

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

OLIVE GROSS

, Complainant

vs.

WALTER E. GROSS

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso ~~on~~ and Personal Service and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said OLIVE GROSS is forever divorced from the said WALTER E. GROSS for and on account of

CRUELTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant pay to Complainant forthwith toward her counsel fees in this cause the sum of \$50.00, which sum when paid shall be in lieu of all alimony. This Court reserves control of this cause for such further orders and decrees as may from time to time seem proper.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if 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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that WALTER E. GROSS

the Defendant pay the cost herein to be taxed, for which execution may issue.

This 18th day of July, 1950.

Jeffair J. Masbury Jr.
Judge Circuit Court, In Equity

I, _____ Register of the Circuit

Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19_____

Register of Circuit Court, In Equity.

RECORDED

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

OLIVE GROSS

Complainant

vs.

WALTER E. GROSS

Respondent

DIVORCE DECREE

FILED

JUL 18 1950

ALICE J. DUCK, Register

RICKARBY & RICKARBY

OLIVE GROSS,
Complainant

No. 2456

vs

E Q U I T Y

WALTER E. GROSS,
Defendants

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

DEPOSITION OF OLIVE GROSS, WITNESS EXAMINED IN
BEHALF OF COMPLAINANT IN THE ABOVE STYLED CAUSE
BY THE UNDERSIGNED COMMISSIONER ON WRITTEN INTER-
ROGATORIES AT THE TIME AND PLACE HEREINAFTER STATED.

OLIVE GROSS

TO THE FIRST INTERROGATORY, SHE SAYS:

Walter E. Gross, the Defendant and I are both over the age of twenty-one years.

INTY. 2.: Walter Gross has been living in Baldwin County for the past three years or more and he is now living in Foley, Alabama.

INTY. 3.: My present address is 1941 Arthur Avenue, Racine, Wisconsin, but I was a resident of Alabama living in Baldwin County up to March 11, 1949 when I left Gross because of his mistreatment and have lived away from him ever since.

INTY. 4.: Gross and I were married in ~~Michigan~~ ^{Alabama} in 1945 but parted as before stated in March, 1949.

INTY. 5.: Since this last date, we have lived separate and apart and without any support from him.

INTY. 6.: During our married life I discovered that Gross was subject to violent fits of rage in which he lost all control over himself and ~~on many occasions struck me. Several times he would drag me around the room by my hair and because of his violent and cruel treatment, I was forced to leave him as he would sooner or later have done me great bodily harm if not kill me.~~ ^{I was afraid of him}

INTY. 7 and 8.: As before stated, I last saw the Defendant on March 11, 1949 when I left him. Since that time he has done absolutely nothing toward my support but as far as I can learn spends all the money he makes on liquor and fast women.

Olive Gross

CERTIFICATE

I, JEAN GUTHRIE, acting as commissioner under attached commission hereby certify that in the case of OLIVE GROSS vs WALTER E. GROSS, pending on the Equity side of the Circuit Court of Baldwin County, I caused OLIVE GROSS, witness for the Complainant, to appear before me in Milwaukee, Wisconsin, where, after being duly sworn and upon examination by the enclosed interrogatories, she testified as is above written and her testimony was read over and signed by her.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the ^{8th} day of ~~June~~ ^{July}, 1950.

Jean Guthrie
Commissioner

WALTER E. GROSS,
Defendant

DEPOSITION OF OLIVE GROSS
WITNESS FOR COMPLAINANT.

FILED

Jul 14 1950

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Commissioner's fee - \$5.00
Paid by Complainant.

2015

Figure 1 consists of six diagrams labeled (a) through (f), arranged vertically. Each diagram shows a central point or a small circle, with various other circles and lines around it, representing a complex system or a network. The diagrams are arranged in a vertical column, with (a) at the top and (f) at the bottom. The diagrams show a progression of complexity, with (a) being the simplest and (f) being the most complex. The diagrams are labeled with letters (a) through (f) in a small font at the bottom of each diagram.

[illegible]

2000年12月26日

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22

SECRET

[illegible]

ELLIOTT G. RICKARBY

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

June 19, 1950

Mrs. Alice J. Duck,
Register, Circuit Court,
Bay Minette, Alabama.

