

WM. F. BISCHOFF,
COMPLAINANT,

-vs-

L. J. PETERS,
RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

Comes L. J. Peters, respondent in above styled cause and for answer to bill of complaint exhibited against her by Wm. F. Bischoff, Complainant in said cause, says:-

FIRST: In answer to the allegations of paragraph 1, she says that she has no knowledge of the allegations therein contained that Wm. F. Bischoff is over the age of twenty-one years and a resident of Chicago, Illinois, and she demands strict proof thereof.

She admits that she is over twenty-one years of age and a resident of 544 Stratford Avenue, Akron, Ohio.

SECOND: As to allegations of paragraph 2, she denies that Wm. F. Bischoff is in peaceable possession of lands therein described, namey, Northwest quarter of Southwest quarter of section Thirty-four, in township Five south of range Four east, containing forty acres, more or less in Baldwin County, Alabama. But on the contrary alleges the facts to be that she is in the peaceable possession of said lands and is the true owner thereof through and by means of mesne conveyances from the United States Government.

THIRD: As to the allegations of paragraph 3, of said bill of complaint she says that she claims to own and does own in fee simple the said lands. She admits that there is no suit pending to test or enforce the validity of such claim or encumbrance, and she further says that her title to the aforesaid lands is derived through and by the following instruments:

(by agreement of counsel it is admitted that on to-wit: the 14th day of February, 1908 one N. Layne, a widower, was the owner in fee simple of said lands and for convenience Respondent is relieved from setting forth the numerous conveyances through and by which the said N. Layne acquired fee simple title to the said lands)

And the said Respondent claims to own and does own in fee simple the aforesaid lands through and by the following conveyances, namely: Deed N. Layne, a widower, to Wm. F. Bischoff, dated February 14th, 1908, filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on February 17th, 1908, and recorded in said office in Deed Book 12 NS pages 595-6; deed from Wm. F. Bischoff, a widower to Edward L. Best, dated August 6th, 1912, filed for record in the office of the Judge of Probate of Baldwin County, Alabama, October 1, 1912 and recorded in said office in Deed Book 20 NS page 141; deed from Edward L. Best and Donna M. Best to James R. Hawkins, dated May 18th, 1912, filed for record in the office of the Judge of Probate of Baldwin County, Alabama on October 1, 1912 and recorded in said office in Deed Book 20 NS page 142; deed from James R. Hawkins and Catherine M. Hawkins to Louis Glendenning, dated December 6th, 1912, filed for record in the office of the Judge of Probate of Baldwin County, Alabama on December 10th, 1912 and recorded in said office in Deed Book 19 NS pages 522-23; deed from Louis Glendenning and Thurza Glendenning, his wife, to L. J. Peters dated the **9th** day of **October** **1915**, filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on the **27th** day of **October**, **1915**, and recorded in said office in Deed Book **23** NS page **574**,

No allegation herein made or agreement shall be construed as an admission on the part of the Respondent that the Complainant Wm. F. Bischoff is the same person as Wm. F. Bischoff who owned said lands on August 6th, 1912.

And now having fully answered the allegations of said bill of complaint the Respondent hereby calls upon the said Complain-

ant to set forth and specify any title, claim, interest in or encumbrance upon said lands which he claims and how and by what instrument or instruments the same is derived.

And the said L. J. Peters prays that this be taken as a cross bill and that the said Wm. F. Bischoff be made a Respondent hereto and by proper process be required to plead, answer or demur thereto within the time and under the penalties prescribed by law and the practice of this Honorable Court.

And the said L. J. Peters further prays that upon the final hearing of this cause your Honor will decree that the said Wm. F. Bischoff has no right, title or interest or claim in and to or encumbrance upon the lands hereinabove described or any part thereof, and that the title to said lands be quieted in the said L. J. Peters as against the said Wm. F. Bischoff.

And the said L. J. Peters further prays for such other, further or different relief as in equity she should be entitled to.

Pickarley & Peche
Solicitors for Respondent and Cross
Complainant L. J. Peters.

Wm. F. Bischoff is required to answer every allegation of the foregoing cross bill, paragraph 1 to 3, inclusive, but not under oath, oath is hereby expressly waived.

Pickarley & Peche
Solicitors for Respondent and Cross
Complainant L. J. Peters.

Be it understood that the delay in filing this answer was by agreement of counsel and it is further agreed that the Respondent in her answer to bill of complaint filed by Complainant and Complainant in his answer to Respondent's cross bill each shall be and hereby are relieved from setting out and specifying the various conveyances through which N. Layne, a widower, acquired the title to the lands described in the Complaint and cross bill; that title in fee simple was vested in N. Layne, a widower, ^{on Feb 14, 1908} in the year 1908. But, this should not be construed in ^{connection} ~~conflict~~ with Respondent's

answer as an admission on her part that the Wm. F. Bischoff mentioned in her chain of title is the same person as the Complainant.

