

-----X
AUGUST NOLTENSMEIER,
Complainant.

-vs-

JOHN E. MILSTEAD, MARION E. MILSTEAD,
JOHN E. MILSTEAD? Jr., GEORGE MILSTEAD,
DUDLEY MILSTEAD, ARVELLA MILSTEAD,
WILHEMINA NICKS, PAUL F. ROLFE, JOHN V.
COE, J. V. COE, R. K. COE, RICHARD K.
COE, JAMES B. ROBERTS, SOUTHERN STATES
LUMBER COMPANY, a corporation, and such
persons as may be their heirs at law,
next of kin, devisees or legatees, if
they be dead.

Defendants.
-----X

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

No. 158.

This cause is submitted in term time for final decree upon the pleadings, decrees pro confesso and proof as noted by the Register;

And it being shown by affidavits that ^{no} of the defendants 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 in this cause, and the court being of the opinion that the complainant is entitled to the relief for which he prays in his bill of complaint;

IT IS ORDERED, ADJUDGED AND DECREED by the Court, that none of the defendants, namely, John E. Milstead, Marion E. Milstead, John E. Milstead, Jr., Dudley Milstead, George Milstead, Arvella Milstead, Wilhemina Nicks, Paul F. Rolfe, John V. Coe, J. V. Coe, Richard K. Coe, R. K. Coe, James B. Roberts, Southern States Lumber Company, a corporation, and such other persons as may be the heirs at law, devisees, legatees and next of kin of such of the above named persons as may be dead, have any right, title or interest in, or hold any lien or encumbrance upon, the following described land, namely;

The East Half of the Southeast quarter of section seven in township seven south of range five east (E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 7 Tp. 7 S. R. 5 E.) Baldwin County, State of Alabama.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the title of the Complainant, August Noltensmeier, is good and perfect as against the defendants, and each of them; that a certified copy of this decree be recorded in the office of the Judge of Pro-

bate of Baldwin County, State of Alabama; that a certified copy of this decree be mailed by the Register to each defendant who has not appeared and whose address is known; that at the expiration of one year, this decree, unless sooner vacated, shall be come absolute as against the defendants brought in by publication and who have not appeared, it being now absolute against the defendants who have appeared; and that the complainant do pay the costs of this cause, for which let execution issue.

This November 26th, 1919.

W. E. Gandy JUDGE.

Final Decree

Filed in office Nov. 26th 1919.
J. W. Richardson

Register -

Recorded on
minutes

August Hollsummer

vs.

John E. Westhead

et-al

CIRCUIT COURT OF

Baldwin

COUNTY,

IN EQUITY.

I, J. M. Ricumson

Register of said Court, do hereby certify that I

did, on the 13 day of March 1919, send to

Hollsummer Sales & Leasing Co one of the Defendant

whose address was Purasaca, Fla.

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;

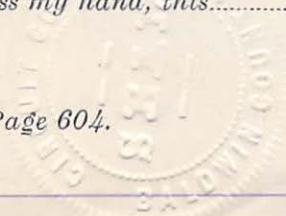
and that such receipt was duly received and filed by me in this cause, on the 28th day of

March 1919.

Witness my hand, this 3rd day of April 1919.

J. M. Ricumson

Register.



No. *N^o 8*

8

CIRCUIT COURT OF

Bedford COUNTY,
IN EQUITY.

August Hollenback

vs.

John E. Overhead
et al

CERTIFICATE OF REGISTER AS TO
NOTICE BY REGISTERED MAIL.

Filed in office on this *3rd*
day of *April* 19 *17*
J. W. Keenan
Register.



No. -158-

August Noltensmeier,

Complainant.

vs.

John E. Milstead, et al.,

Defendants.

IN THE CIRCUIT COURT OF

Baldwin COUNTY,

IN EQUITY.

I, -T. W. Richerson-

Register of the Circuit Court of

BALDWIN

County, in Equity, hereby certify that on the affidavit of

AUGUST NOLTENSMEIER, THE COMPLAINANT

on the 6th day

of MARCH

1919,

an Order of Publication was made to John E. Milstead,

Marion E. Milstead, John E. Milstead, Jr., George Milstead, Dudley Mil-

stead, Arvella Milstead, Wilhemina Nicks, Paul F. Rolfe, John V. Coe,

Richard K. Coe, J. V. Coe, R. K. Coe, James B. Roberts, Southern States

Lumber Company, a corporation, and their heirs, at law, devisees and

next of kin

and was published in the

BALDWIN TIMES

a newspaper published in the City or Town of BAY MINETTE, ALABAMA once a week,

for four consecutive weeks, requiring THEM the said

DEFENDANTS

to answer or demur to the bill of complaint in the

cause, by the 12th day of APRIL 1919 or in thirty days thereafter a

decree Pro Confesso may be taken against them

And a copy of said order was forwarded by mail, on the 13th day of March,

1919, addressed to Southern States Lumber Company, Pensacola, Fla.

