

Sabra Catherine Brown,
Complainant,

vs

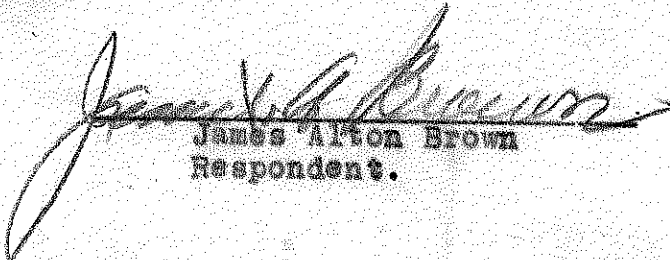
James Alton Brown,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER OF RESPONDENT

Now comes the respondent, James Alton Brown, and for answer to the bill of complaint in this cause filed against him by the complainant, Sabra Catherine Brown, he denies each and every allegation contained in said bill of complaint and demands strict proof thereof.

And he, the said respondent, hereby waives all further notice, or service of process against him, of the filing of said bill of complaint and of the submission of said cause for final decree, including the taking of testimony in said cause.


James Alton Brown
Respondent.

1105

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

Sabra Catherine Brown Complainant

VS

James Alton Brown Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~
on answer of respondent 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said Sabra Catherine Brown
is forever divorced from the said

James Alton Brown
for and on account of Cruelty

It is further ordered, adjudged and decreed that the maiden
name of complainant, namely: Sabra Catherine Shiver, be,
and the same is hereby, restored to her.

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 complainant and respondent
be, and ~~are~~ hereby permitted to again contract marriage upon the payment of the cost of
this suit.

It is further ordered that complainant
the _____ pay the cost herein to be taxed, for which execution may issue.

This 18th day of May, 1944.
J. M. Harle
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.

No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

Sabra Catherine Brown

vs. Complainant.

James Alton Brown
Respondent.

DIVORCE DECREE

Sabra Catherine Brown,)
Complainant,)
vs)
James Alton Brown,)
Respondent.)

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

AFFIDAVIT OF NON RESIDENCE

Personally appeared before me, Winnie G. Scarborough
a Notary Public in and for said state and county, Sabra Catherine
Brown, who, being first by me duly sworn, deposes and says that
she is the complainant in the foregoing cause for divorce against
James Alton Brown, and that the address and residence of the said
James Alton Brown is unknown and cannot be ascertained, after
diligent search and inquiry, that the last known address or place
of residence of the said James Alton Brown was Square Hotel, San
Francisco, California; that complainant used diligence in attempt-
ing to find out the address and place of residence of the said
James Alton Brown by inquiring from his former employers and his
relatives, but was unable to obtain more definite information.
Complainant further deposes and says that both she and the said
James Alton Brown are each over the age of twenty-one years.

Sabra Catherine Brown

Sworn to and subscribed to before me this 26th day of
April, 1944.

Winnie G. Scarborough
Notary Public, Baldwin County,
Alabama.

Sabra Catherine Brown,)
Complainant,)
vs)
James Alton Brown,)
Respondent.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Comes your complainant, Sabra Catherine Brown, and brings this her bill of complaint against the respondent, James Alton Brown, and respectfully alleges and represents unto your Honor and the Court as follows:

1. Complainant and respondent are each over the age of twenty-one years. The complainant is a resident of Baldwin County, Alabama, and has been a bona fide resident of said state and county for more than one year next preceding the filing of this her bill of complaint. The address and place of residence of respondent is unknown to complainant and cannot be ascertained after diligent search and inquiry.

2. Complainant and respondent were lawfully married to each other in Mobile County, Alabama, on October 28, 1943, and lived together as man and wife until February 4, 1944, and have not lived together as man and wife or otherwise since said last date.

3. On said last date, February 4, 1944, respondent committed actual violence on her person, attended with danger to her life or health, and from his conduct there was reasonable apprehension of further acts or actual violence on her person, attended with danger to her life or health on part of respondent. On said last date respondent struck complainant with his hand, and threatened to choke her and, he being a man of ungovernable temper, complainant, fearing for the safety of her life or health, refused to live further with him as his wife. Since said last date complainant has worked and made her own living without any support or help from respondent.

4. Complainant further alleges that her maiden name was Sabra Catherine Shiver, and she prays the Court to restore to her such maiden name.

WHEREFORE, the premises considered, complainant prays the Court that the said James Alton Brown be made party respondent to this bill of complaint and that due process issue for service upon him.

And complainant further prays that upon the final hearing hereof your Honor and the Court will be pleased to give and grant to her a decree of complete divorce from the respondent, James Alton Brown, with permission to complainant to again marry, should she see fit so to do, and that her maiden name of Sabra Catherine Shiver be restored to her. And complainant further prays for all such other, further and different relief, orders and decrees as she may be entitled to, the premises considered.