Lickaby & Beebe

Solicitors for Respondent and Cross
Complainant L. J. Peters.

Duggs & Mower

Solicitor for Complainant and Cross
Respondent Wm. F. Bischoff.

We hereby acknowledge receipt of the foregoing answer and cross bill and waive formal service.

Duggs & Mower

Solicitors for Complainant and Cross
Respondent Wm. F. Bischoff.

8581 NOTE OF TESTIMONY

..... Adeline Bischoff, Grace Bischoff and...

..... Harry L. Bischoff.....
Complainants.

vs.

..... J.L.Peters.....
Respondent

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,.....
and testimony of Wm. Bischoff, Answer and cross bill of Respondent, and.....
answer of Complainants.....

..... and in behalf of Defendant upon.....

..... *D. W. [Signature]*

Register.

No. -----

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

VS

NOTE OF TESTIMONY

Filed in Open Court this 18 -----

day of Oct ----- 1932

D. W. Whiteman -----

Register

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

Wm F. Bischoff, _____ COMPLAINANT

VS.

Miss L.J. Peters, _____ RESPONDENT

I, T.W. Richerson, _____

as Register and Commissioner _____

have called and caused to come before me Wm F. Bischoff, _____

witness _____ named in the requirement for Oral Examination, on the 11th day of Dec 1923.

~~1923~~, at the office of Register, _____

in Bay Minette _____, Alabama, and having first sworn said witness _____ to speak the

truth, the whole truth, and nothing but the truth, the said witness, _____

_____ doth depose and say as follows:

ORAL EXAMINATION

I, T.W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and H.D. Moorer Atty for Plff and W.C. Beebe Atty for Deft, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 11th day of Dec 1923 ~~1922~~

T.W. Richerson (L. S.)

No. 346 Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Wm. F. Bischoff

COMPLAINANT

vs.

Miss L.J. Peters,

RESPONDENT

ORAL DEPOSITION

Filed Dec 11th 1923, 1923

T.W. Richerson, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

TESTIMONY OF WILLIAM F. BISCHOFF.

My name is William F. Bischoff.

My last name is spelled B-i-s-c-h-o-f-f.

I reside in Chicago, Ill.

I am over twenty one years of age.

I am familiar with the North West quarter of South West quarter of Section Thirty Four (34) Township Five South (5) Range Four (4) East, Baldwin County, Alabama. I purchased this property through Mr. H. E. Landry, as agent. Mr. Landry was real estate agent. All I know is that the name is signed to my deed. I do not know the man by the name of Erb or Layne, who formerly owned this property.

Mr. Landry lives with Mrs. D. Adams, Beverly Heights, Chicago, Ill. Mr. Landry handled the entire transaction together with the money for me.

Soon after I bought this land I came to Baldwin County and went out to look at the land, ^{and took possession of some} but did not do anything to it, ^{right then} Soon after I returned from Baldwin County, I gave Mr. Young of Fairhope, Alabama, notice to chop down the fruit trees and burn them ^{under orders from the Agricultural Department} as they were injured by the stock and the peach trees were worthless on account of scale and I have not had anything to do with the land until April about a year ago.

I assessed this property for taxes each year since I purchased same and have paid taxes on it each year ^{afterwards} ~~except 1923,~~ and the Tax Assessor refused to take my money ~~this year on account of it being paid by another party and being an error in my assessment.~~ *I paid taxes for year 1923.*

When I was down here about April, a year ago, I posted notices against trespassing.

I claim to own this property through N. Layne by virtue of deed dated February 4th, 1908, who conveyed direct to me and through the deed from Louis M. Erb and Addie M. Erb, his wife,

to N. Layne, deed dated the 9th day of January, 1908, both of said deeds conveying this property and both deeds are hereto attached and marked 'Exhibit A & B'. I have never conveyed this property to any person nor have I ever offered it for sale.

When I came back in April about a year ago, I came down to post notices on the place and some body was there on the place and stated that they were just camping there. I will get possession of one of the notices posted and hereto attach same and mark 'Exhibit C'. When I came down about a year ago I found a man on the place and I asked him who owned the place and he said he did not know and also stated that he was just camping there.

I came soon after I purchased the land to take charge of same and have been paying taxes on it ever since up until 1923 when through a mistake in my assessment, the clerk would not accept my money offered him.

I am past sixty-nine years of age. I was a married man at August 6, 1912 and my wife was named Caroline Bischoff. We lived in Chicago.

I have never made a conveyance to Elbert L. Best of this property described in this complaint now, have I made a conveyance of it to any other person. I claim to still own it and at no time have I ever offered it for sale.

I do not know the man by the name of James R. Hawkins.

