

R. W. Draper, Complainant )  
vs )  
E. P. Jennings and Mary J )  
Jennings , Respondents . )

In Circuit Court of Baldwin County,  
Alabama. Spring Term 1919.

Answer of respondent Mary J. Jenkins to the Bill of complaintant R. W. Draper ~~without answering any of the demurrers herewith filed~~, show as follows:

par. 1. Answering paragraph 1 of the Bill, respondent admits the averments of paragraph 1 of the Bill.

Par. 2. Answering paragraph 2 of the Bill, respondent admits the averments of paragraph 2 of th Bill, but denies that \$150 is a reasonable attorney's fee as alledged therein and calls for strict proof of the same.

par. 3. Answering paragraph 3 of the Bill respondent denies the averments of paragraph 3 of the bill and calls for strict proof of the same.

par. 4. Answering paragraph 4 of the Bill respondent denies the averments of ~~par. 4~~ 4 of the Bill and calls for strict proof of the same.

5. Reppndent further answering, respondent not being required to answer the averments and questions set out in paragraph 5 of the Bill, and having fully answered the Bill of Complaint, prays to be hence dismissed therefrom with her reasonable costs &c.

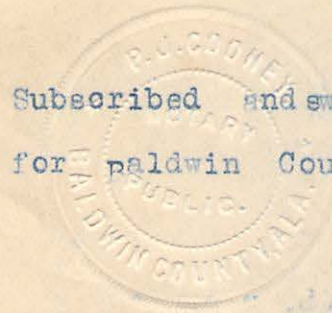
*Eyler + Eyler*  
*J. C. Jenkins*

Solicitors for respondent.

State of Alabama  
Baldwin County .

before me ~~P. J. Cooney~~ Notary Public in and for said county personally appeared Mary J. Jenkins, who is known to me, and who being by me first duly sworn, says the foregoing statements made in the foregoing answer to the Bill of Complaint of R. W. Draper is true and correct.

Subscribed and sworn to before me, *Mary J. Jenkins*  
*P. J. Cooney* Notary Public in and  
for Baldwin County, Alabama, this <sup>3<sup>rd</sup></sup> day of *July* 1919.



*P. J. Cooney*  
Notary Public, Baldwin Co Ala



Journal of H. H. H. H.  
Portland, Oregon  
June 25, 1919

Filed 6/25/1919  
T. Whittumson  
Register

H. W. Draper, Complainant )

vs )

E. P. Jennings and Mary J )

Jennings , Respondents . )

In Circuit Court of Baldwin County,

Alabama. Spring Term 1919.

Answer of respondent Mary J. Jennings to the Bill of complainant R. W. Draper without waiving any of the demurrers herewith filed, show as follows:

par. 1. Answering paragraph 1 of the Bill, respondent admits the averments of paragraph 1 of the Bill.

Par. 2. Answering paragraph 2 of the Bill, respondent admits the averments of paragraph 2 of th Bill, but denies that \$150 is a reasonable attorney's fee as alledged therein and calls for strict proof of the same.

par. 3. Answering paragraph 3 of the Bill respondent denies the averments of paragraph 3 of the bill and calls for strict proof of the same.

Par. 4. Answering paragraph 4 of the Bill respondent denies the averments of paragraph 4 of the Bill and calls for strict proof of the same.

5. Reppondent further answering, respondent not being required to answer the averments and questions set out in paragraph 5 of the Bill, and having fully answered the Bill of Complaint, prays to be hence dismissed therefrom with her reasonable costs &c.

*Eyster & Eyster.*

*S. C. Jenkins*

Solicitors for respondent.

State of Alabama

Baldwin County .

before me ----- Notary Public in and for said county personally appeared Mary J. Jennings, who is known to me, and who being by me first duly sworn, says the foregoing statements made in the foregoing answer to the Bill of Complaint of R. W. Draper is true and correct.

Subscribed and sworn to before me, ----- Notary Public in and for paldwin County, Alabama, this ---- day of May 1919.

Filed 5/20/919  
PARKER  
REGISTER

H. W. Draper, Complainant

vs

E. P. Jennings and Mary J. Jennings

In Circuit Court of Baldwin County,

Alabama. In Equity.

Respondents.

The answer of E. P. Jennings, respondent, to the Bill of Complaint of plaintiff R. W. Draper, shows as follows:-

Par. 1. Answering paragraph 1 of the Bill of Complainant, he admits the averments of paragraph 1 of Bill ~~xxxxxxx~~.

