

KATHARINA STAIMPEL and MARTIN STAIMPEL,

Complainants

- vs -

BALDWIN COUNTY COLONIZATION COMPANY, a corporation,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

AFFIDAVIT

STATE OF ALABAMA }
BALDWIN COUNTY }

Lloyd A. Magney, being first duly sworn, on his oath deposes and says that he is attorney of record for the above named Complainants; that the Respondent, Baldwin County Colonization Company, is a domestic corporation and that the president or other head, the secretary, cashier and managing agent of said corporation are absent from the state and that in the belief of this affiant there is no person in the employ of such corporation or doing business for it in this state.

Lloyd A. Magney

Subscribed in my presence and sworn to before me this 7/2 day of January, 1935.

Mrs. Schuey
Notary Public



108
RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

KATHARINA STAIMPEL and MARTIN
STAIMPEL,

Complainants

- vs -

BALDWIN COUNTY COLONIZATION
COMPANY, a corporation,

Respondent.

AFFIDAVIT



Filed Jan 23, 1935
Robert S. Duck,
Registrar. *asa*
Lloyd A. Magney
Attorney
Foley, Alabama.

FILED

IN CHANCERY
BALDWIN COUNTY, ALABAMA
IN THE CIRCUIT COURT OF

- 12 -

ORDER OF PUBLICATION

In the Circuit Court of Baldwin }
County, Alabama, In Chancery. }

Katharina Staimpel and
Martin Staimpel,
Complainants

vs.

Baldwin County Colonization
Company, A Corporation,
Respondents.

It being made to appear in the above cause from the affidavit of Lloyd A. Magney, solicitor for the Complainants, that Baldwin County Colonization Company a defendant to the bill of complaint in said cause is a domestic corporation, and that the President or other head, the secretary, cashier, and managing agent thereof, are absent from the state and that in the belief of said affiant there is no person in the employ of such corporation, or doing business for it in this state; it is now ordered, adjudged and decreed that said defendant, Baldwin County Colonization Company appear in this Court and answer or demur to the bill of complaint in this cause before the 3rd day of March, 1935, lest on its having failed so to do at the expiration of 30 days from said date, a decree pro confesso be taken against it; and it is further ordered, adjudged and decreed that the Register of this Court have this order published with as little delay as may be, in The Onlooker, a newspaper published at Foley, in this County, once a week for four consecutive weeks, and further that within 20 days from the making of this order he post a copy of this order at the door of the Courthouse of this County; further that

AFFIDAVIT OF PUBLICATION

I, Frank V. Barchard

Editor of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for 4 consecutive weeks, com-
mencing with the issue dated January 31, 1935, and
ending with the issue dated February 21, 1935.

Frank V. Barchard

Subscribed and sworn to before me this 23 day
of February, 1935.

[Signature]
Notary Public.
Baldwin County, Ala.

108
Stamp
15
Duck

Baldwin Co. Col. ca.

Proof of Publication -

Filed Feb 125, 1935
Robert S. Duck
Register

WALSH & WILSON
REGISTERING CO.
1111 11th St. S.E.
WASHINGTON, D.C.

Katharina Staimpel and Martain Staimpel

THE STATE OF ALABAMA,

Baldwin COUNTY.

vs.

CIRCUIT COURT OF

Baldwin COUNTY.

Baldwin County Colonization Company, a Corp

IN EQUITY.

In this cause it appearing to the Court, by certificate of the Clerk, that the Order of Publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 31st day of

January 19 35, in the Foley Onlooker

a newspaper published in Baldwin County,; that a copy of said order was

posted at the Court House door in said County, on the 31st day of January 19 35,

and that another copy was deposited in the Postoffice on the 14th day of March 19 35

directed to the said Carl Curt Von Londt, 1244 Ardmore Ave.

Chicago, Illinois, an agent of said Defendant

at his place of residence, and it now further appearing to the Court that the said Baldwin County

Colonization Company, a corp

has, to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause. It is, therefore, on motion of Complainant, ordered and decreed by the Court, that the said Bill of Complaint be, and it hereby is, in

all things, taken as confessed against the said Baldwin County Colonization, Co.,

This 2nd day of May 19 35

Robert S. Decker

Judge of the Circuit Court of

County.

No. 108 *Duck*

RECORDED

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT OF

COUNTY.

Stample

vs.

Bal. Co. Colo. Co

DECREE PRO CONFESSO AGAINST
NON-RESIDENT DEFENDANT.

