

1053

GEORGE J. KEPPLER
COMPLAINANT

VS

SOUTHWEST QUARTER OF SOUTHWEST
QUARTER OF SECTION 27, TOWNSHIP
7 SOUTH, RANGE 5 EAST, BALDWIN
COUNTY, ALABAMA AND FRANK FINK
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, GRANTEEES
AND ASSIGNS OF THE SAID FRANK FINK
AND ANTON FINK AND THE UNKNOWN HEIRS
DEVISEES, PERSONAL REPRESENTATIVES,
GRANTEEES AND ASSIGNS OF THE SAID
ANTON FINK AND KARL FINK AND THE
UNKNOWN HEIRS, DEVISEES, PERSONAL
REPRESENTATIVES, GRANTEEES AND ASSIGNS
OF THE SAID KARL FINK AND ANY AND ALL
OTHER PERSONS, FIRMS AND CORPORATIONS,
CLAIMING ANY TITLE TO, INTEREST IN,
CLAIM, LIEN OR ENCUMBRANCE ON SAID
LANDS.

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

This cause coming on to be heard is submitted for final decree upon behalf of the Complainant, upon the original bill of complaint and upon the service, pleading and proof as noted by the Register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said bill of complaint against the said lands and the named defendants, Frank Fink and the unknown heirs, devisees, personal representatives, grantees and assigns of the said Frank Fink, and Anton Fink and the unknown heirs, devisees, personal representatives, grantees and assigns of the said Anton Fink and Karl Fink and the unknown heirs, devisees, personal representatives, grantees and assigns of the said Karl Fink, and any and all other persons, firms and corporations claiming any title to, interest in, claim or encumbrance upon the said lands or any part thereof, has been given in the manner required by law, and that the complainant is entitled to the relief as prayed for in his bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the court that the said complainant, George J. Keppler, is over the age of twenty-one years and a resident of Baldwin County, Alabama; that at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final decree, the complainant was and is in the actual and peaceable possession, claim-

ing to own the same absolutely, and in fee simple of all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Southwest quarter of Southwest quarter of
Section 27, Township 7 South, Range 5 East.

That the complainant obtained title to the said lands by deed from Ben Keppler and Margaret Keppler, his wife, deed dated January 13th, 1942, and recorded in the office of the Judge of Probate, Baldwin County, in Deed Book 76 N.S. page 450, who acquired the said lands from Adolph F. Gerhold and Nellie Gerhold by deed dated January 14th, 1937 and recorded in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 63 N.S. page 5, who acquired said lands under a deed by the Judge of Probate of Baldwin County, Alabama, dated January 5th, 1937, recorded 63 N.S. page 6, which deed was executed under a sale of the said lands for taxes July 8th, 1931, under an assessment by Cornelia Hall as agent for the estate of Frank Fink, which said tax sale the said Adolph Gerhold acquired on May 1, 1932, and became entitled to a deed thereto on July 8th, 1933; that the complainant and those whom he claims have been in actual possession of said lands continuously under color of title for more than ten years next preceeding the filing of complaint in this Court; that neither the said defendants nor any person, firm or corporation has had any possession of the said lands or any part thereof during the whole or any part of said period; that the complainant has for more that ten years annually assessed and paid taxes on said lands.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said George J. Keppler at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple title to the above described lands, and to each and every part and parcel thereto, that neither of the said defendants, Frank Fink, the unknown heirs, devisees, personal representatives, grantees or assigns of Frank Fink and Anton Fink, the unknown heirs, devisees, personal representatives, grantees or assigns of said Anton Fink, and Karl Fink, the unknown heirs, devisees, personal representatives, grantees

or assigns of the said Karl Fink, or any other person, firm or corporation have any right, title to, interest in, claim or encumbrance upon the whole or any part of the said lands, and that the fee simple title to the said lands and each and every part and parcel thereof be and the same is hereby quited and established in and declared to be in the said George J. Keppler, as against the said defendants, Frank Fink, the unknown heirs, devisees, personal representatives, grantees or assigns of the said Frank Fink and Anton Fink, the unknown heirs, devisees, personal representatives, grantees or assigns of the said Anton Fink and Karl Fink, the unknown heirs, devisees, personal representatives, grantees or assigns of the said Karl Fink and each of them, and against all other persons, firms, or corporations claiming any title to, interest in, lien or encumbrance upon the said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quited and established in and declared to be in the said George J. Keppler, shall inure to the benefit of all persons deriving title to said lands or any part therein, from or through the said George J. Keppler, and the said title so quited and established in him shall be treated and considered as established in favor of the said George J. Keppler and all persons deriving title through him.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the Register of this Court, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceedings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said George J. Keppler be and he is hereby taxed with the cost of this proceedings for which let execution issue.

Done at Monteville, Ala. this the 7th day of June, 1944.

G. W. Hall
Judge.

Exhibit A

THE STATE OF ALABAMA,
COUNTY OF BALDWIN.

KNOW ALL MEN BY THESE PRESENTS: that, whereas, the land hereinafter described was subject to taxation for the year 1930 and the Board of Revenue levied taxes thereon for County purposes for said year; and

Whereas, said land was returned for taxation by Adolph Gerhold for said year 1930; and

Whereas, the Certificate of assessments was made in accordance with Section 18 of the Revenue Code 1923; and

Whereas, the Tax Collector entered in the Docket of Tax Causes the description of said land, and amount of taxes, fees and charges due thereon for said year and delivered said Docket of Tax Causes the description of said land, and amount of taxes, fees and charges due thereon for said year and delivered said Docket to the Probate Judge and reported, in accordance with Section 220 of the Revenue Code, 1923, that he was unable to collect said taxes without sale of said land; and

Whereas the Probate Court at the July 1931 Term, rendered decree ordering sale of said land for the payment of said taxes, fees, charges, costs and expenses of sale; and

Whereas the Tax Collector, in enforcement of said decree, gave thirty days notice by publication once a week for three successive weeks in Baldwin Times, a newspaper regularly published in said County, and also by posting notice at the Court House of said County, at a public place in the precinct in which the land was situated, that he would sell said land on the 8th day of July, 1931, between 10 o'clock A.M. and 4 o'clock P.M. in front of said court house, which notice described said land and stated the amount for which the Probate's Court's decree had been rendered against same, and that said taxes had been assessed to Cornelia Hall Agt. for Estate Frank Fink; and