Par. 2. Answering paragraph 2 of the Bill, respondent admits the averments of paragraph 2 of the Bill, but denies that \$150 is a reasonable attorney's fee as alleged therein.

Answering paragraph 3 of the Bill, respondent denies that he was the owner of considerable property at the time of the execution of the said written instrument therein referred to and denies that he sold to or otherwise disposed of any property to Mrs. Mary J. Jennings - without a valuable consideration or that he did so subsequently to the execution of the written instrument therein referred to or at any time. Respondent denies that he made considerable money from a mercantile business and denies that he invested said money alleged to have been so made in real estate and caused the title to be taken in the name of Mary J. Jennings or other unknown persons. Respondent denies all the averments of paragraph 3 of the Bill.

4. Answering paragraph 4 of the bill, respondent denies that he has property, money, effects or choses in action which he has kept hidden and concealed and denies in detail and in full all the averments of paragraph 4 of the bill.

5. Answering paragraph 5 of the bill, respondent denies that complainant is entitled to the relief he prays for therein, but according to the best and utmost of his knowledge, information and belief, he makes full true, direct, and perfect answers ~~xx~~ under oath to the several interrogatories therein set forth as follows:

To 5th count or section of the Bill of complaints he says in Answer to Interrogatory A. I do not own any real estate and personal property and do not own any property whatever in the name of any one or other person.

In answer to Interrogatory B, he says I have no interest, legal or equitable in any real estate or personal property whatsoever nor do I own any in the name of any one or other person.

In answer to interrogatory C, he says I have no money, effects, promissory notes or choses in action of any kind either in my name or in the name of any other person.

In answer to interrogatory D he says there are no bills, promissory notes and choses in action in my name or in which I have an interest or for which I have furnished the consideration. In answer to second Interrogatory D, he says at the time I executed the note for \$750 to Mrs. Malissa Smith, on to wit March 18th, 1913, I did not own any real property at or near Fruithurst or at any other place nor have I <sup>own</sup> any subsequent to that time either of personal or real property nor I have I disposed of any property subsequent to that time to any one.

In answer to Interrogatory E, he says I did not own any property in or near Decatur or Albany or in Morgan County, Alabama at the said time or subsequent thereto, neither have I disposed of any property in said places nor have I received any consideration of any kind for the disposal of any property referred to.

In Answer to Interrogatory F, he says I did not own any property at or in Cullman County, Alabama at said time referred to or subsequent thereto neither have I sold any such property nor have I received any consideration for any property sold at said time or subsequent thereto.

In answer to interrogatory G, he says Mary J. Jennings furnished the capital for the stock of the Fruithurst mercantile company, incorporated.

The stock of goods of said company was sold to W. J. Parker; I had one hundred <sup>dollars</sup> worth of stock in the company. What has become of the stock of merchandise since it was sold to Mr Parker, I do not know. There is nothing due on said merchandise stock of goods to me or the company.

In answer to interrogatory H, he says I did not receive any insurance from the insurance company for the loss by fire of the house at Fruithurst in which I resided. The checks for the money from the Insurance Company for the fire loss referred to was made payable to Mary J. Jennings and were deposited in the First National Bank of Anniston, Ala.

In answer to interrogatory I, he says part of the time the property I purchased from Mrs. Malissa Smith, referred to in question, was rented and part of the time it was not. There was no house on the place and it was hard to rent and was consequently vacant part of the time. About \$75 rent was all that I ever got out of it. This money was paid for taxes and keeping up fences on the place.

In answer to interrogatory J, he says I have no bank <sup>account</sup> now; have none in Foley, Bay Minette or elsewhere. Nor have any account kept in any body's name or other person's. After the execution of written instrument referred <sup>to</sup> for awhile I had a bank account at Wefflin, Ala. I have had no other bank account and have not kept any money of my own in Mrs. Jennings's name.

In answer to interrogatory K, he says I have no property at the <sup>to</sup> places above referred. What property Mrs. Jennings owned at Fruithurst, in Cullman County and Morgan County she paid for herself with her own money. I do not remember or know the considerations which were paid for the different properties referred <sup>to</sup>, as being in said places. I think the considerations for the said properties were paid in checks; there were none paid in property that I know of. There may have been some property Mrs. Jennings owned which were paid in cash; some of the property was bought twenty years ago by Mrs. Jennings.

