

No. 963,

Page \_\_\_\_\_

**The State of Alabama,**  
**Baldwin County**

**Circuit Court In Equity**

George W. McEwen

vs.

Edmund Erdman, State Bank  
Of Elberta, a corporation  
Jacob Krischer and Mary  
Krischer, William Konrad  
and Mary Konrad

**Decree Pro Confesso On**  
**Personal Service.**

Issued June 15th 1931

*J. M. McEwen*  
Register.

**The State of Alabama,**  
Baldwin County.

No. \_\_\_\_\_ CIRCUIT COURT, IN EQUITY

GEOGE W. McEWEN

Complainant.....

vs.  
Edmund Erdman, Henry C. Bartling, Baldwin County Colonization Company  
a corporation, Jacob Krischer and Mary Krischer, William Konrad and  
Sophie Konrad, State Bank of Elberta, a corporation,  
~~Sophie Kemp, Elizabeth Stein, individually and as trustee~~ Defendant....  
for Eliza Stein and Dorris Stein, and George Zinner

In this cause it appears to the \_\_\_\_\_ Register

that a Summons requiring the Defendant ~~Edmund Erdman, Henry C. Bartling, Baldwin County Colonization Company~~

State Bank of Elberta, a corporation, Jacob Krischer and Mary

Krischer, William Konrad and Sophie Konrad

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the  
service of said Summons upon \_\_\_\_\_ Defendants

was served upon them by the Sheriff of Baldwin County, Alabama, on the

11th day of May 19 31, on above named defendants  
except State Bank of Elberta, service upon whom was had May 9th.,  
1931

And the said Defendant S. having failed to demur, plead to or answer the said Bill of Complaint  
to this date, it is now, therefore, on motion of Complainant

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as  
confessed against the said Edmund Erdman, State Bank of Elberta, Jacob  
Krischer and Mary Krischer, William Konrad and Sophie Konrad

Defendant S. aforesaid.This 15th day of June 19 31


Register.

264

**The State of Alabama,** {  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon George Zinner

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

~~George W. McEwen~~ George W. McEwen

against said George Zinner

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May

1931

T. W. Richerson Register.

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

*Copy*

Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity.

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

SUMMONS

George W. McEwen

vs.

George Zinner

~~Gaillard & Gaillard~~  
Solicitor for Complainant.

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

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_

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

Sheriff.

*Returned 11th*

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

*May*

1931

*Not found as to*  
by leaving a copy of the within Summons with

*Geo Zinner in Baldwin*  
*County*

Defendant.

*W. H. Strick*

Sheriff.

By \_\_\_\_\_

Deputy Sheriff.

The State of Alabama, {  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon George Zinner

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

~~George W. McEwen~~ George W. McEwen

against said George Zinner

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931

T. W. Richerson Register.

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

Original

Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity.

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

SUMMONS

George W. McEwen

vs.

George Zinner

Gaillard & Gaillard

Solicitor for Complainant.

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

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_

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

Sheriff.

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

193 \_\_\_\_\_

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

Defendant.

Sheriff.

By \_\_\_\_\_

Deputy Sheriff.

**The State of Alabama,**  
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon William Konrad and Sophie Konrad

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by George W. McEwen

against said Edmund Erdman, Henry C. Bertling, Baldwin County Colonization Company, a corporation, Jacob Krischer and Mary Krischer, William Konrad and Sophie Konrad, State Bank of Elberta, a corporation, Sophie Kempf, Elizabeth Stein, individually and as trustee for Eliza Stein and Dorris Stein, and George Zinner

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931

T. W. Richerson Register

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

Original

SERVE ON \_\_\_\_\_  
Circuit Court of Baldwin County  
In Equity

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

SUMMONS

George W. McEwen

vs.

William Konrad

Sophie Konrad

Gaillard & Gaillard  
Solicitor for Complainant

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_  
day of \_\_\_\_\_ 19\_\_\_\_

Sheriff.

Executed this 11<sup>th</sup> day of

May

1931

by leaving a copy of the within Summons with

William Konrad &

Sophie Konrad.

Defendant.

W.R. Smart

Sheriff.

By

G. Lindorfer

Deputy Sheriff.



