

97

SUMMONS--ORIGINAL.

The State of Alabama, } Circuit Court of Baldwin County, In Equity.  
Baldwin County.

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon Rose Eisler

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

of \_\_\_\_\_<sup>IX</sup> 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 **Fred Ohis**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

against said Rose Eisler

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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, M. A. Stone, Register of said Circuit Court, this 22nd day of November 1934

M. A. Stone Register

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

Fred Ohls

vs.

Rose Eisler

CIRCUIT COURT OF  
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 22nd day of November 192<sup>3</sup> 4, a copy of the Bill of Complaint filed in this cause was sent to ~~Rose Eisler~~ 800 Grand Ave, Gary Indiana

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 30th day of November 192<sup>3</sup> 4, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Rose Eisler

Defendant

This the 31st day of December 192 34

*H. A. Stone*

Register.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

Comes your Complainant, FRED OHLS, and respectively  
represents and shows unto your Honor and this Honorable Court  
as follows:

ONE:

That he is a bona fide resident of Baldwin County,  
Alabama, over twenty-one years of age.

TWO:

That the Respondent, ROSE EISLER is over twenty-one  
years of age, and a non resident of the State of Alabama; her  
Post Office address being 800 Grand Avenue, Gary, Indiana.

THREE:

That your Complainant is in the quiet, and peaceable  
possession, claiming to own the same in fee simple, of the follow-  
ing described land in Baldwin County, Alabama, to-wit:

The East half of the Southeast quarter ( $E\frac{1}{2}$  of  $SE\frac{1}{4}$ )  
of Section ten (10), Township seven (7) South of  
Range four (4) East.

FOUR:

Complainant further alleges that the Respondent, ROSE  
EISLER, claims, or is reputed to claim some right, title or interest  
in, or encumbrance upon said land.

FIVE:

That Complainant further alleges that no suit is pending  
to question or test the validity of such claim, right, title or  
interest in, or encumbrance of the said Respondent and the Complain-  
ant therefore calls upon the Respondent, ROSE EISLER, to set forth  
and specify her right, title or interest in, or encumbrance upon  
said land, and to show how and by what instrument the same is de-

rived, and/or created.

PRAYER FOR PROCESS.

WHEREFORE, the premises considered the Complainant prays that your Honor will take jurisdiction of the cause made by this Bill of Complaint and by appropriate process make the said ROSE EISLER, Respondent to this Bill of Complaint, requiring her to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

PRAYER:

Complainant further prays that upon the hearing of this complainant, this Honorable Court establish the title of Complainant in and to the lands herein described, and further find and decree that the said ROSE EISLER has no claim, right, title or interest in, or encumbrance upon the said lands herein described, or any part thereof, and grant unto your Complainant such other, further, different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

Beche + Stale  
Solicitors for Complainant.

FOOT NOTE:

The Respondent, ROSE EISLER, is required to answer each and every allegation contained in the foregoing bill of complaint in paragraphs ONE to FIVE, inclusive, but not under oath, oath being hereby expressly waived.

Beche + Stale  
Solicitors for Complainant.