*E. P. Jenkins*  
*Solicitor for Respondents*

*E. P. Jennings*

Subscribed and sworn to before me, T. W. Richerson, Clerk of the Circuit Court of Baldwin County, Alabama, this 20<sup>th</sup> day of May 1919.

*T. W. Richerson*  
Clerk Circuit Court.



U

Filed 9/20-1919

J. W. Reardon  
Regents



Faint, illegible text, likely bleed-through from the reverse side of the page.

Faint, illegible text, likely bleed-through from the reverse side of the page.

Faint, illegible text, likely bleed-through from the reverse side of the page.



R.W.Draper,

Vs.

E.P.Jennings and  
Mary J.Jennings,

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

TO THE HONORABLE A.A.GAMBLE, Judge of said Court.

Your Complainant, R.W.Draper, who sues for himself and all others who are creditors of E.P.Jennings, who will come in and contribute to the expense of this suit, respectfully represents unto your Honor as follows;

1st. That your Complainant, is a resident citizen of Jefferson County, Alabama, and over twenty one years of age and that each of the respondents are resident citizens of Baldwin County, Alabama, and over twenty one years of age.

~~2nd~~ That the said E.P.Jennings became indebted to Mrs. Malissa Smith in the sum of \$750.00 on the 18th. day of March 1913 and which said indebtedness is evidenced by a written instrument, a copy of which, with the endorsements thereon, is hereto attached and made a part of this bill as Exhibit "A". And Complainant avers that he purchased the said indebtedness for a valuable consideration before maturity and the same was duly transferred to him as shown by the endorsements thereon and that he is now the owner of the said indebtedness which is evidenced by the said written instrument. Complainant avers that the said written instrument contains a waiver of exemption as to personal property and an agreement to pay a reasonable attorneys fee if the same is not paid at maturity, which he claims, to-wit, \$150.00.

3rd. That at the time of the executing of the said written instrument the said E.P.Jennings was the owner of a considerable amount of property and subsequently to the execution of the said written instrument and becoming indebted to the said Mrs. Malissa Smith as shown by the said instrument, the said E.P.Jennings sold or otherwise disposed of all or substantially all of his property to the said Mary J.Jennings without a valuable consideration. That subsequent to the time the above mentioned debt was created the said E.P.Jennings engaged in the mercantile business and made considerable money therefrom and with the income from the said business he purchased real estate and caused the title to the same to be made in the name of the said Mary J.Jennings or to

other persons whose names are to your Complainant unknown. And Complainant avers that the said E.P. Jennings furnished wholly or in part the purchase money or consideration for the said property, the title to which was taken in the name of Mary J. Jennings or to some other person whose name is unknown to your Complainant. That the description of the said property is unknown to your Complainant.

4th. Complainant avers that the said E.P. Jennings has no visible means subject to legal process of value sufficient to pay the claim of Complainant; that the said respondent has no property standing in his name, which can be reached or subjected to legal process for the satisfaction of said claim but that said respondent has property, real or personal or money or effects or choses in action or an interest in real estate or personal property, money, effects or choses in action, which are and should be subjected to the payment of Complainant's claim, but the kind and description of the property and how the same is held is kept concealed and hidden by the said respondent and are unknown to Complainant and that a discovery is necessary to enable the Complainant to reach and subject the property to his claim.

5th. To the end therefore that said E.P. Jennings may show why your Complainant may not have the relief herein prayed for, but may upon his oath and according to the best and utmost of his knowledge, remembrance, information and belief respectfully, full, true, direct and perfect answers make to such of the statements or the several interrogatories hereinafter set forth as by note hereunder written is required to answer, that is to say,

A. State what real estate and personal property you owned, where the same was located, and in whose name the title to same now stands?

B. State what interest, legal or equitable, you have in any real estate or personal property, what the same is, where the same is located, and the amount of your interest, and in whose name the title to the same stands?

C. State what money, effects, promissory notes, or choses in action you have, whether the same is in your name or the name of an other, and where the same is located?

D. In answering the last above question and this one, give a

description of all bills, promissory notes and choses in action in your name or in which you have an interest or for the which you furnished the consideration, the name of the payor and the time the same was made and when each falls due and the location of the payors of each.

D. What property did you own in or near Fruithurst at the time of the executing of the note or written instrument above described and marked exhibit A hereto <sup>or subsequent thereto</sup> and what has become of the same? If you say that you have disposed of the same to whom did you sell it and what was the consideration paid for the same and how was the same paid.