Dear Mrs. Duck:

GROSS VS GROSS; No. 2456: Herewith find motion for decree pro confesso in this cause, together with decree, which we ask you to issue at once, and at the same time to send down a commission to Mrs. Helen P. Baugh as commissioner to take the testimony of Floyd Bung and Laura B. Spencer, all of Fairhope.

Later we will send you depositions to be sent to a commissioner in Racine, Wisconsin to take testimony of Complainant.

Sincerely,

Elliott G. Rickarby

for
RICKARBY & RICKARBY

EGR:HB
Enc - 2
2932

OLIVE GROSS

vs.

WALTER E GROSS

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Testimony of Complainant and witness

and in behalf of Defendant upon Decree Pro Confesso

Rickarby & Rickarby


Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Miss Jean Guthrie,

P. O. Box 1666, Milwaukee, Wis.

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Olive Gross

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

OLIVE GROSS

and WALTER E. GROSS, Complainant

Respondent
on oath, to be by you administered, upon her
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 2nd day of June, 1950
8th July

Miss J. Guthrie

Register.

Commissioner's Fee, \$

Witness' Fees, \$ 85 paid by complainant

No. 2456

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

OLIVE GROSS

Complainant—

vs.

WALTER E. GROSS

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Miss Jean Guthrie

WITNESSES:

OLIVE GROSS,
Complainant

vs

WALTER E. GROSS,
Defendant

No. 2456

E Q U I T Y

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

INTERROGATORIES TO BE PROPOUNDED TO OLIVE GROSS, WITNESS FOR
COMPLAINANT.

INTERROGATORY 1.: Are you and Walter E. Gross both over the
age of twenty-one years?

INTERROGATORY 2.: In what county has Gross been living for
the past three years and where is he living now?

INTERROGATORY 3.: What is your present address?

INTERROGATORY 4.: When and where were you and Gross married
and when did you part?

INTERROGATORY 5.: Have you lived separate and apart since you
parted?

INTERROGATORY 6.: What has been the behavior of your husband
toward you for the past few years? If he has been cruel to you in
this time, please give particulars.

INTERROGATORY 7.: When was the last time that you saw the
defendant?

INTERROGATORY 8.: Since he left you has he done anything
toward your support? If so, what?

Risley & Risley
Solicitors for Complainant

Complainant shows that the witness above named resides at
1941 Arthur Avenue, Racine, Wisconsin, and suggests the name of
Miss Jean Guthrie whose address is P. O. Box 1666, Milwaukee,
Wisconsin, as a proper person to act as commissioner in taking
testimony in this cause.

Risley & Risley
Solicitors for Complainant

NO. 2456

E Q U I T Y

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

OLIVE GROSS,
Complainant

-vs-

WALTER E. GROSS,
Defendant

INTERROGATORIES TO BE
PROPOUNDED TO WITNESS

FILED

JUN 22 1950

ALICE J. DUCK, Register

RICKARBY & RICKARBY
Attorneys for Complainant

OLIVE GROSS

Complainant

WALTER E. GROSS

vs

COURT REPORTER

STATE OF ALABAMA

JUN 22 1950

FILED

Witness for Complainant

Witness for Defendant

The State of Alabama, }
Baldwin County.

No. 2456 CIRCUIT COURT, IN EQUITY

OLIVE GROSS

Complainant

vs.

WALTER E. GROSS

Defendant

In this cause it appears to the Register

that a Summons requiring the Defendant

WALTER E. GROSS

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 WALTER E. GROSS

was served upon him by the Sheriff of Baldwin County, Alabama, on the

13th day of May 1950

And the said Defendant..... having failed to demur, plead to or answer the said Bill of Complaint to this date,

it is now, therefore, on motion of 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 WALTER E. GROSS

Defendant... aforesaid.

This 20th day of June 1950

Arice J. Duck

Register.

RECORDED

No.

Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

OLIVE GROSS

Complainant

Vs.

WALTER E. GROSS

Defendant

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued 192

Register.

ELLIOTT G. RICKARBY

LAW OFFICES

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

April 25, 1950.

Mrs. Alice J. Duck,
Register, Circuit Court,
Bay Minette, Alabama.

