

PETER W. McADAM,
Complainant,,

-vs-

DAPHNE MANUFACTURING CO., Et Al.,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW. NO. _____

Comes now the complainant and amends his bill
of complaint in red ink, by striking out the name of Edwin R.
Zelincker and inserting in lieu thereof, James H. Zelnicker.

*J. Jenkins and
Hoyou Mitchell*
Attorneys for Complainant.

PETER W. McADAM,
Complainant,
-vs-
DAPHNE MANUFACTURING CO., Et Al.,
Respondent

IN THE CIRCUIT COURT OF
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S. Jenkins and
Hogan Mitchell
Attorneys for Complainant.

The State of Alabama, }
BALDWIN COUNTY.

No. 488.

CIRCUIT COURT IN EQUITY

Peter W. Mc Adams

Complainant.

vs.

Daphne Mfg Co (Inc) a Corporation.

Defendant.

Motion is hereby made for a Decree Pro Confesso against

Mrs. E. Jardine, John O. Young,

Clayton Baldwin, *Mr & A Knapp*

Defendant.

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant S; and that said summons was duly served according to law, and that said Defendant S ha. ve. failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 7th day of March, 1925

S. C. Jenkins

Solicitor.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Peter W. Mc Adam.

Vs.

Daphne Manufacturing Co.

et al.

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed March, 7th, 1925

T. W. Rice

Register.

Recorded in Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

RECORDED

PETER W. McADAMS,
Plaintiff,

Vs.

DAPHNE MANUFACTURING CO., ET AL.)
Defendants.

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

Comes H. W. GILBERT, defendant in the above styled cause and admits the allegations of the bill of complaint as to his age, place of residence, that he is a stockholder and an official of the Daphne Manufacturing Company. He admits the object for which said company was organized. He denies that said Company has failed of its purpose.

He admits the allegations of paragraph Second. He admits that the corporation is indebted, the exact amount of which he does not know. He does not know the exact value of its assets and demands strict proof. He admits that the corporation is indebted to him by certain notes and mortgages therein named, principal and interest of which will amount to more than thirty-five hundred dollars. He admits that the real property described in said bill of complaint has been mortgaged to him. He denies that he has misappropriated monies and property of said corporation as therein alleged, but on the contrary says that he has used funds of his in the protection of the corporate property and in payment of corporate debts; that said corporation is greatly indebted to him for services and for money expended by him for and on behalf of said corporation. He admits that the lands described in said bill of complaint constitute the chief asset of said corporation and that the same is mortgaged to him.

He admits that said property was conveyed as therein alleged by Florence O. McAdam and husband to the corporation. He denies that the said Florence O. McAdam was non compos mentis and was without capacity to execute said conveyance at the time the same was made. He admits that she has brought a suit against the corporation and against him for the recovery of said property.

He denies every allegation in said bill of complaint not herein specifically admitted and having fully answered, prays that he may go hence with his reasonable costs.

Richard Beebe Hall
Solicitors for Defendants.

9

Filed September 10, 1925.

T. W. Peterson

Register

RECORDED

PETER W. McADAMS,
Complainant.

vs.

DAPHNE MANUFACTURING COMPANY,
ET AL.
Defendants.

CIRCUIT COURT

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Come the Daphne Manufacturing Company, H. W. Gillett,
J. R. Hammett, Joe Pose and E. G. Rickarby and demur to complainant's
bill of complaint and as their ground of demurrer say:

There is no equity in the bill.

Rickarby Beebe & Co.
attys for said def

Filed Jan 31, 1925 -
W. H. Keenan
Clk

RECORDED

W. H. Keenan
Clk
J. B. Keenan
Clk
J. B. Keenan
Clk

The State of Alabama, }
Baldwin County.

No. 488. CIRCUIT COURT, IN EQUITY

Peter W. Mc Adam

Complainant

vs.

Daphne Mfg Co et als.

Defendant

In this cause it appears to the Register,
that a Summons requiring the Defendant S. Mrs. E. Jardine, John O. Young
and Clayton Baldwin,

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said
Summons upon Mrs. E. Jardine, John O. Young and Clayton Baldwin, *per E. A. Knoff*

was served upon them by the Sheriff of Baldwin County, Alabama, on the
18th, day of January, 1925

And the said Defendant^s having failed to demur, plead to or answer the said Bill of Complaint to this date
it is now, therefore, on motion of Hon. S. C. Jenkins one of the Atty's for Complainant

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed
against the said Mrs. Jardine, John O. Young and Clayton Baldwin,

per E. A. Knoff,

Defendant^s aforesaid.

This 9th, day of February, 1925

T. W. Peterson

Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

Robert W. Mc Adam.

Vs.

Daphne Mfg Co.

RECORDED

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued Mar 9th, 1925

J. W. Pierson

Register.

