

1344

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to summon John Hofmann to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding same, and then and there to plead to, answer or demur to the Bill of Complaint filed against him by J.A. Pilgrim.

Witness my hand this 19 day of May, 1945.

A. S. Duck  
Register

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

Your Orator, J.A. Pilgrim, presents this Bill of Complaint against John Hofmann and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator and the Respondent are each over twenty-one years of age. Your Orator is a resident of Baldwin County, Alabama, and the Respondent is a resident of Cook County, Illinois.
2. The Respondent, John Hofmann, owns the following described real property situated in Baldwin County, Alabama, to-wit:

The East Half (E $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Fifteen (15) Township Eight (8) South, Range Five (5) East....

On April 24, 1945, your Orator, J.A. Pilgrim, wrote and sent a letter to John Hofmann, 1828 N. Kedzie Ave., Chicago, Ill., a copy which is hereto attached marked Exhibit "A" and by reference made a part hereof as though fully incorporated herein, in which your Orator offered FIVE HUNDRED FIFTY DOLLARS (\$550.00) for the property described above and that if the Respondent decided to accept he should send deed and abstract to State Bank of Elberta, Elberta, Alabama.

That on May 10, 1945, the Respondent in a letter addressed to Mr. Alfred M. Neumann, Cashier, Elberta State Bank, Elberta, Alabama, a copy which is hereto attached marked Exhibit "B" and by reference made a part hereof as though fully incorporated herein, in which the Respondent requested Mr. Neumann to prepare a regular Alabama warranty form for him and handle this matter for them, returning any documents for them both to sign.

3. A few days ago the Respondent, John Hofmann, notified Mr. Alfred Neumann that he "called the deal off" and instructed Mr. Neumann to return the Respondent's papers. After the acceptance of the said offer by the said Respondent your Orator has incurred considerable expense in attempting to get the Respondent to carry out the provisions of the contract, such as sending telegrams, writing letters, traveling in his automobile and employing an attorney.

4. That your Orator instructed Mr. Neumann to draw on his account deposited in the State Bank of Elberta, Elberta, Alabama,

an amount to pay for the property upon the delivery of a warranty deed by the Respondent conveying the property described above and the delivery of an abstract of title showing the property to be free and clear of all encumbrances.

5. Your Orator offers to do equity.

PRAYER FOR PROCESS

Your Orator prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given to the Respondent, John Hofmann, in the form and manner prescribed by law, requiring him to appear and plead to, answer or demur to the said Bill of Complaint within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

PRAYER FOR RELIEF

THE PREMISES CONSIDERED, your Orator prays for the following separate and several relief:

1. That the Complainant be required to specifically perform his said contract with your Orator and convey the above described property to your Orator free of and from all encumbrance and furnish an abstract of title showing the land to be free and clear of all encumbrances.

2. In the event a release of Respondent's wife's dower right cannot be procured that the conveyance from the Respondent to your Orator be made subject to that right with an equitable abatement of the purchase price to the extent of the value of such encumbrance or give to your Orator an indemnity against the dower interest of the wife of the said Respondent.

3. Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

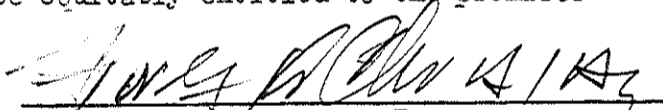
  
\_\_\_\_\_  
Forest A. Christian, Foley, Alabama  
Solicitor for Orator.

EXHIBIT "A"

4-24-45

Mr. John Hofmann  
1626 N. Kedsie Ave.  
Chicago, Ill.

Dear Sir:

Replying to your recent letter.

I beg to submit an offer of \$550.00, for the E $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 15 T. 8 S. Range 5 East.

If you decide to accept send deed and abstract to State Bank of Elberta, Elberta, Ala. and I will take it up at once.

Yours truly,

J.A. Pilgrim

JAP/elc.

EXHIBIT "B"

JOHN HOFMANN  
BROKER INSURANCE  
1828 N. Kedzie Ave.  
Chicago, Illinois

May 10th, 1945

Mr. Alfred M. Neumann  
Cashier, Elberta State Bank  
Elberta, Alabama

Dear Mr. Neumann:

I am enclosing herewith letter from Mr. Pilgrim which is self explanatory also warranty deed covering description of the parcel of land in question.

It no doubt would be more in order to have the deal made out on a regular Alabama warranty form and also the correct spelling of my name should be made and also that Mr. Hofmann should join me in making this conveyance.