X

and that one other copy of said order was posted at

the Court House door of said County for four consecutive weeks.

T. W. Richerson

Register.



No. -158-

No.

IN THE CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

August Noltensmeier,

Complainant.

vs.

John E. Milstead, et al.,

Certificate of Publication

Filed in office August 1st day of

August 191, 9

H. W. Richmond

Register.

Brown Printing Co., Montgomery. 25024



August Koltensmeier
Complainant

vs.

John E. Minstead, et al
Depts

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

No. 158

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, *Recorde*

pro confesso, affidavit of military service
certificate of publication, certificate as to
notice by Registered mail

and in behalf of Defendant upon _____

J. W. [Signature]

Register

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No. 158

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

August Nattenmeier
Complainant

vs.

John E. Mullett et al
Defendants

NOTE OF TESTIMONY.

Filed in Open Court this 17

day of Nov 1919

J. W. McInnis

Register

DECREE PRO CONFESSO ON PUBLICATION.

-----X
AUGUST NOLTENSMEIER,
Complainant.

-vs-

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

Cause Number 158.

IN THE CIRCUIT COURTEQUITY SIDE.

STATE OF ALABAMA,
BALDWIN COUNTY.

In this cause, it appearing to the court by the certificate of the Register, that the order of publication heretofore made in this cause was published for four consecutive weeks, commencing on the 13th day of March, 1919, in the Baldwin Times, a newspaper published in Baldwin County, State of Alabama; that a copy of said order was posted at the court house door on the 13th day of March, 1919 and that another copy was deposited in the Post Office 13th day of March, 1919, directed to one of the Defendants, namely, the Southern States Lumber Company, the only one of said defendants whose address was known or could be ascertained after diligent inquiry, according to the affidavit of non-residence made and filed by the complainant on the 9th day of March, 1919.

And it further appearing that the said defendants have, to the date hereof, failed to plead, answer or demur to the complaint in this cause.

IT IS THEREFORE, on motion of the complainant, ordered and decreed by the court, that the said bill of the complaint be, and the same hereby is, in all things, taken as confessed against the said defendant.

This the 4th day of August, 1919.

T. W. Stevenson

REGISTER.

AUGUST NOLTENSMEIER,
Complainant.

Cause Numbered 158.

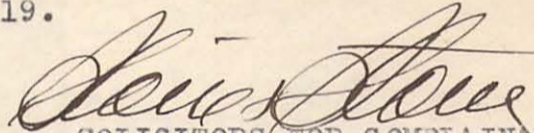
-vs-

JOHN E. MILSTEAD, et al.,
Defendants.

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

Motion is hereby made for a decree pro confesso against John E. Milstead, Marion E. Milstead, John E. Milstead, Jr., George Milstead, Dudley Milstead, Arvella Milstead, Wilhemina Nicks, Paul F. Rolfe, John V. Coe, J. V. Coe, R. K. Coe, Richard K. Coe, James B. Roberts, Southern States Lumber Company, a corporation, and such persons as may be their heirs at law, next of kin, devisees or legatees, and they all being defendants in the above styled cause, on the ground that more than thirty days have elapsed since the perfection of publication that was made under order of this court, and it being shown by due proof to the court that the said defendants are non-residents of the state or that their residences are unknown, and that they have failed to answer, plead or demur to the bill in this cause, to the date hereof.

This the 4th day of August, 1919.


SOLICITORS FOR COMPLAINANT

no 158

• Motion for
Deere & Co
Conferee -

[Faint, illegible handwritten text]

Filed August 4,
1919

J. W. Richmond
Register

BOND

AUGUST NOLTENSMEIER,
Complainant.

-vs-

JOHN E. MILSTEAD, MARION E.
MILSTEAD, JOHN E. MILSTEAD,
JR., GEORGE MILSTEAD, DUDLEY
MILSTEAD, ARVELLA MILSTEAD,
WILHEMINA ~~MILSTEAD~~, PAUL F.
ROLFE, JOHN V. COE, R. K. COE, J.V. COE
RICHARD K. COE, JAMES B. ROBERTS,
SOUTHERN STATES LUMBER COMPANY,
a corporation, and such persons
as may be their heirs at law,
next of kin, devisees or legatees.)
Defendants.