E. What property did you own in or near Decatur or Albany or in Morgan County, Alabama, at the said time <sup>or subsequent thereto</sup> and what has become of the same and if sold by you what was the consideration for the same and to whom was the same conveyed and in whose name does the title to the said property now stand?

F. What property did you ~~than~~ own in Culman~~t~~ County, Alabama at the said time or subsequent thereto and what has become of the same and if sold what was the consideration for the same and to whom was the same conveyed and in whose name does the title to the said property now stand?

G. What was the consideration and who paid the consideration for the stock in the Fruithurst Mercantile Company and what has become of the stock of merchandise owned by the said Company and how much stock did you own in the same? and is there any thing due on the said merchandise to you or to the Company?

H. What became of the insurance you received from the insurance Company when the house in which you resided at Fruithurst was destroyed by fire and in what Bank if any was the same deposited and in whose name and what has become of the same?

I. What money if any did you receive for the rent of the property purchased by you from Mrs. Malissa Smith, the consideration of the said written instrument and what has become of the same? Was the same placed in any bank and if so what name?

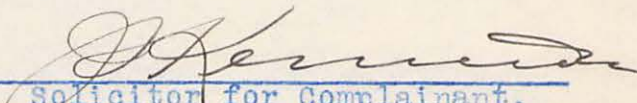
J. Since the execution of the said written instrument where have you kept your bank account and where are you keeping your bank account now? Have you any bank account in Bay Minnett or Forley and if not in what bank, if any, have you an account. In whose name is the said account kept? Is any of your money kept in Mrs. Jennings name?

K. State who paid the consideration for each and every piece of property, above referred to, what was the consideration and how was the same paid, in property, cash or check; if in property what property; if in cash who paid the cash and who furnished the cash; if check whose money was paid on the check, and who signed the check?

The premises considered the Complainant therefore prays; That your Honor will cause to be issued from this court such summons or other process as may be necessary and proper to make the said E.P. Jennings and Mary J. Jennings parties respondents to this cause. That the said E.P. Jennings and Mary J. Jennings be required to answer this bill under oath within the time required by law to answer such proceedings.

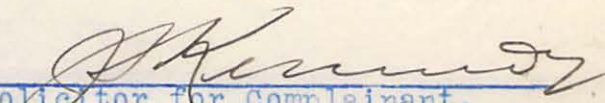
That upon final hearing, if from the answers of the respondents it appears that the said E.P. Jennings has property real or personal or an interest in property, real or personal subject to the payment of the claim of Complainant or has money, effects or choses in action subject to the payment of Complainant's ~~the~~ claim, whether such property, money, effects or choses in action be within or without the State, this Honorable Court will make and enter all such orders or decrees as may be necessary and proper to reach and subject such property, money, effects or choses in action and if necessary appoint a receiver with authority to demand, sue for and recover or otherwise reduce to possession such property, money, effects, or choses in action and further order and require the said respondent E.P. Jennings to make to such receiver all conveyances assignments or transfers which may be necessary and proper to enable him to receive or to sue for and recover the property.

Complainant further prays for such other, further and general relief as to your Honor may seem meet and proper in the premises.

  
Solicitor for Complainant.

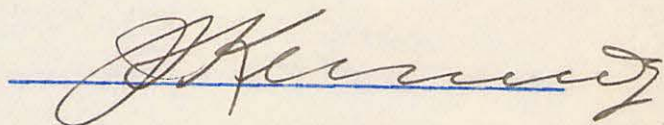
FOOTE Note.

The Respondents are required to answer the above and foregoing bill and each paragraph of the same, under oath, excepting Interrogatories ~~annamtn~~ A to K both inclusive, in paragraph five, which are to be answered by E.P. Jennings only.

  
Solicitor for Complainant.

The State of Alabama, #  
 Jefferson County . #

Personally appeared before me the undersigned authority in and for said County and State J.S.Kennedy, who being by me first duly sworn deposed and said that he is the attorney for the Complainant in the above cause and that he as such attorney personally investigated the facts set out in the above and foregoing bill and that the Complainant has no knowledge of the facts as to wheter or not they are true or false, that he has read over the said bill and knows the contents thereof, and that the same are true, except as to matters which are therein stated to be his information and belief and that as to those matters he is informed and believes them to be true.