The State of Alabama, }  
Baldwin County

Circuit Court of Baldwin County, In Equity

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

WE COMMAND YOU, That you summon Jacob Krischer and Mary Krischer

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by George W. McEwen

against said Edmund Erdman, Henry C. Bartling, Baldwin County Colonization Company, a corporation, Jacob Krischer and Mary Krischer, William Konrad and Sophie Konrad, State Bank of Elberta, a corporation, Sophie Kampf, Elizabeth Stein, individually and as trustee for Eliza Stein and Dorris Stein, and George Zinner

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 193 1

T. W. Richerson Register

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

Original

SERVE ON \_\_\_\_\_  
Circuit Court of Baldwin County  
In Equity

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

SUMMONS

George W. McEwen

vs.

Jacob Krischer

Mary Krischer

Gaillard & Gaillard

Solicitor for Complainant

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 19\_\_\_\_

Sheriff.

Executed this 11<sup>th</sup> day of

May

1981

by leaving a copy of the within Summons with

Jacob & Mary Krischer

Defendant.

W R Stewart

Sheriff.

By

L. Hindoverfer

Deputy Sheriff.

**The State of Alabama,**  
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Edmund Erdman

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by George W. McEwen

against said Edmund Erdman, Henry C. Bartling, Baldwin County Colonization Company, a corporation, Jacob Krischer and Mary Krischer, William Konrad and Sophie Konrad, State Bank of Elberta, a corporation, Sophie Kampf, Elizabeth Stein, individually and as trustee for Eliza Stein and Dorris Stein, and George Zinner

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931

T. W. Richerson Register

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

Original

SERVE ON \_\_\_\_\_  
Circuit Court of Baldwin County  
In Equity

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

SUMMONS

George W. McEwen

vs.

Edmund Erdman

Foley

Gaillard & Gaillard  
Solicitor for Complainant

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_  
day of \_\_\_\_\_ 19\_\_\_\_

Sheriff

Executed this 11<sup>th</sup> day of

May

1931

by leaving a copy of the within Summons with

Edmund Erdman

Defendant

A. B. Shurt

Sheriff

By

L. Lindoefer

Deputy Sheriff

**The State of Alabama,**  
**Baldwin County**

Circuit Court of Baldwin County, In Equity

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

WE COMMAND YOU, That you summon State Bank of Elberta, a  
Banking Corporation, of Elberta, Alabama

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
George W. McEwen

against said Edmund Erdman, Henry C. Bartling, Baldwin County Coloniza-  
tion Company, a corporation, Jacob Krischer, Mary Krischer,  
William Konrad and Sophie Knorad, State Bank of Elberta, a cor-  
poration, Sophie Kampf, Elizabeth Stein, individually and as  
trustee for Eliza Stein and Dorris Stein, and George Zinner

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931

T. W. Richerson Register

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

Original

SERVE ON \_\_\_\_\_  
Circuit Court of Baldwin County  
In Equity

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

George W. McEwen  
vs.  
State Bank of Elberta,  
a corporation

Gaillard & Gaillard  
Solicitor for Complainant

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Sheriff.

Executed this 9<sup>th</sup> day of  
May 1921

by leaving a copy of the within Summons with

Mr Newman  
Cashier of Elberta  
State Bank Defendant.  
W R Stewart  
Sheriff

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

George W. McEwen,

Complainant,

vs.

Edmund Erdman, ~~State Bank of~~  
~~Foley, Inc.~~, Henry C. Bartling,  
Baldwin County Colonization  
Company, a corporation, Jacob  
Krischer and Mary Krischer, William  
Konrad and Sophie Konrad, ~~State Bank~~  
~~of Elberta~~, a corporation, Sophie  
Kampf, Elizabeth Stein, individually  
and as trustee for Eliza Stein and  
Dorris Stein, and George Zinner,

Respondents,

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

-oo00oo-

Comes the complainant and brings this bill of complaint  
against the following respondents, to-wit:

Edmund Erdman, ~~State Bank of Foley, Inc.~~, Henry C.  
Bartling, Baldwin County Colonization Company, a  
corporation, Jacob Krischer and Mary Krischer, William  
Konrad and Sophie Konrad, ~~State Bank of Elberta~~, a  
corporation, Sophie Kampf, Elizabeth Stein, individually  
and as trustee for Eliza Stein and Dorris Stein, and  
George Zinner,

representing unto this Honorable Court as follows:

ONE: The complainant is over twenty one years of age  
and owns or claims to own, and is in the quiet and peaceable poses-  
sion of the following described real property in Baldwin County,  
Alabama, to-wit:

- (a) West half of the Northeast quarter of the North-  
west quarter of Section 9, Township 7 South,  
Range 5 East.
- (b) North half of the Southwest quarter of the South-  
west quarter of Section 10, Township 7, Range 5  
East.
- (c) South half of the Southwest quarter of the South-  
west quarter of Section 10, Township 7, Range 5  
East.
- (d) Southwest quarter of the Northeast quarter of  
Section 13, Township 7 South, Range 5 East.
- (e) East half of the Northwest quarter of the North-  
east quarter of Section 19, Township 7, Range  
5 East.
- (f) Southwest quarter of the Southwest quarter of  
Section 33, Township 7 South, Range 5 East.