IN EQUITY
IN THE CIRCUIT COURT
STATE OF ALABAMA
BALDWIN COUNTY

No. 158.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, Norborne Stone, a Notary Public, county and state
aforesaid, personally appeared Frank S. Stone, who is known to me and
who, after being by me first duly sworn, deposes and says under oath;

My name is Frank S. Stone. I am a member of the firm of
Stone and Stone, Attorneys at Law, Bay Minette, Alabama. I am one of
the Solicitors of Record for the Complainant in the above styled cause.

I have made diligent inquiry to ascertain whether or not any
of the above named defendants are now in the military or naval service
of the United States and cannot so ascertain after such inquiry. The
Southern States Lumber Company is a corporation and is not in the mil-
itary or naval service of the United States.

Frank S. Stone

Sworn to and subscribed be-
fore me this July 21, 1919.

Norborne Stone
Notary Public-Baldwin County-Alabama.



No 158.

August Hattenmeyer
Compt

- 15 -

John E. Muehlendahl
Defendant

Affidavit as to
Military Service

Filed 7-21-19

T. W. Stevenson
Register



-----X
AUGUST NOLTENSMEIER,
Complainant.

-vs-

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

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

No. 1598

It appearing to the court from the affidavit of one of the Solicitors for the complainant, on file in this cause, that, with the exception of the Southern States Lumber Company, a corporation, that he cannot determine whether or not the defendants, including the unknown defendants brought in by publication, are or have been, in the military or naval service of the United States, since the filing of said original bill, and it not having been shown otherwise that any of the said defendants are or have been in such service, with the above exception, but there being nothing to indicate that any of them are or have been in such service,

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

Done in term time this November 19th, 1919.

W. E. Gable

JUDGE.

Wm. H. ...
No. 1234

Wm. H. ...
No. 1234

Filed in Office Nov. 19th 1919

W. H. ...

Registrar

Decree
Recorded on minutes

August Woltensmeier
Complainant

158.

THE STATE OF ALABAMA,
BALDWIN COUNTY

vs.

John E. Miskel et al

IN EQUITY,

CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,

order

of publication, certificate of publication
affidavit of publication, affidavits
as to military service

and in behalf of Defendant upon

J. M. Reimann

Register

No. 158.

No. ~~198~~

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

August Mathusner,
Compt.

vs.

John E. Minstead
et al.

NOTE OF TESTIMONY.

Filed in Open Court this *19*

day of *Nov* 191*4*

J. M. Wiseman

Register

RETURN RECEIPT.

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

Samuel L. Co.

(Signature or name of addressee.)

Fred Robinson

(Signature of addressee's agent.)

Date of delivery, _____, 191

Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$200

REGISTERED ARTICLE No. 1726

INSURED PARCEL No. _____

*Filed
3/28-1919
T. W. Dickerson
Registrar*

Postmark of Delivering Office

and Date of Delivery.

Return to

T. M. Richerson

(Name of sender.)

Street and Number, }
or Post Office Box, }

Post Office at

Dyminette

State

Ala.

AUGUST NOLTENSMEIER,
Complainant.

-vs-

JOHN E. MILSTEAD, MARION E. MILSTEAD,
JOHN E. MILSTEAD, Jr., GEORGE MILST-
EAD, DUDLEY MILSTEAD, ARVELLA MILSTEAD,
WILHEMINA NICKS, PAUL F. ROLFE, JOHN V.
COE, J. V. COE, R. K. COE, RICHARD K.
COE, JAMES B. ROBERTS, SOUTHERN STATES
LUMBER COMPANY, a corporation, and such
persons as may be their heirs at law,
next of kin, devisees or legatees.

IN EQUITY

IN THE CIRCUIT COURT
STATE OF ALABAMA
BALDWIN COUNTY

No. 158

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

Your Orator, August Noltensmeier, respectfully represents and shows
unto your Honor as follows:-

FIRST:

That your Orator, August Noltensmeier is a bona fide resident of
the State of Alabama, residing in Baldwin County, State of Alabama. That
the respondent, against ^{whom} this Bill of Complaint is exhibited are John E.
Milstead, Marion E. Milstead, John E. Milstead, Jr., George Milstead,
Wilhemina Nicks, Arvella Milstead, Paul F. Rolfe, James B. Roberts, J.
V. Coe, R. K. Coe, John V. Coe, Richard K. Coe, and the Southern States
Lumber Company, a corporation, and such other persons as may be the heirs
at law, next of kin, devisees or legatees of the above named persons, if
any.

