

147

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 Helen Iekler and Phillip Iekler,

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

M.R. Herrman, and Company, a Corporation.

against said

Helen Iekler and Phillip Iekler,

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 3rd, day of April

1919.

T. W. Richerson
Register.

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

2nd Clear Original R

Serve on

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 147.

SUMMONS.

M.R. Herrman, and Co.

vs.

Helen Ickler and Phillip
Ickler.

Page and Moorer.

Solicitor for Complainant.

Recorded in Vol. Page

Elberta

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 3d

day of April 1919

G. B. Richerson
Sheriff.

Executed this 16 day of

April 1919

by leaving a copy of the within Summons with

Helen Ickler
Phillip Ickler
Defendant

G. B. Richerson
Sheriff

By J. F. Hayles

Deputy Sheriff.

M. R. Herrmann, & Co.,
a Corporation.)
Plaintiff.)
vs)
Helen Ickler and Phil-)
lip Ickler.)
Defendants.)

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALA-
BAMA.

In Equity.

TO THE HONORABLE A. E. GAMBLE, JUDGE OF THE CIRCUIT COURT, BALDWIN COUNTY, ALABAMA,-----In Equity.

Your Orator, M. R. Herrmann & Co., a Corporation, humbly complaoning, respectfully represents and shows unto your Honor as follows:

1st. That the said M. R. Herrmann & Co., is a corporation.

That Helen Ickler and Phillip Ickler are both residents of Baldwin County, Alabama, residing at Elberta, and are over the age of twenty-one years of age.

2nd. That on, to-wit: the 19th day of July, 1917, the said Phillip Ickler was and is now justly indebted to plaintiff in the sum of Two Hundred Eighty and 50/100 (\$280.50) Dollars for goods, wares and merchandise sold by the plaintiff to defendant as per itemized, verified statement hereto attached and marked exhibit "A". That all of said indebtedness was created during the year 1917, and is still due and unpaid together with interest thereon.

3rd. That at the time this debt was created the said Phillip Icker was the owner of property which he has converted into money or other property, naming his wife, Helen Ickler, as grantee in the conveyance to him in the exchange of property; that the said conveyance was purely voluntarily, tainted with an actual intent to hinder, delay and defraud his creditors, a copy of the conveyance is hereto attached and marked exhibit "B". That the said conveyance was made by the Baldwin County Colonization Company, a corporation to Helen Ickler, the wife of the said Phillip Ickler, as grantee as a cloak to cover up the property of the husband and to defeat his creditors; that the said Phillip Ickler furnished and paid the consideration named in the above conveyance which is dated Aug. 12th, 1918, conveying the following described property: to-wit:

~~This indenture Witnesseth, That the Grantor, Baldwin County Colonization Company, a corporation organized under the laws of the State of Alabama, for and in consideration of the sum of One Dollar and other good and valuable considerations to it in hand paid, Conveys and Warrants to Helen Iekler, of the City of Chicago, County of Cook and State of Illinois, the following described real estate, to-wit:~~

That part of the Southeast quarter ($SE\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{4}$) of Section Nineteen (19) Township Seven (7) South Range Five (5) East of St. Stephens Meridian described as follows: Commencing at a point Six Hundred Eight and five tenths (608.5) feet south and Nineteen (19) feet West of the Northeast corner (N. E. cor.) of said quarter ~~section~~ of the quarter section. Thence run Two Hundred Fifty-two and five tenths (252.5) feet to a point, thence running Two Hundred Two (202) feet South to a point, thence running Two Hundred Fifty-two and five tenths (252.5) feet East to a point, thence running Two Hundred Two (202) feet North to a point, the place of beginning, known also as lot seven (7) of Block Twelve (12) on the plat of the village of Elberta, now on file in the office of the Baldwin County Colonization Company.

That part of the Southeast quarter ($SE\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{4}$) of Section Nineteen (19) Township Seven South, Range Five (5) East of St. Stephens Meridian, described as follows: Commencing at a point Four Hundred Fifty and five tenths (450.5) feet West and six hundred and nine and eighty-three one-hundredths (609.83) feet south of the Northeast corner (NE corner) of said quarter of ~~said~~ quarter section, thence running One hundred fifty-nine (159) feet East to a point, thence running One hundred one (101) feet south to a point, thence running one hundred fifty-nine (159) feet West to a point, thence running one hundred one (101) feet North to a point, the place of beginning, known also Lot Five (5) in Block Twelve (12) on the plat of the village of Elberta now on file in the office of the Baldwin County Colonization Company.

