

149

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 J.L.Killcrease,

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

R.E.Lee,

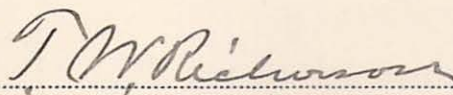
against said

J.L.Killcrease.

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 9th, day of January,

1919



Register.

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

3rd

Serve on J.L.Killcrease.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 149.

SUMMONS.

R.E. Lee

vs.

J.L.Killcrease et al.

Rickarby Austill and Beebe.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 9th

day of January 1919

C.E. Subank
Sheriff.

Executed this 24th day of

January 1919

by leaving a copy of the within Summons with

J.L. Killcrease
Defendant

O.B. Richerson
Sheriff

By _____

Deputy Sheriff.

RETURN RECEIPT.

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

James Russell Stewart

(Signature or name of addressee.)

(Signature of addressee's agent.)

Filed
2/1-1919
Wilmington
Registered
Date of delivery, *1/29*, 191*9*

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE No. 14

INSURED PARCEL No.



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

Postmark of Delivering Office

and Date of Delivery.

Return to

T. W. Richerson
(Name of sender.)

Street and Number,
or Post Office Box,

Post Office at

Bayou
State
He
all

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 Minnie Summell,

of Mobile, 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

R.E. Lee,

against said Minnie Summell et als

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 9th, day of May

1919

T. W. Richerson
Register.

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

ALIAS.

Serve on Minnie Summell,
Whistler, Ala.
CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No.

SUMMONS.

R. E. Lee.

vs.

Minnie Summell et al.

*Minnie Summell et al.
in my custody.*

*W. M. Deane, Jr. Sheriff
By C. Smith D. S.*

Rickaby Austill & Beebe.

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this

day of 191.....

Sheriff.

Executed this day of

191.....

by leaving a copy of the within Summons with

Defendant

Sheriff

By

Deputy Sheriff.

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, Minnie Summell,

of Mobile, 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

R. E. Lee,

against said

Minnie Summell et als

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 9th, day of May

1919...

T. W. Richerson

Register.

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

ALIAS.

Serve on Minnie Summell,

Whistler, Ala.

CIRCUIT COURT OF BALDWIN COUNTY,

IN EQUITY.

No.

SUMMONS.

R. E. Lee.

vs.

Minnie Summell et al.

Rickarby Austill & Beebe.

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this

day of 191.....

Sheriff.

Executed this day of

191.....

by leaving a copy of the within Summons with

Defendant

Sheriff

By

Deputy Sheriff.

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 Minnie Summall

of Mobile, 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

R. E. Lee,

against said Minnie Summall

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 9th day of January,

1919.

T. W. Richerson

Register.

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

Copy

Serve on.....

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 149.

SUMMONS.

R. P. Lee,

vs.

Minnie Summell.

Rickerby Austill and Beebe.

Solicitor for Complainant.

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

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this.....

day of 191.....

Sheriff.

Executed this..... day of

191.....

by leaving a copy of the within Summons with

Defendant

Sheriff

By

Deputy Sheriff.

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 Minnie Summell,

of Mobile, 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

R. E. Lee,

against said Minnie Summell, et als

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 25th day of March

1919.

T. W. Richerson
Register.

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

(13)

Serve on.....

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 149.....

SUMMONS.

R. E. Lee,

vs.

Minnie Summell et als.

Smith

Rickarby Austill and Beebe.

Solicitor for Complainant.

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

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this.....

day of 191.....

Sheriff.

Executed this..... day of

191.....

by leaving a copy of the within Summons with

Defendant

Sheriff

By

Deputy Sheriff.

*Minnie Summell
not found in the
County*

*W. H. Talcomb Jr
Sheriff Mobile Co*

*By Charley Smith
J.S.S.*

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 Minnie Summell,

of Mobile, 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.....

R. E. Lee,

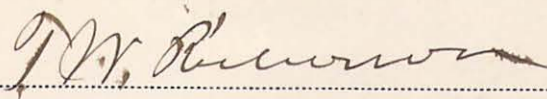
against said

Minnie Summell, et als

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 25th day of March

1919..



Register.

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

Serve on.....

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 149.....

SUMMONS.

R.E. Lee,

vs.