SECOND:

Your Orator further shows that the Southern States Lumber Company
is a corporation, organized under the laws of the state of Florida and
its principal place of business is in the City of Pensacola, the State
of Florida. Your Orator further avers that he has diligently endeavor-
ed to ascertain the names, ages and places of residence of all of the
other respondents, their devisees, heirs at law, legatees or next of kin,
and that he has been unable to ascertain any information other than the
facts herein alleged and set out; that Orator firmly believes, has been
informed and alleges that the above respondents, except the Southern Stat-
es Lumber Company, a corporation, are over the age of twenty-one years.

THIRD.

Your Orator further alleges that he is in the actual peaceable possession, claiming to own the same in his own right, of the following described lands in the County of Baldwin, State of Alabama;

The East Half of the Southeast quarter of Section Seven in Township seven south of range five east ($E\frac{1}{2}$ of $SE\frac{1}{4}$ Sec. 7 Tp. 7 S. R. 5 E.)

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

FOURTH:

Your Orator further avers that the respondents, whose names are herein set forth in this bill of complaint, their heirs at law, next of kin, legatees or devisees, claim or are reputed to claim, the lands above described, or some part thereof, or some interest therein, or to hold liens or encumbrances thereon.

FIFTH:

Your Orator further avers that there are no suits pending to enforce or test the validity of the title, claim or encumbrance of any of the above named respondents, or their heirs, at law, next of kin, legatees or devisees, in, to or upon the said lands or any part thereof.

THEREFORE Orator calls upon the said respondents, and each of them, or their heirs at law, next of kin, devisees or legatees, to set forth and specify his or her title, claim, interest or encumbrance in or upon or to any of said lands, or any part thereof, and how and by what instrument and what source and in what manner the same is derived or created.

PRAYER FOR PROCESS.

To the end therefore, that equity may be done in the premises, Orator prays that such of respondents hereinbefore named or their heirs at law,

STATE OF ALABAMA.

BALDWIN COUNTY. Before me *J. J. Dooney* A Notary Public
in and for said State and County, personally appeared AUGUST NOLTENSMEIER
whose name is signed to the within instrument, and who is known to me,
after being by me duly sworn doth depose and say under oath that he is
a resident of Baldwin County State of Alabama, and is over the age of 21
years, and that The Southern States Lumber is a corporation organized under
the laws of Florida, and is a non resident and has its principal place of
business at Pensacola State of Florida; further deposing he saith under
oath, that John E Milstead, Marion E Milstead, John E Milstead Junior, Georg
e Milstead, Dudley Milstead, Arvella Milstead, Wilhemina Nicks, Paul F Rolfe
James B Roberts, John V Coe, Richard K Coe, J V Coe, R K Coe.

defendants in the above cause now pending in Circuit Court of Baldwin
County, Equity Side, are non residents of the State of Alabama, that he has
made diligent inquiry and search to ascertain the names and residences of
the above defendents, their heirs at Law, next of kin, legatees or devisees
and has been unable to ascertain their names and residences other than above
and that said defendants, their heirs at law, devisees, and legatees are
in the belief of affiant and to the best of his knowledge over the ages of
21 years and are non residents of the State of Alabama.

August Noltensmeier

Subscribed and sworn to before me

this March 6th. 1919

J. J. Dooney
Notary Public Baldwin County. Ala.



next of kin, devisees or legatees, as are non-residents of the State of Alabama, or whose address is not known, may be brought into this court by publication, in the usual form and according to the practice of this Honorable court and the law in such cases; that such of such respondents as are the heirs at law, next of kin, devisees and legatees, as are resident of the State of Alabama, may be brought into this court by subpoena in the usual manner and form and that all the said respondents so brought into court may be required to plead, answer or demur to all of the allegations of this bill of complaint within the time prescribed by law and the rules of this honorable court and that all the said respondents may be required to set forth and specify their title or titles therein, interest in or encumbrances or liens thereon, to the lands or any part of the lands above described and how and by what instruments or instrument or conveyances, or in what manner the same are derived and created.

PRAYER FOR RELIEF

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

Stones & Stone
Solicitors for Complainant

FOOT NOTE:-Each of the respondents and defendants above named, their heirs at law, next of kin, devisees, legatees, is required to answer each and every paragraph of the foregoing bill of complaint, from "FIRST" to "FIFTH", both inclusive, but not under oath; answer under oath being hereby expressly waived.

Stones & Stone
Solicitors for Complainant

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