THE HONORABLE A. E. GAMBLE, JUDGE OF SAID COURT:-

The Register of this Court begs to report that in obedience to the order and decree of this Court made on November \_\_\_\_th, 1918, that a reference be held in the above stated cause, to ascertain the amount due the complainant by the defendants on the note and mortgage described in his said bill, together with attorneys fees, and to report the same to this Hon. Court;

Said reference was held by him in his office at Bay Minette, Alabama, on the 27th day of March, 1919 and was attended by Norborne Stone, Esqr., one of the Solicitors for the Complainant, and by Henry D. Moorer, an attorney at law, who testified as to what was a reasonable attorneys' fee for the bringing of this cause.

From the testimony introduced by the Complainant and an examination of the Exhibits "A", "B" and "C" to the Bill of Complaint, the Register finds that the amount due the Complainant from the Defendants upon the note and mortgage, including interest but excluding attorneys fee amounts to the sum of \$ 985.60

From the testimony of Henry D. Moorer, an attorney at law, the Register finds that the sum of \$ 100 is a reasonable attorneys' fee in this cause under the terms of said mortgage and note.

I, therefore, as Register, report to this Court that the amount due by the Defendants to the Complaint under the terms of the said note and mortgage at this day, including a reasonable attorneys fee, is the sum of \$ 1085.60.

All of which is respectfully submitted.

W. C. Barrineau  
Register.

Read in open court this the 21st day of May, 1919 and ordered to lie over.

A. E. Gamble  
Judge



over.

Read in open court this 21st day of May, 1919 and ordered to be filed.

Register.

All of which is respectfully submitted.

Sum of \$1000.00

and mortgage of this day, including a reasonable attorney's fee, in the sum of \$1000.00 to the complainant in the complaint under the terms of the said order.

I, the undersigned, as Register, report to this Court that the amount

in this cause under the terms of said mortgage and note, registered under the sum of \$1000.00 is a reasonable attorney's fee upon the note and mortgage, including interest but excluding attorney's fee amounting to the sum of \$222.50.

From the testimony of Harry A. Moore, an attorney at law, the Register finds that the amount due the complainant from the defendant's nation of the Republic of "A", "B" and "C" to the bill of complaint, due from the testimony introduced by the complainant and an examination of the testimony, see for the principles of this cause.

D. Moore, an attorney at law, who testified as to what was a reasonable attorney's fee for the principles of this cause.

Attest, on the 27th day of May, 1919, at my office at New Orleans, Louisiana.

Said reference was made to the bill of complaint filed with the court, which was described in his said bill of complaint as the bill of complaint, and the amount due the complainant from the defendant's nation of the Republic of "A", "B" and "C" to the bill of complaint, due from the testimony introduced by the complainant and an examination of the testimony, see for the principles of this cause.

TO THE HONORABLE A. J. C. JUDGE OF SAID COURT:-

Complainant.

ANDREW W. MOORE, and

Complainant.

SAID COURT.

STATE OF ALABAMA.

No. 121.

CLEMENT COURT-MARTIN 3121

WRIGHT OF NEW YORK.

(70) 7a

Filed 3/27/1919  
W. H. Williams  
Register.