Filed this 2 day of

May 1933

Robert S. Duck
Register.

Robert S. Duck

Katharina Staimpel &

Martin Staimpel

vs.

Baldwin County Colinzation
Company, a Corporation,

THE STATE OF ALABAMA
Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
Affidavit as to Non Residency of Defendants, Service by Registered
Mail, Order of Publication, Proof of Publication, Affidavit of
Publisher, Certificate of Register as to Notice by Registered
mail, order of publication, etc., . Decree Pro Confesso, Decree,

and in behalf of Defendant upon _____

Robert S. Deuch

Register.

RECORDED
Duck

No. 108

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Catharina Stampel

Martin Stampel

vs.

Baldwin County Colonization

Company, a Corporation,

NOTE OF TESTIMONY

Filed in Open Court this 2nd

day of May 193 5

Robert S. Duck

REGISTER

KATHARINA STAIMPEL and MARTIN
STAIMPEL

Complainants

- vs -

BALDWIN COUNTY COLONIZATION
COMPANY, A Corporation,

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ORDER OF PUBLICATION

It being made to appear in the above cause from the affidavit of Lloyd A. Magney, solicitor for the Complainants, that Baldwin County Colonization Company, a defendant to the bill of complaint in said cause is a domestic corporation, and that the President or other head, the secretary, cashier, and managing agent thereof, are absent from the state and that in the belief of said affiant there is no person in the employ of such corporation, or doing business for it in this state; it is now ordered, adjudged and decreed that said defendant, Baldwin County Colonization Company appear in this Court, and answer or demur to the bill of complaint in this cause before the 3rd day of March, 1935, lest on its having failed so to do at the expiration of 30 days from said date, a decree pro confesso be taken against it; and it is further ordered, adjudged and decreed that the Register of this Court have this order published, with as little delay as may be, in The Onlooker, a newspaper published at Foley, in this County, once a week for 4 consecutive weeks, and further that within 20 days from the making of this order he post a copy of this order at the door of the Courthouse of this County; further that a copy of such newspaper, containing such notice, be, by the Register sent by mail to the President, Secretary, Cashier, or other agent of such corporation at his place of residence, if known.

Ordered, adjudged and decreed this 25th day of January, 1935.



Register.

108
RECORDED

Duck

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

KATHARINA STAIMPEL and MARTIN
STAIMPEL

Complainants

- vs -

BALDWIN COUNTY COLONIZATION
COMPANY, a corporation

Respondent

ORDER OF PUBLICATION

Filed - Jan 25, 1935
Robert S. Duck

Lloyd A. Magney
Attorney
Foley, Alabama.

ORDER OF PUBLICATION

In the Circuit Court of Baldwin }
County, Alabama, In Chancery. }

Katharina Staimpel and
Martin Staimpel,
Complainants

vs.

Baldwin County Colonization
Company, A Corporation,
Respondents.

AFFIDAVIT OF PUBLICATION

I, Frank V. Barchard
Editor

of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for 4 consecutive weeks, com-
mencing with the issue dated Jan 31st, 1935, and
ending with the issue dated Feb 21, 1935.

Frank V. Barchard

Subscribed and sworn to before me this 22 day

of July, 1935.

Sheple H. Magney
Notary Public.



It being made to appear in the
above cause from the affidavit of Lloyd
A. Magney, solicitor for the Com-
plainants, that Baldwin County
Colonization Company a defendant to
the bill of complaint in said cause is
a domestic corporation, and that the
President or other head, the secretary,
cashier, and managing agent thereof,
are absent from the state and that in
the belief of said affiant there is no
person in the employ of such corpora-
tion, or doing business for it in this
state; it is now ordered, adjudged
and decreed that said defendant, Bald-
win County Colonization Company ap-
pear in this Court and answer or
demur to the bill of complaint in this
cause before the 3rd day of March,
1935, lest on its having failed so to do
at the expiration of 30 days from said
date, a decree pro confesso be taken
against it; and it is further ordered,
adjudged and decreed that the Regis-
ter of this Court have this order pub-

Di-
fa-
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11-
(E) and family.
Mr. and Mrs. J. H. Plash,
recovering his body.
ral designs and to all who aided
it bereavement. Also we extend
many thanks for the beautiful
services rendered during our re-

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 551

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

POSTMARK OF DELIVERING
OFFICE

CHICAGO, ILL.
MAR 10
7 P.M.
E. TOWN ST.

Return to

Robt. S. Duob Reg. P.O.