Dear Mrs. Duck:

OLIVE GROSS VS WALTER E. GROSS: With this find Bill of Divorce in this cause, with copy to be served upon the Defendant, who at last accounts was residing in Foley and staying at the Sportsman's Cafe of that city.

In handing the summons to the sheriff for service, please hand him also the enclosed letter to Gross, to be delivered with the summons and suggesting that a speedy answer and waiver will be to his interest. We also enclose firm check for \$12.00 costs in this proceeding.

Sincerely,

Elliott G. Rickarby

for
RICKARBY & RICKARBY

EGR:HB
Enc - 3
2932

no 245-6
Olive Grass
vs.
Walter E. Grass

leaves

Filed H-26-50

Pickens

ELLIOTT G. RICKARBY

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

20 June 1950

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

Dear Mrs. Duck:

GROSS -vs- GROSS, NO. 2456: With this find demand for oral examination which should have been sent you yesterday and was overlooked, and, also, interrogatories to Mrs. Gross as a witness for herself; the commission in both cases will, of course, be returned direct to us for attention in the one case and forwarding to client with instructions to the non-resident commissioner in the other. A decree pro confesso should have been granted today.

Please issue these at once.

Yours very truly

Elliott G. Rickarby
for
RICKARBY & RICKARBY

EGR:M
ENC.
2932


CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: EQUITY SIDE

TO

WALTER E. GROSS

You are hereby notified to appear and plead, answer or demur within thirty days of the receipt hereof to the Bill of Complaint filed in this Court at Bay Minette, Alabama, against you as Defendant by OLIVE GROSS as Complainant.

WITNESS my hand this the 26th day of April, 1950.


Register, Circuit Court

TO THE

HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA: IN EQUITY:

Comes OLIVE GROSS, and by this her Bill of Complaint, presented against WALTER E. GROSS, respectfully shows:

FIRST: THAT Complainant and Defendant are both over the age of twenty-one years; that both have been for more than three years bona fide residents of the State of Alabama, though she has, since her abandonment by Defendant, returned to her home in Naubinway, Michigan.

SECOND: That Complainant and Defendant were married in the State of Michigan in the year 1945, but have not lived together since March 11, 1949.

THIRD: That after four years of married life, the conduct, threats and physical violence of Defendant was such that she was compelled to leave their home and since then they have lived separate and apart with no resumption of marital relations.

FOURTH: Complainant further avers that during their married life together, Defendant was subject to fits of violent rage in which he has on a number of occasions struck her and dragged her around by her hair, and from his cruelty and attacks of insane rage, she has reasonable grounds to believe that to continue to live with him would be at great risk of personal injury or even to life itself.

THE PREMISES CONSIDERED, Complainant prays that WALTER E. GROSS be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from the said WALTER E. GROSS, granting her the right to marry again should she so desire; to resume her former name and the payment of Fifty Dollars toward the expenses of her counsel fees in this case, and to have such other, further or different relief as to equity may seem meet.

Risley & Risley
Solicitors for Complainant.

NO 2456

RECORDED

OLIVE GROSS,
Complainant

vs

WALTER E. GROSS,
Defendant

BILL OF COMPLAINT

Received in Sheriff's Office
this 22 day of *Apr.* 1950
TAYLOR WILKINS, Sheriff

Served May 12, 1950
on Defendant in
Person
B. D. Cobb
Deputy

Filed 4-26-50
W. J. French
Reg.

Richard D. Richard
Solicitors

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

July 17, 1950

Mrs. Alice J. Duck,
Register, Circuit Court,
Bay Minette, Alabama.

Dear Mrs. Duck:

GROSS VS GROSS: By this mail you will receive the deposition of Mrs. Laura B. Spencer, the other witness in addition to the testimony of the Complainant now in your hands.

Decree and copies are enclosed. Please submit at once the cause for final decree and should Judge Mashburn question the provision as to attorneys fees, call attention to the fact that this is provided for in the Bill.

You can also tell him, though this is not in the record, that when the Bill was filed, the sheriff handed Gross a letter stating that if he would file an answer at once, no claim would be made for counsel fees or alimony, but he ignored this letter, which the sheriff tells me reached his hands. He is therefore in no position to resist paying for an action brought about by his own misconduct.