Will you be so kind and handle this matter for us returning any documents that it will be necessary for us both to sign, and greatly oblige.

Yours very truly,

John Hofmann

Copy

BILL OF COMPLAINT

T.A. PILGRIM

Orator

vs

JOHN HOFMANN

Respondent

May 29, 1945

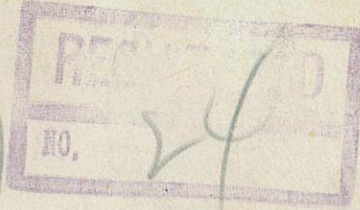
P.S. Duke  
Rey-  
y

Mrs R. S. Duck

Circuit Clerk

BALDWIN COUNTY

BAY MINETTE, ALA.



*Handwritten notes:*  
7/27 11:40 AM  
Unable to pay  
delay  
not decided  
Mrs.  
M.H.D.H.  
notice left  
(4733)

Registered

For Delivery Only  
To Person To Whom Addressed

Return Receipt Requested

RETURN RECEIPT REQUESTED  
Return to Writer

John Hoffman  
1828 Kedzie Ave.,  
Chicago, Ill.

Deliver to Addressee Only

Return to Writer

RECEIPT FOR REGISTERED ARTICLE No. 1903

no fee paid. 1 class postage paid. 5-29, 1945  
(Date)

Declared value, \$ none Surcharge paid, \$ \_\_\_\_\_

From R S Duck  
(Sender)

Addressed to John Johnson  
(Address)

1828 N Radzie Ave Chicago Ill  
(Street and number) (Post office and State)

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

Return receipt fee H { in person \_\_\_\_\_  
or order \_\_\_\_\_ } Special delivery fee \_\_\_\_\_  
Delivery restricted to addressee { Fee paid no } Postmaster, per WRC

PO 16-12868



BOOK

002

PAGE

0

LIS PENDENS NOTICE

J. A. PIERCE  
 Complainant  
 JOHN H. ...  
 Respondent

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

TO WHOM IT MAY CONCERN:

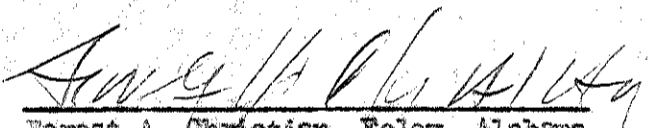
Notice is hereby given that the said Complainant did on this date file against the said Respondent in the Circuit Court of Baldwin County, Alabama, in Equity, a Bill of Complaint in which he alleged in substance that the said Respondent owns the following described real property in Baldwin County, Alabama, to wit:

The East Half (E $\frac{1}{2}$ ) of Northeast Quarter (NE $\frac{1}{4}$ ) of Southwest Quarter (SW $\frac{1}{4}$ ) of Section Fifteen (15) Township Eight (8) South, Range Five (5) East.....

That the Respondent agreed to sell and convey the said property to the Complainant; that the Respondent now refuses to comply with his said contract. The Complainant offers to do equity, prays that the said contract be specifically enforced, that the purchase price be abated in the event Respondent is unable to obtain conveyance of his wife's interest in the property or that Complainant be given indemnity against such encumbrance and for general relief.

All persons are cautioned against purchasing the said property or acquiring any interest in it in any way subject to the rights of the Complainant.

Dated this 29th day of May, 1945.

  
 Forest A. Christian, Foley, Alabama  
 Solicitor for Complainant

STATE OF ALABAMA, BALDWIN COUNTY

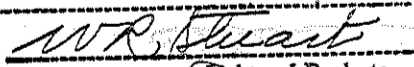
Filed May 29, 1945 99\*

Recorded \_\_\_\_\_ book \_\_\_\_\_ page \_\_\_\_\_

and I certify that the following Privilege Tax has been paid.

Deed Tax \_\_\_\_\_

Mortgage Tax \_\_\_\_\_

  
 Judge of Probate

By SSW

*Handwritten notes:*  
 1945  
 1945

*Vertical handwritten notes:*  
 1945  
 1945  
 1945

*Handwritten notes:*  
 1945  
 1945  
 1945



1344

5-29-45

J. A. Pilgrim 71  
to  
John Hofmann 65

His Obedt  
Page 41

STATE OF ALABAMA, BALDWIN COUNTY  
SHERIFF

RECORDED

STATE OF ALABAMA, BALDWIN COUNTY  
Filed May 29, 1945 9 a.m.

