

RICKARBY & AUSTILL  
LAWYERS  
909-10-11 VAN ANTWERP BLD'G.  
MOBILE, ALA.

ELLIOTT G. RICKARBY.  
JERE AUSTILL.

January 2, 1917.

Hon. A. E. Gamble,  
Greenville, Ala.

Dear Judge:-

JENKINS VS. JENKINS. Mr. Richerson will send you with this the file in the divorce case here mentioned, which includes the answer and general denial of the respondent, and a decree prepared for signature.

You will note that neither alimony nor counsel fees are requested. We think you will find that the evidence clearly makes out a case of cruelty and have no doubt but that you will read between the lines enough to see that this is not the only ground upon which a divorce might be asked. The parties are people of culture and refinement, and, as Mrs. Jenkins is in a highly wrought up and nervous state on account of having to take this step, we would appreciate your passing upon the case at your earliest convenience.

Hoping that you may have a happy and successful New Year, we are,

Yours very truly,

R-V.

*Elliott G. Rickarby  
Jere Austill*

ELIZABETH V. M. JENKINS,  
COMPLAINANT,

VS.

EUGENE A. JENKINS,  
RESPONDENT.

NO. \_\_\_\_\_.

IN THE CIRCUIT COURT OF BALDWIN CO.  
EQUITY SIDE.

Comes EUGENE A. JENKINS, named as respondent in this cause, and for answer denies each and every allegation of the Bill of Complaint and demands strict proof of the same. He waives service by the Sheriff of subpoena on said bill, notice of the filing of interrogatories or of any proceeding to take testimony on oral examination, as well as the right to cross examine, and consents that this cause be submitted for decree on notice of testimony made by the Register either in term time or in vacation.



STATE OF ALABAMA,  
Mobile COUNTY.

Before me Blanche P. Vestal, the undersigned authority, in and for said State and County, personally appeared this day Eugene A. Jenkins, who is known to me and known to me to be the defendant in the above styled cause, and acknowledged before me that, being informed of the contents of the Bill of Complaint in said cause, he signed the foregoing answer voluntarily this day in my presence.

Given under my hand this 28<sup>th</sup> day of December, 1916.

  
Notary Public, Mobile County, Alabama.

NO. 2.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.

ELIZABETH V. M. JENKINS,

VS.

EUGENE A. JENKINS.

Answer to Bill of Complaint.

*Filed Dec 28, 1916*  
*T. W. Riccino*  
*Register*

NO-  
IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALA.

ELIZABETH V. M. JENKINS  
VS.  
EUGENE A. JENKINS.

Depositions of Elizabeth V. M.  
Jenkins and Mary I. Myers, wit-  
nesses for complainant.

197  
12  
2294

T. W. Richerson, Esq.,

Clerk Circuit Court,

Bay Minette, Ala.



*P. H. Albright*  
COMMISSIONER

*P. H. Albright*  
COMMISSIONER.

*James S.  
Lewis  
Perkins  
Bangs*

*P. H. Albright*  
COMMISSIONER.

The State of Alabama

~~Baldwin~~ Mobile County

*Circuit Court of Baldwin County*  
~~in Chancery, 13th District~~

~~Southwestern Division of Alabama~~

At ~~Mobile~~, Alabama

*N<sup>o</sup> 2. Equity Side.*

*Elizabeth V. M. Jenkins*  
Complainant

vs. Bill for Divorce

*Eugene A. Jenkins*  
Defendant

*J. H. Richardson*  
To ~~CARL HOLZBORN~~, Register in Chancery:

You are hereby requested to publish the testimony and make a note of evidence in the above entitled cause, and then to deliver all of the papers in the said cause to the ~~Chancellor~~ *Judge* for final decree.

Dated this the.....day of *January*..... A. D. 1907..

*Richard Austill & Bebe*  
Solicitor for Complainant

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IN CHANCERY

*Ray Minetti*  
AT MOBILE, ALA.

No. 2 .....

*Elizabeth & M. Jenkins*

VS.

*Eugene A Jenkins*

**Request to Submit Cause For Final Decree**

Filed January 4 ..... 1917 .....