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at _____

Bay Minette, Ala.

Rev. 3-21

© 5-6116

State _____

RETURN RECEIPT

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

Carl Gustav Lind

(Signature or name of addressee)

(Signature of addressee's agent)

Date of delivery 3-18, 1935

Form 3811

U. S. GOVERNMENT PRINTING OFFICE

c 5-6116

*Filed - March 29, 1935
Robert S. Neuch
Sent -*

RECEIPT FOR REGISTERED ARTICLE No. 551

15 fee paid. 1 class postage paid. 3-15-, 1935
(Date)

Declared value, \$ Legal notice Surcharges paid, \$ 0

From Robert Duck Regt Co
(Sender)

Addressed to Mr Carl Curtis
(Street and number) (Post office and State)

1244 Ardmore
(Street and number) (Post office and State)

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

Return receipt fee 3 { in person 10

Delivery restricted to addressee { or order _____

Special delivery fee _____

Postmaster, per Handwritten initials



KATHARINA STAIMPEL and MARTIN
STAIMPEL

Complainants

- vs -

BALDWIN COUNTY COLONIZATION
COMPANY, A Corporation,

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

CERTIFICATE OF REGISTER

I, R. S. Duck, Register in Chancery for Baldwin County, of the state of Alabama, hereby certify that on the affidavit of Lloyd A. Magney, on the 25th day of January, 1935, an order of publication was made to Baldwin County Colonization Company, which is a domestic corporation, the President or other head, the secretary, cashier and managing agent, of which are absent from the state and having no person in the employ of such corporation or doing business for it in this state.

That a copy of such notice was published in The Onlooker, a newspaper published in Foley, Alabama, once a week, for 4 consecutive weeks, commencing January 31st, 1935, requiring the said party hereinbefore mentioned to answer or demur to the bill of complaint in this cause by the 3rd day of March, 1935, lest in 30 days thereafter a decree pro confesso be taken against it. And that a copy of said newspaper containing said order was forwarded by mail on the 14 day of ~~February~~ March, 1935, addressed to Carl Curt von Londt, 1244 Ardmore Avenue, Chicago, Illinois, an agent of said defendant, and that one copy of said order was posted on the 25 day of January 1935, at the Court house door of said County for 4 consecutive weeks.

Ratus S. Duck
Register in Chancery

104
RECORDED
Huck

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

KATHARINA STAIMPEL and MARTIN
STAIMPEL

Complainants

- vs -

BALDWIN COUNTY COLONIZATION
COMPANY, a corporation

Respondent

CERTIFICATE OF REGISTER

Filed March 14, 1933
Robert S. Huck
Registrar
Lloyd A. Magney
Attorney
Foley, Alabama.

Bay Minette, Ala.,

May 6

193

5

How Profit & Quak

Cur Tlk

IN ACCOUNT WITH

G. W. ROBERTSON

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

| | | | | | |
|-----------|--|--|--|-----------|--|
| <i>To</i> | <p><i>Deed</i> <i>Rec. Mort. from Katharine Stamp et al vs Boccumini</i> <i>Co Colo Co</i></p> | | | <i>75</i> | |
|-----------|--|--|--|-----------|--|

Paid

5/6/35
G W Robertson Judge
by Kim Ely

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

No.

Eline Stainpel and Martin Stainpel.
VS.

PLAINTIFF

Baldwin colonization Co.