(g) Northwest quarter of the Northwest quarter of Section 11, Township 8 South, Range 5 East.

(h) Northeast quarter of the Southwest quarter of Section 14, Township 8 South, Range 5 East.

TWO: The respondents, ~~The State Bank of Foley,~~

Henry C. Bartling as trustee, The State Bank of Elberta and Edmund Erdman claim, or are reputed to claim some right, title or interest in or to, or lien or incumbrance upon the property described in Paragraph (a) of the Bill of Complaint.

The respondents, Jacob Krischer and Mary Krischer claim or are reputed to claim some right, title or interest in or to, lien or incumbrance upon the property described in Paragraph (b) of the Bill of Complaint.

The respondents, William Konrad and Sophie Konrad, and the State Bank of Elberta claim or are reputed to claim some right, title or interest in or to, lien or incumbrance upon the property described in Paragraph (c) of the Bill of Complaint.

The respondents, The Baldwin County Colonization Company claims or is reputed to claim some right, title or interest in or to, or lien or incumbrance upon the property described in Paragraphs (d) and (e) of the Bill of Complaint.

The respondents, Sophie Kampf, Baldwin County Colonization Company, Elizabeth Stein, individually and as trustee for Eliza Stein and Dorris Stein, and also Eliza Stein and Dorris Stein claim or are reputed to claim some right, title or interest in or to, or incumbrance or lien upon the property described in Paragraph (f) of the Bill of Complaint.

The respondents, Baldwin County Colonization Company and the State Bank of Elberta claim or are reputed to claim some right, title or interest in or to, or lien or incumbrance upon the property described in Paragraph (g) of the Bill of Complaint.



The respondents, George Zinner and the Baldwin County Colonization Company claim or are reputed to claim some right, title or interest in or to, or lien or incumbrance upon the property described in Paragraph (h) of the Bill of Complaint.

✓ The State Bank of Elberta is a banking corporation with its principal place of business at Elberta, Baldwin County, Alabama.

~~The State Bank of Foley is a banking corporation with its principal place of business at Foley, Baldwin County, Alabama.~~

✓ Edmund Erdman is an adult resident of Baldwin County, Alabama.

✓ Jacob Krischer and Mary Krischer are adult residents of Baldwin County, Alabama.

✓ William Konrad and Sophia Konrad are adult residents of Baldwin County, Alabama.

✓ Baldwin County Colonization Company is a corporation with its principal office c/o Henry C. Bartling, Suite 4, Ashland Block, Chicago, Illinois.

✓ Henry C. Bartling is an adult resident of Chicago, Illinois.

✓ Sophia Kampf is an adult resident of Baldwin County, Alabama.

✓ Elizabeth Stein, Eliza Stein and Dorris Stein are adult residents of Baldwin County, Alabama.

George Zinner is an adult resident of Baldwin County, Alabama.

The respondents are required to specify in detail the extent and source of their right, title and interest in or to, or lien or incumbrance upon the property alleged herein to be claimed or reputed to be claimed by each respective respondent.

#### PRAYER FOR PROCESS

Premises considered, complainant prays that the respondents be made parties to this bill of complaint and that they be required to plead answer or demur hereto within the time allowed by law or by the rules and practice of this Honorable Court, and that at a hearing of this cause, this Honorable Court will order, adjudge, and decree that the Complainant is the owner of the Fee Simple

title to the property described herein, and that the respondents have no right, title or interest in or to or lien or incumbrance upon the property described in the Bill of Complaint, and that such right, title or interest in or to or lien or incumbrance upon be removed as a cloud from the title, and Complainant prays for such other and further relief as he may be entitled to in the premises.

S. P. Gaillard  
Attorneys for Complainant.

FOOT NOTE:

Respondents are required to answer each and every allegation of the foregoing Bill of Complaint but answer under oath is hereby specifically waived.