*T. P. Williams*  
.....  
Register

*Richard Austell & Beebe*  
.....  
Solicitors.

ELIZABETH V. M. JENKINS,  
COMPLAINANT,

VS.

EUGENE A. JENKINS,  
RESPONDENT.

NO. 2

IN THE CIRCUIT COURT OF BALDWIN CO.

IN EQUITY AT BAY MINETTE.

NOTE OF EVIDENCE.

Complainant submits for a decree upon:

1st. Bill of Complaint.

2nd. Depositions of Elizabeth V. M. Jenkins and

Mary I. Myers.

Respondent submits upon:

1st. Answer.

*Richard Anstett & Bebe.*  
Solicitors for Complainant.



NO. 2.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY.

ELIZABETH V. M. JENKINS

VS.

EUGENE A. JENKINS.

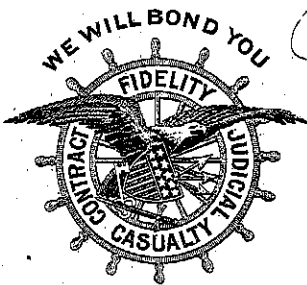
NOTE OF EVIDENCE.

*Filed June 4, 1917*  
*W. H. Harrison*  
*Register*

Rickarby, Austill & Beebe,  
Solicitors for Complainant.

John R. Bland, President.

Capital Paid in Cash \$2,000,000.



# United States Fidelity and Guaranty Company

JOHN E. MITCHELL  
ATTORNEY

MOBILE, ALA.,

April 30, 1917.

Mr. T. W. Richardson, Clerk,

Bay Minette, Ala.

Dear Sir:-

I am enclosing complaint and copy in the case of E. E. Forbes vs A. B. McPhaul, and I ask that you request the Sheriff to serve same on Mr. McPhaul at once, so that I may take judgment by default at the ensuing term of court, if the claim is not contested.

Yours very truly,

P. S.

What about sending out trial docket, so that I may know on what days my cases are set ?

J. E. M.

JEM/GFN

Encs. 2.

WE ISSUE

GUARDIANS'  
ADMINISTRATORS'  
EXECUTORS'  
TRUSTEES'  
ATTACHMENT  
AND ALL OTHER  
JUDICIAL BONDS.  
OUR BONDS COVER  
CONTRACTORS  
AND GUARANTEE  
THE SPECIFIC  
PERFORMANCES  
OF ANY  
CONTRACT;  
THE FIDELITY  
OF CASHIERS,  
BOOKKEEPERS  
AND OTHER  
TRUST OFFICERS  
OF MERCANTILE AND  
MANUFACTURING  
ESTABLISHMENTS;  
THE OFFICERS,  
EMPLOYES  
AND AGENTS OF  
RAILROADS,  
FEDERAL, STATE,  
COUNTY AND  
CITY OFFICERS;  
THE OFFICERS AND  
EMPLOYES OF  
BANKS AND  
TRUST COMPANIES,  
AND GUARANTEE  
STATE, CITY AND  
COUNTY DEPOSITS;  
INTERNAL REVENUE  
AND CUSTOMS  
OFFICIALS,  
DISTILLERIES  
AND BREWERIES;  
FRATERNAL ORDERS.

● ●  
WE ALSO ISSUE  
ACCIDENT,  
HEALTH,  
BURGLARY,  
PLATE GLASS,  
PHYSICIANS',  
DENTISTS',  
DRUGGISTS',  
ELEVATOR,  
AUTOMOBILE  
AND EMPLOYERS'  
LIABILITY;  
WORKMEN'S  
COLLECTIVE AND  
COMPENSATION  
POLICIES.

STATE OF ALABAMA -- COUNTY OF BALDWIN

CIRCUIT COURT OF SAID COUNTY.

ELIZABETH V. M. JENKINS,  
Complainant,

VS.

EUGENE A. JENKINS,  
Respondent.

NO. 2.

IN EQUITY AT BAY MINETTE,  
ALABAMA.