DEFENDANT

BILL OF COSTS

| Fees of Register | Dollars | Cts. | Brought Forward - - - - - | 5 70 |
|--|---------|-------|---|--------|
| Filing each bill and other papers <u>7</u> | \$ | 10 | For receiving, keeping and paying out or distributing money, etc.; 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct. | |
| Issuing each Subpoena | | 50 | Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per cent of amount received. | |
| Issuing each copy thereof | | 40 | Each Notice Sent by Mail to creditors..... | 15 |
| Entering each return thereof | | 15 | Filing, Receipting for and Docketing each Claim, etc... | 25 |
| For each Order of Publication | 1 | 00 | For all entries on Subpoena Docket, etc..... | 50 |
| Issuing Writ of Injunction | | 1 50 | For all entries on Commission Docket, etc. | 50 |
| For each copy thereof | | 50 | Making Final Record, per hundred words..... | 15 |
| Entering each return thereof..... | | 15 | Certified Copy of Decree | 1 00 |
| Issuing Writ of Attachment | | 1 00 | Report of Divorce to State Health Office..... | 50 |
| Entering each return thereof | 1 | 00 | Acts 1915 | |
| Docketing each case..... | | 1 00 | Total Fees of Register..... | 3 70 |
| Entering each Appearance | | 25 | | |
| Issuing each Decree Pro Confesso on personal service.. | | 1 00 | Fees of Sheriff | |
| Issuing each Decree Pro Confesso on publication..... | | 1 00 | Serving and Returning Subpoena on Deft..... | \$1 50 |
| Each order Appointing Guardian | | 1 00 | Serving and Returning Subpoena for Witness..... | 65 |
| Any other order by Register..... | | 50 | Levying Attachment..... | 1 50 |
| Issuing Commission to Take Testimony | | 50 | Entering and Returning same..... | 25 |
| Receiving and Filing..... | | 10 | Selling Property Attached | 75 |
| Endorsing each package..... | | 10 | Impanelling Jury..... | 75 |
| Entering order Submitting Cause..... | | 50 | Executing Writ of Possession..... | 2 50 |
| Entering any other Order of Court..... | | 25 | Collecting Execution for Costs..... | 1 50 |
| Noting all Testimony..... | | 50 | Serving and Returning Sci. fa., each..... | 65 |
| Abstract of Cause, etc. | | 1 00 | Serving and Returning Notice..... | 65 |
| Entering each Decree | | 75 | Serving and Returning Writ of Injunction..... | 1 50 |
| For every 100 words over 500 | | 15 | Serving and Returning Writ of Exeat..... | 1 50 |
| Taking account, etc | | 3 00 | Taking and Approving Bonds, Each..... | 75 |
| Taking Testimony, etc | | 15 | Collecting Money on Execution..... | |
| Each Report, 500 words or less | | 2 50 | Making Deed | 2 50 |
| For every 100 words over 500 | | 15 | Serving and Returning Application,..... | 1 00 |
| Amount claimed less than \$500, etc | | 2 00 | Serving Attachment, Contempt of Court..... | 1 50 |
| Issuing each Subpoena | | 25 | Total Fees of Sheriff | |
| Witness Certificate, each | | 25 | | |
| Issuing Execution, each | | 75 | Recapitulation | |
| Entering each return | | 15 | Register's Fees..... | |
| Taking and Approving Bond, each | | 1 00 | Sheriff's Fees..... | |
| Making copy of bill, etc. | | 15 | Commissioner's Fees..... | |
| Each notice not otherwise provided for | | 50 | Solicitor's Fees..... | |
| Each certificate or affidavit, with seal | | 50 | Witness Fees..... | |
| Each certificate or affidavit, no seal | | 25 | Guardian Ad Litem..... | |
| Hearing and passing on application, etc | | 3 00 | Printer's Fees <i>Barshard Pub. Co.</i> | 12 96 |
| Each settlement with receiver, etc | | 3 00 | Trial Tax..... | 3 00 |
| Examining each voucher of receiver, etc..... | | 10 | Recording Decree in Probate Court | 1 00 |
| Examining each answer, etc | | 3 00 | Total - - - - - | 25 66 |
| Recording resignation, etc..... | | 75 | | |
| Entering each certificate to Supreme Court | | 50 | | |
| Taking questions and answers, etc | | 25 | | |
| For all other service relating to such proceedings..... | | 1 00 | | |
| For service in proceeding to relieve minors, etc same fee as in similar cases. | | | | |
| Commission on sales, etc.: 1st \$100 2 per cent, all over \$100, and not exceeding \$1,000, 1 1-2 per ct.; all over \$1,000 and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct. | | 5.70 | | |
| Sub Total Carried Forward - - - - - | | 51.00 | | |

Received payment this _____ day of _____ 193_____

Register.

Circuit Court, Baldwin County, Ala.
In Equity.

No. _____

vs.

Cost Bill

Paid _____, 193

Register

Moore Ptg. Co.

KATHARINA STAIMPEL and MARTIN STAIMPEL,

Complainants,

- vs -

BALDWIN COUNTY COLONIZATION COMPANY, a Corporation,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DECREE

This cause coming on to be heard on the bill of complaint, the certificate of the register as to service upon the respondent, and a decree pro confesso against the respondent, was submitted to the Court and upon consideration thereof the Court finds:

That the Court has jurisdiction of the subject matter of the cause and that the service upon the respondent is in all respects due and regular and in conformity with the laws of the State of Alabama.