S. P. Gaillard  
Attorneys for Complainant.

STATE OF ALABAMA, )  
MOBILE COUNTY. )

Before me, Josie Gaillard, a Notary Public in and for said County and State personally appeared S.P. Gaillard, who being by me first duly sworn, on oath, deposes and says that the allegations contained in the foregoing Bill of Complaint are true to the best of his knowledge and belief.

S. P. Gaillard

Sworn to and subscribed before  
me this 18th. day of April, 1931.

Josie Gaillard  
Notary Public, Mobile County, Ala.

The State of Alabama, }  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon Elizabeth Stein, Eliza Stein,  
and Doris Stein

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

George W. McEwen

against said Elizabeth Stein, Eliza Stein, and Doris Stein

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931

T. W. Richerson Register.

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

Original

Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity.

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

SUMMONS

George W. McEwen

vs.

Elizabeth Stein,

Eliza Stein

Dorris Stein

Gaillard & Gaillard

Solicitor for Complainant.

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

Party could not be  
located

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_

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

Sheriff.

Returned May 11<sup>th</sup>  
Executed this \_\_\_\_\_ day of

May 1931

by leaving a copy of the within Summons with

Elizabeth Stein

Eliza Stein & Dorris

Stein not found  
in Baldwin Co. Defendant.

W. R. Stein

Sheriff.

By L. L. Cooper

Deputy Sheriff.

The State of Alabama, {  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon Sophia Kampf

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

George W. McEwen

against said Sophia Kampf

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931

T. W. Richerson Register.

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

*Original*

Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity.

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

**SUMMONS**

George W. McEwen

vs.

Sophia Kampf

Gaillard & Gaillard  
Solicitor for Complainant.

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

**The State of Alabama,  
BALDWIN COUNTY.**

Received in office this \_\_\_\_\_

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

Sheriff.

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

193\_\_\_\_\_

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By \_\_\_\_\_

Deputy Sheriff.

The State of Alabama, }  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon Sophia Kempf

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by George W. McEwen

against said Sophia Kempf

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May

1931

T. W. Richerson Register.

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

The State of Alabama, }  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon Elizabeth Stein, Eliza Stein,  
and Boris Stein

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by George H. McSwan

against said Elizabeth Stein, Eliza Stein, and Boris Stein

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 24th day of

May

1931

T. W. Richerson Register.

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



*Copy*  
Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity.

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

SUMMONS

George W. McEwen

vs.

Elizabeth Stein

Eliza Stein

Dorris Stein

Gaillard & Gaillard  
Solicitor for Complainant.

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

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_

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

Sheriff.

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

193 \_\_\_\_\_

by leaving a copy of the within Summons with

Defendant.

Sheriff.

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

The State of Alabama, }  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon Elizabeth Stein, Eliza Stein,  
and Doris Stein

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
George W. McEwen

against said Elizabeth Stein, Eliza Stein, and Doris Stein

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of  
May 1931

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

The State of Alabama, }  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon Elizabeth Stein, Eliza Stein,  
and Doris Stein

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

George W. McEwen

against said Elizabeth Stein, Eliza Stein, and Doris Stein

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931

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

The State of Alabama, }  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

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

WE COMMAND YOU, That you summon Elizabeth Stein, Eliza Stein,  
and Doris Stein

of Baldwin County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
George W. McEwen

against said Elizabeth Stein, Eliza Stein, and Doris Stein

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of  
May 1 1931

T. W. Richerson Register.

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

The State of Alabama,  
Baldwin County

Circuit Court of Baldwin County, In Equity

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

WE COMMAND YOU, That you summon Baldwin County Colonization

Company a corporation with its principal office c/o Henry C.

Bartling, Suite 4, Ashland Block, Chicago Illinois,

of Chicago Ill. ~~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 Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
George W. Mc Ewan,

against said Baldwin County Colonization Company

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

May 1931.

T. W. Richerson Register

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

**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 Henry C. Bartling  
Suite 4 Ashland Block , Chicago Ill,

of \_\_\_\_\_ 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 Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
George W. Mc Ewan

against said Henry C. Bartling,

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of  
May 1936.

\_\_\_\_\_  
Register

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

Original.

SERVE ON \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity

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

SUMMONS

George W. Mc Ewan

vs.

Henry C. Bartling

Gaillard & Gaillard.

Mobile Ala.

Solicitor for Complainant

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 19\_\_\_\_

Sheriff

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

19\_\_\_\_

by leaving a copy of the within Summons with

Defendant

Sheriff

By \_\_\_\_\_

Deputy Sheriff

May 5th, 1931.

