

Oscar Johnson, Complainant.

-----Vs-----

Buchmann Abstract & Investment Company )

Defendants.

) IN THE CIRCUIT COURT OF BALDWIN  
)  
) COUNTY ALABAMA EQUITY SIDE.  
)

Comes now the defendants, in the above entitled cause and demurs to the bill of complaint, in said cause, and as ground therefor states the following, separately and severally, to-wit:

1st. Because the bill of complaint, in said cause is without Equity.

Wherefore, the defendants, in said cause, pray the judgment of the court.

*W. E. Lumbkin*

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Solicitor for Defendants.

Oscar Johnson  
Complainant  
vs.

Buchanan Abstract &  
Investment Co  
Defendants

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Remedy of Defendants

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In the Chancery Court of  
Baldwin County  
Alabama

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300  
Filed 7/3/1917  
T. W. McHenry  
Register

Now, therefore, your orator prays this Honorable Court will take jurisdiction of this cause and that the State's writ of subpoenae issued to Buchmann Abstract and Investment Company, commanding it to appear and plead, answer or demur to the allegations of this bill within the time and under the penalties prescribed by law, and the practice of this Honorable Court. Your Orator further prays that upon the final hearing of this cause your Honor will order, adjudge and decree that the respondent has estate, right, title or interest in or lien or incumbrance upon the lands above described. Orator further prays for such other, further or different relief as in the premises may seem meet and just to this Honorable Court.

Rickarby Austill and Beebe,

Solicitors for Complainant.

Foot Note:

Defendant is required to answer the allegations of this bill of complaint, paragraphs First to Third inclusively but not under oath, its oath is hereby expressly waived.

Rickarby Austill and Beebe,

Solicitors for Complainant.

Oscar Johnson, Complainant.

-----VS-----

Buchmann Abstract & Investment Company, )  
Defendants. )

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

TO THE HONORABLE A.E. GAMBLE? JUDGE OF SAID COURT.

Your orator, Oscar Johnson, humbly complaining against Buchmann Abstract and Investment Company, an Alabama, Corporation, represents to your Honor as follows:

FIRST.

That your orator is over the age of twenty-one years and is a resident of Baldwin Countym in the State of Alabama; that the defendant, Buchmann Abstract and Investment Company, is a corporation organized under the laws of the State of Alabama, and has it pricipal office at Cullman, in Cullman, County, in the State of Alabama.

SECOND.

That orator is the owner of and is in actual/<sup>peaceable</sup>possession of certain lands in the County of Baldwin, State of Alabama, described as follows: The Northwest quarter of the Northwest quarter of Section thirty-five, Township five South of Range three East, containing 40 acres, more or less.

Third.

That orators title is disputed or denied in this, that said defendant claims or is reputed to claim some right, title or interest in or lien or incumbrance upon said lands; that there is no suit now pending to enforce or test the validity of complainant's title to said lands or to enforce or test the validity of any claim or incumbrance of the said defendant to said lands or any part thereof

Your orator calls upon the defendant to answer whether or not it claims any right, title or interest in or lien or incumbrance upon the said lands. Orator further calls upon/<sup>the</sup>defendant set forth and specify what right, title or interest or lien or incumbrance upon the/<sup>said</sup>lands it claim to have, if any, and, to set forth how and by what instrymnt such right, title or interest in or lien or incumbrance upon the said lands is derived or created

Now, therefore, your orator prays this honorable Court will take jurisdiction of this cause and that the State's writ of habeas corpus issued to Bushman Abstract and Investment Company, commanding it to appear and plead, answer or demur to the allegations of this bill within the time and under the penalties prescribed by law, and the practice of this honorable Court. Your orator further prays that upon the final hearing of this cause your Honor will order, judge and decree that the respondent has estate, right, title or interest in or lien or incumbrance upon the lands above described. Orator further prays for such other, further or different relief as in the premises may seem meet and just to this honorable Court.

Rickaby Austin and Beebe,

Solicitors for Complainant.

*Copy*

Note: Defendant is required to answer the allegations of this bill of complaint, paragraphs first to third inclusive but not under oath. This oath is hereby expressly waived.

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Solicitors for Complainant.

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Solicitors for Complainant.

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Rickarby Austill and Beebe.

Solicitors for Complainant.

Oscar Johnson, Complainant.

-----VS-----

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Defendants.

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Your orator calls upon the defendānt to answer whether or not it claims any right, title or interest in or lien or incumbrance upon the said lands. Oratro further calls upon/<sup>the</sup>defendant set forth and specify what right, title or interest or lien or incumbrance upon <sup>said</sup>the/lands it claim to have, if any, and, to set forth how and by what instrymnt such right, title or interest in or lien or incumbrance upon the said lands is derived or created.