Whereas, the tax collector at said time, in front of said Court House door, did offer said land at public outcry so that, as far as practicable, only such portion thereof was sold as was necessary to satisfy said decree, and did sell said land to Cornelia Hall, who was the highest bidder, for \$12.10 which covered the taxes, fees, charges and expenses of sale, which amount he paid to said Tax Collector; and

Whereas, the Tax Collector did then deliver to said purchaser, in accordance with Section 235 of the Revenue Code 1923, a certificate of Purchase, containing description of said land, showing the date the same had been assessed to Cornelia Hall Agt. for Est. Frank Fink for said year; and also showing the taxes due thereon, distinguishing the amount due the State and County, and for School purposes, and the fees and costs; and further showing the time for which said land was advertised, the date it was offered for sale, the name of the purchaser, and the price paid; and

Whereas, the time for redemption of said land has elapsed and said Certificate of Purchaser has been returned to the Probate Judge by Adolph Gerhold (assignee thereof by endoresement which appears legally executed on said certificate;)

NOW THEREFORE, I, G. W. Robertson, as Probate Judge, in and for said County, in said State, under and by virtue of the provisions of Section 245 of the Revenue Code of Alabama of 1923, and in consideration of One dollar, to me paid, have this day granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto Adolph Gerhold all the right, title and interest of said Cornelia Hall Agt, for Est. Frank Fink and all the right, title, interest and claim of the said State and County on account of said taxes, or under said decree, in and to the following described land, to-wit:

SW $\frac{1}{2}$ of SW $\frac{1}{2}$ of Section 27, T 7 S R 5 E.

situated in said County and State; TO HAVE AND TO HOLD the same, the

Exhibit B

QUITCLAIM DEED.

The Monroe Journal, Printers, Monroeville, Ala.

The State of Alabama. }

KNOW ALL MEN BY THESE PRESENTS:

Baldwin COUNTY

That We Adolph Gerhold and Nellie Gerhold his wife, of said State and County,

for and in consideration of the sum of one dollar and other valuable consideration

DOLLARS

in hand paid to us by Ben Keppler

the receipt whereof is hereby acknowledged, do hereby remise, release, quitclaim and convey unto the said

Ben Keppler

all my right, title, interest, and claim in and to the following described Real Estate, situated in the County of Baldwin and State of Alabama, to-wit:

Southwest Quarter of Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$)

Section Twenty-seven (27) Township Seven (7) South

of Range Five (5) East.

TO HAVE AND TO HOLD the same unto the said Ben Keppler

and unto his heirs and assigns in fee simple.

Witness our hand and seal, this 14th day of January 1937.

J. E. Crossin

Adolph F. Gerhold (SEAL)

Nellie Gerhold

(SEAL)

(SEAL)

THE STATE OF ALABAMA,

Baldwin County

I. W. E. Cooney

a Notary Public in and for said County, in said State, hereby certify that Adolph Gerhold and Nellie Gerhold whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand, this 14th day of January 1937.

W. E. Cooney

THE STATE OF ALABAMA,

Baldwin County

I. W. E. Cooney

a Notary Public do hereby certify that on the 14th day of Jan. 1937 came before me the within named Nellie Gerhold

~~Adolph Gerhold~~

known to me, or made known to me, to be the wife of

the within named Adolph Gerhold who, being examined separate and apart from the husband touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

In witness whereof, I hereunto set my hand this 14th day of January 1937

W. E. Cooney

Adolph Gerhold
Nellie Gerhold
250
R 255
125

State of Alabama,
Baldwin County
I, _____, Judge of Probate Court,
do hereby certify that the foregoing conveyance was filed for registration in the office of the Probate Court on the _____ day of _____, 1937, and was recorded in Book No. _____ at page _____ and I certify that the tax and _____ have been paid as required by law.
D, 1937
Judge of Probate

OUTCLAIM DEED

Adolph Gerhold
Nellie Gerhold
37
11/14/37

Subscribed

THE STATE OF ALABAMA,
Baldwin County.

THIS DEED made this 13th day of January 19 42

between Ben Keppler and Margaret Keppler his wife

..... of the first part, and

George J. Keppler

..... of the second part

WITNESSETH, that the part ies of the first part, in consideration of

Ten dollars and other valuable considerations DOLLARS

to them in hand paid by the part y of the second part, the receipt of which is hereby

acknowledged, ha ve remised, released and quit-claimed and by these presents do remise, release

and forever quit-claim unto the said part y of the second part

heirs, and assigns forever, all the real property in Baldwin County, Alabama;

described as follows to-wit: Southwest Quarter of Southwest Quarter

Section Twentyseven Township Seven South Range Five East

TO HAVE AND TO HOLD the said released premises unto the said George J. Keppler

..... heirs and assigns forever: So that neither the party of

the first part ies heirs or assigns nor any other person in trust for

or in name shall or will, can or may, by any ways or

means whatsoever, hereafter, have or claim any right or title thereto; BUT THAT the said part

of the first heirs and assigns, each and every one of them from all estate, right, title, interest or claim,

and demand whatsoever, in or to the said premises, or any part thereof, are, is, and shall be, by these pres-

ents, FOREVER EXCLUDED AND DEBARRED.

IN WITNESS WHEREOF, the part of the first part ha hereunto set our hand

and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Ben Keppler (Seal)
Margaret Keppler (Seal)

State of Alabama Baldwin County.

I, W. E. Cooney, a Notary Public
in and for said County and State, hereby certify that Ben Keppel and Margaret Keppel
whose name s signed to the foregoing conveyance, and who
known to me, acknowledged before me on this day that being informed of the contents
of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16 day of Jan A. D., 1942
W. E. Cooney
Notary Public

State of Alabama, Baldwin County.

I, W. E. Cooney, a Notary Public
in and for said County and State, do hereby certify that on the 16 day of Jan 1942
came before me the within named Margaret Keppel
known to me to be the wife of the within named Ben Keppel
who being examined separate and apart from her husband, touching her signature to the within con-
veyance, acknowledged that she signed the same of her own free will and accord, and without fear, con-
straint or threats on the part of the husband.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 16 day of
Jan 1942,

W. E. Cooney
Notary Public

State of Alabama _____ County.

I, _____
in and for said County and State, hereby certify that _____ subscribing
witness to the foregoing conveyance, known to me appeared before me this day, and being sworn stated
that _____ the grantor _____ voluntarily
executed the same in his presence, and in the presence of the other subscribing witness on the day the
same bears date; that he attested the same in the presence of the grantor _____ and of the other
witness, and that such other witness subscribed his name as witness in his presence.