This cause is submitted for decree on the pleadings, viz. bill and answer, and the testimony, as shown by the note of submission on file, and on consideration, it is ordered, adjudged and decreed that the Complainant is entitled to relief, and that the bonds of matrimony heretofore existing between the Complainant and the Defendant be and the same are henceforth dissolved and annulled, and Complainant is divorced from the Defendant.

It is further ordered and decreed that the Complainant be and she hereby is permitted to again contract marriage, upon payment of the costs of this suit, but it is decreed that neither party shall again marry except to each other until sixty days after the rendition of this decree, and if an appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that Complainant pay the costs of this suit, for which execution may issue.

  
JUDGE.

Filed January 5<sup>th</sup>, 1917.

  
REGISTER.

NO. 2.  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

ELIZABETH V. M. JENKINS,

VS.

EUGENE A. JENKINS.

DECREE.

*Filed 1/5-1917  
Torrison, Register*

Rickarby, Austill & Beebe,  
Solicitors for Complainant.

*Decree Recorded on Minutes,*

to live with him, I think it very probable that he will so far forget himself in one of his rages as to injure if not kill her. Normally a man of pleasant manners, when enraged he is like a crazy man and is apt to do something that will be irreparable. If his wife went back to live with him and he did not kill her or do her bodily harm, it would mean serious injury to her from the nervous fear in which she lives.

Mary Isabella Myers.

I, P. Y. Albright, the commissioner named in the foregoing commission issued out of the Equity side of the Circuit Court of Baldwin County, Alabama in a certain cause therein pending wherein Elizabeth V. M. Jenkins in Complainant and Eugene A. Jenkins is Respondent, do hereby certify that under and by virtue of the power conferred in me by said commission, I caused the said Elizabeth V. M. Jenkins and Mary I. Myers, who are known to me and known to me to be the identical witnesses named in said commission, to come before me at my office in Fairhope, Baldwin County Alabama, on the 2 day of January, 1917, and the said witnesses being by me first duly sworn, testified as is hereinbefore written; that their testimony was by me reduced to writing as near as might be in the identical language of said witnesses, and that after their testimony was reduced to writing it was read over by the said witnesses, who assented to and signed the same in my presence.

I farther certify that I am not of counsel nor of kin to any of the parties to this cause, and am not in anywise interested in the result thereof.

WITNESS my hand and seal, as commissioner, this the 2 day of January, 1917.

P. Y. Albright (SEAL)  
COMMISSIONER.

Elizabeth V. M. Jenkins Complainant

No.

vs.

Eugene A. Jenkins Defendant

In the Circuit Court  
of Baldwin County  
~~In Chancery, at Mobile, Ala.~~  
In Equity.

The Complainant

request the oral examination of the following named witness  
on her behalf, viz:

Elizabeth V. M. Jenkins  
Mary L. Myers  
Arnold Gavit

said witness reside in the County of Baldwin  
State of Alabama.

O. G. Albright

who reside at Fairhope Ala

is suggested as a suitable person to be appointed Commissioner to take the deposition of  
said witness on such oral examination

Respectfully Submitted  
Solicitor for Complainant

No. *2*.....

**IN CHANCERY**

*Bay Minette*  
At Mobile, Alabama

*Elizabeth V. M. Jenkins*

VS.

*Eugene A. Jenkins*

**Demand for Oral Examination**

Filed *December 29* 191*6*

*J. W. Ricciorso*

REGISTER



*Vertical handwritten notes on the left margin, including the number 10 and various illegible scribbles.*

of a neighbor who offered us shelter for the night. From the way he acted <sup>on</sup> this <sup>the</sup> occasion together with his previous behavior, I do not feel that I can safely risk living with him any longer. I left him the following day and we have lived apart ever since. The house we lived in belongs to my mother but she and I went away and left him in it. When he is not ruffled he is a man of attractive appearance and pleasant manners, but when he is irritated he is like a madman and unsafe to live with. I do not expect ever to risk my life with him again and do not want even to live in the same town with him.

*Elizabeth R. M. Jenkins*

Mrs Mary I. Myers.