That part of the Southeast quarter ($SE\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{4}$) of section Nineteen (19) Township Seven (7) South, Range Five (5) East of St. Stephens Meridian, described as follows: Commencing at a point Four Hundred Fifty and five tenths (450.5) feet West and Seven hundred Ten and eighty-three one-hundredths (710.83) feet South of the Northeast corner (NE Cor.) of said quarter of quarter section, thence running one hundred fifty-nine (159) feet East to a point, thence running one hundred one (101) feet south to a point, thence running one hundred fifty-nine (159) feet West to a point, thence running one hundred one (101) feet North to a point, the place of beginning, known also as Lot Six (6) in Block Twelve (12) on the plat of the village of Elberta, now on file in office of Baldwin County Colonization Company.

Upon the plat of the lands of said Grantor now on file in its office, said parcel of land containing one and ninety-one hundredths (1.91) acres of land more or less situated in Baldwin County, in the State of Alabama.

To have and to hold to the said Helena Iekler, her heirs and assigns forever, and the said grantors does hereby covenant with the said grantee; that it is seized in fee of the above described lands, that it has the right to sell and convey the same, that the said lands are free from all encumbrances, that it will, and its successors and assigns will forever warrant and defend the same to the said grantee, her heirs and assigns against the lawful claims of all persons whomsoever.

Co. In Witness whereof the said grantor, Baldwin County Colonization Company has caused its corporate name hereunto signed under the hand of its President, duly authorized thereto, and its corporate seal to be affixed this twelfth day of August, 1918.

Corporate Seal

Attest:

Henry C. Bartling, Sec'y.

State of Illinois,
County of Cook.

Baldwin County Colonization Company
By Theobald Muller President.

I, Herman A. Fues, a Notary Public in and for said County in said State, hereby certify that Theobald Muller whose name as President of the Baldwin County Colonization Company, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand this 20th day of August, 1918.

Herman A. Fues
Notary Public.

Filed Aug 22
1918
359

Your Orator avers and states the truth to be that the said conveyance, a copy of which is hereto attached and marked exhibit "B" and made a part of this bill as though fully set out herein was made and executed by the said Baldwin County Colonization Company, a corporation, to Helen Ickler, the wife of the said Phillip Ickler at the request of the said Phillip Ickler for the sole and exclusive purpose of defrauding your Orator to whom he was then and is now indebted in the sum of Two Hundred Eighty and 50/100 (\$280.50) Dollars as is fully shown by an itemized verified statement hereto attached and marked exhibit "A" which is made a part hereof as though fully set out herein, leave of reference to all exhibits hereto attached being prayed as often as may be necessary; and that the said Phillip Ickler paid the consideration therein expressed and Helen Ickler, the grantee named therein and wife of the said Phillip Ickler paid ~~no~~ part of said consideration and that the said conveyance was purely voluntary as to her, that this was done for the purpose of covering up the husbands property and defrauding ~~the~~ ^{his} creditors.

PRAYER FOR REDRESS.

The premises considered, your Orator respectfully prays that the said Helen Ickler and Phillip Ickler be made party respondents to this original bill of complaint by the usual process of this Honorable Court and that they be required to demur, pleade to or answer the same within the time as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF.

That on the final hearing of this cause that the said conveyance, a copy of which is hereto attached as exhibit "B" be declared fraudulent and void as to this debt of your Orator and that it be ascertained by this Honorable Court by a reference, or otherwise, the amount due and owing from the said Phillip Ickler to your Orator, and that the said Helen Ickler and Phillip Ickler be required by a proper decree of this Honorable Court to surrender the said conveyance to this Honorable

Court, and that the said conveyance be cancelled, avoided, annulled and set aside and that the record of said conveyance be so marked by the Register of this Court, and that the said real estate herein above described be subjected and sold to the satisfaction of the indebtedness to your Orator.

That, if your Orator is mistaken in the relief above prayed for, that your Honor will grant unto it such other, further, different and general relief as in justice and equity it may be entitled to receive under the allegations and profit will ever pray, etc.

PAGE & MOORER,

Solicitors for complainant.

FOOT NOTE: The Defendants and each of them are required to answer each and every paragraph of the foregoing Bill of Complaint, numbered from 1st to 3rd, both inclusive, but not under oath, answer under oath being hereby expressly waived.

PAGE & MOORER,

Solicitors for Complainant

M. R. HERRING & CO.

EPHONES
SUPERIOR 7940-7941

WALL PAINTERS' AND DECORATORS'
SUPPLIES

1318 NORTH CLARI
CHICAGO

Date October 5, 1918. Customers' No _____

Sold to Philip Iekler,
Elberta, Alabama.