Recorded \_\_\_\_\_ book \_\_\_\_\_ page \_\_\_\_\_  
and I certify that the following Privilege Tax has  
been paid. Deed Tax \_\_\_\_\_

Mortgage Tax \_\_\_\_\_

By W. R. Stewart  
Judge of Probate

R 30

R. S. Duck

RECORDED

STATE OF ALABAMA, BALDWIN COUNTY  
SHERIFF

STATE OF ALABAMA, BALDWIN COUNTY  
SHERIFF

STATE OF ALABAMA, BALDWIN COUNTY  
SHERIFF

STATE OF ALABAMA, BALDWIN COUNTY  
SHERIFF

STATE OF ALABAMA, BALDWIN COUNTY  
SHERIFF

STATE OF ALABAMA, BALDWIN COUNTY

RECORDED

STATE OF ALABAMA, BALDWIN COUNTY

RECORDED

STATE OF ALABAMA, BALDWIN COUNTY

RECORDED

STATE OF ALABAMA, BALDWIN COUNTY



J.A. PILGRIM  
Complainant

-vs-

JOHN HOFMANN  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

No. 1344

AFFIDAVIT OF FOREST A. CHRISTIAN

THE STATE OF ALABAMA )  
BALDWIN COUNTY. )

FILED IN BOOK 10000

Before me Gus Schultz, a Notary Public in and for said County and State, personally appeared Forest A. Christian, who, being by me, duly sworn, deposes and says, that he is attorney of record for J.A. Pilgrim, the Complainant in the above case and requests service by publication against John Hofmann, the Respondent, the said John Hofmann having been sent registered letter to 1828 North Kedzie Avenue, Chicago, Illinois, for delivery to addressee only and the letter having been returned to the Clerk of the Circuit Court of Baldwin County, Alabama, more than fifteen days ago. The said affiant further states that it is his belief that the said John Hofmann is over the age of twenty-one years and that it is the belief of the affiant that the address of the said John Hofmann is 1828 North Kedzie Avenue, Chicago, Illinois.

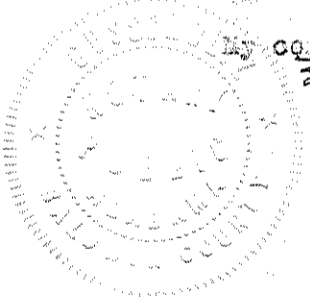
*Forest A. Christian*  
Affiant

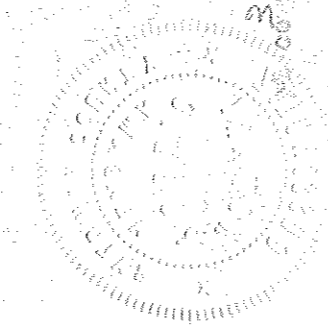
Sworn to before me this 29th day of Sept, 1947.

*Gus Schultz*  
Notary Public

My commission expires:

3-25-49





STATE OF ILLINOIS  
*[Signature]*

1947  
12  
18

**FILED**  
SEP 30 1947

**Complainant**  
J. A. MILLER  
vs  
J. H. HOPMANN  
**Respondent**

**AFFIDAVIT OF FORESTAL CHRISTIAN**

*[Faint text, possibly a signature or date]*

*[Faint text]*

*[Faint text]*

1947

*[Faint text]*

*[Faint text]*

*[Faint text]*

**ALICE J. DUCK, Register**



J.A. PILGRIM  
Complainant

-vs-

JOHN HOFMANN  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

No. 1344

AFFIDAVIT OF FOREST A. CHRISTIAN

THE STATE OF ALABAMA )  
BALDWIN COUNTY. )

Before me Gus Schultz, a Notary Public in and for said County and State, personally appeared Forest A. Christian, who, being by me, duly sworn, deposes and says, that he is attorney of record for J.A. Pilgrim, the Complainant in the above case and requests service by publication against John Hofmann, the Respondent, the said John Hofmann having been sent a registered letter to 1828 North Kedzie Avenue, Chicago, Illinois, for delivery to addressee only and the letter having been returned to the Clerk of the Circuit Court of Baldwin County, Alabama, more than fifteen days ago. The said affiant further states that it is his belief that the said John Hofmann is over the age of twenty-one years and that it is the belief of the affiant that the address of the said John Hofmann is 1828 North Kedzie Avenue, Chicago, Illinois.