I am the mother of the complainant in this cause. My home is in Chicago but I am at Fairhope on a visit to my daughter. For a while after their marriage, my daughter and her husband lived in the same flat with me and I have visited them a number of times. Mr Jenkins within less than a month after their marriage displayed his violent temper and I have repeatedly seen him fly into ~~a~~ rages in which he would act almost like a madman, abusing his wife so that I have feared for her ~~sa~~ safety. I have no personal complaint, as <sup>he</sup> has always been pleasant enough to me but he has made my daughter's life a burden. I was present on Monday Dec. 18, 1916 when he flew into a violent rage about a trifling matter and displayed such a paroxysm that my daughter left the house for fear of personal violence. She went across the street to the house of a neighbor who offered us protection and begged us to come there and stay all night. Later she returned and we locked ourselves in a bed room until morning, and left the house the ~~next morning~~ next day, and took up quarters in a hotel in Fairhope. (The house belongs to me although I have let my daughter and her husband have the use of it). I have never during my daughter's married life sought to advise her as to her attitude towards her husband or ~~to~~ interfere between the two in any way, but I have seen enough of his behavior, particularly this last time, to make me feel assured that it is dangerous for my daughter to continue to live with him. His rages are getting worse, and if she continues





ELIZABETH V. M. JENKINS, )  
VS. )  
EUGENE A. JENKINS. )

NO. 2  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY  
EQUITY SIDE.

TO. P. Y. ALBRIGHT, ESQ., GREETINGS:

KNOW YE that we, in confidence of your prudence and fidelity, have appointed you and by these presents do give you full authority to take upon oral examination the depositions of Elizabeth V. M. Jenkins and Mary I. Myers of Fairhope, witnesses on behalf of Complainant in the above entitled cause, and therefore command you that at such time and place as you may appoint, to which you will give notice to Messrs. Rickarby, Austill & Beebe, the respondent waiving notice, you cause the witnesses to come before you for examination under oath upon the questions which may be then and there propounded to them by the parties. That you reduce such examination to writing and return same attached to this writ, closed up under your seal, into our Circuit Court with all convenient speed, that the same may be read on the trial of the cause aforesaid.

WITNESS T. W. RICHERSON, Register of said Court at office this the 28th day of December, 1916.

ATTEST

  
REGISTER.

TO. THE HONORABLE ARTHUR E. GAMBLE,

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,

SITTING IN EQUITY:

Your Oratrix, ELIZABETH V. M. JENKINS, presents this her Bill of Complaint against EUGENE A. JENKINS, and respectfully shows:

1st. That she and defendant are both over the age of twenty-one years and have been for about two years prior to this date and are now residents of the Town of Fairhope, Baldwin County, Alabama, Alabama; that they were lawfully married in Chicago, Illinois on April 30th, 1910 and have since lived together as man and wife.

2nd. That, since their said marriage, Defendant has displayed a violent and ungovernable temper, which he has made no effort to subdue and which has taken the form of outbursts of almost insane rage, coupled with abusive language and threats, and which finally has compelled Oratrix and her mother to leave the latter's home in Fairhope, where they had been staying, out of regard for their personal safety. Wherefore, Oratrix charges that, from the conduct and actions of Defendant, she has reasonable apprehension of violence to life and limb.

WHEREFORE, Oratrix prays that your Honor take jurisdiction of this cause; that E. A. Jenkins be made a party thereto and by appropriate process required to answer this bill; and that, upon the hearing of this cause, your Honor will decree that the bonds of matrimony existing between your Oratrix and Defendant be dissolved; that she may be permitted to marry again, and have such other, further or different relief as to equity may seem meet.

And your Oratrix will ever pray, etc.

*Richard Austell & Butler*  
Solicitors for Complainant.

FOOT NOTE:- The Defendant is required to answer all of the allegations of the foregoing bill of complaint, but oath to said answer is hereby waived.

*Richard Austell & Butler*  
Solicitors for Complainant.

NO. <sup>2</sup>  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY,  
EQUITY SIDE.

ELIZABETH V. M. JENKINS,

VS.

EUGENE A. JENKINS.

BILL OF COMPLAINT.

*Filed Dec 28, 1916,  
T. W. H. H. H. H. H.  
Register*

Rickarby, Austill & Beebe,  
Attorneys for Complainant.

*Recorded in Fiscal Record  
# 1 Page 5.*