On August 6, 1912, I was married to Caroline Behm, who is my wife now and I do not remember the exact year we married but we married thirty five or forty years ago. We were married in Chicago, I have always lived in Chicago, having lived there since 1871. My wife was a Chicago girl. I do not remember her address when we married, it was somewhere in Chicago. I was living on Chicago Avenue at May Street at the time I was married. My wife and I have never separated during ~~that~~ time. I have a boy and two girls. The boys

name is Harry L. Bischoff and one of the girls name is Adeline Ullirich and the other's name is Grace Bischoff.

I have no business now. It has been about three years since I engaged in any business. I was in the engineering business at the time I quit. I was in the engineering business about forty years. I was stationary engineer. I worked for the firm of The Peter Hand Brewery Company for thirty years. I worked for this Brewery Company for thirty years continuously up to the time I retired.

I have been in good health for several years.

I never knew a man by the name of Elbert L. Best nor one by the name of L. M. Harding. I never knew one by the name of Louise E. Smith that I know of. I never knew one by the name of C. S. Schoffer or Schaffer.

Defendant's Attorney showing to witness, deed purporting to be executed by Wm. F. Bischoff to Elbert L. Best dated August 6th, 1912 acknowledged, and same dated before Louise E. Smith, a Notary Public, Cook County, Illinois, witnessed by L. M. Harding and C. S. Schaffer, recorded in the office of the Judge of Probate, October 11, 1912 in Deed Book 20 N.S. pages 141 to 142, Witness examined same and stated that is not my signature. It is signed by somebody who knows my hand writing, looks like mine but is not. Witness comparing signature on the deed with the signature on copy of the Notices posted on the lands testified, that is not my hand writing, there is quite a difference in the signatures.

I assess other lands in Baldwin County. I did not make the assessments for taxes in person, Mr. Irving made them for me. I do not know whether I ever made the assessments in person. Each year he would send the assessment sheet to me and would give me the description written on it and I would sign it and send it back to him. I do not whether I ever signed this sheet, I was never asked to sign them. After I bought the land Mr. Mix looked over the papers and said they were alright and after then Mr. Irving sent notices.

I assessed eighty acres of land, at first, I paid *Taxes* for this place about twelve dollars (\$12.00). There would be in the description of North West quarter, forty acres. I cannot locate and mark on plat the forty acres in question. I do not know much about Government numbers. There would be in the North half of the North West quarter, one hundred and sixty acres (160).

I am able to work and have always been able to work. I have not been sick at all, I have been up. I have been under the care of Dr. Lukhart. I do not know his initials. I was under his care ^{ago} about two years, for a couple of weeks. He was treating me for general run-down. By this I mean getting weaker and losing in weight. A fellow by the name of Kerper also treated me. I do not know the initials of Dr. Kerper. He treated me about four years ago. He treated me for the same trouble. He is not a specialist of any kind. Dr. Lukhart was not a specialist. No other Doctors that I know have treated me.

I am assessing another place near Fairhope. Mr. Irving assessed the land for me. He would just fill the assessment sheet out and send it to me. I never wrote Mr. Irving or Mr. Mix what lands I was assessing, they would just assess from the old assessments. Mr. Irving first wrote me that my title did not look right and that I had better examine it. He afterwards wrote me and asked why I was paying taxes on the land when I had sold it in 1912. At this time I began to investigate. I may have these letters at home, I do not know.

I swear that I did not sign that deed. I swear that I have not been before Louise E. Smith and signed that deed. That is not my signature.

Witness being shown letter dated October 26, 1911 to Northern Abstract Company testifies that is not my signature. Letter dated October 26, 1911 may have been written for me and

signed by another party for I did not sign that. That is the signature of the book-keeper or cashier of the Peter Hand Brewery Company. One of them is dead, the other is still living. He being shown letter dated October, 1912, says I did not sign that letter, some body wrote the letter for me. He further stated that it was written by the Cashier or Book-keeper of the Peter Hand Brewery Company. Being shown letter dated October 4, 1911 testifies, that is not my signature and I did not sign this, somebody wrote it for me and signed my name to it. I had the Cashier of the Peter Hand Brewery Company write down here about the land for me from time to time and he attended to all of the writing for me and he attended to the paying of the taxes for me. I write a very poor hand and would show them letters that I had and tell them what to say. They would not do this except when I told them to. I depended first on Mr. Mix then on Mr. Irving to look after the taxes for me. I did not know what lands I was assessing. After my first assessment I did not know what lands I was assessing, and just relied on them to assess it for me.

Witness attaches three letters to his deposition and marks them Exhibits E. & F. & G.

I depended upon Mr. Mix and Mr. Irving to assess my property for me and when they sent me the assessment sheet it corresponded with the numbers on my deed, and I would return the sheet to them with check in the sum stipulated by them to pay the taxes. The book-keeper and cashier would write letters for me. They did this at my request, because I was a very poor writer.