Shipped via _____ Terms _____

DATE	QUAN.	ARTICLE	PRICE	AMOUNT	CHARGES
April 30th	12	rolls 8566	.16	\$1.92	
	14	" 28566	.02-1/2	.35	
	14	" 8558	.12	1.68	
	15	" 28558	.02-1/2	.38	
	12	" 8324	.18	2.16	
					\$6.49
May 11th	1	gal. Red Mahogany stain		2.75	
	10	lbs. 266 Filler Excelsior		1.00	
	1	Gross absoreneve		.20	
	5	gals/ B. Oil		13.00	
	1	doz. 1-1/2 in. XXX Chinese		8.50	
	1	" " Victor		2.75	
				1.80	
					\$30.00
May 18th	1	gal. Red Mahogany Stain		2.75	
	25	lbs. French Ochre in oil		2/25	
	10	gals. B. Oil		17.00	
	10	" "		17.00	
					\$39.00
May 26th	2	gals/ Mahog. Stain		5.50	
	5	" Oil Shellac		15.00	
	5	" W. Shellac		16.25	
	5	lbs/ French Ochre Dry		.50	
	5	" Bt. Umber "		.50	
	25	" White primer		70/100 .63	
					\$38.38
May 31st	5	Gal. B. Oil		8.50	
	5	" Alcohol		5.00	
	2	" Mahog. Stain		5.50	
	1	5-gal. can for alcohol		.75	
	5	Gal. B. Oil		8.50	
	2	" Red Mahog stain		5.50	
	3	" "		8.25	
	50	10-lb. paper bags		.50	
	50	20-lb. " "		1.00	
	15	lbs. Plaster Paris		.45	
	1	Bbl. "		3.50	
					\$47.45
			Amount For'ded	70/100	
					\$161.32

60
X "A"

M. R. HERRMANN & CO.

PHONES
SUPERIOR 7940-7941

WALL PAPER
**PAINTERS' AND DECORATORS'
SUPPLIES**

1318 NORTH CLARK
CHICAGO

Date October 5, 1918.

Customers' No _____

Sold to Philip Ickler, ~~xxx~~

Elberta, Ala.

Shipped via _____

Terms _____

DATE	QUAN.	ARTICLE	PRICE	AMOUNT	CHARGES
		Amount For'd			\$161.32
June 8th-	2 Gal.	Mahog. Stain		5.50	
	5 "	O. Shellac		15.00	
	4 "	B. Linseed oil		8.50	
	10 lbs.	Best Dry Ochre		1.00	
	10 "	" " Umber		1.00	
	25 "	White Primer		1.75	
	100 "	Carters Lead		12.75	
	5 Gal.	B. Oil		8.50	
	2 "	Mahog. Stain		5.50	
	1	Gross W. P. Cleaner		13.00	
	5 Gal.	B. Oil		8.50	
	5 "	Gloss Oil		2.25	
	5 "	Fed. Spec. Floor Varnish		6.50	
	2 "	Red Mahog Stain		5.50	
	1	100-lb/ Carters Lead		12.75	
	2	50-lb. " "		13.50	
	2	25-lb. " "		6.80	
	4	12-1/2 lb. " "		7.00	
					\$134.10
June 9th-	18 rolls	8538	18	3.24	
	14 "	8529	18	2.52	
	48 yards	28538	2	.90	
	100 lbs.	Carters Lead	12.75	12.75	
	10 Gals.	B. Oil	1.75	17.50	
	12-1/2 Gal.	Raw Sienna in oil	27-1/4	3.41	
	1 Gal.	Mahog. Stain	2.75	2.75	
	5 Gal.	B. Oil	1.75	8.75	
	100 Lbs.	Carters Lead	12.75	12.75	
	5 Gal.	White shellac	3.50	17.50	
	5 "	Alcohol	1.00	5.00	
	5 "	Gloss Oil	.45	2.25	
					89.38
June 15th-	1 bbl.	Dry Paste		25.00	
	10 lbs.	Dry Paste		1.50	
	6/1	Malmonite White Enamel	4.85	29.10	
	50 lbs.	Carters Lead		6.65	
	2 "	R. Sienna in oil		.48	
	16	Rolls St. Cream dull		6.58	
	2 gal.	Red Mahog. Stain		5.50	
	16	rolls Cream Sanitas		15.14	
	4 Gal.	Glass Oil		2.25	
	1 "	Mahog. Stain		2.75	
					95.95
June 22nd	10 lbs.	Ground glue		2.50	
	5	Quires Sandpaper		2.00	
	3 lbs.	#3 steel wool		.96	
	6	small " "		.60	
	6	" " "		.60	
	50	25-lb. Paper bags		1.20	
	50	20-lb. " "		.63	

M. R. HERRMANN & CO.

PHONES
SUPERIOR 7940-7941

WALL ST. CHICAGO
PAINTERS' AND DECORATORS'
SUPPLIES

1318 NORTH CLARK
CHICAGO

Date October 5, 1918. Customers' No. _____

Sold to Philip Ickler, ~~xxx~~
Elberta, Ala.