Filed 7/3-1918

J. M. McMillan  
Register



THE STATE OF ALABAMA,  
BALDWIN COUNTY

*Robert S. Teague* B

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of Fifteen Dollars (\$15.00) to us in hand paid by Buckman Abstract & Investment Company, the receipt whereof is hereby acknowledged, we do REMISE, RELEASE, QUIT CLAIM AND CONVEY to the said Buckram Abstract & Investment Company all our right, title, interest and claim in or to the following described land, situate in the County of Baldwin and State of Alabama, to-wit:

Northwest quarter of Northwest quarter, Section 35, Township 5, South, Range 3, East.

Witness our hands and seals, this the 3rd day of July, 1917,

Robert S. Teague (L.S.)

Sara C. Teague (L.S.)

STATE OF ALABAMA,  
MONTGOMERY COUNTY.

I, J.W.Brancomb, a Notary Public in and for the said County in said State, hereby certify that Robert S. Teague and Sara C. Teague, 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 3rd day of July, A.D.1917,

J.W.Brancomb, N.P.

STATE OF ALABAMA,  
MONTGOMERY COUNTY.

I, J.W.Brancomb, a Notary Public, do hereby certify that on the 3rd day of July, 1917, came before me the within named Sara C. Teague, known to me to be the wife of the within named Robert S. Teague, who being examined separate and apart from the husband touching her signature to the within she acknowledged that she signed the same of her own free will and accord without fear, constraint or threats on the part of the husband.

In witness whereof I hereunto set my hand, on this the 3rd day of July, 1917.

J.W.Brancomb, N.P.

the amounts due the State and County and for school purposes and the fees and cost and further showing the time for which said land was advertised, the day 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 purchase has been returned to the Probate Judge by Buckman Abstract & Investment Company, the purchaser,

NOW, THEREFORE, I, J.H.H. Smith, as Probate Judge in and for said County in said State, under and by virtue of the provision of Section 2296 of the Code of Alabama, 1907, in consideration of One Dollar to me paid, have this day Granted, Bargained and Sold and by these present do Grant, Bargain, Sell and Convey unto Buckman Abstract & Investment Company all the right, title and interest of said Fred G. White 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:

NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 35, Township 5, South of Range 3, East, situated in said County and State.

TO HAVE AND TO HOLD THE SAME, the said right, title, interest unto said Buckman Abstract & Investment Company, heirs, assigns or successors forever, but no right, title or interest of any reversioner or remainderman in said land is conveyed hereby.

In testimony whereof, I have hereunto set my hand and seal, this 9th day of July, 1909.

J.H.H. Smith,  
Judge of Probate, Baldwin County

STATE OF ALABAMA,  
BALDWIN COUNTY.

I, W. Gasque Hall, Clerk of the Circuit Court in and for said County, in said State, hereby certify that J.H.H. Smith whose name is signed to the foregoing conveyance as Judge of Probate, and who is known to me, acknowledged before me on this day, that being informed of the contents of this conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand, this the 9th day of July, 1909.

Filed for record 20th day July, 1912,  
recorded in Record Book No. 20 N.S.  
pages 102-3, office Judge Probate,  
Baldwin County, Ala.

W. Gasque Hall,  
Clerk of the Circuit Court, Baldwin County, Alabama.

*E. G. White*

STATE OF ALABAMA,

BALDWIN COUNTY.

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, the land hereinafter described as subject to taxation for the year 1906, and the Board of Revenue levied taxes thereon for the County purposes for said year and

WHEREAS, said land was returned for taxation by Fred G. White for said year 1906, and

WHEREAS, certificate of assessments was made in accordance with Section 3986 of the Code, and

WHEREAS, the Tax Collector entered in the docket of Tax Causes the description of said land, amount of taxes, fee and charges due thereon for the said year, and delivered said docket to the Probate Judge and reported in accordance with Section 4046 of the Code, that he was unable to collect said taxes without sale of said lands, and

WHEREAS, the Probate Court at the May, 1907 term rendered a decree, ordering the sale of said lands for the payment of said taxes, fees, charges, cost 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 the Baldwin Times, a newspaper regularly published in said County, also by posting notice at said County and at a public place in the precinct in which the lands was situated, that he would sell said land on the 8th day of July, 1907, between 10 o'clock, A.M. and 4 o'clock P.M. in front of the said Court House, which notices described said land and stated the amount for which the Probate Court's decree had been rendered against same, and that said taxes had been assessed to Fred G. White and

WHEREAS, the Tax Collector at the said time in front of the said Court House Door, did offer said lands at public outcry, so that as far as practicable only such portions thereof was sold as was necessary to satisfy said decree, did sell said land to Buckman Abstract & Investment Company, who was the highest bidder for \$5.98, which covered the taxes, fees, charges, cost 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 4063 of the Code, a certificate of purchase, containing description of said land, showing the day the same had been assessed to Fred G. White for said year, and also showing the taxes due thereon, distinguishing

Oscar Johnson,  
Complainant.  
Vs.  
Buckman Abstract & Investment  
Company, a Corporation,  
Respondent.