Given under my hand and seal this the _____ day of _____ 19 _____

Quit-Claim Deed

FROM
1-13-42
Ben Keppel + wife 89
TO
George J. Keppel 89

STATE OF ALABAMA,
_____ COUNTY.

OFFICE OF JUDGE OF PROBATE
I hereby certify that this within Deed was
filed in the office for _____ on the _____ day
of _____ 1942 at _____ o'clock _____
and examined.
Recorded in Book _____ of Mortgages, page _____
and certified to the following _____
Filed _____
STAFFORD ALABAMA, BAY MINETTE, ALA.
1942

Judge of Probate

MOORE PRINTING CO., BAY MINETTE, ALA.

W. E. Cooney
D 50/
R 70/
1-20

The BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

NOTICE OF PUBLICATION
GEORGE J. KEPPLER,
COMPLAINANT
 VS.
 SOUTHWEST QUARTER OF SOUTH-
 WEST QUARTER OF SECTION 27,
 TOWNSHIP 7 SOUTH, RANGE 5
 EAST, BALDWIN COUNTY, ALA-
 BAMA, AND FRANK FINK AND
 THE UNKNOWN HEIRS, DEVISEES,
 PERSONAL REPRESENTATIVES,
 GRANTEEES AND ASSIGNS OF THE
 SAID ANTON FINK AND KARL
 FINK AND THE UNKNOWN HEIRS,
 DEVISEES, PERSONAL REPRESENTATIVES,
 GRANTEEES AND ASSIGNS OF THE SAID KARL FINK
 AND ANY AND ALL OTHER PER-
 SONS, FIRMS AND CORPORATIONS,
 CLAIMING ANY TITLE TO, INTER-
 EST IN, CLAIM, LIEN OR ENCUM-
 BRANCE ON SAID LANDS.
 DEFENDANTS.
 IN THE CIRCUIT COURT
 OF BALDWIN COUNTY,
 ALABAMA, IN EQUITY.

Notice is hereby given to Frank Fink,
 Anton Fink and Karl Fink, if living,
 and if dead, to their unknown heirs,
 devisees, personal representatives, gran-
 tees and assigns and to any and all per-
 sons, firms and corporations claiming
 any title to, interest in, claim, lien, or
 encumbrance upon the Southwest quar-
 ter of Southwest quarter of Section 27,
 Township 7 South, Range 5 East, Bald-
 win County, Alabama.

That George J. Keppler has filed his
 bill of complaint on the 29 day of Jan.,
 1944, in this court on the equity side
 claiming to be in actual peaceable
 possession, owning and claiming to own
 that certain parcel or lot of land, lying
 and being situated in the County of
 Baldwin, State of Alabama, described
 as follows:

Southwest quarter of Southwest
 quarter of Section 27, Township 7
 South Range 5 East.

Complainant alleges in his bill of
 complaint that the title to the said
 lands stands on the records of the Pro-
 bate Court of Baldwin County in his,
 George J. Keppler's name; that he ac-
 quired title to the same from Ben Kep-
 pler and his wife, Margaret Keppler,
 by deed dated January 13th, 1942, and
 recorded in the office of the Judge of
 Probate, Baldwin County, in Deed Book
 76 N. S. page 450, who acquired title
 thereto from Adolph F. Gerhold and
 Nellie Gerhold by deed dated January
 14th, 1937, as recorded in the office of
 the Judge of Probate, Baldwin County,
 Alabama, in Deed Book 63 N. S. page
 20, who acquired title thereto under a
 deed by the Judge of Probate of Bald-
 win County, Alabama, in Deed Book 63
 N. S. page 20, and interest in said lands
 clearing up doubts and disputes con-
 cerning the same.

And it appearing from said bill of
 complaint, the same being duly verified
 that the names, ages and places of
 residence and post-office addresses of
 the said defendants are unknown and
 can not be ascertained upon diligent in-
 quiry, and proof being made that dil-
 igent inquiry was made and the names,
 ages and places of residence and post-
 office addresses can not be ascertained.

And an order having been made and
 entered that notice of publication of
 said suit be given by publication once
 a week for four consecutive weeks in
 the Baldwin Times a newspaper published in
 Bay Minette, in Baldwin County, Ala-
 bama.

It is therefore ordered that the said
 Frank Fink, Anton Fink, and Karl Fink,
 if living, and if dead, their unknown
 heirs, devisees, personal representatives,
 grantees and assigns and any and all
 other persons, firms and corporations
 claiming any title to, interest in, claim,
 lien or encumbrance upon the South-
 west quarter of Southwest quarter of
 Section 27, Township 7 South, Range 5
 East, Baldwin County, Alabama, appear
 and plead answer or demur to the said
 bill of complaint within sixty days after
 the first publication of this notice,
 namely the 3rd day of February, 1944,
 at which time the said cause shall
 stand at issue.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Ford Cook, being duly sworn, deposes and says
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Notice of Publication

COST STATEMENT

830 WORDS @ 4 1/2 cents \$ 38.25

I hereby certify this is correct, due and unpaid ~~(paid)~~

Ford Cook

Publisher.

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

- Date of 1st publication Feb. 3, 1944 Vol. 53 No. 1
- Date of 2nd publication " 10, 1944 Vol. 53 No. 2
- Date of 3rd publication " 17, 1944 Vol. 53 No. 3
- Date of 4th publication " 24, 1944 Vol. 53 No. 4

Subscribed and sworn before the undersigned this 30 day of May 1944

R. B. ...
Notary Public, Baldwin County.

Ford Cook

Publisher.

GEORGE J. KEPPLER
COMPLAINANT

VS.