Minnie Sunnall et als.

Minnie Sunnall Miller

Rickarby Austill and Beebe.

Solicitor for Complainant.

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

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this.....

day of 191.....

Sheriff.

Executed this.....day of

191.....

by leaving a copy of the within Summons with

Defendant

Sheriff

By

Deputy Sheriff.

R E Lu

vs.

J H Killenase,
et al

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,

and

scru pro confesso

and in behalf of Defendant upon

[Signature]

Register

X

800

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

vs.

NOTE OF TESTIMONY.

Filed in Open Court this 19

day of June 1919

T. M. ...

Register

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 149 Term, 191.....

R E Lee

Complainant.....

vs.

J H Hillcrease, et al

Defendant.....

T W Richardson

Register:

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the

Complainant, by

Rickarby, Frazar & Bube

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Rickarby, Frazar & Bube
Solicitor for Complainant.

X

900 4

No. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY.

vs.

REQUEST FOR DECREE IN
VACATION.

Filed *6/19* 191*9*

T. C. ...

Register

Recorded in Record^d

Vol. Page

Register

[Faint vertical handwriting on the right side of the page]

R. E. Lee

vs.

J. L. Killian et al

CIRCUIT COURT OF

Baldwin COUNTY,
IN EQUITY.

+
I, *J. W. Richmond*

Register of said Court, do hereby certify that I

did, on the *27th* day of *January* 19*19*, send to

Lucile Stuart Defendant

whose address was *St Louis Mo*

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 *29th* day of

Jan 19*19*

Witness my hand, this *1* day of *Feb* 19*19*.

J. W. Richmond

Register.

X

320
No. 149

CIRCUIT COURT OF

Baldwin COUNTY,
IN EQUITY.

R. E. Lee

vs.

J. L. Killebrew
et al

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this 1
day of Feb 1917

W. M. Calver
Register.

7
TO THE HONORABLE ARTHUR E. GAMBLE, JUDGE
OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN
EQUITY SITTING.

Comes R.E. LEE, a resident of Baldwin County,
State of Alabama, and presents this his bill of com-
plaint against the heirs at law of JOHN T. MILNER;
the heirs at law of H.M. CALDWELL; the heirs at law of
MRS. H.B. SIBLEY; J.L. KILLOREASE, MINNIE SUMALL,
LUCILE STUART, and the heirs at law of EDWIN LONG, and
thereupon Your Orator complains and says;

FIRST: That JOHN T. MILNER is dead; that
he died intestate; that the names of his heirs at law
are unknown to your Orator and cannot be ascertained
on diligent inquiry; that he believes that the said heirs
at law are each over the age of twenty one years and re-
side without the State of Alabama; but that he has been
unable to learn and has not ascertained after reasonable
effort the places of residence and post office addresses
of said heirs at law of JOHN T. MILNER, deceased, and
that he sues them herein as unknown defendants.

That H.M. CALDWELL is dead; that he died in-
testate; that the names of his heirs at law are unknown
to your Orator and cannot be ascertained on diligent
inquiry; that he believes that the said heirs at law
are each over the age of twenty one years and reside with-
out the State of Alabama, but that he has been unable
to learn and has not ascertained after reasonable effort
the places of residence and post office addresses of
said heirs at law of H.M. CALDWELL, deceased, and that
he sues them herein as unknown defendants.

That MRS. H.B. SIBLEY is dead; that she died

intestate; that the names of her heirs at law are unknown to your Orator and cannot be ascertained on diligent inquiry; that he believes that the said heirs at law are each over the age of twenty one years and reside without the State of Alabama, but that he has been unable to learn and has not ascertained after reasonable effort the places of residence and post office addresses of said heirs at law of MRS. H.B. SIBLEY, deceased, and that he sues them herein as unknown defendants.

That EDWIN LONG is dead; that he died intestate; that the names of his heirs at law are unknown to your Orator and cannot be ascertained on diligent inquiry; that he believes that the said heirs at law are each over the age of twenty one years and reside without the state of Alabama, but that he has been unable to learn and has not ascertained after reasonable effort the places of residence and post office addresses of said heirs at law of EDWIN LONG, deceased, and that he sues them herein as unknown defendants.