Shipped via _____ Terms _____

DATE	QUAN.	ARTICLE	PRICE	AMOUNT	CHARGES
					Amount For'd \$161.32
June 8th-	2 Gal.	Mahog. Stain		5.50	
	5 "	O. Shellac		15.00	
	4 "	B. Linseed oil		8.50	
	10 lbs.	Best Dry Ochre		1.00	
	10 "	" " Umber		1.00	
	25 "	White Primer		12.75	
	100 "	Carters Lead		12.75	
	5 Gal.	B. Oil		8.50	
	2 "	Mahog. Stain		5.50	
	1 Gross	W. F. Cleaner		13.00	
	5 Gal.	B. Oil		8.50	
	5 "	Gloss Oil		2.25	
	5 "	Fed. Spec. Floor Varnish		6.50	
	2 "	Red Mahog Stain		5.50	
	1 100-lb.	Carters Lead		12.75	
	2 50-lb.	" "		12.30	
	2 25-lb.	" "		6.80	
	4 12-1/2 lb.	" "		7.00	
					\$134.10
June 9th-	18 rolls	8538	18	3.24	
	14 "	8529	18	2.52	
	48 yards	28538	2	.90	
	100 lbs.	Carters Lead	12.75	12.75	
	10 Gals.	B. Oil	1.75	17.50	
	12-1/2 Gal.	Raw Sienna in oil	27-1/4	3.41	
	1 gal.	Mahog. Stain	2.75	2.75	
	5 Gal.	B. Oil	1.75	8.75	
	100 lbs.	Carters Lead	12.75	12.75	
	5 Gal.	White shellac	3.50	17.50	
	5 "	Alcohol	1.00	5.00	
	5 "	Gloss Oil	.45	2.25	
					89.38
June 15th-	1 bbl.	Dry Paste		26.00	
	10 lbs.	Dry Paste		1.50	
	6/1	Malmonite White enamel	4.85	29.10	
	50 lbs.	Carters Lead		6.65	
	2 "	R. Sienna in oil		.48	
	16 Rolls	St. Cream dull		6.58	
	2 gal.	Red Mahog. Stain		5.50	
	16 rolls	Cream Sanitas		15.14	
	4 Gal.	Gloss Oil		2.25	
	1 "	Mahog. Stain		2.75	
					95.95
June 22nd	10 lbs.	Ground glue		2.50	
	5 Quires	Sandpaper		2.00	
	3 lbs.	#3 steel wool		.96	
	6 small	" "		.60	
	6 "	" "		.60	
	50 25-lb.	Paper bags		1.20	
	50 20-lb.	" "		.63	

M. R. HERRING & CO.

TELEPHONES
SUPERIOR 7940-7941

WALL PAPER
PAINTERS' AND DECORATORS'
SUPPLIES

1318 NORTH CLARK
CHICAGO

Date October 5, 1918. Customers' No _____

Sold to Philip Ickler,
Elberta, Ala.

Shipped via _____ Terms _____

DATE	QUAN.	ARTICLE	PRICE	AMOUNT	CHARGES
		Amounts Paid.		8.49	480.75
		5-gal. O. Shellac		16.25	
	10 "	B. Oil		17.50	
	100 "	C. White lead		13.50	
					55.74
June 29th	1 Bbl.	#93 Muralite		21.45	
	10 Gals.	Int. Spar		16.50	
	1 Gal.	Mahog. Stain		2.75	
					40.70
July 13th	10 Gals.	B. Oil		17.50	
	200 Lbs.	Carters Lead		27.00	
	5 Gal.	Int. Spar Varnish		8.25	
	1 "	Mahog. Stain		2.75	
	10 lbs.	Ground Glue #3		1.80	
	5 "	French Ochre Dry		.50	
	5 "	Bolted Whiting		.25	
	5 Gals.	Federal Var. Spec. Floor		7.00	
	5 "	Turpentine		3.75	
					68.81
July 20th	5 Gal.	Special Floor Varnish		7.50	
	5 "	Turpentine		4.25	
					11.75
June 18th		- Cash			\$657.75
Aug. 15th		- "	\$150.00		
31st		- "	100.00		
15th		- credit	100.00		
31st		- "	4.40		
			22.83		\$577.23
					\$280.52

State of Illinois

County of Cook

City of Chicago

s. s.