N. E. Smith
Solicitor for Complainant.

John May 16 1948

Robert J. [unclear]

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26 April 26 1944
Bob
Bob

1105-

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama.
(In Equity)

Sabra Catherine Brown COMPLAINANT

vs.

James Alton Brown RESPONDENT

I, R S Duck

as Register and Commissioner

have called and caused to come before me Sabra Catherine Brown and M. J.

Moore

witness^{es} named in the requirement for Oral Examination, on the 17th day of May

1944, at the office of H. E. Smith, Solicitor for Complainant,

in Bay Minette, Alabama, and having first sworn said witness^{es} to speak the

truth, the whole truth, and nothing but the truth, the said Sabra Catherine Brown,

the complainant doth depose and say as follows:

My name is Sabra Catherine Brown. I am the complainant in this cause for divorce against the respondent, James Alton Brown. I and the respondent are each over the age of twenty-one years of age. I am, and have been for more than one year next preceding the filing of this bill of complaint, a bona fide resident of Baldwin County, Alabama. At the time of the filing of the bill of complaint in this ~~xxx~~ cause, I did not know and could not ascertain his address and place of residence. The last place I heard from him after we were parted as hereafter stated was that he was residing at Square Hotel in San Francisco, California. None of his folks had heard from him since that time. However, after filing my bill of complaint herein, I was informed that he was visiting his sister in Mobile, Alabama. He was immediately informed by me of the divorce action, and I forward to him the answer and waiver of notice which he signed and returned.

I and the respondent were lawfully married to each other in Mobile, Mobile County, Alabama, and lived together as man and wife until February 4, 1944, and we have not lived together as man and wife or otherwise since February 4, 1944. The date of our marriage was October 28, 1943.

On said last date, February 4, 1944, the respondent committed actual violence on my person, attended with danger to my life or health, and from his conduct there was reasonable apprehension of further acts of actual violence on my person, attended with danger to my life or health, on the part of the respondent. On said last date respondent struck me with his hand and threatened to choke me, and, ~~xxx~~ he being a man of ungovernable temper, I fearing for the safety of my life or health, refused to live further with him as his wife. Since this last date, I have worked and made my own living without any support or help from him, in fact, he never did give me one penny while we were married, but on several occasions borrowed money from me. A week or so before our separation, he had communicated to me a serious venereal disease, and I am still under a doctor's treatment for this. With his violent treatment

I, Robbly as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness X and read over to John and Thy signed the same in the presence of myself and At E. Smith at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness X or had proof made before me of the identity of said witness—; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 17 day of May 1944.

Robbly (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed May 17, 1944

Robbly, Register.

RECORDED IN _____

Record _____

Vol. _____ Page _____

Register _____

of me while we were living together and this disease which he gave me, my health and nerves were seriously impaired and affected, and I am still not nearly back to normal.

I would like to and do ask that the Court restore to me my maiden name of Sabra Catherine Shiver.

Sabra Catherine Brown

W. J. Moore, having been first by me duly sworn, testified, as a witness in behalf of complainant, in substance as follows:

My name is W. J. Moore. I am well over the age of twenty-one years and reside in Bay Minette, Baldwin County, Alabama, being engaged in the Grocery business here. I have read over the testimony of Sabra Catherine Brown, the complainant, and know that it is substantially true. She has been employed by me as a clerk in my ~~XXXXXXXXXXXXXXX~~ wife's store since December, 1943.

She and her husband lived in a house adjoining ours, and I heard him quarreling with her in a loud voice on one or two occasions, and know that he did not support her. Her health when they separated was in a very bad condition and she is now under the treatment of a local physician. she has improved since they separated in February, 1944.

W. J. Moore

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

Sabra Catherine Brown.

No. 1105

vs.

James Alton Brown

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 26th day of

April, 1944

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Sabra Catherine, Brown.

that the Defendant

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

the said James Alton Brown.

to answer or demur to the Bill of Complaint in this cause by the 22nd day of May 1944, or after thirty days therefrom a decree Pro Confesso may be taken against him.

H E Smith
Solicitor for Complainant.

Register.

Sabra Catherine Brown

THE STATE OF ALABAMA,
BALDWIN COUNTY

VS.

James Alton Brown

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, answer
and waiver of respondent, oral depositions of the witnesses
for complainant, namely: Sabra Catherine Brown and W.J. Moore.

and in behalf of Defendant upon answer and waiver

R. H. Welch Register.

No. _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

Sabra Catherine Brown

VS.

James Alton Brown

NOTE OF TESTIMONY

Filed in Open Court this 17th

day of May 1944

[Signature]
Register.