Copy of Bill and Summons  
Registered Henry C. Bartling  
Suite 4 Ashland Block  
Chicago Ill.

*[Signature]* Register.

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

GEORGE W. McEWEN,

Complainant,

-vs-

EDMUND ERDMAN, HENRY C. BARTLING,  
BALDWIN COUNTY COLONIZATION COM-  
PANY, a corporation, Jacob Krischer  
and Mary Krischer, William Konrad  
and Sophie Konrad, State Bank of  
Elberta, a corporation, Sophie  
Kampf, Elizabeth Stein, individually  
and as trustee for Eliza Stein and  
Dorris Stein, and George Zimmer,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Now comes Edmund Erdman and State Bank of Elberta, Res-  
pondents in the above stated cause, and for answer to the Complaint,  
says as follows:

1. Respondent Edmund Erdman admits that he is over the  
age of twenty-one years and own the West half of the Northeast  
Quarter of the Northwest Quarter of Section Nine (9), Township Seven  
(7) South of Range Five (5) East, and expressly and unequivocally  
denies that the Complainant is in the quiet and peaceful possession  
of the aforesaid lands, the fact being that your Respondent, Edmund  
Erdman is now and has been since 1925 owning said lands and in the  
quiet and peaceful possession of the same. Respondent admits that  
said lands are situated in Baldwin County, Alabama.

2. In answer to paragraph "TWO" of the Bill of Complaint  
Respondent admits that he claims the right, title or interest in and  
to the aforesaid lands, with the exception as will hereinafter appear,  
and as aforestated have been in the possession of the same openly  
and notoriously for the time heretofore mentioned. As to the balance  
of the allegations contained in paragraph "TWO" the Respondents are  
not interested in the same and have no knowledge as to their correc-  
tion or not. Respondent, Edmund Erdman, further shows that he ac-  
quired this property from Jacob Pfeiffer by Warranty Deed dated  
September 29, 1925, and that immediately on receiving said deed he  
went into possession of said property and is still in possession of  
the same, said deed being recorded in Deed Book 38 N.S., page 83;



that the said Jacob Pfeiffer acquired said lands from John A. Reuter by Warranty Deed of date July 1st, 1922, and of record in Deed Book 32 N.S., page 275, the said John A. Reuter being in possession of said lands at the time he sold and conveyed the same to said Jacob Pfeiffer; that the said John A. Reuter acquired the same from the Baldwin County Colonization Company by Warranty Deed of date January 2nd, 1922, and of record in Deed Book 31 N.S., page 488; that immediately upon the purchase of said lands by the said John A. Reuter he went into the possession of said lands, holding the same openly and notoriously up until the time that he sold the same to Jacob Pfeiffer; that the Baldwin County Colonization Company acquired said lands by purchase at a Mortgage Foreclosure Sale of Josef Offenbacher of date July 19th, 1929, of record in Deed Book 35 N.S., page 42, said mortgage of Josef Offenbacher being executed to Baldwin County Colonization Company of date January 2nd, 1921, of record in Mortgage Book 12, pages 71-2; that immediately upon the purchase of said property by the Baldwin County Colonization Company at said Foreclosure Sale it went into the open, notorious and adverse possession of said property and continued to hold the same as such until they conveyed to John A. Reuter; that Josef Offenbacher acquired said lands from the Baldwin County Colonization Company by Warranty Deed of date March 2nd, 1912, and of record in Deed Book 18 N.S., page 629, and that immediately upon acquiring said lands from the said Baldwin County Colonization the said Josef Offenbacher went into the open, notorious and exclusive possession of said property and remained therein up until the time that the aforesaid mortgage was foreclosed; that the said Baldwin County Colonization Company acquired said lands by Warranty Deed from the Southern States Lumber Company by Warranty Deed of date November 28, 1906, and recorded in Deed Book 11 N.S., page 416-17; that the said Baldwin County Colonization Company, upon the execution of said deed, went into the open, notorious and exclusive possession of said property and remained therein up until the time they sold and conveyed the same to Josef Offenbacher; that at the time that the Southern States Lumber Company executed its

Warranty Deed to the Baldwin County Colonization Company the Southern States Lumber Company was in the open, notorious and exclusive possession of said lands.

