

The State Of Alabama } Circuit Court of Baldwin County, In Equity.
Baldwin County }

To Any Sheriff of the State of Alabama—GREETINGS:

WE COMMAND YOU, That you summon

W W Cross.

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 **Vernie S Cross.**

against said **W W Cross.**

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, R. S. Duck, Register of said Circuit Court, this **28th** day of

May,

194

2.



, Register

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

BILL OF COMPLAINT

VERNIE S. GROSS
COMPLAINANT

VS.

W. W. GROSS
DEFENDANT

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY
FIRST JUDICIAL CIRCUIT OF THE STATE OF ALABAMA. SITTING IN
EQUITY.

Now comes the Complainant, Vernie S. Gross, humbly com-
plaining of the Defendant, W. W. Gross, in a matter as will here-
inafter appear and represents and shows unto your Honor as
follows:-

FIRST: That both the Complainant and the Defendant are over
the age of twenty-one years and are both bona-fide residents of
Baldwin County, Alabama, and have both so resided for more than
one year next preceding the filing of this Bill of Complaint.

SECOND: That Complainant and Defendant were married to each
other at McCullough, Escambia County, Alabama, on, to-wit, the
28th day of September, 1913, and lived together thereafter as
man and wife until, on, to-wit, the 11th day of May, 1942.

THIRD: That for a long time prior to the 11th day of May,
1942, the Defendant had commenced to treat the Complainant in
a cruel and inhuman manner, and on occasion would threaten, abuse
and mistreat her, and that on, to-wit, the 11th day of May, 1942,
the Defendant without any just cause or good excuse violently
assaulted the Complainant with his fists and broke her nose. That
this cruelty was attended with grave danger to her health and life,
and that as soon as she could conveniently do so she escaped from
the Defendant and has not returned to live with him as his wife
nor has she forgiven him for his cruelty in this matter. She

Subdivision of the Town of Bay Minette, Alabama, which said property is worth approximately \$500.00: that the defendant has moneys on deposit in the Baldwin County, Bank, BayMinette, Alabama amounting to about \$4,000.00; that the defendant has a farm operation of about one hundred acres and that the value of the said farm operation is approximately \$3,000.00.

PRAYER FOR PROCESS

To the end that equity may be had in the premises, the complainant, Vernie S. Gross, prays that the said W. W. Gross be made party defendant to this Bill of Complaint, and that a summons be issued, and together with a copy of the Bill of Complaint filed in this cause, be served upon him, and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR IMMEDIATE RELIEF

The premises considered, the complainant, Vernie S. Gross, humbly prays that Your Honor will immediately cause the Register to hold a reference to ascertain the extent of the holdings, income and property of the said W. W. Gross, and that complainant be granted from the income and property of the said W. W. Gross temporary alimony for her support and maintenance during the pendency of this litigation, taking into consideration the estate and earnings of the defendant, W. W. Gross, and the station in life of the parties.

The complainant also prays that the Register will determine what will be a reasonable Solicitor's fee to be paid to the solicitors of the complainant for representing her and looking after her interest in this cause; that the Register will hold said reference as speedily as possible, giving the parties and/or their solicitors ten days notice of the time and

place of holding the same, and will report his findings as speedily as possible after the holding of the same.

The complainant further prays that she will be granted her solicitor's fees and other necessary expenses expended in this cause, and that Your Honor will make an order stating the length of time necessary for the complainant to properly prepare and present her testimony and will order that temporary alimony be paid by the defendant to the complainant during said period of time.

PRAYER FOR FINAL RELIEF.

The premises considered, the complainant prays that upon a final hearing of this cause Your Honor will make and enter a decree granting to the complainant separate maintenance from her husband, the said W. W. Gross, and that in and by virtue of said decree she be given from the estate, earnings and holdings of the defendant in such amounts, and payable at such times as in equity and good conscience she may be entitled to receive.

She further prays that in and by virtue of said final decree her husband, W. W. Gross, be compelled to execute to her a deed conveying to her the homestead which is the home of the parties, in order that she may have a home in which to rear her child.

She prays that in and by virtue of the decree in this cause she be awarded the custody of the minor child, Willie Verne Gross, subject to the further orders of this Court.

The Complainant, Vernie S. Gross, prays such other, further and general relief to which she may be entitled the premises considered and she will ever pray, etc. etc..

Horne & Madnette
SOLICITORS FOR THE COMPLAINANT

VERNIE S. GROSS

COMPLAINANT

VS.