That J.L. KILLCREASE, MINNIE SUMMALL and LUCILE STUART are all the heirs at law of EDWARD KILLCREASE, deceased and are each over the age of twenty one years; that J.L. KILLCREASE resides at Bay Minette, Baldwin County, Alabama; that MINNIE SUMMALL resides at Whistler, Mobile County, Alabama; that LUCILE STUART is a non resident of the State of Alabama and, your Orator is informed and believes, resides in St. Louis, Missouri; that her post office address other than St. Louis, Missouri is unknown to complainant and that he has been unable to learn and has not ascertained after reasonable effort her place of residence other than as above given.

SECOND: Your Orator claims to own of his own right and is in the peaceable possession of the following described lands, always claiming to own them, namely, the West Half of the Northeast Quarter of Section Ten, Township Two South of Range Three East, Baldwin County, Alabama.

THIRD: That each of said defendants claims, or is reputed to claim, some right, title or interest in or encumbrance upon the said lands and your Orator hereby calls upon all of the said defendants to specify all of his or her title, claim, interest or encumbrance upon said lands, or any part thereof, and how and by what instruments the same is derived.

FOURTH: That no suit is now pending to test the validity of such title, claim, lien or encumbrance as asserted by said defendants, or either of them, or any one else, there being no pending litigation involving in anywise the title to said lands.

WHEREFORE, the premises considered, your Orator respectfully prays that the heirs at law of JOHN T. MILNER, deceased; the heirs at law of H.M. CALDWELL, deceased; the heirs at law of MRS. H.B.SIBLEY, deceased; the heirs at law of EDWIN LONG, deceased; J.L. KILLCREASE, MINNIE SUMMALL and LUCILE STUART are made parties defendant to this bill of complaint and that all and each of them be brought into Court by publication, except J.L. KILLCREASE and MINNIE SUMMALL; and as to them complainant prays that they and each of them be personally served by process of subpoena; that upon final hearing of this cause it be adjudged and decreed that the defendants and none of them have any right,

title or interest in or hold or have any lien or encumbrance upon the lands hereinabove described, or any part thereof, and that as against said defendants and each of them, your Orator has a good and perfect title to all of said lands and that his said title to said lands be forever quieted as against the defendants and each of them. Your Orator prays for such further and other relief as he may be equitably entitled to receive in the premises and your Orator will forever pray, etc.

Richardy Austin Beebe
Solicitors for Complainant.

Each of the defendants is required to answer each paragraph of the foregoing bill from one to four, inclusive, but not under oath; oath is hereby expressly waived.

Richardy Austin Beebe
Solicitors for Complainant.

STATE OF ALABAMA :
BALDWIN COUNTY. :

Before me, ~~W.C. Beebe~~ ^{*J. W. Riccison*} Clerk of Circuit Court and for said State and County, personally appeared W.C. Beebe, who being duly sworn deposes and says that he is one of the solicitors for the Complainant in the foregoing bill of complaint; that the names of the heirs at law of John T. Milner, H.M. Caldwell, Mrs. H.B. Sibley and Edwin Long are unknown to him and cannot be ascertained by diligent inquiry; that he has made diligent inquiry to ascertain the same and their residences, as he believes, are without the state of Alabama; and that he believes them to be over the age of twenty one years and that he has made them unknown parties to the foregoing bill of complaint because they are necessary parties and he has been unable to ascertain their names, residences and post office addresses; that Lucile Stuart is over the age of twenty one years and resides without the State of Alabama; that he has made diligent inquiry to ascertain her residence and post office address and has been unable to do so, that as he believes, she is a non resident of the State of Alabama.

Sworn to and subscribed
before me on this 8
day of January, 1919.

W.C. Beebe

J. W. Riccison
N. P. Baldwin County, Alabama.
Clerk of Circuit Court
Baldwin County Ala

X

R. E. LEE, Complainant) Case #149, Circuit Court,
vs.) Baldwin County, Alabama.
J. L. KILGOREASE, ET AL, Defendants) In Chancery.