I know that the book-keeper and cashier wrote letters for me but I could not say positively that some other persons did not write for me and I did not sign this deed to Elbert L. Best dated October 6, 1912 and I do not know anybody by this name appearing on this deed.

W. J. Bischoff.

WM. F. BISCHOFF,
COMPLAINANT,

-vs-

L. J. PETERS,
RESPONDENT.

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

Comes Wm. F. Bischoff and for answer to the
~~and~~ ^{and cross bill} answer filed in the above styled cause by
L. J. Peters, respondent, says:

The said Wm. F. Bischoff styled as complainant in the original petition filed herein admits the correctness of the deed from N. Layne, a widower, to Wm.^{F.} Bischoff dated February 14th, 1908, filed for record in the office of the Judge of Probate, Baldwin County, Alabama, February 17th, 1908 and recorded in the said office in Deed Book 12 N.S., Pages 695 and 6; the said Wm. F. Bischoff further states that he is the identical Wm. F. Bischoff who purchased the said land from the said N. Layne, as per the above mentioned deed and that he is now the owner of the said land described in the said deed; that soon after the purchase of the said property, the said Wm. F. Bischoff came to Baldwin County, and went upon the land taking the same in charge and taking possession of the same; that there was some fruit and other trees growing on the said property and that immediately after he took possession of the same the Department of Agriculture gave him notice to cut down and destroy a portion of the said trees as they were infected with a disease; that upon receipt of these instructions the said Wm. F. Bischoff gave instructions to Mr. Young of Fairhope, Alabama, to cut down and burn the said trees; that while he was not present, he received information by letter from Mr. Young stating that the trees

had been cut down and burned according to his instructions. I do not think I have the original letter in my possession at present but if I should find it upon my return to Chicago I will attach same and mark it so that it may be identified. The said Wm. F. Bischoff further states that he has continuously paid the taxes of this property each year since date of purchase and that there are no due and unpaid taxes on same; that he has paid the said taxes through his agents, Mix and Irwin; that each year his agent would forward to said Wm. F. Bischoff, a tax list showing the land they had assessed to him together with the amount of taxes assessed against same and that said Wm. F. Bischoff would then mail to his agent or cause to be mailed to his agent a check in payment of same and that each year since the purchase of said property he has paid taxes on the said land.

The said Wm. F. Bischoff hereby specifically denies that he executed or had knowledge of the execution of the deed mentioned in the answer of L. J. Peters, the respondent and herein described as being from Wm. F. Bischoff, a widower, to Edward L. or Elbert L. Best, deed dated August 6th, 1912 and filed for record in the office of the Judge of Probate, Baldwin County, Alabama, October 1st, 1912, and recorded in said office in Deed Book 20 N.S. Page 141. The said Wm. F. Bischoff further denies that the signature affixed to the said deed is his and that it was not signed by or with his consent by any person for him or at his request.

The said Wm. F. Bischoff further states that he knows nothing of the execution of the deed from Edward L. or Elbert L. Best and Donnah M. Best to James R. Hawkins, dated May 18, 1912 and filed for record in the office of the Judge of Probate, Baldwin County, Alabama, October 11, 1912, and recorded in said office in Deed Book 20 N.S. Page 142; he further states that he knows nothing of the execution of the deed from James R. Hawkins and Catherine M. Hawkins to Louis Glendenning, dated

December 6, 1912 and filed for record in the office of the Judge of Probate, Baldwin County, Alabama, October 10, 1912 and recorded in said office in Deed Book 19 N.S. Page 522 and 523; he further states that he knows nothing of the execution of the deed from Louis Glendenning and Thurza Glendenning, his wife, to L. J. Peters, bearing date of _____ day of _____, 19____, and filed for record in the office of the Judge of Probate, Baldwin County, Alabama, on the _____ day of _____, 19____, and recorded in said office in Deed Book _____ N.S., Page _____.

The said Wm. F. Bischoff further states that Edward L. or Elbert L. Best acquired no interest in the property described in original by deed dated August 6th, 1912, filed for record in the office of the Judge of Probate, October 1, 1912 and recorded in said office in Deed Book 20 N.S., Page 141; that the said deed which purported to have been executed by Wm. F. Bischoff, was not executed by Wm. F. Bischoff, the owner of this property, and if executed at all, was executed by another man by this name who had no interest in the said property and the said Wm. F. Bischoff further states that there are a number of erasers in the said purported deed which indicate that the same was and is a forgery.