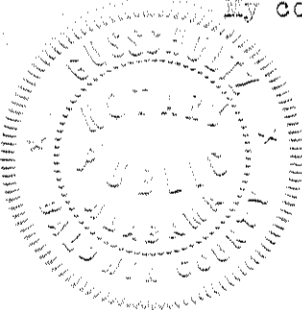
*Forest A. Christian*  
Affiant

Sworn to before me this 29 day of September, 1947.

*Gus Schultz*  
Notary Public

My commission expires:

3-25-49



AFFIDAVIT OF FOREST A. CHRISTIAN

J. A. PILGRIM

Complainant

vs

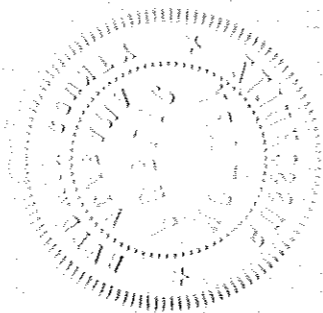
FOREST A. CHRISTIAN

Respondent

FILED

SEP 30 1947

ALICE J. DUCK, Register



RECORDED

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

You are hereby commanded to summon John Hofmann to appear within thirty days from the service of this writ in the Circuit Court to be held for said County, Equity Side, at the place of holding same, and then and there to plead to, answer or demur to the Bill of Complaint filed against him by J. A. Pilgrim.

Witness my hand this 22 day of May, 1945.

*J. A. Pilgrim*  
Complainant

*R. DeLoach*  
Register

*vs.*  
*John Hofmann* . . . . .  
Respondent

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

Your Orator, J. A. Pilgrim, presents this Bill of Complaint against John Hofmann and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1.. Your Orator and the Respondent are each over twenty-one years of age. Your Orator is a resident of Baldwin County, Alabama, and the Respondent is a resident of Cook County, Illinois.

2. The Respondent, John Hofmann, owns the following described real property situated in Baldwin County, Alabama, to wit:

The East Half ( $E\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Fifteen (15) Township Eight (8) South, Range Five (5) East.....

On April 24, 1945, your Orator, J. A. Pilgrim, wrote and sent a letter to John Hofmann, 1828 N. Kedzie Ave., Chicago, Ill., a copy which is hereto attached marked Exhibit "A" and by reference made a part hereof as though fully incorporated herein, in which your Orator offered FIVE HUNDRED FIFTY DOLLARS (\$550.00) for the property described above and that if the Respondent decided to accept he should send deed and abstract to State Bank of Elberta, Elberta, Alabama.

That on May 10, 1945, the Respondent in a letter addressed to Mr. Alfred M. Neumann, Cashier, Elberta State Bank, Elberta, Alabama, a copy of which is hereto attached marked Exhibit "B" and by reference made a part hereof as though fully incorporated herein, in which the Respondent requested Mr. Neumann to prepare a regular Alabama warranty form for him and handle this matter for them returning any documents for them both to sign.

3. A few days ago the Respondent, John Hofmann, notified Mr. Alfred Neumann that he "called the deal off" and instructed Mr. Neumann to return the Respondent's papers. After the acceptance of the said offer by the said Respondent your Orator has incurred considerable expense in attempting to get the Respondent to carry out the provisions of the contract, such as sending telegrams, writing letters, traveling in his automobile and employing an attorney.

4. That your Orator instructed Mr. Neumann to draw on his account deposited in the State Bank of Elberta, Elberta, Alabama, an amount to pay for the property upon the delivery of a warranty deed by the Respondent conveying the property described above and the delivery of an abstract of title showing the property to be free and clear of all encumbrances.



5. Your Orator offers to do equity.

PRAYER FOR PROCESS

Your Orator prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given to the Respondent, John Hofmann, in the form and manner prescribed by law, requiring him to appear and plead to, answer or demur to the said Bill of Complaint within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

PRAYER FOR RELIEF

THE PREMISES CONSIDERED, your Orator prays for the following separate and several relief:

1. That the Complainant be required to specifically perform his said contract with your Orator and convey the above described property to your Orator free of and from all encumbrance and furnish an abstract of title showing the land to be free and clear of all encumbrances.
2. In the event a release of Respondent's wife's dower right cannot be procured that the conveyance from the Respondent to your Orator be made subject to that right with an equitable abatement of the purchase price to the extent of the value of such encumbrance or give to your Orator an indemnity against the dower interest of the wife of the said Respondent.
3. Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

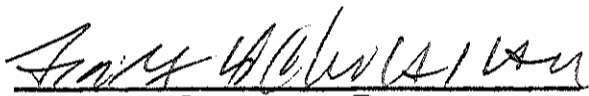
  
Forest A. Christian, Foley, Alabama.  
Solicitor for Orator.

