

EUNICE BERNHARDT,  
Complainant,  
VS.  
FRANK BERNHARDT,  
Respondent.

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

TO THE HONORABLE THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,  
IN EQUITY, AND THE HON. F. W. HARE, JUDGE THEREOF:

Your Oratrix Eunice Bernhardt, humbly complaining of the Respondent, Frank Bernhardt, in a matter of divorce as will hereinafter appear shows unto your Honor and unto this Honorable Court as follows:-

FIRST:

That your Complainant and the Respondent are both are and over the age of twenty-one years and/have been resident citizens of Baldwin County, Alabama, for more than two years last past.

SECOND:

That your Complainant married the respondent on June 2, 1942 and lived with him as his wife until on account of the matters hereinafter set forth, she was compelled to leave him and live separate and apart from him; that on July 4, 1944 the respondent committed actual violence on the person of your Complainant attended with danger to her life or health; that said respondent struck your complainant in the face with his fist; that from the conduct of said respondent your complainant has reasonable apprehension ~~xxxxxx~~ and she does believe that if she continues to live with the respondent that he will commit further violence on her person attended with danger to her life or health; that on July 16, 1944 the respondent told your complainant that he was going to give her twenty-four hours in which to get out of his house or he would kill her, and on July 17, 1944 your complainant was compelled to leave the respondent and live separate and apart from him; that she has not lived with him as man and wife since that time.

THIRD:

Your complainant further shows unto your Honor that there was born of this marriage a girl named Nancy Bernhardt who is now fifteen months of age; that your complainant is a fit and proper person to have the care, custody and control of such minor and the respondent is not a fit and proper person to have the care and control of such minor.

FOURTH:

Your complainant further shows unto your Honor that she does not own any property whatsoever, of any kind, nature or description; that the respondent owns a home in Fairhope on which home there is a small sum now due; that the respondent also owns about One Thousand Dollars worth of furniture and the respondent is an able-bodied man now employed at the Waterman Steamship Company in Mobile, Alabama, and is earning about Three Hundred Dollars (\$300.00) per month; that your complainant is not employed and her full time is taken in caring for said minor child. Your Complainant further shows unto your Honor that she has employed Hybart & Chason of Bay Minette, Alabama, as her Solicitors of Record to prosecute this proceeding, and is unable to pay a Solicitors fee for such prosecution.

PRAYER FOR PROCESS.

To the end that Equity may be had in the premises your Complainant prays that your Honor will cause the usual Writ of process to issue to said Respondent requiring him to plead, answer or demur to the Bill of Complaint within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF.

Your Complainant further prays that your Honor will order a reference to determine a reasonable amount to be paid by said respondent to your complainant as alimony pendente lite and a reasonable amount to be paid by such respondent to Hybart & Chason as attorneys fees pendente lite; that upon a final hearing of this cause that your Honor will order and decree that said Respondent pay

your complainant such alimony as your Honor may deem proper for the support of your complainant and said minor child, and that your Honor will order and decree that said respondent pay the said Hybart & Chason a reasonable attorneys fee for prosecuting this cause, and that your Honor will order and decree that your Complainant be awarded the care, custody and control of the said Nancy Bernhardt. Your Complainant further prays that your Honor will render an Order dissolving the bonds of matrimony heretofore existing between your complainant and the respondent. Your Complainant further prays for such other, further, different and general relief to which she may be entitled and as in duty bound she will ever pray.

*Mrs. Eunice Bernhardt*  
Complainant.

HYBART & CHASON  
Solicitors for Complainant.

EUNICE BERNHARDT,

Complainant,

VS.

FRANK BERNHARDT,

Respondent.

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

This matter coming on for hearing on application pendente lite to ascertain a reasonable sum to be paid the Complainant by way of alimony pendente lite and a reasonable sum to be paid Hybart & Chason, Solicitors for Complainant, pendente lite, and the same being understood by the Court, it is ordered that a reference be held by the Register of this Court after giving the Defendant ten days notice of the same, for the purpose of ascertaining a reasonable sum to be paid by the Defendant to the Complainant as alimony pendente lite and to ascertain a reasonable sum to be paid Hybart & Chason, Solicitors for Complainant, as Solicitors fees pendente lite, and that it is also ordered that the Register report to this court his findings on this reference, subject to further orders of the Court.

DATED at Monroeville this 16<sup>th</sup> day of August,  
1944.

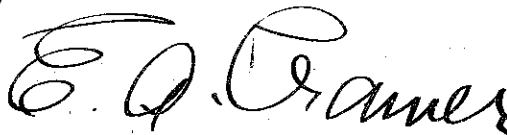
  
Judge.

No. 1167.

EUNICE BERNHARDT )  
Complainant ))  
vs )  
FRANK BERNHARDT )  
Respondent )

In the Circuit Court  
Baldwin County  
Alabama  
In Equity

Comes Frank Bernhardt, the Respondent, and, for answer to the Bill of Complaint in the above styled cause, says that he denies each and every allegation therein contained.

  
Solicitor for Respondent.

ORDER.

EMMONS BIRNBAUM,

Complainant,

vs.

FRANK BERTRAND,

Respondent.

IN THE CIRCUIT COURT OF  
DADE COUNTY, FLORIDA.  
IN EQUITY.

FILED AUGUST \_\_\_\_\_, 1944.

Register.

1169

Answer

Two days 14 44  
O'Donnell,  
BT

SUMMONS AND COMPLAINT

1167

THE STATE OF ALABAMA, } No. 1167.  
BALDWIN COUNTY }

CIRCUIT COURT BALDWIN COUNTY

July.

TERM, 194 44

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon FRANK BERNHARDT.

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against \_\_\_\_\_

FRANK BERNHARDT.

Respondent.

by EUNICE BERNHARDT.

Complainant.