Sworn to and subscribed before me this the 18<sup>th</sup> day of June 1918.

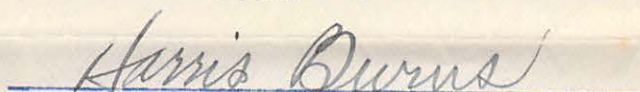
  
 Notary Public.

EXHIBIT A.

Fruithurst, Ala. Mch. 18. 1913.

ON OR BEFORE the 18th. day of March 1914, I promise to pay Mrs. Mal~~l~~issa Smith or order, the sum of Seven Hundred and fifty Dollars, for value recieved.

And as a part of the consideration I hereby waive all and every right which I may have under the Constitution and Laws of ~~the~~ Alabama to have any property exempt from levy and sale under legal process, it being the true intent and meaning of this waiver to subject all my property to the payment of this note in full of principal and interest; and should it become necessary to collect this note by law I agree to pay a reasonable attorney's fee. Int. after Maturity 8 per ct.

E.P. Jennings, (SEAL)

Witnesses.

---\*\*\*-----

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 E. P. Jennings and Mary J Jennings,

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

R. W. Draper,

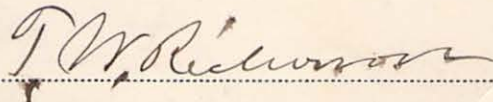
against said

E. P. Jennings and Mary J Jennings,

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 June,

1918.



Register.

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

Original  
2

Serve on.....  
CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

No. 96.

SUMMONS.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this.....

3rd,  
day of June 1918.  
E. E. Eubank  
Sheriff.

Executed this ~~18~~ day of

March 1919

by leaving a copy of the within Summons with

E. P. Jennings and  
Mary J. Jennings  
Defendant

O. B. Ridgeman  
Sheriff

By J. F. Hays  
Deputy Sheriff.

vs.

E. P. Jennings and Mary J. Jennings.

Solicitor for Complainant.

Recorded in Vol..... Page.....

Goley Ala  
See Bolles for  
information



R.W.Draper, Complainant.

vs

E.P.Jennings and Mary J  
Jennings. Defendants.

Now come S.C.Jnkins, Eyster and Eyster ,Atty's  
and answers generally, for Defendants, with leaf to file plea or answer  
fully. in above cause.

*S. Jenkins, Eyster + Eyster*  
-----  
Attorneys for Defendants.

... ..  
... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

Filed 6/8-1914.  
T. W. Richmond  
Register

Tuesday Ala 5-20-20

J. S. Kennedy  
Birmingham Ala

Dear Sir

I will pay the boat taxes also  
the Coats in the Cove, and the  
Cock payments July 1st and Jan  
1st 1921.

Send me the amount of the taxes  
and I will send you Chick.  
Will pay the Coats when the  
Cocks are in the 24<sup>th</sup>

Respectfully

G. P. Jennings

Filed May 24/920

D. M. Mearns

Register

# Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 637

INSURED PARCEL

No. \_\_\_\_\_



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

POSTMARK OF DELIVERING OFFICE

ADDRESS YOUR MAIL  
TO STREET AND NUMBER

AND DATE OF DELIVERY

Return to J. M. Pickerson

(NAME OF SENDER)

Street and Number, }  
or Post Office Box, }

Post Office at \_\_\_\_\_

State Ala

# RETURN RECEIPT.

---

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

*H. J. Keenan*  
-----  
(Signature or name of addressee.) 45579

-----  
(Signature of addressee's agent.)

*11/13*  
Date of delivery, -----, 191*7*

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 E. P. Jennings and Mary J Jennings,

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

R. W. Draper

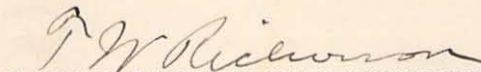
against said

E. P. Jennings and Mary J Jennings,

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 1st day of March

1919



Register.

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

*Original*  
ALIAS

Serve on.....

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

No. 98.

SUMMONS.

R.W. Dra per

vs.

E.P. Jennings and  
Mary J. Jennings.

W.S. Kennedy, Birmingham, Ala.

Solicitor for Complainant.

Recorded in Vol.....Page.....

*Holey*

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this.....

day of ..... 191.....

Sheriff.

Executed this..... day of

191.....

by leaving a copy of the within Summons with

Defendant

Sheriff

By .....

Deputy Sheriff.