That the said James R. Hawkins acquired no interest by virtue of his purported deed from the said Edward L. or Elbert L. Best and Donnah M. Best as the said Best had no interest to convey; that Louis Glendenning acquired no interest from James R. Hawkins and Catherine M. Hawkins into the said property described in this complaint; that the said L. J. Peters acquired no interest in the property described in this complaint by virtue of the deed from Louis Glendenning and Thurza Glendenning, his wife; the said Wm. F. Bischoff further states that L. J. Peters could not acquire the interest of Louis Glendenning and his wife who acquired their interest from James R. Hawkins and Catherine M. Hawkins who acquired

their interest from Edward L. or Elbert L. Best and Donnah M. Best who claims to have acquired thier interest from Wm. F. Bischoff, a widower, which said deed was not executed by the said Wm. F. Bischoff, the owner of this property and which deed has been altered a number of times, as shown by the face of the said deed.

The said Wm. F. Bischoff states that he was a married man in August 6, 1912; that he has been married for some thirty five or forty years.

The said Wm. F. Bischoff, by virtue of the agreement between the Attorneys hereof is not called upon to show his title further than the deed from N. Layne to the said Wm. F. Bischoff. The said L. J. Peters claims his interest by virtue of a deed from Wm. F. Bischoff, a widower.

W. F. Bischoff.

Sworn to and subscribed
before me this 10th day
of December, 1923.

Spury D. Moore

Notary Public, Baldwin County, Ala.

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WM. F. BISCHOFF,
COMPLAINANT,

-VS-

L. J. PETERS,
RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

Comes L. J. Peters, respondent in above styled cause and for answer to bill of complaint exhibited against her by Wm. F. Bischoff, Complainant in said cause, says:-

FIRST: In answer to the allegations of paragraph 1, she says that she has no knowledge of the allegations therein contained that Wm. F. Bischoff is over the age of twenty-one years and a resident of Chicago, Illinois, and she demands strict proof thereof.

She admits that she is over twenty-one years of age and a resident of 544 Stratford Avenue, Akron, Ohio.

SECOND: As to allegations of paragraph 2, she denies that Wm. F. Bischoff is in peaceable possession of lands therein described, nameley, Northwest quarter of Southwest quarter of section Thirty-four, in township Five south of range Four east, containing forty acres, more or less in Baldwin County, Alabama. But on the contrary alleges the facts to be that she is in the peaceable possession of said lands and is the true owner thereof through and by means of mesne conveyances from the United States Government.

THIRD: As to the allegations of paragraph 3, of said bill of complaint she says that she claims to own and does own in fee simple the said lands. She admits that there is no suit pending to test or enforce the validity of such claim or encumbrance, and she further says that her title to the aforesaid lands is derived through and by the following instruments:

(by agreement of counsel it is admitted that on to-wit: the 14th day of February, 1908 one N. Layne, a widower, was the owner in fee simple of said lands and for convenience Respondent is relieved from setting forth the numerous conveyances through and by which the said N. Layne acquired fee simple title to the said lands)

And the said Respondent claims to own and does own in fee simple the aforesaid lands through and by the following conveyances, namely: Deed N. Layne, a widower, to Wm. F. Bischoff, dated February 14th, 1908, filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on February 17th, 1908, and recorded in said office in Deed Book 12 NS pages 595-6; deed from Wm. F. Bischoff, a widower to Edward L. Best, dated August 6th, 1912, filed for record in the office of the Judge of Probate of Baldwin County, Alabama, October 1, 1912 and recorded in said office in Deed Book 20 NS page 141; deed from Edward L. Best and Donna M. Best to James R. Hawkins, dated May 18th, 1912, filed for record in the office of the Judge of Probate of Baldwin County, Alabama on October 1, 1912 and recorded in said office in Deed Book 20 NS page 142; deed from James R. Hawkins and Catherine M. Hawkins to Louis Glendenning, dated December 6th, 1912, filed for record in the office of the Judge of Probate of Baldwin County, Alabama on December 10th, 1912 and recorded in said office in Deed Book 19 NS pages 522-23; deed from Louis Glendenning and _____, his wife, to L. J. Peters dated the _____ day of _____ 19____, filed for record in the office of the Judge of Probate of Baldwin County, Alabama, on the _____ day of _____, 191____, and recorded insaid office in Deed Book _____ NS page _____,

No allegation herein made or agreement shall be construed as an admission on the part of the Respondent that the Complainant Wm. F. Bischoff is the same person as Wm. F. Bischoff who owned said lands on August 6th, 1912.

And now having fully answered the allegations of said bill of-complaint. the Respondent hereby calls upon the said Complain-

ant to set forth and specify any title, claim, interest in or encumbrance upon said lands which he claims and how and by what instrument or instruments the same is derived.

And the said L. J. Peters prays that this be taken as a cross bill and that the said Wm. F. Bischoff be made a Respondent hereto and by proper process be required to plead, answer or demur thereto within the time and under the penalties prescribed by law and the practice of this Honorable Court.

And the said L. J. Peters further prays that upon the final hearing of this cause your Honor will decree that the said Wm. F. Bischoff has no right, title or interest or claim in and to or encumbrance upon the lands hereinabove described or any part thereof, and that the title to said lands be quieted in the said L. J. Peters as against the said Wm. F. Bischoff.