SOUTHWEST QUARTER OF SOUTHWEST
QUARTER OF SECTION 27, TOWNSHIP
7 SOUTH, RANGE 5 EAST, BALDWIN
COUNTY, ALABAMA AND FRANK FINK
AND THE UNKNOWN HEIRS, DEVISEES,
PERSONAL REPRESENTATIVES, GRANTEEES,
AND ASSIGNS OF THE SAID FRANK FINK,
AND ANTON FINK AND THE UNKNOWN HEIRS,
DEVISEES, PERSONAL REPRESENTATIVES,
GRANTEEES AND ASSIGNS OF THE SAID ANTON
FINK AND KARL FINK AND THE UNKNOWN
HEIRS, DEVISEES, PERSONAL REPRESENTA-
TIVES; GRANTEEES AND ASSIGNS OF THE SAID
KARL FINK, AND ANY AND ALL OTHER PER-
SONS, FIRMS AND CORPORATIONS, CLAIMING
ANY TITLE TO, INTEREST IN, CLAIM, LIEN
OR ENCUMBRANCE ON SAID LANDS.
DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Whereas GEORGE J. KEPPLER has filed his bill of complaint on the 29 day of January, 1944, in this court on the Equity side claiming to be in actual peaceable possession, owning and claiming to own that certain parcel or lot of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East:

Complainant alleges in his bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in his, George J. Keppler's name; that he acquired title to the same from Ben Keppler and his wife, Margaret Keppler by deed dated January 13th, 1942, and recorded in the office of the Judge of Probate, Baldwin County, in Deed Book 76 N. S. page 450, who acquired title thereto from Adolph F. Gerhold and Nellie Gerhold by deed dated January 14th, 1937, and recorded in the office of the Judge of Probate, Baldwin County, Alabama, in Deed Book 63 N. S. page 5, who acquired title thereto under a deed by the Judge of Probate, of Baldwin County, Alabama, dated January 5, 1937, recorded 63 N. S. page 6 which deed was executed under a sale of the said lands for taxes July 8, 1931, under assessment to Cornelia Hall, agent for Frank Fink which said tax sale the said Adolph Gerhold acquired on May 1, 1932, and he became entitled to a deed thereto on July 8, 1933; that Frank Fink,

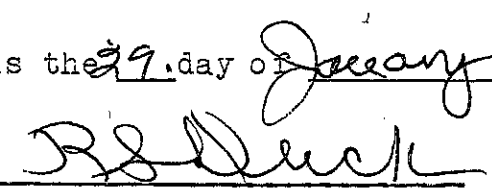
Anton Fink and Karl Fink, if living, are over the age of twenty-one years and non-residents of the State of Alabama, and if dead, their unknown heirs, devisees, personal representatives, grantees, and assigns are over the age of twenty-one years and are non-residents of Alabama, their places of residence, and post office addresses being unknown, that the said Frank Fink, Anton Fink and Karl Fink, if living, claim or are repudiated to claim and if dead their unknown heirs, devisees, personal representatives, grantees, and assigns to claim or are repudiated to claim some title to, interest in, claim, lien or encumbrance upon the Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East, or some part or parcel thereof.

Complainant further alleges that he and those through whom he claims have, for more than ten years next preceeding the filing of said bill of complaint have been in the actual adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any part thereof or assessed or paid taxes on said lands or any part thereon and that the bill of complaint is filed for the purpose of establishing his title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, the same being duly verified that the names, ages and places of residence and post-office addresses of the said defendants are unknown and can not be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and addresses can not be ascertained.

It is therefore ordered, judged and decreed that notice of the pendency of said suit be given by publication once a week for four weeks consecutively in the Baldwin Times, a newspaper, published in Bay Minette, in Baldwin County, Alabama.

WITNESS my hand and seal this the 29 day of January, 1944.


Register.

1052

Geo. J. Keppler

vs.

Frank Fink
et al

Order Directing
Service.

GEORGE J. KEPPLER
COMPLAINANT

VS.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA
FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID
FRANK FINK, AND ANTON FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.
DEFENDANTS

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

Complainant having on 10 day of May, 1944, filed his motion and request for oral examination of George J. Keppler and Alfred Neumann, witnesses for complainant and due and proper notice thereof having been given as required by law on the Order Book of this Court and Virginia Keel of the Town of Bay Minette, being a suitable person to act as Commissioner to take the deposition of said witnesses.

It is therefore ordered, adjudged and decreed that the said motion for the oral examination of George J. Keppler and Alfred Neumann, witnesses for complainant, be and is hereby granted.

And that Virginia Keel be and she is hereby appointed as Commissioner to take the deposition of said witnesses.

Witness my hand this the 15 day of May, 1944.



Register.

Filed this May 15, 1944

Robt. D. Smith

Register

GEORGE J. KEPPLER
COMPLAINANT

VS.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA, FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID FRANK FINK, AND ANTON FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.

DEFENDANTS.

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

The attorneys for the Complainant in the above styled cause hereby give notice to the above named persons, firms, or corporations that the deposition of George J. Keppler and Alfred Neumann, witnesses for the Complainant, will be taken before Virginia Keel, Commissioner, heretofore named by this Honorable Court, on the 15 day of May, 1944, at the office of State Bank of Elberta in the town of Elberta, on the 19 day of May, 1944.

Witness this the 15 day of

May, 1944.
Belle Hall
Ray W. C. Bueh
Attorneys for Complainant.

I, R. S. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of notice given to the Defendants of Plaintiff's application and motion for oral examination of George J. Keppler and Alfred Neumann, witnesses for complainant, as the same was entered on the Order Book of the Register and that said notice was entered on the Order Book of the Register on the 12th day of May, 1944.

Witness my hand and seal of office this the 10 day of May, 1944.

R. S. Duck
Clerk of the Circuit Court
Baldwin County, Alabama.

(SEAL)

Filed May 10, 1944

W. D. Welch

Register

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1053. April., Term, 1944

GEORGE J KEPLER. Complainant

Vs.

Certain Lands. et al. Defendant

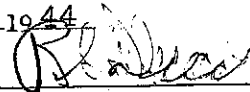
In this cause it appears to the Register R S Duck. that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 3rd day of February., 1944, in the Baldwin. Times. a newspaper published in Bay Minette Ala., Alabama, that a copy of said order was posted at the Court House door in Baldwin. County, on the 29th day of January. 1944 and

And it now further appearing to the Register R S Duck. that the said Respondants.

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

This 3rd. day of April.

1944



Register.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Geo. J. Keppler.

Vs.

Certain Lands,

Decree Pro Confesso of Publication

Issued April 3rd, 1944

R. S. Duck.
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To Mr. Virginia Keel

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine George J. Keppler and Alfred Neumann

as witnesses in behalf of George J. Keppler in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

George J. Keppler

Complainant

and

Frank Fink and others

Defendant,

on oath to be by you administered, upon oral examination to take and certify the deposition s of the witness es and return the same to our Court, with all convenient speed, under your hand.