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

Now comesthe Respondent and, not waiving the many defect and imperfections contained in the Original Bill in this cause, answering the same, says:

FIRST.

It admits the allegations contained in the First paragraph of the Original Bill to be true.

SECOND.

It denies the allegations contained in the Second paragraph of the Bill of Complaint to be true.

THIRD.

Answering the Third paragraph of the Original Bill of Complaint this Respondent avers and states that it is the owner of the Northwest quarter ( $NW\frac{1}{4}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ), Section 35, Township 5, South, Range 3, East, and has been the owner of the said land since the 9th day of July, 1909. That the Respondent claims the said land under and by virtue of two deeds made and executed to it, copies of which said deeds are hereto attached, as "Exhibits A and B", and made a part of this answer, as though fully set out herein, leave of reference hereto being prayed as often as may be necessary.

FOURTH.

And this Respondent further answering the said Bill of Complaint states that the Complainant, Oscar Johnson, was not in the peaceable possession of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 35, Township 5, South, Range 3, East, at the time of the filing of this Bill of Complaint.

And this Respondent having answered the said Bill of Complaint as by the footnote thereunto required, prays that it may be dismissed with its cost in this behalf most wrognfully expended.

PAGE & MOORER,  
Solicitors for Respondent.

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 Buchmann Abstract and Investment Company.

of Cullman 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

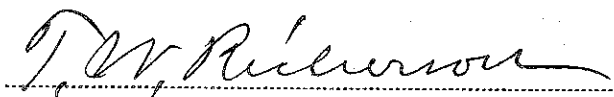
Oscar Johnson

against said Buchmann Abstract and Investment 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 June

1917



Register.

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

2001 Original

Serve on Buchmann Abstract and Investment Company.  
CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

No. 28

SUMMONS.

Oscar Johnson

vs.

Buchmann Abstract and Investment Company.

Rickarby Austill and Beebe.  
Solicitor for Complainant.

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this 7<sup>th</sup> day of June 1917  
A. A. Polk  
Sheriff.

Executed this 7<sup>th</sup> day of June 1917  
by leaving a copy of the within Summons with  
Fred J. Buchman

Defendant

A. A. Polk  
Sheriff

By B. M. Travis  
Deputy Sheriff.

OFFICE IN HANLIN BUILDING

**TUMLIN & INGRAM**  
**LAWYERS**

CULLMAN, ALA.,

July 2-1917.

*Register*

To the Honorable, in Chancery,  
Bay Minnett Ala.

Dear Sir:

You will, herewith, find inclosed demurrer of the defendants in the matter of Oscar Johnson Vs. Buchmann Abstract & Investment Co. Please file the same.

I should be glad to know, when, under the new order of things we have over the state, you have or take up the equity docket in your court.

Yours very truly,

*W. E. Tumlin*

1st  
No. 28

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Oscar Johnson  
Complainant.

vs.

Buchanan Abstract  
and Investment Company  
Defendant.

ORIGINAL BILL.

Filed June 5 1917

T. W. Williams  
Register.

Richard A. Austin & Beebe  
Solicitor.

Copy mailed Buchanan



set forth how and by what instrument or instruments such right, title or interest in or lien or incumbrance upon the said lands is derived or created.

Now, therefore, your orator prays this Honorable Court will take jurisdiction of this cause and that the State's writ of subpoena be issued to Buchmann Abstract And Investment Company commanding it to appear and plead, answer or demur to the allegations of this bill within the time and under the penalties prescribed by law and the practice of this Honorable Court. Your Orator further prays that upon the final hearing of this cause your Honor will order, adjudge and decree that the respondent has no estate, right, title or interest in or lien or incumbrance upon the lands above described. Orator further prays for such other, further or different relief as in the premises may seem meet and just to this Honorable Court.

*Rickarby, Austell & Beebe*  
Solicitors for Complainant.

Foot Note:

Defendant is required to answer the allegations of this bill of complaint, paragraphs First to Third inclusive, but not under oath, its oath is hereby expressly waived.

*Rickarby, Austell & Beebe*  
Solicitors for Complainant.

Oscar Johnson, Complainant.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY,  ALABAMA. EQUITY SIDE.
VS.	)	
Buchmann Abstract & Investment Company, Defendants.	)	

TO THE HONORABLE A. E. GAMBIRIA, JUDGE OF SAID COURT:

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That your orator is over the age of twenty-one years and is a resident of Baldwin County, in the State of Alabama; that the defendant, Buchmann Abstract And Investment Company, is a corporation organized under the laws of the State of Alabama and has its principal office at Cullman, in Cullman County, in the State of Alabama.

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