

JAMES HANSON and
ELLEN HANSON,

Complainants,

vs.

H. H. MASCHMEYER, et
al.,

Respondents.

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

Come now the Respondents, H. H. Maschmeyer and South Alabama Land Company, A Corporation, by their solicitors, and demur to the Bill of Complaint heretofore filed against them in said cause and assign the following separate and several grounds in support thereof:

1. That there is no equity in the Bill of Complaint.

2. For aught that appears from the Bill of Complaint the Complainants do not claim to own the property described therein in their own right.

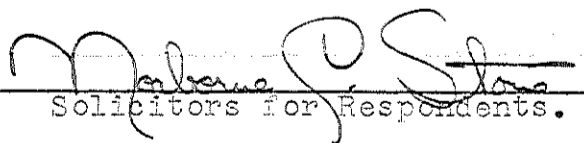
3. For aught that appears from the Bill of Complaint the claim of the Complainants to the property described in the Bill of Complaint is not denied or disputed by the Respondents.

4. For aught that appears from the Bill of Complaint there is a suit pending to enforce or test the validity of the title of the Complainants.

Respectfully submitted,

CHASON & STONE

By:


Solicitors for Respondents.

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

JAMES HANSON and ELLEN HANSON
Complainant,
Vs.
H. H. MASHMEYER and SOUTH ALABAMA LAND
CO., a corporation Respondent.

In the Circuit Court.

In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

H. H. Mashmeyer and South Alabama Land Company, a corporation

by the Sheriff of Baldwin County, on the _____ day of _____,

194_____

And it further appears to the Register, that that the said _____

H. H. Mashmeyer and South Alabama Land Company, a corporation

_____ the Respondent____, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of C. LeNoir Thompson Solicitors

for 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 H. H. Mashmeyer and

South Alabama Land Company, a corporation

This 27 day of April, 1946

Archie J. White
Register.

No. _____

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

Complainant,

Vs.

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this _____ day of _____

194_____

FILED

APR 27 1956

ALICE J. DICK, Clerk

Register.

8600 Motion for Decree Pro Confesso on Personal Service. 3107 Code MFCO.

THE STATE OF ALABAMA, }
Baldwin County } No. _____ Circuit Court, In Equity.

JAMES HANSON and ELLEN HANSON _____ Complainant....

Vs.

H. H. MASHMEYER, and SOUTH ALABAMA LAND COMPANY, a corporation _____ Defendant....

Motion is hereby made for a Decree Pro Confesso against H. H. Mashmeyer, and South

Alabama Land Company, a corporation _____ Defendant....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant... ha failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 27 day of Apr 19 56

[Handwritten Signature]
Solicitor.

No. 34321

Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Motion for Decree Pro Confesso on
Personal Service

Filed _____ 19 _____

FILED
APR 27 1956

Register.

Recorded in _____ Record _____

Vol. _____ Page _____

Register.

Filed 5-12-56 10 A.M.

Recorded and book 238 page 264

MR. Stewart
Judge of Probate

BOOK 238 PAGE 264

JAMES HANSON and
ELLEN HANSON

COMPLAINANTS

VS

H. H. MASHMEYER and
SOUTH ALABAMA LAND COMPANY,
a Corporation,

RESPONDENTS

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

FINAL DECREE

This cause coming on to be heard is submitted for final decree upon the pleadings and proof, in accordance with note of evidence; and upon consideration thereof the Court is of opinion that the Complainants are entitled to the relief prayed for in his complaint. It is, therefore, ordered, adjudged and decreed by the Court:

1. That the Complainants, JAMES HANSON AND ELLEN HANSON, are the owners of the real estate described in the original bill in this cause and which real estate is situated in the County of Baldwin, State of Alabama; and more particularly described as follows:

Lot number one in block number twenty in Park City plat number one as surveyed by Theodore Widdell and recorded in Miscellaneous book number one, pages 230-231 in the office of the Judge of Probate of Baldwin County, Alabama.

2. That H. H. MASHMEYER and SOUTH ALABAMA LAND COMPANY, a Corporation, the Respondents in this cause, have no right, title or interest in, or encumbrances upon such lands above described, or any part thereof.

3. That the Register, within thirty days from this date, filed a certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said land lies; and that the Probate Judge record and index said decrees as required by Code Section 113, Title 7 of the 1940 Code of Alabama.

4. That the Complainants pay the costs of this suit to be taxed by the Register, for which let execution issue.

Done this the 3rd day of May, 1956.

I, Alice J. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Circuit Court in above stated cause, which said decree is on file in my office.
WITNESS MY HAND AND SEAL THIS THE 3 day of May, 1956

Hubert M. Hall
CIRCUIT JUDGE.

Alice J. Duck
Register of Circuit Court, in Equity

H. H. Mashmeyer

5/16/56
D. M. ...

2-7-56

JAMES HANSON and
ELLEN HANSON

COMPLAINANTS

VS

H. H. WASHMEYER and
SOUTH ALABAMA LAND COMPANY,
a Corporation,

RESPONDENTS

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

F I N A L D E C R E E

This cause coming on to be heard is submitted for final decree upon the pleadings and proof, in accordance with note of evidence; and upon consideration thereof the Court is of opinion that the Complainants are entitled to the relief prayed for in his complaint. It is, therefore, ordered, adjudged and decreed by the Court:

1. That the Complainants, JAMES HANSON AND ELLEN HANSON, are the owners of the real estate described in the original bill in this cause and which real estate is situated in the County of Baldwin, State of Alabama; and more particularly described as follows:

Lot number one in block number twenty in Park City plat number one as surveyed by Theodore Widdell and recorded in Miscellaneous book number one, pages 230-231 in the office of the Judge of Probate of Baldwin County, Alabama.