GEORGE J. KEPPLER
COMPLAINANT

vs.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA, AND FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Notice is hereby given to Frank Fink, Anton Fink and Karl Fink, if living, and if dead, to their unknown heirs, devisees, personal representatives, grantees and assigns and to any and all persons, firms and corporations claiming any title to, interest in, claim, lien or encumbrance upon the southwest quarter of southwest quarter of Section 27, Township 7 South, Range 5 East, Baldwin County, Alabama.

That George J. Keppler has filed his bill of complaint on the 29th day of June, 1944, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own that certain parcel or lot of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

Southwest quarter of southwest quarter of Section 27,
Township 7 South, Range 5 East.

Complainant alleges in his bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in his, George J. Keppler's name; that he acquired title to the same from Ben Keppler and his wife, Margaret Keppler, by deed dated January 13th, 1942, and recorded in the office of the Judge of Probate, Baldwin County, in Deed Book 76 N. S. page 450, who acquired title thereto from Adolph F. Gerhold and Nellie Gerhold by deed dated January 14th, 1937, and recorded in the office of the Judge of Probate, Baldwin County, Alabama, in Deed Book 63 N. S. page 5, who acquired title thereto under a deed by the Judge of Probate, of

Baldwin County, Alabama, dated January 5, 1937, recorded 63 N. S. page 6, which deed was executed under a sale of the said lands for taxes July 8, 1931, under assessment to Cornelia Hall, agent for Frank Fink which said tax sale the said Adolph Gerhold acquired on May 1, 1932, and he became entitled to a deed thereto on July 8, 1933; that Frank Fink, Anton Fink and Karl Fink, if living, are over the age of twenty-one years and non-residents of the State of Alabama, and if dead their unknown heirs, devisees, personal representatives, grantees and assigns are over the age of twenty-one years and are non-residents of Alabama, their place of residence, and post office addresses being unknown, that the said Frank Fink, Anton Fink and Karl Fink, if living, claim or are repudiated to claim and if dead, their unknown heirs, devisees, personal representatives, grantees and assigns claim or are repudiated to claim some title to, interest in, claim, lien or encumbrance upon the Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East or some part or parcel thereof.

Complainant further alleges that he and those through whom he claims have for more than ten years next preceding the filing of said bill of complaint been in the actual adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any part thereof or assessed or paid taxes on said lands or any part thereon and that the bill of complaint is filed for the purpose of establishing his title to and interest in said lands and clearing up doubts and disputes concerning the same.

And it appearing from said bill of complaint, the same being duly verified that the names, ages and places of residence and post office addresses of the said defendants are unknown and can not be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses can not be ascertained.

And an order having been made and entered that notice of the pendency of said suit be given by publication once a week for four

consecutive weeks, a newspaper published in Bay Minette, in Baldwin County, Alabama.

It is therefore ordered that the said Frank Fink, Anton Fink, and Karl Fink, if living, and if dead, their unknown heirs, devisees, personal representatives, grantees and assigns and any and all other persons, firms and corporations claiming any title to, interest in, claim, lien or encumbrance upon the Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East, Baldwin County, Alabama, appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely the 3rd day of February, 1944, at which time the said cause shall stand at issue.

WITNESS my hand this the 29 day of Jan, 1944.

R. D. Welch
Register,
Circuit Court, Baldwin County,
Alabama, in Equity.

1023

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in this Circuit Court of Baldwin County, Alabama, in equity wherein George Fink and the Southwest quarter of the Section 27, Township 7 South, Range 5 East of Fink and Karl Fink, if living and if dead, devisees, personal representatives, grantees, and all other persons, firms, and corporations to, interest in, claim, lien or encumbrance Baldwin County, Alabama are Defendants, as caused to be published in the Baldwin Times, a newspaper, published in Baldwin County, Alabama, under and in pursuance of an order of this court made in said cause on the 29th day of Jan, 1944.

STATE OF ALABAMA
 COUNTY OF BALDWIN
 REGISTER OF THE CIRCUIT COURT
 RECEIVED
 JAN 29 1944
 DEED BOOK 100
 PAGE 100
 INDEXED
 FILED
 BY
 R. S. DUCK
 REGISTER

WITNESS my hand this the 29 day of January 1944.

R. S. Duck
 Register.

1052

Deber' (Burrill) in Baldwin County, Georgia, and in Bal-
 rd we are subject to the provisions of the
 Baldwin County, Georgia, and in Baldwin County, Georgia,
 to' interest in' the' title' for' the' purpose
 all other persons, heirs, and assigns of the
 deceased, persons, heirs, and assigns of the
 bank and will bank' in' title' and' the
 of section 22' of' the' Code' of' the
 Division and the government of the
 County, Georgia, in order to certify
 and of a bill of compliance in order to certify
 following is a true and correct copy of the notice of the Bend-
 Baldwin County, Georgia, in order to certify that the
 I' K' B' Clerk' Register of the County of

Geo. J. Kappeler
Frank
Arthur et al
Karl

STATE OF GEORGIA, BALDWIN COUNTY
 FILED JAN 29 1924
 Recorded and certified that the following
 been paid: Deed Tax, Mortgage
 and certify that the following
 book / page
 20306 / 237

[Signature]
 Judge of Probate

R. S. Deuch
AM

R 12

GEORGE J. KEPPLER
COMPLAINANT

VS.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA, AND FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.

DEFENDANTS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Notice is hereby given to Frank Fink, Anton Fink and Karl Fink, if living, and if dead, to their unknown heirs, devisees, personal representatives, grantees and assigns and to any and all persons, firms and corporations claiming any title to, interest in, claim, lien or encumbrance upon the Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East, Baldwin County, Alabama.

That George J. Keppler has filed his bill of complaint on the 29th day of June, 1944, in this court on the equity side claiming to be in actual peaceable possession, owning and claiming to own that certain parcel or lot of land, lying and being situated in the County of Baldwin, State of Alabama, described as follows:

Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East.