That the allegations in the bill of complaint are true and that the complainants are the owners and in possession of the lands herein-after described and that the respondent, Baldwin County Colonization Company, has no right, title, interest, claim or demand to or encumbrance upon said lands or any part thereof.

It is therefore ordered, adjudged and decreed that the title of the complainants be and the same hereby is quieted and confirmed in the complainants, Katharina Staimpel and Martin Staimpel, in and to the following described lands in Baldwin County, Alabama, to-wit:

The northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of section thirty (30) township seven (7) south, range five (5) east, less the following deeded for road purposes: Beginning at a point 80 feet north of the southwest corner of the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of said section thirty (30) thence northeasterly 1600 feet to a point 339.8 feet south of the northeast corner of said northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of said section thirty (30) said exception containing 2.93 acres.....

It is further ordered, adjudged and decreed that the respondent, Baldwin County Colonization Company has no right, title, interest, claim or demand to or encumbrance upon said land or any part thereof,

and the said respondent is hereby perpetually enjoined from having, asserting or claiming any such right, title, interest, claim or demand in or to the said lands, or any encumbrance upon said lands, or any part thereof.

That complainants pay the cost of this action taxed at \$ 25.⁶⁶

Dated this 3rd day of May, 1935.

A. M. Hare
Judge

KATHARINA STAIMPEL and MARTIN STAIMPEL,

Complainants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

- vs -

BILL OF COMPLAINT

BALDWIN COUNTY COLONIZATION COMPANY, a corporation,

Respondent.

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

PART ONE

Come now Katharina Staimpel and Martin Staimpel and respectfully show to the Court, that they and each of them are over the age of 21 years, and residents of Baldwin County, Alabama, and that the Respondent, Baldwin County Colonization Company is a corporation organized and existing under the laws of the state of Alabama, but with no place of business in the state of Alabama.

PART TWO

The Complainants aver that they are in the peaceable possession, claiming to own the same, of the following described lands in Baldwin County, Alabama, to-wit:-

The Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty (30) Township Seven (7) South, range Five (5) East, less the following deeded for road purposes: Beginning at a point 80 feet North of the Southwest Corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said section Thirty (30) thence Northeasterly 1600 feet to a point 339.8 feet south of the Northeast Corner of said Northwest Quarter (NW $\frac{1}{4}$) of the (NW $\frac{1}{4}$) of said Section Thirty (30), said exception containing 2.93 acres.....

That the Respondent, Baldwin County Colonization Company, claims, or is reputed, to own the same, or some interest therein, or to hold some lien or encumbrance thereon, and no suit is pending to enforce or test the validity of such title, claim or encumbrance.

PART THREE

Complainants called upon the Respondent to set forth and specify its title, claim, interest or encumbrance and how and by what instrument the same is derived and created.

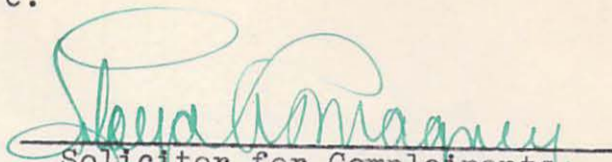
PRAYER FOR RELIEF

WHEREFORE, Complainants pray that your Honor, on a hearing of this cause, will find and decree that the Respondent, Baldwin County Colonization Company, has no right title, interest, claim or demand in and to said land or any part thereof, and that the title of the Complainants thereto may be quieted and confirmed

in them. And if Complainants have not asked for the proper relief, they further pray that they may have further and other relief in the premises as may be just and equitable.

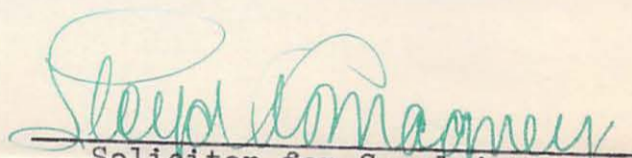
PRAYER FOR PUBLICATION

Complainants further pray that your Honor direct that the Register of this Court make out and superintend the appropriate order of publication to the Respondent, Baldwin County Colonization Company, commanding it within 30 days after the period specified in the order of publication to appear before your Honor in this honorable Court then and there to answer this bill of Complaint, and to stand to and abide such order and decree therein as to this honorable Court shall seem meet; and your Complainants shall ever pray, & c.


Solicitor for Complainants

FOOT NOTE

The Respondent, Baldwin County Colonization Company, is hereby required to answer the allegations of the foregoing bill of complaint, but not under oath, oath to answer being hereby expressly waived.


Solicitor for Complainants.