Peter McAdams
Complainant

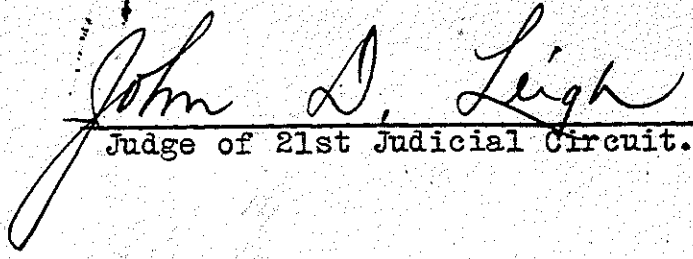
IN THE CIRCUIT COURT
OF BALDWIN COUNTY
INEQUITY.

-VS-

The Daphne Manufacturing Company,
a corporation, J. R. Hammet, Joe
Pose, John O. Young, James Mershon,
Mrs. E. A. Kemp, Miss E. Jaurine,
Clayton Baldwin, H. M. Gillett,
E. J. Rickarby, James H. Zelnicker
Defendants

This matter having been submitted to the Court on the Complaint and Demurrers thereto and the matter having been heard and understood by the Court, the Court is of the opinion that the demurrers should be overruled; it is therefore ordered, adjudged and decreed by the Court that said demurrers be and the same hereby are overruled. The Defendants are allowed 30 days from the date of this Decree within which to answer or plead to this cause.

Dated: August 11th., 1925.


Judge of 21st Judicial Circuit.

Mc Adams
OS
Dyblin Surf Co

W

-Filed Aug 10/1920-
J. W. McAdams
Clerk

RECEIVED
AUG 10 1920
J. W. McAdams
Clerk

Florence O. McAdams, by her next
 friend, Peter McAdams
 Complainant)

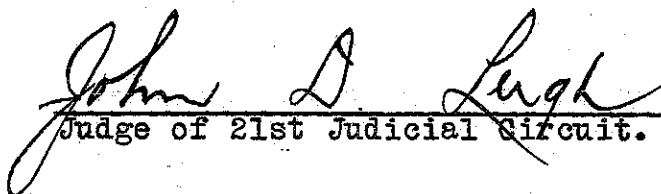
IN THE CIRCUIT COURT
 OF BALDWIN COUNTY
 IN EQUITY

-vs-

The Daphne Manufacturing Company,
 a corporation AND H. M. Gillett
 and Nettie Gillett.
 Defendants)

This matter having been submitted to the Court on the Complaint and Demurrers thereto and the matter having been heard and understood by the Court, the Court is of the opinion that the demurrers should be overruled; it is therefore ordered, adjudged and decreed by the Court that said demurrers be and the same hereby are overruled. The Defendants are allowed 30 days from the date of this Decree within which to answer or plead to this cause.

Dated: August 11th., 1925.


 Judge of 21st Judicial Circuit.

✓✓
McAdams

- 43 -

Daphnia suff. Co.

Deane on
Demerol

Filed Aug 15/1925

T. W. Rice
Regist.

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 Daphne Manufacturing Company, a Corporation,
J.R. Hammet, Joe Pose, John O. Young, James Mershon, Mrs. E.A. Kemp, Miss E.
Jardine, Clayton Baldwin, H.M. Gillett,

of Baldwin, County, to be and appear before the Judge of the Circuit Court of Bald-
win 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


Peter W. Mc Adam,

against said Daphne Manufacturing Company, a Corporation,
J.R. Hammet, Joe Pose, John O. Young, James Mershon, Mrs E.A. Kemp,
Miss E. Jardine, Clayton Baldwin, H.M. Gillett,

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 3rd, day of January,

1925.


Register.

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

3 Original

Serve on _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Peter W. Mc Adam.

Jan 1/25

vs.

+ Daphne Manufacturing Co.,

+ J.R. Hammet, George, John O

Young, James Mershon, Mrs. A. Kemp,

Miss E. Jardine, Clayton

Baldwin, H.M. Hillet.

S.C. Jenkins &

Jesse F. Hogan.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this 3^d
day of Jan 1925
W.R. Stuart
Sheriff.

Executed this 3^d day of
January 1925
by leaving a copy of the within summons with
H.M. Hillet as secretary
of the Daphne Mfg Co.
and copy of within on
H.M. Hillet and on
Jan. 13 - 1925 serve & defend
on J.G. Boston, Miss E. Jardine
Clayton Baldwin, John O
Young & J.R. Hammet
By W.R. Stuart Sheriff.

Executed Jan. 18. 1925
giving a copy on
E. Knapp
Executed & giving 21
by serving copy of within
on Joe Rose
W.R. Stuart
Sheriff

RECORDED

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 Edwin R. Zelnicker, and E.G. Rickarby,

of Mobile, 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

Peter W. Mc Adam,

against said Edwin R. Zelnicker and E.G. Rickarby,

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 3rd, day of January,

192. 5

T. W. Richerson
Register.

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

2 Original 85

Serve on _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Peter W. Mc Adam

RECORDED

Edwin R. Zelnicker,

E.G. Rickarby.

Mobile Alabama.

Jimmie

S.O. Jenkins and J.F. Hogan.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this *1st* day of

January 192*5*

Sam Schwarz
Sheriff.
J. J. Sullivan

Executed this *2nd* day of

January 192*5*

by leaving a copy of the within summons with

E. G. Rickarby

Defendant.

Sam Schwarz
Sheriff.

By *John Simmons*
Deputy Sheriff.