The State Bank of Elberta further shows unto your Honor that its interest in the West half of the Northeast Quarter of the Northwest Quarter of Section 9, Township 7 South of Range 5 East is based upon a mortgage executed to it by Edmund Erdman as to the aforesaid lands, of date January 21, 1929, and of record in Mortgage Book 45, page 78, and that the said Edmund Erdman has owned and acquired and possessed said lands as heretofore set out in this Answer.

Having fully answered the foregoing Bill of Complaint Respondents respectfully request that they be dismissed with their costs.

Hyatt Heard & Chason  
Solicitors for Respondents.

MOREBORNE STONE

GEORGE W. McEWEN,

Complainant,

vs.

EDMUND ERDMAN, HENRY C. BARTLING,  
BALDWIN COUNTY COLONIZATION COM-  
PANY, a corporation, JACOB KRISCHER  
and MARY KRISCHER, WILLIAM KONRAD  
and SOPHIE KONRAD, STATE BANK OF  
ELBERTA, A Corporation, SOPHIE KAMPF,  
ELIZABETH STEIN, individually and as  
Trustee for Eliza Stein and Dorris  
Stein, and GEORGE ZINNER,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Now comes Jacob Krischer and Mary Krischer and State  
Bank of Elberta, Respondents in the aforesaid cause, and for answer  
to the Bill of Complaint, shows unto your Honor as follows:

1. Respondents admit that the Complainant is over the  
age of twenty-one years but denies that the Complainant is in the  
quiet and peaceful possession of the following described real estate  
in Baldwin County, Alabama, to-wit:

North half of the Southwest Quarter of the Southwest  
Quarter of Section 10, Township 7 South of Range 5 East;

that instead of the Complainant being in the quiet and peaceful  
possession of said property Respondents, Jacob Krischer and Mary  
Krischer are in the quiet and peaceful possession of said property  
and have been in possession of the same, holding the same openly,  
notoriously and exclusively for more than seven years; that Jacob  
Krischer and Mary Krischer acquired this property by Warranty Deed  
from the Baldwin County Colonization Company, dated September 1st,  
1923, which deed is recorded in Deed Book 34 N/S., pages 366-7 of  
the Probate Records of Baldwin County, Alabama; your Respondents  
further show that the said Baldwin County Colonization Company ac-  
quired said lands by a Mortgage Foreclosure Deed dated October 15,  
1921, recorded November 1st, 1921, in Deed Book 31 N. S., page 316,  
Probate Records of Baldwin County, Alabama; that said foreclosure  
deed was based upon a mortgage executed by John and Mary Bonstingl  
to the Baldwin County Colonization Company, of date \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_, and recorded in \_\_\_\_\_, page \_\_\_\_\_,

Probate Records of Baldwin County, Alabama; that the said John Bonstingl and Mary Bonstingl acquired said lands by Warranty Deed from the Baldwin County Colonization Company on December 1st, 1931, said deed being recorded in Deed Book 22 N.S., page 93-4, Probate Records of Baldwin County, Alabama; that immediately upon the purchase of said lands by the said John Bonstingl and Mary Bonstingl from the Baldwin County Colonization Company he went into the possession of the same, holding the same openly, notoriously and exclusively up until the time that said mortgage was foreclosed as heretofore mentioned; that the said Baldwin County Colonization Company acquired said lands by Warranty Deed from the Southern States Lumber Company November 28, 1906; said deed being recorded in Deed Book 11 N.S., pages 416-17, Probate Records of Baldwin County, Alabama; that immediately upon the purchase of said lands by said Baldwin County Colonization Company it went into the possession of the same and held the same openly, notoriously and exclusively up until the time it sold the same to the said John Bonstingl and Mary Bonstingl; that at the time the said Southern States Lumber Company executed its deed to said lands to the Baldwin County Colonization Company the Southern States Lumber Company was in the open, notorious and exclusive possession of said lands, claiming to own the same.

Now comes the State Bank of Elberta and for answer to the Bill of Complaint in this cause, adopts the Answer of the said Jacob Krischer so far as the possession and ownership of said property goes, and in addition thereto shows that its interest in said lands is that on the 3rd day of November, 1923, Jacob Krischer and Mary Krischer executed to it a mortgage on the aforesaid lands, which is still unpaid, said mortgage being of record in Mortgage Book 30, page 110 of the Probate Records of Baldwin County, Alabama.

Having answered the foregoing Bill of Complaint Respondents, Jacob Krischer and Mary Krischer and State Bank of Elberta, respectfully ask to be discharged with their reasonable costs.

Hybert Heard & Chas  
Solicitors for Respondents.