X
This cause is submitted in vacation for final hearing upon bill of complaint, decree pro confesso and it being shown by affidavit that J. E. KILGOREASE and LUCILE STUART are not in the Military Service of the United States, and that it cannot be determined upon diligent inquiry whether or not such other Defendants, named in said bill, 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 entered against them, 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 named therein, namely: J. L. KILGOREASE, LUCILE STUART, the heirs at law of JOHN T. MILNER, deceased, the heirs at law of H. M. CALDWELL, deceased, the heirs at law of MRS. E. B. SIBBEY, deceased, and the heirs at law of EDWIN LONG, deceased, have any RIGHT, TITLE or INTEREST in, or hold any liens or incumbrance upon the following described lands, to-wit:

West half of the Northeast Quarter,
Section 10, Township 2 South of
Range 3 East, in Baldwin County, Alabama.

It is further ordered that the Register of this Court, within thirty days of the rendition of this decree, file a certified copy of this decree in the office of the Probate Judge of Baldwin County, for record therein, and that the cost thereof be taxed in the costs of the cause.

This decree is subject to the provisions of Sections

3170 and 3171 of the Code of Alabama of 1907, and the Com-
plainant is hereby directed to send a certified copy hereof
to each of the Defendants not personally served with process,
if their residences can be ascertained.

It is further ordered that the Complainant pay
the costs of this cause, for which execution may issue.

In term time, June 19th 1919.

W. G. Gumble
Judge

x

Final decree
quitting title.

Filed June
1919

W. W. Ricca

Register

Recorded on
minutes

7th
Secre Pro Con-
fesso.

Filed this June
18, 1919

By Richman

R. E. LEE, Complainants) Case #149, Circuit Court,
vs Baldwin County, Alabama.
J. L. KILLGREASE, ET AL, Defendants) In Chancery.

+
Comes the Complainant in the above style cause and moves the Court for decree pro confesso against names of Defendants named in his complaint, and shows to the Court that J. L. KILLGREASE was duly served by the Sheriff of Baldwin County on the 24th day of January 1909, that copy of the Bill of Complaint was mailed by registered mail to LUCILE STUART, at St. Louis, Mo., (Marked for delivery to addressee only) that return card duly signed by her was received in the office of Register and filed on February 1-1919, that said other Defendants were duly served by publication in the Baldwin Times, a newspaper published in Baldwin County, Alabama, for four consecutive weeks, beginning January 9-1919: that more than thirty days have elapsed since the perfection of service upon each of said Defendants and that to date each of them have failed to DEMUR and PLEAD TO, or ANSWER Bill of Complaint in this cause.

This the 18th day of June, 1919.

Richard Froyer Bebe
Solicitor for Complainant.

X

5-11

Motion for
Seque Pro Cou
Jesso

Filed June 18, 1914

T.W. Dickinson

Register

x
State of Alabama,)
)
Baldwin County.)

Before me, T. W. Richardson, clerk of Circuit Court
~~Joseph S. Bell, Notary Public in~~

and for said State and County, this day personally appeared
W. C. Beebe, who being by me duly sworn, deposes and says
that he is one of the attorneys of record for R. E. Lee, and
the case of R. E. Lee against J. L. Killcrease, and others,
being case #149 on the Chancery side of the Circuit Court of
Baldwin County, Alabama:

That Defendants J. L. Killcrease and Lucile
Stuart are not, and have not been in the Military or Naval
service of the United States; that he does not know, and
cannot ascertain whether or not the unknown heirs of John
T. Milner and the unknown heirs of H. M. Caldwell, and the
unknown heirs of Mrs. H. B. Sibley, and the unknown heirs
of Edwin Long have been, or are in the Military or Naval ser-
vice of the United States.

W. C. Beebe

Sworn to and subscribed before me on this,
the 18th day of June, 1919.

T. W. Richardson
Clerk of Circuit Court
~~Notary Public~~, Baldwin County,
Alabama.

x

600

Affidavit

22

Filed June 18
1919

Register

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[Faint vertical text, possibly bleed-through]

22

R. E. LEE, Complainant) Case #149, Circuit Court,
vs.) Baldwin County, Alabama,
J. L. MILLCREASE, ET AL, Defendants) in Chancery.

x Comes the Complainant in the above style cause
and amends his Bill of Complaint by striking out MINNIE SUM-
RAIL as a party defendant.

Reckard, Fryer & Beebe
Solicitors for Complainant.

x

Amendment to
Bill of Complaint

Filed this June
18, 1919

J. W. Skinnerson

Registrar