EXHIBIT "A"

4-24-45

John Hofmann  
1828 N. Kedzie Ave.  
Chicago, Ill.

Dear Sir:

Replying to your recent letter.

I beg to submit an offer of \$550.00 for the  $E\frac{1}{2}$  of  $NE\frac{1}{4}$  of  
 $SW\frac{1}{4}$  of Sec. 15 T. 8 S. Range 5 East.

If you decide to accept send deed and abstract to State  
Bank of Elberta, Elberta, Ala. and I will take it up at once.

Yours truly,

J. A. Pilgrim

JAP/elc.

EXHIBIT "B"

JOHN HOFMANN  
BROKER INSURANCE  
1828 N. KEDZIE AVE.  
CHICAGO, ILLINOIS

May 10th, 1945

Mr. Alfred M. Neumann  
Cashier, Elberta State Bank  
Elberta, Alabama

Dear Mr. Neumann:

I am enclosing herewith letter from Mr. Pilgrim which is self explanatory also warranty deed covering description of the parcel of land in question.

It no doubt would be more in order to have the deal made out on a regular Alabama warranty form and also the correct spelling of my name should be made and also that Mr. Hofmann should join me in making this conveyance.

Will you be so kind and handle this matter for us returning any documents that it will be necessary for us both to sign, and greatly oblige.

Yours very truly,

John Hofmann



S. Duck

Circuit Clerk

**BALDWIN COUNTY**

BAY MINETTE, ALA.



**SPECIAL DELIVERY**



*Motive left  
in ordinary mail  
9/29/45 C4734*

*not in ordinary delivery  
7/12/45 + 8423*

Special Delivery

Deliver to Addressee Only

Return Receipt Requested  
*Found in ordinary mail*

Return Receipt Requested

REGISTERED.

SPECIAL DELIVERY.

Return to Writer

Special Delivery

~~JOHN HOFMANN.  
1828 N. Kedzie Avenue  
CHICAGO, ILL.~~

Special Delivery

Return to Writer

Return to Writer

Return to Writer

DELIVER ONLY TO PERSON TO WHOM ADDRESSED

RETURN RECEIPT REQUESTED.

REGISTERED  
No. 2024.

Special Delivery

*cannot afford*

ALX  
JUN 26  
1945  
BAY WHEELER

ALX  
JUN 28  
1945  
BAY WHEELER

ALX  
JUN 27  
1945  
BAY WHEELER

ALX  
JUN 26  
1945  
BAY WHEELER

RECEIPT FOR REGISTERED ARTICLE No. 24

20 fee paid, st class postage paid. 7/10, 1947  
(Date)

Declared value, \$ \_\_\_\_\_ Surcharge paid, \$ \_\_\_\_\_

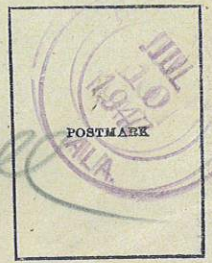
From \_\_\_\_\_ (Sender)  
(Street and number) (Post office and State)

Addressed to \_\_\_\_\_ (Addressee)  
(Street and number) (Post office and State)

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

Return receipt fee \_\_\_\_\_ { in person \_\_\_\_\_ Special delivery fee \_\_\_\_\_  
or order \_\_\_\_\_  
Delivery restricted to addressee { fee paid \_\_\_\_\_ Postmaster, per \_\_\_\_\_

U.S. POST OFFICE 16-12866



LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

July 2, 1947

Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Re: J. A. Pilgrim Vs. John Hofmann  
Equity No. 1344

Dear Mrs. Duck:

Will you kindly again attempt to serve <sup>Respondent in</sup> the case mentioned above by registered mail. You will recall that he refused to accept his mail at one time. If the letter is not delivered this time, I expect to get service by ~~advertising~~ <sup>Publication.</sup>

Yours very truly,

*Forest A. Christian*  
Attorney for Complainant



LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

July 2, 1947

Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Re: J. A. Pilgrim Vs. John Hofmann  
Equity No. 1344

Dear Mrs. Duck:

Will you kindly again attempt to serve <sup>Proposed in</sup> the case mentioned above by registered mail. You will recall that he refused to accept his mail at one time. If the letter is not delivered this time, I expect to get service by ~~advertising~~. *Publication.*

Yours very truly,

*F. A. Christian*  
Attorney for Complainant