GEORGE W. McEWEN,

Complainant,

-vs-

EDMUND ERDMAN, HENRY C. BARTLING, BALDWIN COUNTY COLONIZATION COMPANY, a Corporation, JACOB KRISCHER and MARY KRISCHER, WILLIAM KONRAD and SOPHIE KONRAD, STATE BANK OF ELBERTA, a corporation, SOPHIE KAMPF, ELIZABETH STEIN, individually and as trustee for Eliza Stein and Dorris Stein, and George Zinner,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NOW COMES William Konrad and Sophie Konrad and the State Bank of Elberta, respondents in the above stated cause and for answer to the Complaint say as follows:-

1. Respondents admit that the Complainant is over the age of twenty-one years. Respondents deny that the Complainant owns or has any title in or is in the possession of:

The South half of the Southwest Quarter of the Southwest Quarter (S $\frac{1}{2}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Ten (10) Township Seven (7) South of Range Five (5) East, Baldwin County, Alabama,

and expressly and unequivocally denies that the Complainant is in the quiet and peaceable possession of the aforesaid land, the fact being that your Respondents, William Konrad and Sophie Konrad, are now and have been since February 1st, 1924, owning said lands and in the quiet and peaceable possession of the same.

2. In answer to Paragraph "Two" of the Bill of Complaint, Respondents admit that they claim the right, title and interest in and to the aforesaid lands and as aforestated have been in the possession of the same openly and notoriously for the time heretofore mentioned. As to the balance of the allegations contained in Paragraph "Two", the Respondents are not interested in the same and have no knowledge as to their correction thereunder. Respondents William Konrad and Sophie Konrad further show that they acquired this property from the Baldwin County Colonization Company by Warranty Deed, dated February 1st, 1924 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 54 N. S. page 351 and that immediately on receiving  
(page one)

said Deed they went into the possession of said property and are still in the possession of the same; that the Baldwin County Colonization Company acquired said lands from John and Mary Bonstingl through Mortgage Foreclosure Deed of date October 15th, 1921 and of record in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 31 N. S. page 316. Said Mortgage which is the base of said Deed was executed to the Baldwin County Colonization Company by John Bonstingl and Mary Bonstingl on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Mortgage Book \_\_\_\_\_, page \_\_\_\_\_; that immediately upon the purchase of said lands at said foreclosure sale, and the execution of the Deed thereto as heretofore referred to, the Baldwin County Colonization Company went into the open, notorious and adverse possession of said lands and held the same up until the time that they conveyed the same to the said William Konrad and Sophie Konrad; that John Bonstingl and Mary Bonstingl acquired said lands by Warranty Deed from Baldwin County Colonization Company of date December 1st, 1913 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 22 N. S., page 93-4; that immediately upon the execution of the last mentioned Deed the said John Bonstingl and Mary Bonstingl went into the open, notorious and exclusive possession of the aforesaid land, and continued therein up until the time that the Mortgage that they executed to the Baldwin County Colonization Company which is heretofore mentioned was foreclosed; that the Baldwin County Colonization Company purchased said lands by Warranty Deed from the Southern States Lumber Company November 28th, 1906, and of record in the office of the Judge of Probate of Baldwin County, Alabama in Deed Book 11 N. S. pages 416-17, and immediately upon the purchase of said land the Baldwin County Colonization Company went into the open, notorious and exclusive possession and continued therein up until the time that they sold and conveyed said lands as heretofore mentioned to John Bonstingl and Mary Bonstingl; that at the time the Southern States Lumber Company sold and conveyed and executed its Deed to the Baldwin County Colonization

(page three)

Company the Southern States Lumber Company was in the open, notorious and exclusive possession of said lands. The State Bank of Elberta further shows unto your Honor that its interest in the land herein mentioned is based upon a Mortgage executed to it by William Konrad and Sophie Konrad on the aforesaid lands on the 21st day of January, 1929 and of record in the office of the Judge of Probate of Baldwin County, Alabama, in Mortgage Book 43, pages 514-15. Having fully answered the foregoing Bill of Complaint, Respondents respectfully request that they be dismissed with their costs.

Hyatt, Heard & Shanon  
Solicitors for Respondents.