# CIRCUIT COURT, BALDWIN COUNTY, ALA., IN EQUITY.

No. *94*

*Fred Oble*  
VS.  
*Paye 286 Rose Eble*

PLAINTIFF

DEFENDANT

## BILL OF COSTS

Fees of Register	Dollars	Cts.	Brought Forward	
Filing each bill and other papers..... <i>8</i>	\$	10	For receiving, keeping and paying out or distributing money, etc.; 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.	<i>5 25</i>
Issuing each Subpoena.....		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per cent of amount received.	
Issuing each copy thereof.....		40	Each Notice Sent by Mail to creditors.....	<i>15</i>
Entering each return thereof.....		15	Filing, Receipting for and Docketing each Claim, etc.....	<i>25</i>
For each Order of Publication.....		1 00	For all entries on Subpoena Docket, etc.....	<i>50</i>
Issuing Writ of Injunction.....		1 50	For all entries on Commission Docket, etc.....	<i>50</i>
For each copy thereof.....		50	Making Final Record, per hundred words.....	<i>15</i>
Entering each return thereof.....		15	Certified Copy of Decree.....	<i>1 00</i>
Issuing Writ of Attachment.....		1 00	Report of Divorce to State Health Office.....	<i>50</i>
Entering each return thereof.....		15	Acts 1915	
Docketing each case.....		1 00	Total Fees of Register.....	<i>8 10</i>
Entering each Appearance.....		25	Fees of Sheriff	
Issuing each Decree Pro Confesso on personal service.....		1 00	Serving and Returning Subpoena on Deft.....	<i>\$ 1 50</i>
Issuing each Decree Pro Confesso on publication.....		1 00	Serving and Returning Subpoena for Witness.....	<i>65</i>
Each order Appointing Guardian.....		1 00	Levying Attachment.....	<i>1 50</i>
Any other order by Register.....		50	Entering and Returning same.....	<i>25</i>
Issuing Commission to Take Testimony.....		50	Selling Property Attached.....	<i>75</i>
Receiving and Filing.....		10	Impanelling Jury.....	<i>2 50</i>
Endorsing each package.....		10	Executing Writ of Possession.....	<i>1 50</i>
Entering order Submitting Cause.....		50	Collecting Execution for Costs.....	<i>65</i>
Entering any other Order of Court.....		25	Serving and Returning Sci. fa., each.....	<i>65</i>
Noting all Testimony.....		50	Serving and Returning Notice.....	<i>1 50</i>
Abstract of Cause, etc.....		1 00	Serving and Returning Writ of Injunction.....	<i>1 50</i>
Entering each Decree.....		75	Serving and Returning Writ of Exeat.....	<i>1 50</i>
For every 100 words over 500.....		15	Taking and Approving Bonds, Each.....	<i>75</i>
Taking account, etc.....		3 00	Collecting Money on Execution.....	<i>2 50</i>
Taking Testimony, etc.....		15	Making Deed.....	<i>1 00</i>
Each Report, 500 words or less.....		2 50	Serving Attachment, Contempt of Court.....	<i>1 50</i>
For every 100 words over 500.....		15	Total Fees of Sheriff	
Amount claimed less than \$500, etc.....		2 00	Recapitulation	
Issuing each Subpoena.....		25	Register's Fees.....	<i>8 10</i>
Witness Certificate, each.....		25	Sheriff's Fees.....	
Issuing Execution, each.....		75	Commissioner's Fees.....	
Entering each return.....		15	Solicitor's Fees.....	
Taking and Approving Bend, each.....		1 00	Witness Fees.....	
Making copy of bill, etc.....		15	Guardian Ad Litem.....	
Each notice not otherwise provided for.....		50	Printer's Fees.....	
Each certificate or affidavit, with seal.....		50	Trial Tax.....	<i>3 00</i>
Each certificate or affidavit, no seal.....		25	Recording Decree in Probate Court.....	
Hearing and passing on application, etc.....		3 00	Total	
Each settlement with receiver, etc.....		3 00	<i>11 10</i>	
Examining each voucher of receiver, etc.....		10	Jan 9, 1935	
Examining each answer, etc.....		3 00	Sub Total Carried Forward	
Recording resignation, etc.....		75	<i>5 45</i>	
Entering each certificate to Supreme Court.....		50		
Taking questions and answers, etc.....		25		
For all other service relating to such proceedings.....		1 00		
For service in proceeding to relieve minors, etc same fee as in similar cases.				
Commission on sales, etc.: 1st \$100 2 per cent, all over \$100, and not exceeding \$1,000, 1 1-2 per ct.; all over \$1,000 and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.				

Received payment this \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_\_

Register.

FRED OHLS,  
Complainant,  
VS.  
ROSE EISLER,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
IN EQUITY,  
NO. 99.

This cause is submitted in behalf of the Complainant upon the original bill, certificate of Register as to service by registered mail of copy of summons and complaint to Defendant, Decree Pro Confesso against the Defendant, and request of solicitors for Complainant for pro confesso for decree in vacation.

H. A. Stone  
Register.

FRED OHLS,  
Complainant,  
VS.  
ROSE EISLER,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY,  
NO. 94.

This cause coming on to be heard was submitted for final decree on the pleadings decree pro confesso and proof as noted by the Register, and upon consideration thereof the Court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendant, Rose Eisler, has no right, estate, title, claim, interest in, or encumbrance upon the following described lands or any part thereof, to-wit:

The East half of the Southeast quarter of  
Section 10, Township 7 South of Range 4 East,  
situated in Baldwin County, Alabama;

and that the title to the same is vested in Fred Ohls, as against the said Rose Eisler.

IT IS FURTHER ORDERED that the Register of the Court, within thirty (30) days from the rendition of this decree, file a certified transcript thereof for record in the Probate Court of Baldwin County, Alabama, and that the cost thereof be taxed in the cost of this cause.

IT IS FURTHER ORDERED that the Complainant pay the cost in this cause, for which execution may issue.

Done at Monroeville, Monroe County, Alabama, on this the  
3rd day of January, 1935.

J. W. Hare  
Judge of the 21st Judicial  
Circuit of Alabama.

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97  
RECORDED  
INDEXED

FRED OHLS,

Complainant,

VS.

ROSE EISLER,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 97.

FINAL DECREE OF COURT.

Filed this 5 day of  
January, 1935.

W. A. Stone  
Clerk.



97

97  
Kearl

FRED CHIS,

Complainant,

VS.