And the said L. J. Peters further prays that such other, further or different relief as in equity she should be entitled to.

Rickaby Beebe
Solicitors for Respondent and Cross
Complainant L. J. Peters.

Wm. F. Bischoff is required to answer every allegation of the foregoing cross bill, paragraph 1 to 3, inclusive, but not under oath, oath is hereby expressly waived.

Rickaby Beebe
Solicitors for Respondent and Cross
Complainant L. J. Peters.

Be it understood that the delay in filing this answer was by agreement of counsel and it is further agreed that the Respondent in her answer to bill of complaint filed by Complainant and Complainant in his answer to Respondent's cross bill each shall be and hereby are relieved from setting out and specifying the various conveyances through which N. Layne, a widower, acquired the title to the lands described in the Complaint and cross bill; ^{that} title in fee simple was vested in N. Layne, a widower, ^{on Feb 14, 1908} in the year 1908, ^{But,} this should not be construed in ^{conflict} with Respondent's

answer as an admission on her part that the Wm. F. Bischoff mentioned in her chain of title is the same person as the Complainant.

Rickard & Beebe
Solicitors for Respondent and Cross
Complainant L. J. Peters.

Solicitors for Complainant and Cross
Respondent Wm. F. Bischoff.

We hereby acknowledge receipt of the foregoing answer and cross and waive formal service.

Solicitors for Complainant and Cross
Respondent, Wm. F. Bischoff.

WILLIAM BISCHOFF,
Complainant

vs.

LAURA J. PETERS,
Respondent.

EQUITY
IN CIRCUIT COURT
OF BALDWIN COUNTY

It is agreed between the parties to this cause
that same may be submitted for final decree in vacation
upon the pleadings and Complainant's evidence.

Henry D. Warner
Solicitor for Complainant

Elliott S. Rindley
Solicitor 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 Miss L. J. Peters, 54 Stredford, Avenue,
Akron, Ohio.

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 William F. Bischoff,

against said Miss L. J. Peters.

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 21st day of June,
1922

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

Wm F Bischoff

vs.

Miss L J Peters

Page and Moore
Solicitor for Complainant

Recorded in Vol. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this
day of 192

Sheriff

Executed this day of
192

by leaving a copy of the within summons with

Defendant

Sheriff

By
Deputy Sheriff

*Copy of Summons
and Copy of Bill
sent by Reg mail
to Dept. June 22/1922
D. Whiteman
Register*

Ann F. Bischoff

Miss L. J. Peters

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

I, *J. W. Beunson*, Register of said Court, do hereby certify that I

did, on the *21st* day of *June* 192*2*, send to

Miss L. J. Peters Defendant.

whose address was *Akron Ohio.*

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill

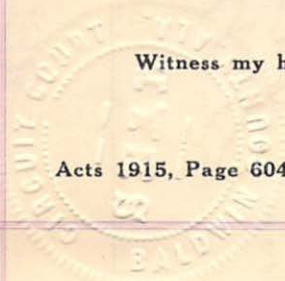
also summons,

of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such

receipt was duly received and filed by me in this cause, on the *27th* day of *June* 192*2*

Witness my hand, this *27th* day of *June* 192*2*

J. W. Beunson
Register.



No. 346

CIRCUIT COURT OF
BALDWIN COUNTY.
IN EQUITY.

Arnold F. Bischoff

vs.

Levir L. Peters

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

Filed in office on this 27th

day of June 1922

G. M. Peterson

Register.

RECORDED

Attorney for Complainants.

deceased.
Grace Bischoff, and Harry L. Bischoff, the sole heirs of W. F. Bischoff,
and moves the Court to revive this cause in the name of Adeline Bischoff,
Comes the Complainants by Henry D. Moore, their Attorney;

filed Oct 16 1835

[Handwritten signature]

ADLINE BISCHOFF, GRACE BISCHOFF,
and HARRY L. BISCHOFF.
Complainants.
vs.
L. J. PEERS,
Defendant.

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

5/12/22

Wm. F. Bischoff
Attorneys, Bay Minette.
Wm. F. Bischoff

NOTICE IS HEREBY GIVEN THAT THIS LAND IS OWNED
BY WM. F. BISCHOFF AND THAT ALL PERSONS TRAVELING UPON
SAME WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.
ALL PERSONS ARE HEREBY WARNED TO STAY OFF.

W A R N I N G .

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING
DESCRIBED PROPERTY IS OWNED BY WM. F. BISHOFF AND ALL
PERSONS ARE FORBIDDEN GOING ON SAME:

THE NORTHWEST QUARTER OF SOUTHWEST QUARTER,
SECTION THIRTY-FOUR, TOWNSHIP FIVE SOUTH, RANGE FOUR
EAST, BALDWIN COUNTY, ALABAMA.