Complainant alleges in his bill of complaint that the title to the said lands stands on the records of the Probate Court of Baldwin County in his, George J. Keppler's name; that he acquired title to the same from Ben Keppler and his wife, Margaret Keppler, by deed dated January 13th, 1942, and recorded in the office of the Judge of Probate, Baldwin County, in Deed Book 76 N. S. page 450, who acquired title thereto from Adolph F. Gerhold and Nellie Gerhold by deed dated January 14th, 1937, and recorded in the office of the Judge of Probate, Baldwin County, Alabama, in Deed Book 63 N. S. page 5, who acquired title thereto under a deed by the Judge of Probate, of

Baldwin County, Alabama, dated January 5, 1937, recorded 63 N. S. page 6, which deed was executed under a sale of the said lands for taxes July 8, 1931, under assessment to Cornelia Hall, agent for Frank Fink which said tax sale the said Adolph Gerhold acquired on May 1, 1932, and he became entitled to a deed thereto on July 8, 1933; that Frank Fink, Anton Fink and Karl Fink, if living, are over the age of twenty-one years and non-residents of the State of Alabama, and if dead their unknown heirs, devisees, personal representatives, grantees and assigns are over the age of twenty-one years and are non-residents of Alabama, their place of residence, and post office addresses being unknown, that the said Frank Fink, Anton Fink and Karl Fink, if living, claim or are repudiated to claim and if dead, their unknown heirs, devisees, personal representatives, grantees and assigns claim or are repudiated to claim some title to, interest in, claim, lien or encumbrance upon the Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East or some part or parcel thereof.

Complainant further alleges that he and those through whom he claims have for more than ten years next preceeding the filing of said bill of complaint been in the actual adverse possession of the said lands and have annually assessed and paid the taxes thereon and that during such period no other person has been in possession of said lands or any part thereof or assessed or paid taxes on said lands or any part thereon and that the bill of complaint is filed for the purpose of establishing his title to and interest in said lands and clearing up doubts and disputes concerning the same.

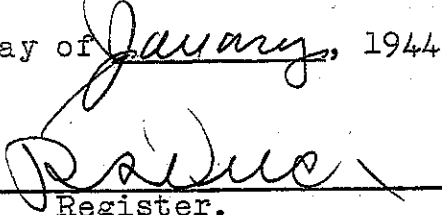
And it appearing from said bill of complaint, the same being duly verified that the names, ages and places of residence and post office addresses of the said defendants are unknown and can not be ascertained upon diligent inquiry, and proof being made that diligent inquiry was made and the names, ages and places of residence and post office addresses can not be ascertained.

And an order having been made and entered that notice of the pendency of said suit be given by publication once a week for four

consecutive weeks, a newspaper published in Bay Minette, in Baldwin County, Alabama.

It is therefore ordered that the said Frank Fink, Anton Fink, and Karl Fink, if living, and if dead, their unknown heirs, devisees, personal representatives, grantees and assigns and any and all other persons, firms and corporations claiming any title to, interest in, claim, lien or encumbrance upon the Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East, Baldwin County, Alabama, appear and plead, answer or demur to the said bill of complaint within sixty days after the first publication of this notice, namely the 3rd day of February, 1944, at which time the said cause shall stand at issue.

WITNESS my hand this the 29 day of January, 1944.



Register.
Circuit Court, Baldwin County,
Alabama, In Equity.

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in equity, do hereby certify that the foregoing is a true and correct copy of the notice of the pendency of a bill of complaint in the Circuit Court of Baldwin County, Alabama, in equity, wherein George J. Keppler is complainant and the Southwest quarter of the Southwest quarter of Section 27, Township 7 South, Range 5 East and Frank Fink, Anton Fink and Karl Fink if living, and if dead, their unknown heirs, devisees, personal representatives, grantees and assigns and any and all other persons, firms or corporations claiming title to, interest in, claim, lien or encumbrance upon the said lands in Baldwin County, are Defendants, as the same was drawn and signed by me as Register of the Court and as caused to be published under an order of this court made and entered on ___ day of _____, 1944, and I do further certify that the same was published in the Baldwin Times, the newspaper designated therein in its issues of _____, _____, _____, and _____.

And I do further certify that the foregoing notice was filed by me for record in the office of the Judge of Probate of Baldwin County, Alabama, recorded by the said Judge of Probate in _____ page ___, on the _____ day of _____, 1944.

WITNESS my hand this the _____ day of _____, 1944.

Register.

1052

Notice

George J. Keppeler

vs.

Frank Fink
et al.

THE STATE OF ALABAMA
Baldwin County

Circuit Court of Baldwin County, Alabama.
(In Equity)

George J. Keppler COMPLAINANT

VS.

Frank Fink, et al. RESPONDENT

I, Virginia Keel

as ~~Register and~~ Commissioner

have called and caused to come before me George J. Keppler and

Alfred Neumann

witnesses named in the Requirement for Oral Examination, on the 19 day of May

1944, at the office of State Bank of Elberta

in Elberta, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said George J. Keppler

doth depose and say as follows:

My name is George J. Keppler. I am a resident of Baldwin County, Alabama. I am over the age of twenty-one years and a Complainant in that certain suit pending in Baldwin County, Alabama, In Equity No. 1052 against Frank Fink and others to quiet title to the Southwest quarter of the Southwest quarter of Section 27, Township 7 South, Range 5 East in Baldwin County, Alabama; Frank Fink, if living, is over the age of twenty-one years and his last known place of residence was St. Paul, Minnesota; Anton Fink, if living, is over the age of twenty-one years and his last known place of residence was Schaueregg P. O. Monichkirchen A/W. Lower Austria in the Republic of Austria; Karl Fink, if living, is over the age of twenty-one years and his last known place of residence was Rosental P. O. Koflach Province of Styria, Austria; that he has made diligent search and inquiry of the said named defendants and to ascertain whether or not they are still living but has been unable to do so; that he is informed and believes that they are dead, and that he has made diligent search and inquiry of the names, ages and psst office addresses of the heirs but has been unable to do so but in such search he has inquired of numerous persons in Elberta, the vicinity in which said lands are situated and of persons in Bay Minette, the county seat of Baldwin County, Alabama, including county officers and of Cornelia Hall, formerly the agent of Frank Fink and he has searched the probate and tax records of such county and from such search he has not been able to ascertain the names, ages, places and residences of the heirs of the said Defendants or of either of them nor the places of residence of the said Defendants themselves if they are living; that he is the owner in fee simple and in the actual peaceable possession of the Southwest quarter of the Southwest quarter of Section 27, Township 7 South, Range 5 East; that he purchased the said lands from Ben Keppler, January 13, 1942; that Ben Keppler was in the possession of the said lands at the time of the said purchase, that Ben Keppler was in the possession of the said lands at the time of the said purchase, that Ben Keppler purchased the said lands from Adolph F. Gerhold and Nellie Gerhold, January 14, 1937; that Gerhold was in possession of the said lands at the time of the said purchase; that the said Adolph Gerhold purchased the said lands by tax sale May 1, 1932 and obtained

GEORGE J. KEPPLER
COMPLAINANT

VS.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA, FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID FRANK FINK, AND ANTON FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.