Before me,

Paul W. Kearney

Notary Public in and for said

County and State, personally appeared Willis P. Wood

who being by me sworn in due form of law, doth depose and say, that he is President

of an Illinois corporation known as M. R. Herrmann & Co.

that the annexed account against Philip Jekler

is correctly copied from books of original entry of M. R. Herrmann & Co.

that within the knowledge of the affiant, the charges were made in the said books at or about time of their respective date; that the goods for which said charges were made, were sold and delivered as charged; that the charges are correct; and the account just and true, as stated; that said plaintiffs hold no security for said indebtedness, or any part thereof; that there is now due and owing the whole of said sum of Two Hundred Eighty and 50/100 Dollars and

Fifty - - - - - Cents, with interest thereon from the Nineteenth

day of July A. D., 1918; that no part of said principal sum or interest has been paid, or in any manner settled, and that there are no deductions or offsets of any kind except such as are herein specified and credited.

Sworn to and Subscribed before me this 14th
day of October A. D. 1918

In Testimony Whereof, I have hereunto set my hand and seal the day and year aforesaid.

Paul W. Kearney
NOTARY PUBLIC

Willis P. Wood

This indenture Witnesseth, That the Grantor, Baldwin County Colonization Company, a corporation organized under the laws of the State of Alabama, for and in consideration of the sum of One Dollar and other good and valuable considerations to it in hand paid, Conveys and Warrants to Helen Ickler, of the City of Chicago, County of Cook and State of Illinois, the following described real estate, to-wit:

That part of the Southeast quarter (SE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section Nineteen (19) Township Seven (7) South Range Five (5) East of St. Stephens Meridian described as follows: Commencing at a point Six Hundred Eight and five tenths (608.5) feet south and Nineteen (19) feet West of the Northeast corner (N. E. cor.) of said quarter ~~xxx~~ of the quarter section. Thence run Two Hundred fifty-two and five tenths (252.5) feet to a point, thence running Two Hundred Two (202) feet South to a point, thence running Two Hundred Fifty-two and five tenths (252.5) feet East to a point, thence running Two Hundred Two (202) feet North to a point, the place of beginning, known also as lot seven (7) of Block Twelve (12) on the plat of the village of Elberta, now on file in the office of the Baldwin County Colonization Company.

That part of the Southeast quarter (SE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section Nineteen (19) Township Seven South, range five (5) East of St. Stephens Meridian, described as follows: Commencing at a point Four Hundred Fifty and five tenths (450.5) feet West and six hundred and nine and eighty-three one-hundredths (609.83) feet south of the Northeast corner (NE corner) of said quarter of ~~xxx~~ quarter section, thence running One hundred fifty-nine (159) feet East to a point, thence running One hundred one (101) feet south to a point, thence running one hundred fifty-nine (159) feet West to a point, thence running one hundred one (101) feet North to a point, the place of beginning, known also Lot Five (5) in Block Twelve (12) on the plat of the village of Elberta now on file in the office of the Baldwin County Colonization Company.

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Upon the plat of the lands of said Grantor now on file in its office, said parcel of land containing one and ninety-one hundredths (1.91) acres of land more or less situated in Baldwin County, in the State of Alabama.

To have and to hold to the said Helena Ickler, her heirs and assigns forever, and the said grantors does hereby covenant with the said grantee; that it is seized in fee of the above described lands, that it has the right to sell and convey the same, that the said lands are free from all encumbrances, that it will, and its successors and assigns will forever warrant and defend the same to the said grantee, her heirs and assigns against the lawful claims of all persons whomsoever.

Co. In Witness whereof the said grantor, Baldwin County Colonization/has caused its corporate name hereunto signed under the hand of its President, duly authorized thereto, and its corporate seal to be affixed this twelfth day of August, 1918.

Corporate seal
Attest:
Henry C. Bartling, Sec'y.

Baldwin County Colonization Company
By Theobald Mueller President.

State of Illinois,
County of Cook.

I, Herman A. Fues, a Notary Public in and for said County in said State, hereby certify that Theobald Muller whose name as President of the Baldwin County Colonization Company, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand this 20th day of August, 1918.

Herman A. Fues
Notary Public.

Filed Aug 22
Book 27 118 359