ANYBODY ENTERING UPON THIS LAND WILL BE
PROSECUTED TO THE FULL EXTENT OF THE LAW.

Page & Moore, Attys.,
Bay Minette, Ala.

W. F. Bischoff.
Wm. F. Bischoff.

5/12/22

RETURN RECEIPT.

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

Miss J. Peters

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery,

June 24, 19*22*

Form 3811

Filed June

27th 1922

W. W. McArthur

Register

Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 1080

INSURED PARCEL

No. _____



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

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

Return to

R W Reheiser

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Bay Minette

~~AKRON,~~

Ala

~~OHIO.~~



TELEPHONE LINCOLN 653
BOTTLING DEPARTMENT
TELEPHONE LINCOLN 1360



1612
~~3759~~ Sheffield Ave.

Brewers of

Malt Elixir,
ROYAL,
Meister Bräu,
WÜRZBURGER.

Chicago, Oct 26, 1901.

Northern Abstract Camp

Bay Minette, Alab.

Cents!

In answer to your postal, I enclose 2 letters, which I found remembering that I destroyed all former letters relative to cutting down all trees and destroying the same.

I hope that you are able to get the Taxes reduced, and I suggest that you may address a letter to Mr. Williams, who surely will supply you with all information necessary

Yours very truly
Wm F. Bischoff



Brewers of
Malt & Cider
ROYAL
Meistermann
WURZBURGER.

TELEPHONE LINCOLN 4503
BOTTLING DEPARTMENT
TELEPHONE LINCOLN 1350

37-59 Sheffield Ave. 1612

Chicago, Ill.

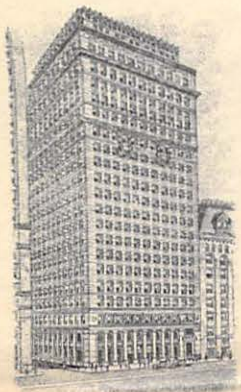
OCT 12 ANS. 1912
OCT 12 ENT. 1912

NOR. ABSTRACT CO., INC.
OCT 12 1912
THANKS

Northern Abstract Co., Inc.
Carey Merritt
Enclosed please find check
as per your request of Sept 26. 12
for the pay taxes & your services.
Thanking you for your attention
I remain
Yours truly
New F. Heuer

T-48

T-48



COMPANY'S HOME OFFICE BUILDING

American Surety Company of New York.

Capital \$5,000,000.

F. W. Lubrentz, President.

H. N. HUTCHINSON, MANAGER

W. G. LEAS, ASSISTANT MANAGER
A. O. DAVIS, ASSISTANT MANAGER

IN REPLYING TO THIS LETTER PLEASE QUOTE
SUBJECT AND INITIALS GIVEN

WGL/s

BRANCH OFFICE FOR GEORGIA, SOUTH CAROLINA
FLORIDA AND ALABAMA

ROOMS 1619-1626 HURT BUILDING

TELEPHONES | WALNUT 3368
| WALNUT 3369

ATLANTA, GA.. Nov. 23rd, 1923.

Messrs. Page & Moorer,
Day Minette, Ala.

Dear Sirs:-

In re: Robt. Lee Chambless.

I return herewith Mail Route Proposal, Application and check of Robert Lee Chambless, with the request that you have him complete the attached application and send with check or money order for \$5.00 direct to our Mail Route Department in Washington. You will note by the attached circular letter that that department will recognize you in connection with the business if written.

Yours very truly,

H. N. HUTCHINSON, MANAGER,

By

[Signature]
Assistant Manager.

Handwritten calculations:

$$\begin{array}{r} 211 \\ 222 \\ \hline \end{array}$$

$$\begin{array}{r} 2117 \\ 522 \\ \hline 1595 \end{array}$$

$$\begin{array}{r} 12672 \\ 334 \\ \hline 3006 \end{array}$$

$$\begin{array}{r} 17348 \\ 918 \\ \hline \end{array}$$

$$\begin{array}{r} 7300 \\ 6266 \\ \hline 37 \end{array}$$

$$\begin{array}{r} 918 \\ 3296 \\ \hline \end{array}$$

$$\begin{array}{r} 33494 \\ 33896 \\ \hline \end{array}$$

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TELEPHONE LINCOLN 653
BOTTLING DEPARTMENT
TELEPHONE LINCOLN 1360



1612
37-59 Sheffield Ave.

Brewers of
Malt Elixir,
ROYAL,
Meister Bräu,
WÜRZBURGER.

Chicago, Oct. 14 1911.

Northern Abstract Co., Inc.
Ray Minette, Ala.

NOR. ABSTRACT CO., INC.
OCT 21 1911
THANKS
ENT'D
OCT 21 ACP.