W. W. GROSS

DEFENDANT

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY
FIRST JUDICIAL CIRCUIT OF THE STATE OF ALABAMA. SITTING IN
EQUITY.

Now comes the Complainant, Vernie S.
Gross, and after leave asked and obtained represents and shows
unto your Honor as follows:-

FIRST: That she, on, to-wit, the 28th day of May, 1942,
filed her Bill of Complaint in the above styled cause, and in
said bill requested that this Court order a reference to
ascertain the amount of alimony pendite litem to be paid to
her during the pendency of this cause; that she is in destitute
circumstances and unable to maintain herself during the pendency
of this suit or to remunerate her solicitors for their services.

SECOND: That the Register will ascertain and report the length
of time necessary to be given to the complainant for the prosec-
ution of her suit in this cause.

THE PREMISES CONSIDERED, your petitioner
humbly prays that Your Honor will forthwith issue an order to
the Register of this Court requiring him to hold a reference to
ascertain what will be a reasonable amount to be paid to your
petitioner in monthly installments out of the income of the
defendant during the pendency of her cause of action against
him, taking into consideration the financial condition of

your petitioner, her physical condition, her needs and condition in life; also to ascertain what will be a reasonable fee to be paid by the Defendant, W. W. Gross, to the petitioner's solicitors for representing and looking after her interest in this cause; also the nature, quantity and value of the defendant's property and interest the approximate amount and value of money to be allowed to the petitioner out of the income and estate of her husband and paid into this Court; that the Court will issue an order, Judgment or Decree compelling the Defendant, W. W. Gross, to pay into Court for the remuneration of her solicitors whatever amount is found to be due to said solicitors as a reasonable fee for representing and looking after her interest during the pendency of this cause, as well as alimony pendite litem for such time as the Register ascertains will be necessary for complainant to prosecute her case.

Vernie S. Gross
PETITIONER.

STATE OF ALABAMA |
 |
COUNTY OF BALDWIN |

BEFORE ME, R. S. Duck, Register of the Circuit Court, of Baldwin County, Alabama, personally appeared Vernie S. Gross who being by me first duly sworn doth depose and say; that the matters set out in the foregoing petition are true and correct.

Vernie S. Gross

Sworn to and subscribed before me this 28th
day of May, 1942.

R. S. Duck
R. S. DUCK, REGISTER OF CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA

LAW OFFICES OF
HORNE & HODNETTE
ATMORE, ALABAMA

FRANK G. HORNE
ROBERT E. HODNETTE

June 20, 1942

Hon. R. S. Duck,
Register
Bay Minette, Ala.

Dear Mr. Duck:

Mr. Gross will hand you our
motion for dismissal of Mrs. Gross
Case against him. He is to pay
all costs up to \$10⁰⁰ - if any more
advise me and I will pay amount
about ten dollars.

Very truly yours

Frank G. Horne

VERNIE S. GROSS
COMPLAINANT
VS.
W. W. GROSS
DEFENDANT



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

The Complainant having filed her bill in the above named cause and also in connection with said Bill having presented to the court her petition, praying for maintenance and support, and for the allowance of a reasonable sum to be paid as solicitor's fees to her solicitors in this cause; upon consideration;

IT IS ORDERED, ADJUDGED AND DECREED by the Court that the Register be, and is hereby directed and ordered to hold a reference in this cause and that upon said reference he ascertain and report to this Court:-

FIRST: What will be a reasonable sum to be paid to the Complainant out of the income of the Defendant in monthly installments for the maintenance and support of her during the pendency of this litigation, taking into consideration her financial condition, her needs and condition in life.

SECOND: What will be a reasonable solicitor's fees to be paid by the Defendant to the Complainant's solicitors for representing and looking after her interests in this cause.

THIRD: The Register will also ascertain and report and nature, quantity and value of the Defendant's property and interest also the approximate value and amount of his rents, interest and income derived therefrom annually and all wages and/or salaries paid to him.

VERNIE S. GROSS *
COMPLAINANT * IN THE CIRCUIT COURT OF BALDWIN
VS. * COUNTY, ALABAMA. IN EQUITY.
W. W. GROSS * NO. _____
DEFENDANT. *

Now comes the complainant by her solicitor of record in the above entitled cause and after leave asked and obtained moves the Court to dismiss her cause of action heretofore filed in this matter without any prejudice.

Horne + Hodnette
HORNE AND HODNETTE
SOLICITORS FOR COMPLAINANT

Mrs Vernie S. Gross
VERNIE S. GROSS

Value June 22 1944
O. J. Paul
Paul