Sincerely,

Elliott G. Rickarby
for
RICKARBY & RICKARBY

EGR;hb
Encs - 3
2932

OLIVE GROSS,
Complainant

No. 2456

vs

E Q U I T Y

WALTER E. GROSS,
Defendant

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

DEPOSITION OF LAURA M. SPENCER,
WITNESS FOR COMPLAINANT.

The above named witness, appeared before me at the time and place hereinafter stated and upon examination by counsel for Complainant, after being sworn, testified as follows:

LAURA M. SPENCER

I am a resident of Fairhope, Alabama, and well acquainted with both of the parties to this case. I am informed that Walter Gross is now living at Foley, Baldwin County, Alabama, but his wife, who was compelled to leave him because of his behavior, is back in Wisconsin with her son. They were married as I recall in 1945 and he and she lived together in my house east of Fairhope from about December 15, 1948 to the time when she left him in March, 1949. In that time the relations between the two were very stormy and on one occasion, on a Saturday night, he and she had a violent quarrel. I did not see it but could hear their loud voices and later her screams when she was being dragged around the room by him by her hair. I did not see him beating her, but later that night saw her face and neck showing the marks of his hands and when she came in to me she was hysterical with fear and anger. Later on that night he attacked her again and she left him and has been living apart ever since. When Gross is intoxicated, he seems to lose all sense of reason and his wife, in my opinion, was wise to leave him, as sooner or later he would have done her serious injury.

Laura B. Spencer

CERTIFICATE

I, Helen P. Baugh, ~~acting as commissioner by agreement of parties~~ hereby certify that in the case of OLIVE GROSS vs WALTER E. GROSS, pending on the Equity side of the Circuit Court of Baldwin County, I caused LAURA M. SPENCER, witness for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn, upon examination by the solicitor for the Complainant, she testified as is above written, and her testimony, after being reduced to writing, was read over and signed by her.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 17th day of July, 1950.

Helen P. Baugh
Commissioner.

DEPOSITION
OF
LAURA M. SPENCER,
WITNESS FOR COMPLAINANT

Commissioner's fee \$9.00
Paid by Complainant.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Mrs. Helen P. Baugh

KNOW YE: that we, having full faith in your prudence and competency, have appointed you
Commissioner, and by these presents do authorize you, at such time and place as you may appoint,
to call before you and examine Floyd Bung and Laura B. Spencer

as witnesses in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

OLIVE GROSS

, Complainant
and WALTER E. GROSS

Respondent
on oath, to be by you administered, upon them
to take and certify the depositions of the witnesses and return the same to our Court, with all
convenient speed, under your hand.

Witness 20th day of June, 195 0

Reid F. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2456

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

OLIVE GROSS

Complainant—

vs.

WALTER E. GROSS

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Mrs. Helen P. Baugh

WITNESSES:

..... OLIVE GROSS
Complainant,
VS.
..... WALTER E. GROSS
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NO. 2456

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows :

1. That the following named witnesses reside within one hundred miles from
Bay Minette, in the County of Baldwin
Alabama, the place of trial of said cause, to-wit:
Floyd Bung
Laura B. Spencer

2. That said complainant requires an oral examination of said witnesses before a commis-
sioner appointed by the Register of this Court.

Rickard & Rickard
Solicitors for Complainant.

NOTE:

Complainant suggests the name of Helen P. Baugh
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Rickard & Rickard
Solicitors for Complainant.

NE 2406
EQUITY

HT-2-47-100

DEMAND FOR ORAL EXAMINATION.

OLIVE GROSS

Complainant,

Vs.

WALTER E. GROSS

Respondent.

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

Filed this _____ day of June

19X 50

FILED

JUN 22 1950

Register.

ALICE J. DUCK, Register

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. 2456 Circuit Court, In Equity.

OLIVE GROSS

Complainant

Vs.

WALTER E. GROSS

Defendant

Motion is hereby made for a Decree Pro Confesso against

WALTER E. GROSS

Defendant

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

This _____ day of June 19 50

Rickarby & Rickarby
RICKARBY & RICKARBY

Solicitors

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

OLIVE GROSS

Complainant

Vs.

WALTER E. GROSS

Defendant

Motion for Decree Pro Confesso on
Personal Service

Filed 6-20 1950

Amiel W. W. W. W.
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Printing Co., Bay Minette, Ala.

2456