Dear Sirs!

Enclosed please find check for \$13²⁰ as per your request of 9/23.11 for Taxes and your fees.

I wish to inform you, that the State of Agriculture forced me to cut ^{down} all the Trees on the land also that the Barn was removed by a thief, all what is left is a shanty and I suppose that will be carried away some day, as the farm is not worked and nobody is living there.

Please see what you can do, to decrease the Taxes.

Thanking you for your interest in looking after the Taxes, I remain

Yours truly

Wm F Bischoff

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Wm. F. Bischoff,	:	
Complainant.	:	IN THE CIRCUIT COURT,
	:	
	:	BALDWIN COUNTY, ALA.
vs	:	
	:	In Equity.
	:	
L. J. Peters (Miss)	:	

TO THE HONORABLE, JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT, BALDWIN COUNTY, ALABAMA.-In Equity.

Your petitioner, Wm. F. Bischoff, respectfully represents and shows unto your Honor as follows:

1. That your petitioner is over the age of twenty-one years and a resident of Chicago, Ill.

That Miss L. J. Peters is over the age of twenty-one years and a resident of 544 Stratford Avenue, Akron, Ohio.

2. That your petitioner is in peaceable possession of the following described lands, located in Baldwin County, Alabama, claiming to own the same in his own right, to-wit:

The Northwest quarter of Southwest quarter, Section Thirty-four, Township Five South, Range Four East, containing forty acres, more or less.

3. That the Defendant, L. J. Peters, against whom this bill of complaint is exhibited, claims, or is reputed to claim, some right, title or interest in, or encumbrance upon, the said above described land; that no suit is pending to test or enforce the validity of such title, claim or encumbrance; and that your petitioner calls upon the Defendant, L. J. Peters, to set forth and specify her title, claim, interest in, or encumbrance upon the said land above described, and how and by what instrument the same was derived and created.

PRAYER FOR PROCESS.

The premises considered your petitioner prays that the said L. J. Peters, Defendant, be made party respondent to this bill of complaint by the usual process of this

Honorable court, and that she be required to demur, plead to or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF.

Petitioner prays that upon the final hearing of this cause Your Honor will be pleased to decree that the said L. J. Peters, the Defendant, has no interest, right, title or claim in, or encumbrance upon the property described in this bill of complaint, or any part thereof, and that the title of petitioner is good to the said property.

Petitioner further pray that if he is mistaken in the relief prayed that Your Honor will grant unto him such other, further, different and general relief as he may in justice and equity be entitled, he will ever pray, etc.

PAGE & MOORER,
Solicitors for Petitioners.

FOOT NOTE:

The Respondent, L. J. Peters, is required to answer each and every allegation in full of the foregoing bill of complaint numbered 1 to 3, both inclusive, but not under oath, answer under oath being hereby expressly waived.

PAGE & MOORER,
Solicitors for Petitioner.

*Cost to extent of \$25.00 by
H. D. Moore*

BAY MINETTE, ALA.,

Oct. 21

193*2*

Sam J. Richardson

IN ACCOUNT WITH

G. W. HUMPHRIES

JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Privilege Tax

Rec. Fee

Total

To

Deed
Rec. Mort. from

Andrene Birkhoff to J. O. O. to

65

Paid
10/21/22
G. W. Humphries Judge
by J. S. ...

ADELINE BISCHOFF, GRACE BISCHOFF,
and HARRY L. BISCHOFF.

Complainants

vs.

L. J. PETERS

Defendant .

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

This cause coming on to be heard was submitted on testimony of W. F. Bischoff, as noted by the Register and upon consideration thereof, the Court is of the opinion the Complainants are entitled to the relief prayed for in their bill of complaint.

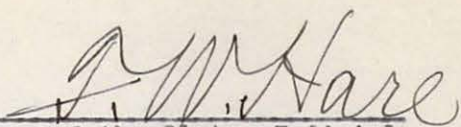
It is therefore ordered, adjudged and decreed that the defendant, L. J. Peters, has no right, title or interest in, or encumbrances upon the land described herein below or any part thereof; and the title of the said Complainants, Adeline Bischoff, Grace Bischoff, and Harry L. Bischoff, is good and valid as against the said Defendant to the property described as follows:

The Northwest quarter of the Southwest quarter, Section Thirty Four, Township Five South, Range Four East, containing 40 acres, more or less in Baldwin County, Alabama.

It is further ordered that the Register of this Court, within thirty days from the rendition of this decree, file a certified copy of said decree in the office of the Judge of Probate, Baldwin County, Alabama, for record therein, and the cost thereof be taxed as cost in this cause.

It is further ordered that the Defendant pay the cost of
the court in this cause for which execution may issue.

Done this 19th day of October, 1932.


Judge of the 21st., Judicial
Circuit, Baldwin County, Alabama.