DEFENDANTS.

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

The attorneys for the Complainant in the above styled cause hereby give notice to the above named persons, firms, or corporations that the deposition of George J. Keppler and Alfred Neumann, witnesses for the Complainant, will be taken before Virginia Keel, Commissioner, heretofore named by this Honorable Court, on the 15 day of May, 1944, at the office of State Bank of Elberta in the town of Elberta, on the 19 day of May, 1944.

Witness this the 15 day of

May, 1944.
Belle Hall
1944
attorneys for Complainant.

I, R. S. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of notice given to the Defendants of Plaintiff's application and motion for oral examination of George F. Keppler and Alfred Neumann, witnesses for complaint, as the same was entered on the Order Book of the Register and that said notice was entered on the Order Book of the Register on the 10 day of May, 1944

Witness my hand and seal of office this the 10 day of May, 1944.

R. S. Duck
Clerk of the Circuit Court
Baldwin County, Alabama.

(SEAL)

[Handwritten signature]

[Vertical handwritten notes]

RECEIVED BY THE DIRECTOR
MAY 15 1944

Handwritten signature

TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION

FROM: [Handwritten Name]

Filed and entered
in Grand Book this
May 15, 1944

Register

TO THE DIRECTOR OF THE BUREAU OF INVESTIGATION
FROM: [Handwritten Name]
SUBJECT: [Handwritten Subject]

6-2-44

GEORGE J. KEPPLER
COMPLAINANT

VS.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA
FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID
FRANK FINK, AND ANTON FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.
DEFENDANTS

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

Complainant having on 10 day of May, 1944, filed his motion and request for oral examination of George J. Keppler and Alfred Neumann, witnesses for complainant and due and proper notice thereof having been given as required by law on the Order Book of this Court and Virginia Keel of the Town of Bay Minette, being a suitable person to act as Commissioner to take the deposition of said witnesses.

It is therefore ordered, adjudged and decreed that the said motion for the oral examination of George J. Keppler and Alfred Neumann, witnesses for complainant, be and is hereby granted.

And that Virginia Keel be and she is hereby appointed as Commissioner to take the deposition of said witnesses.

Witness my hand this the 15 day of May, 1944.

[Signature]
Register.

Division of said Virginia.

being a defendant in the above captioned cause, and being a resident of the State of Virginia, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the said Court.

Witness my hand and the seal of the said Court at the City of Norfolk, Virginia, this 15th day of May, 1944.

W. H. HARRIS, Clerk of the Court

Registered

Filed May 15, 1944 and entered case order book of Register

THE VIRGINIA BAR ASSOCIATION

OFFICE OF THE CLERK OF THE SUPREME COURT OF VIRGINIA

NO. 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

GEORGE J. KEPPLER
COMPLAINANT

VS.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA
FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID
FRANK FINK, AND ANTON FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.

DEFENDANTS.

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

To Frank Fink and the unknown heirs, devisees, personal representatives, grantees and assigns of the said Frank Fink, and Anton Fink and the unknown heirs, devisees, personal representatives, grantees and assigns of the said Anton Fink and Karl Fink and the unknown heirs, devisees, personal representatives, grantees and assigns of the said Karl Fink, and any and all other persons, firms and corporations, claiming any title to, interest in, claim, lien or encumbrance on the following described lands: the Southwest quarter of the Southwest quarter of Section 27, Township 7 South, Range 5 East:

Notice is hereby given that the Complainant in the above styled cause has this day made application for the oral examination of George J. Keppler and Alfred Neumann, witnesses for the complainant in the above styled cause and has suggested Virginia Keel of the town of Bay Minette as a suitable person to act as Commissioner in the taking of the deposition of said witnesses.

Witness this the 10 day of May, 1944.

R. D. Welch
Clerk Circuit Court
Baldwin County, Alabama

Belle Hall
By T. C. Beebe
Attorneys for Complainant

I, R. S. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the motion and application of the Plaintiff for oral examination of George J. Keppler and Alfred Neumann, witnesses for complainant and that notice of said motion was given to the Defendants by entry on the Order Book of the Register, said entry having been made on the 10 day of May, 1944.

Witness my hand and seal of office this the 10 day of May, 1944.

R. S. Duck
Clerk of the Circuit Court
of Baldwin County, Alabama.

(SEAL)

Filed May 10, 1944

~~Patent~~
Register

GEORGE J. KEPPLER COMPLAINANT)
 VS)
 SOUTHWEST QUARTER OF SOUTHWEST)
 QUARTER OF SECTION 27, TOWNSHIP 7)
 SOUTH RANGE 5 EAST, BALDWIN COUNTY)
 ALABAMA)
 AND)
 FRANK FINK ET AL)
 DEFENDANTS)

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

NOTE OF TESTIMONY

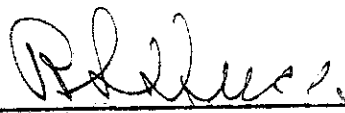
This cause is submitted for final decree on behalf of complainant on the following:

1. Original bill of complaint.
- 116. See in pro counties*
2. Order of service by publication.
3. Service on defendants by publication
duly verified by publisher.
- 3a. See in pro counties against all defendants*
4. Application for oral examination of complainants witnesses, George J. Keppler and Alfred Newman.
5. Commission to Virginia Keel to take deposition of complainant's witnesses.
6. Deposition of George J. Keppler together with exhibits A, B, & C thereto attached.
7. Motion of complainant's attorneys for submission.

And on behalf of the defendants:

Nothing.

This the 6th day of June, 1944


 Register

GEORGE J. KEPPLER COMPLAINANT.

VS.

SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 SOUTH RANGE 5 EAST, BALDWIN COUNTY, ALABAMA

AND
FRANK FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID FRANK FINK, AND ANTON FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID ANTON FINK AND KARL FINK AND THE UNKNOWN HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, GRANTEES AND ASSIGNS OF THE SAID KARL FINK, AND ANY AND ALL OTHER PERSONS, FIRMS AND CORPORATIONS, CLAIMING ANY TITLE TO, INTEREST IN, CLAIM, LIEN OR ENCUMBRANCE ON SAID LANDS.