LEGAL OFFICES  
MURBESNE STONE

GEORGE W. McEWEN,

Complainant,

-VS-

EDMUND ERDMAN, HENRY C. BARTLING, BALDWIN COUNTY COLONIZATION COMPANY, A Corporation, JACOB KRISCHER and MARY KRISCHER, WILLIAM KONRAD and SOPHIE KONRAD, STATE BANK OF ELBERTA, A Corporation, SOPHIE KAMPF, ELIZABETH STEIN, Individually and as Trustee for Eliza Stein and Dorris Stein and GEORGE ZINNER,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DEMURRER TO ORIGINAL BILL OF COMPLAINT

Comes the Respondents, the Baldwin County Colonization Company, a corporation, and Henry C. Bartling, and demur to the Original Bill of Complaint in this cause filed and to each and every paragraph thereof, separately and severally, and for grounds of demurrer assign the following:

1. For that there is no equity in the Bill.
2. For that it is not alleged from whom and how the interest or title claimed by the Complainant in and to said lands was obtained.

Hybark, I heard V. Therson



GEORGE W. McEWEN,

Complainant,

-vs-

EDMUND ERDMAN, HENRY C. BARTLING,  
BALDWIN COUNTY COLONIZATION COM-  
PANY, a corporation, JACOB KRISCHER  
and MARY KRISCHER, WILLIAM KONRAD  
and SOPHIE KONRAD, STATE BANK OF  
ELBERTA, A Corporation, SOPHIE KAMPF  
ELIZABETH STEIN, individually and as  
Trustee for Eliza Stein and Dorris  
Stein, and GEORGE ZINNER,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This matter coming on to be heard on Petition of  
Edmund Erdman, State Bank of Elberta, Jacob Krischer and Mary  
Krischer, William Konrad and Sophie Konrad, to set aside Decree  
Pro Confesso made and entered by the Register of the Circuit Court  
of Baldwin County, in Equity, on June 15th, 1931; and the same  
being considered by the Court, it is therefore, ORDERED, ADJUDGED  
AND DECREED that said Decree Pro Confesso be set aside upon the  
filing of a full and complete Answer by the Petitioners herein men-  
tioned.

Dated this 25th day of June, 1931.

*P. W. Hare*  
\_\_\_\_\_  
JUDGE

GEORGE W. McEWEN,

Complainant,

-VS-

EDMUND ERDMAN, HENRY C. BARTLING,  
BALDWIN COUNTY COLONIZATION COM-  
PANY, a corporation, JACOB KRISCHER  
and MARY KRISCHER, WILLIAM KONRAD  
and SOPHIE KONRAD, STATE BANK OF  
ELBERTA, A Corporation, SOPHIE KAMPF  
ELIZABETH STEIN, individually and as  
Trustee for Eliza Stein and Dorris  
Stein, and GEORGE ZINNER,

Respondents.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT:

Your Petitioners, Edmund Erdman, State Bank of Elberta, Jacob Krischer and Mary Krischer, William Konrad and Sophie Konrad, respectfully show unto your Honor that on the 15th day of June, 1931, T. W. Richerson, Register of the Circuit Court of Baldwin County, Alabama, entered up a Decree Pro Confesso against them in the aforesaid cause and Petitioners respectfully show unto your Honor that they had, as they understood, made arrangements with Messrs. Hybart, Heard & Chason, Attorneys at Law, Bay Minette, Alabama, to represent them in this suit and prepare for them the necessary pleading so as to show their rights in the premises and their defense to this cause of action, which is a meritorious one; that they communicated their desire and wishes as to the employment of said attorneys to represent them through Henry C. Bartling of the Baldwin County Colonization Company; that the aforesaid attorneys misinterpreted the instructions contained in said communication from the said Henry C. Bartling, and consequently no pleading was filed for Petitioners; that they are looking to the said Henry C. Bartling or the Baldwin County Colonization Company to protect them as to their title and that this was made known to the said Baldwin County Colonization Company through the said Henry C. Bartling and the said Henry C. Bartling's letter to the said attorneys relative to their employment instructed the attorneys to look after their interest in the matter, the said Baldwin County Colonization Company having made Warranty Deed to your aforesaid Petitioners.

The premises considered, Petitioners pray that your Honor will make a Decree setting aside said Decree Pro Confesso on their filing a full and complete answer.

Hypack, Heard & Choan

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, J. W. Hare, <sup>Circuit Judge</sup> a Notary Public

in and for said State and County, personally appeared R. C. Heard, who being duly sworn says that the allegations contained in the foregoing Petition are true and correct.

R. C. Heard

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed, this 25th day of June, 1931.

J. W. Hare  
Notary Public, Baldwin County,  
Circuit Judge State of Alabama.

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