2. That H. H. WASHMEYER and SOUTH ALABAMA LAND COMPANY, a Corporation, the Respondents in this cause, have no right, title or interest in, or encumbrances upon such lands above described, or any part thereof.

3. That the Register, within thirty days from this date, filed a certified transcript of this decree for record in the Probate Court of Baldwin County, Alabama, the County in which said land lies; and that the Probate Judge record and index said decrees as required by Code Section 113, Title 7 of the 1940 Code of Alabama.

4. That the Complainants pay the costs of this suit to be taxed by the Register, for which let execution issue.

Done this the 3rd day of May, 1956.


Walter W. Hill
CIRCUIT JUDGE.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon H. H. MASHMEYER, and SOUTH ALABAMA LAND COMPANY, A Corporation, to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Bill of Complaint filed against him by JAMES HANSON and ELLEN HANSON.

WITNESS my hand this 27 day of December, 1954.


Register

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Orators, James Hanson and Ellen Hanson, present this Bill of Complaint against H. H. Mashmeyer and South Alabama Land Company, A Corporation, and thereupon, your Orators complain and show unto the court and your Honor as follows:

1. Your Orators are each over twenty-one years of age and residents of Baldwin County, Alabama. The respondent, H. H. Mashmeyer, and South Alabama Land Company, A Corporation, is over twenty-one years of age and a resident of Mobile, County, Alabama.

2. Your Orators claim to own and are in the actual, quiet, peaceable possession of the following described real property situated in Baldwin County, Alabama, to-wit:

Lot number one in block number twenty in Park City plat number one as surveyed by Theodore Widdell and recorded in Miscellaneous book number one, pages 230-231 in the office of the Judge of Probate of Baldwin County, Alabama.

3. The Respondent claims, or is reputed to claim, some right, title or interest in, or encumbrance on the said lands. No suit is pending to enforce or test the validity of such title, interest in, lien or encumbrance upon the said lands, and your Orators bring this Bill of Complaint against the said Respondent to settle the title to the said lands and clear up all doubt and disputes concerning the same. Your Orators have and now call upon the said Respondent to set forth and specify his right, title or interest in, lien or encumbrance on the said lands, or any part thereof, and how and by what instrument the same is derived and created.

PRAYER FOR PROCESS

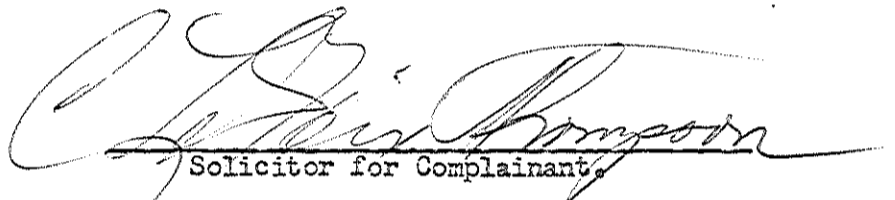
Your Orators pray that the said H. H. Mashmeyer, and South Alabama Land Company, A Corporation be made a party Respondent to this Bill of Complaint

and that the usual process of this Honorable Court do forthwith issue to him.

PRAYER FOR RELIEF

Your Orators pray that upon a final hearing of this cause the court will make and enter a decree against the said Respondent, quieting your Orators' title to the said lands, adjudging and decreeing that your Orators are the owners thereof, in their own right; that title thereto is in them, forever quieting their title against the said Respondent, adjudging that he is without right, title or interest in and to the said lands, and has and holds no encumbrance thereon; and further, that he be permanently and perpetually enjoined from trespassing on the said lands, or any part thereof.

Your Orators further pray for such other, further and general relief as they may be equitably entitled to, the premises considered.


Solicitor for Complainant.

Received in Sheriff's Office
this 28 day of Dec 1954
TAYLOR WILKINS, Sheriff

1136 ✓
~~1493~~
3432 339

JAMES HANSON AND
ELLEN HANSON

COMPLAINANTS

H. H. MASHMEYER, and SOUTH ALABAMA
LAND COMPANY, A Corporation,

RESPONDENTS

W. H. Holcombe

SUMMONS AND COMPLAINT

EXECUTED

This 7th day of Jan, 1955

by serving a copy of the within on

H. H. Mashmeyer

W. H. HOLCOMBE, Sheriff

By *W. H. Holcombe* D. S.

MOBILE COUNTY, ALA.

From the law offices of

C. LeNoir Thompson
Attorney-At-Law
Bay Minette, Alabama

Filed 1-27-55
Aric J. ...
Red

EXECUTED
This 11th day of Feb, 1955
by serving a copy of the within on
So. Ala. Land Co.
RAY D. BRIDGES, Sheriff
By *M. Bernstein* D.S.

RETURNED
Not found in my County after diligent
search and inquiry.
RAY D. BRIDGES, Sheriff
By _____ D.S.

[Faint, illegible text from the reverse side of the document]

JAMES HANSON and ELLEN HANSON

vs.

H. H. MASHMEYER and SOUTH ALABAMA LAND
COMPANY, a Corporation

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
a decree overruling Respondent's demurrers and motion for Decree Pro Confesso,
on personal service and Decree Pro Confesso on Personal Service.

and in behalf of Defendant upon Demurrers.

Archie J. ...
Register.

C. L. ...

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

JAMES HANSON and ELLEN HANSON

vs.

H. H. MASHMEYER and SOUTH ALABAMA

LAND COMPANY, a Corporation.

NOTE OF TESTIMONY

Filed in Open Court this 30th

day of April, 1946

Alice J. Luck
Register.

Printed by the Baldwin Times

3432