ROSE FISHER,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 97.

NOTE OF TESTIMONY.

Filed this 2 day of Jan,  
1935.

W. A. Street  
Clerk.

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Circuit Court, Baldwin County, Ala.  
In Equity.

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

---

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vs.

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**Cost Bill**

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Paid \_\_\_\_\_, 193\_\_\_\_\_

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Register

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Moore Ptg. Co.

*97*

No. 97

CIRCUIT COURT OF BALDWIN  
COUNTY, ALA.

In Equity.

Fred. Ohls

vs.

Rose Eisler

Decree Pro Confesso After  
Notice By Registered Mail.

Filed in office this 31st day of

December 1934.

*[Signature]*  
Register

Entered in O. B. Page

97

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FRED OHLS,

Complainant,

VS.

ROSE FISLER,

Respondent.

BILL OF COMPLAINT.

Filed 2/21/94  
Wm. A. Stone  
Magistrate

RECORDED

97

SERVE ON

Circuit Court of Baldwin County  
IN EQUITY

No. ~~10~~ 97

SUMMONS

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this

day of \_\_\_\_\_ 193

\_\_\_\_\_ SHERIFF

Executed this \_\_\_\_\_ day of

by leaving a copy of the within Summons with \_\_\_\_\_ 193

Defendant

Sheriff

By \_\_\_\_\_ Deputy Sheriff

Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA, }  
Baldwin County. }

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_, Term, 193\_\_

Fred Ohls \_\_\_\_\_, Complainant..

Vs.

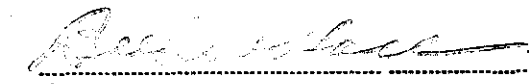
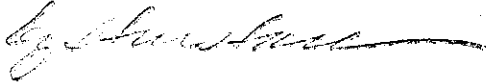
Rose Eisler \_\_\_\_\_ Defendant..

Motion is hereby made for a Decree Pro Confesso against \_\_\_\_\_

\_\_\_\_\_ Rose Eisler \_\_\_\_\_ Defendant..

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of  
**Service By Registered Mail**  
~~XXXXX~~ publication was made under the order of this Court; and it having been shown by due proof to the Court  
that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to  
the Bill in this cause, to the date hereof.

This 31st day of December 1934.

  
\_\_\_\_\_  
 Solicitor.

97

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

State of Alabama,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

*Fred Phelps*

Complainant

Vs.

*Rose Eisler*

Defendant

Motion for Decree Pro Confesso

~~On Publication.~~

*Registered mail*

Filed *Dec 31*, 193*4*

*GMA Stone*

Register.

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

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

Register,

Fred Ohls

vs.

Rose Eisler

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

I, M. A. Stone, Register of said Court, do hereby certify that I

did, on the 22nd day of November 1924, send to Rose

Eisler Defendant.

whose address was 800 Grand Ave, Gary, Indiana,

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

receipt was duly received and filed by me in this cause, on the 30 day of Jan 1924

Witness my hand, this 30 day of Jan 1924

M. A. Stone

Register.



**RECORDED**  
97

No. 97  
104

CIRCUIT COURT OF  
BALDWIN COUNTY.  
IN EQUITY.

Fred Ohls

vs.

Rose Eisler

CERTIFICATE OF REGISTER AS TO NOTICE  
BY REGISTERED MAIL.

Filed in office on this 30 th

day of November 1924  
W. O. Lowe  
Register.

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# RETURN RECEIPT

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

(Name and full name of addressee)

(Signature of addressee or agent)

Date of delivery

NOV 27 1934

Form 381a

5-610

## RECEIPT FOR REGISTERED ARTICLE No.

15 fee paid. 1 class postage paid. 11-22, 1934  
(Date)

Declared value, \$ 10.00 Surcharges paid, \$

From Mrs Mary Alice Stone & Co  
(Sender) City  
(Post office and State)

Addressed to Rose Eider  
(Street and number) (Post office and State)

800 Grand Ave. Gary Ind  
(Street and number) (Post office and State)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee 3 in person 10 Special delivery fee 2

Delivery restricted to addressee { or order \_\_\_\_\_ Postmaster, per L



Box 374 State

Post Office at Bay West

Street and Number or Post Office Box

Return to Mrs. Mary Alice Stange

No.

INSURED PARCEL

No. 301

REGISTERED ARTICLE OFFICIAL BUSINESS

Post Office Department

POSTAGE WILL BE PAID BY ADDRESSEE

POSTAGE WILL BE PAID BY ADDRESSEE

POSTAGE WILL BE PAID BY ADDRESSEE

POSTAGE WILL BE PAID BY ADDRESSEE

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Handwritten notes: 100, Mrs. Mary Alice Stange, 11-25-12, 97, 10, 2