

ELLIOTT G. RICKARBY

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

November 29, 1955

2664

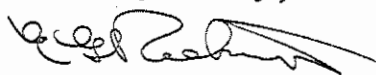
Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: E. G. Anderson
vs.
Samuel Jenkins
Our File: 3426

With this we are handing you answer in the above
styled cause. Service has been accepted by
Plaintiff's attorney.

Yours very truly,



EGR/fm

cc: Mr. E. M. Bailey
Attorney at Law
Fairhope, Alabama

Samuel Jenkins
Daphne, Alabama

STATE OF ALABAMA }
BALDWIN COUNTY }

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Samuel Jenkins and Willia J. Jenkins to appear and answer, plead or demur, within thirty days from the service of this writ, to a Bill of Complaint filed against them in Circuit Court, at Law, for said County and said State by E. G. Anderson and Elizabeth Anderson.

Herein fail not. Due return make of this writ as the law directs.

Witness my hand this 19 day of July, 1955.

W. J. Anderson
Clerk of Court

Defendants live
Daphne, Alabama

E. G. ANDERSON AND
ELIZABETH ANDERSON,
Plaintiffs
vs.
SAMUEL JENKINS AND
WILLIA J. JENKINS,
Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

COUNT ONE:

The Plaintiffs claim of the Defendant the sum of One Thousand One Hundred Thirty Eight Dollars (\$1138.00) due by promissory note made by them on, to-wit, the 10th day of December, 1954 with interest at Six per cent (6%) per annum, and the Plaintiffs aver that in the said note ^{was due and payable on to-wit, the 1st day of June 1955} and as a part of the consideration thereof the Defendants have expressly waived their rights to claim personal property as exempt to them under the Constitution and laws of the State of Alabama and agreed to pay an attorney's fee for the collection thereof and the Plaintiffs hereby claim the sum of \$171.00 as such attorney fee.

Samuel M. Bailey
Attorney for Plaintiffs

E. G. ANDERSON AND
ELIZABETH ANDERSON,

PLAINTIFFS

-VS-

SAMUEL JENKINS AND
WILLIA J. JENKINS,

DEFENDANTS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

DEMURRERS TO ORIGINAL COMPLAINT

Comes the defendants, Samuel Jenkins and Willia J. Jenkins and offer the following demur to the plaintiffs complaints and to specifically Count One thereof; and assigns his grounds for said demurrer the following:

I.

That said count does no show when said note was due.

RICKARBY & RICKARBY

BY: [Signature]
Attorneys for Defendants

NOTE: The defendants demand a trial by jury.

RICKARBY & RICKARBY

BY: [Signature]
Attorneys for Defendants

E. G. ANDERSON and
ELIZABETH ANDERSON,

Plaintiffs

vs.

SAMUEL JENKINS and
WILLIA J. JENKINS,

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

Comes the defendants in the above styled cause and for answer to said complaint offers the following separate and several pleas.

1. The defendants, for answer to said complaint, saith, that they have paid the debt, for the recovery of which this suit was brought, before the action was commenced.

2. The defendants deny each and every allegation of the plaintiff's complaint.

3. The defendants say that there was no consideration for the note herein sued on.

4. That the plaintiff executed a release showing that the money sued for was paid before this action was commenced.

5. The defendant, WILLIA J. JENKINS, says that she is the wife of the defendant, SAMUEL JENKINS, and that the debt sued for was no debt of hers.

RICKARBY AND RICKARBY

BY

E. G. Rickarby, Jr.
E. G. Rickarby, Jr.
Attorney for Defendant

*Copy received
by B. C. [unclear]
on the Plaintiff*

ERNEST M. BAILEY
ATTORNEY AT LAW
221 FAIRHOPE AVENUE
FAIRHOPE, ALABAMA
PHONE WA 8-9759

August
6th
1957

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

RE: E. G. Anderson, et al
VS: Samuel Jenkins, et al

2664

Dear Mrs. Duck:

Arrangements were previously made to settle the Judgment in the above matter. However, these arrangements have not materialized as instituted. We will appreciate your taking such action as may be necessary to have a re-execution against the Defendants. The Defendants have reduced the original Judgment by \$500.00 and execution should be for the balance due.

Thanking you in advance, I am

Very truly yours,

Ernest M. Bailey
Ernest M. Bailey *by NB*
EMB:b
cc: Samuel Jenkins
RFD
Daphne, Alabama