DEFENDANTS

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

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

Comes your Complainant, GEORGE J. KEPPLER and presents this, his bill of complaint against the following described lands in Baldwin County, Alabama, to-wit:

Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East.

and against Frank Fink, a non-resident of the State of Alabama, and whose last known address was St. Paul, Minnesota, a better address not being known and against Anton Fink, whose last known address was Schaueregg P. O. Monichkirchen a/W. Lower Austria in the Republic of Austria, a better address not being known, and against Karl Fink, whose last known address was Rosental P. O. Koflach Porvince of Styria, Austria, a better address not being known and against each of them, separately and severally, and if either or any of them be dead, then against their heirs, devisees, personal representatives, grantees and assigns, separately and severally, and against any and all other persons, firms or corporations claiming any title to, interest in, claim lien or encumbrance upon the said lands or any part or parcel thereof and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of twenty-one years and a resident of Baldwin County, Alabama; that complainant has made dil-

igent search to ascertain the ages, place of residence of the said Frank Fink, Anton Fink and Karl Fink; that he has inquired of numerous persons at Elberta, the vicinity in which such land is situated and of persons at Bay Minette, including all of the officers and Cornelia Hall, formerly the agent of Frank Fink, and has searched the Probate and tax records and from such search and inquiry has ascertained and alleges; that Frank Fink, if living, is over the age of twenty-one years and a non-resident of the State of Alabama, that Anton Fink, if living, is over the age of twenty-one years and a non-resident of the State of Alabama, that Karl Fink, if living, is over the age of twenty-one years and a non-resident of the State of Alabama; and that if they are dead or if either of them is dead their heirs, devisees, personal representatives, grantees, and assigns are over the age of twenty-one years and are non-residents of the State of Alabama;

2.

That your Complainant is the owner in fee simple and in the actual possession of said lands in Baldwin County, Alabama, described as follows, to-wit:

Southwest quarter of Southwest quarter of
Section 27, Township 7 South, Range 5 East.

and that he and those through whom he claims have been in the continuous adverse possession of the said lands for more than ten years next preceeding the filing of this complaint and that he and those through whom he claims title to the said lands have for ten years next preceeding the filing of this bill of complaint annually assessed and paid the taxes on the said lands and that during such period of time no other person, has assessed the said lands for taxes or paid taxes thereon, and that no other person for such period has had, or attempted to exercise, any possession over the said land or claimed any right to possession thereof or any title to or interest in, claim, lien or encumbrance thereon or to any part or parcel of the same.

3.

That no suit is pending to test Complainant's title to, interest in, lien, claim or encumbrance on, or rights of possession of said land.

That the Complainant obtained title to the said lands by purchase from one, Ben Keppler and his wife, Margaret Keppler by deed dated January 13th, 1942, and recorded in the office of the Judge of Probate, Baldwin County, in Deed Book 76 N. S. page 450, who acquired title thereto from Adolph F. Gerhold and Nellie Gerhold by deed dated January 14th, 1937, and recorded in the office of the Judge of Probate, Baldwin County, Alabama, in Deed book 63 N. S. page 5, who acquired title thereto under a deed by the Judge of Probate, of Baldwin County, Alabama, dated January 5, 1937, recorded 63 N. S. page 6, which deed was executed under a sale of the said lands for taxes July 8, 1931, under an assessment by Cornelia Hall, as agent for the estate of Frank Fink which said tax sale the said Adolph Gerhold acquired on May 1, 1932, and he became entitled to a deed thereto on July 8, 1933; that the title to the said lands as claimed by this complainant stands upon the record of Baldwin County, Alabama, in his name; that there appears upon the record a deed to Frank Fink, conveying the said lands from the Baldwin County Colonization Company dated January 2, 1922, and recorded in the office of the Judge of Probate, Baldwin County, in Deed Book 31 N. S. page 530; that it appears from affidavits recorded in said Probate office in Deed Book 44 N. S. pages 354-5 and 553-4, that the said Frank Fink died in March 1922, leaving as his heirs, who were all of his heirs, the said Anton Fink and Karl Fink, but that neither the said Frank, Karl or Anton Fink, nor any person holding under them have claimed any interest in the said land for more than ten years next preceeding the filing of this Bill of Complaint and that during the whole of such time, Complainant has claimed the said lands and has been in the actual adverse possession of the same as against them and each of them and against any person holding under them and against any and all persons and against the world; and that this Complainant and those through whom he claims have

been in the actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of said lands for more than ten years next preceeding this date and that he and those through whom he claims have continuously occupied and used the said lands in person, by tenant or through agent for the whole of such ten year period; that the said Frank Fink, Anton Fink and Karl Fink, by virtue of the afore said deed to Frank Fink, claim, or are repudiated to claim some title to, or interest in, claim, lien or encumbrance upon the said lands or some portion or parcel thereof;

WHEREFORE, your Complainant prays that this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint and by appropriate process make the said Frank Fink, George Fink and Karl Fink, and the unknown heirs, devisees, personal representatives, grantees, and assigns of each of them, if any of them should be dead, and all other persons, firms or corporations claiming any title to or interest in, claim, lien or encumbrance upon the said lands, to-wit: Southwest quarter of Southwest quarter of Section 27, Township 7 South, Range 5 East, or any part, or parcel thereof, to be made parties defendant to this Bill of Complaint and by appropriate process require them and each of them separately and severally 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.

Your Complainant further prays, that upon a final hearing of this cause, this Honorable Court will make and enter a decree ascertaining and decreeing that the fee simple title, free of encumbrances, to the said land and to each part and parcel thereof, is vested in your Complainant, George J. Keppler, as against Frank Fink, Anton Fink and Karl Fink, if they be living, and, if they

be dead, as against their, and each of their unknown heirs, devisees, personal representatives, grantees, and assigns, as against any and all other persons, firms or corporations claiming any title to, interest in, or claim, lien or incumbrance upon the said lands or any part thereof, and that any and all doubts and disputes concerning the same be cleared up, and your Complainant prays for such other, further, different or general relief as in equity and good conscience shall seem meet and proper.

BEEBE & HALL

By _____
Solicitors for Complainant.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for said County and State, personally appeared George J. Keppler, who is known to me, and who, having been by me first duly sworn, deposes and says that he is the Complainant in the above styled cause, and that the facts stated in the foregoing bill of complaint, from all information obtainable, are true, and from such information obtained he verily believes, and so states, the same to be true.

X George J. Keppler

Sworn to and subscribed before me on
this the 27 day of Jan.,
1944.

Frances Kessel
Notary Public, Baldwin County, Alabama.
Commission expires 10-16-46.