

(2249)

Sarah Penna Mahand

THE STATE OF ALABAMA
Baldwin County

Joseph Mahand

vs.

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 Willma Brown*

and in behalf of Defendant upon _____

Answer & Waiver

Richard T. Rickaby

W. J. H. H. H.

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 27.....

day of April, 1949.

W. J. Luck
Register.

Printed By The Baldwin Times

THE STATE OF ALABAMA:

COUNTY OF BALDWIN:

CIRCUIT COURT

IN EQUITY

SARAH P. MAHAND,

COMPLAINANT

VS.

JOSEPH MAHAND,

RESPONDENT

This cause coming on to be heard was submitted upon Bill of Complaint, Answer in Open Court 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 SARAH P. MAHAND is forever divorced from the said JOSEPH MAHAND for and on account of C R U E L T Y.

It is further ORDERED, ADJUDGED and DECREED that the Complainant have the sole custody of the two children of the marriage, Leon Alphonse, aged 13 years, and Erna Rae, now 3 years old, and Respondent shall have the right to visit said children at reasonable daylight hours.

It is further ORDERED, ADJUDGED and DECREED that the Respondent pay to Complainant the sum of TWENTY DOLLARS every two weeks for the maintenance, support and education of the two children of the marriage until said children attain the age of eighteen years, and the further sum of Twenty-five dollars toward the payment of her solicitors' fee in this cause.

The Court reserves control of this cause for such further orders as the interests of the children of the marriage may require.

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 Joseph Mahand, the Respondent, pay the cost herein to be taxed, for which execution may issue.

This 27th day of April, 1949.

Telfair J. Maslbury, Jr.
Judge Circuit Court, In Equity.

I, A L I C E J. D U C K, 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 April, 1949.

Register of Circuit Court, In Equity.

FILED

APR 27 1949

ALICE J. DUCK, Register

ALICE J. DUCK, Register

APR 27 1949

F.D.L.F.D.

DIVORCE DECREE

JOSEPH MAHAND,
Respondent

-VS-

SARAH P. MAHAND,
Complainant

APR 27 1949

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

Comes SARAH PENN MAHAND, and by this her Bill of
Complaint, presented against JOSEPH MAHAND, respectfully shows:

FIRST: That Complainant and Defendant are both over
the age of twenty-one years; that both are now and have been for
more than five years next preceding the filing of this Bill of
Complaint bona fide resident citizens of Baldwin County, Alabama,
having lived in Daphne, Alabama, since childhood.

SECOND: That Complainant and Defendant were married
at Mobile, Alabama, on March 13th, 1934, and have lived together
since that time as husband and wife in Daphne, Alabama.

THIRD: That to this marriage were born two children,
Leon Alphonse Mahand, a son, aged 13 years; and Erna Rae Mahand, a
daughter, aged three years.

FOURTH: That in the latter part of February, 1949,
Complainant left Defendant because of his continued cruel treatment.
That for the last two years he has been indifferent to her and at
times being very cruel, having beaten her on a number of occasions.
On Saturday night, February 12th, 1949, he came home obviously under
the influence of liquor; he beat her severely and ran her and her
two children from home since which time they have been living apart
from him with Complainant's sister. From Defendant's treatment of
her and behavior she is unwilling to return to him for fear of great
bodily harm and for her life.

THE PREMISES CONSIDERED, Complainant prays that Joseph
Mahand 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 said Joseph
Mahand, granting her the sole custody of Leon Alphonse and Erna Rae,

the two children of the marriage, and providing a suitable amount for the maintenance and support of the children of the marriage and a suitable allowance to be made complainant for payment of her counsel in this cause.

Complainant further prays that an order of reference be made directing the Register of this Court to ascertain proper sums to be paid for such purposes and that, upon said reports, decrees for the payment of same be made accordingly.

Complainant further prays that she be granted the right to marry again, should she so desire, and to have such other, further or different relief as to equity may seem meet.

Reis & Reis

Solicitors for Complainant.

Recd
4-7-49

W 2249
~~2245~~

Executed 7/15 19 49
by serving copy of within Summons and
Complaint on

Joseph Mahand

Taylor Watkins Sheriff
By Zollie B. Giffi Deputy Sheriff

SARAH PENN MAHAND,
Complainant

-VS-

JOSEPH MAHAND,
Defendant

BILL OF DIVORCE

FILED

Mar 28 1949

WILLIAM A. BURR, Register

RICKARBY & RICKARBY,
Solicitors for Complainant.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

No. 2263

-----TERM, 194-----

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You are hereby commanded to summon

Joseph Maharril

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

Joseph Maharril

, Defendant

by

Sarah Penn Maharril

Plaintiff

Witness my hand this

14th

day of

April

1949

Reisel Wench

, Clerk

No. _____ Page _____

THE STATE of ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS and COMPLAINT

Filed _____, 194_____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co., Bay Minette, Ala.

Defendant lives at

RECEIVED IN OFFICE

_____, 194_____

Sheriff

I have executed this summons

this _____ 194_____
by leaving a copy with

Sheriff

Deputy Sheriff

SARAH PENN MAHAND,
Complainant

E Q U I T Y

No. _____

-vs-

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

JOSEPH MAHAND,
Respondent

Comes JOSEPH MAHAND, Respondent in the above styled cause, and for answer to the Bill of Complaint said he denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

Joseph Mahand
Respondent.

Before me, the undersigned Notary, personally appeared Joseph Mahand, who is known to me to be the Respondent above named and who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 7th day of March, 1949.

Elliot B. Rieley

Notary Public, Baldwin County, Alabama.

Figure 1 illustrates the steps of the proposed algorithm for finding a minimum spanning tree. The process starts with an initial graph (a) and proceeds through selecting edges (b-f) until a minimum spanning tree is formed.

Figure 1. The structure of the proposed model.

[illegible]

Figure 1

THE BIBLE

FILED
MAR 8 1949
MILWAUKEE, WISCONSIN

ANSWER AND WAIVER

JOSEPH MAHAND,
Respondent

VS

SARAH PENN MAHAND,
Complainant

no 249

Handwritten signature: [Illegible]

Date: 06-07-2019

[illegible]

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

Comes SARAH PENN MAHAND, and by this her Bill of
Complaint, presented against JOSEPH MAHAND, respectfully shows:

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than five years next preceding the filing of this Bill of Complaint
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in Daphne, Alabama, since childhood.

SECOND: That Complainant and Defendant were married
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since that time as husband and wife in Daphne, Alabama.

THIRD: That to this marriage were born two children,
Leon Alphonse Mahand, a son, aged 13 years; and Erna Rae Mahand, a
daughter, aged three years.

FOURTH: That in the latter part of February, 1949,
Complainant left Defendant because of his continued cruel treatment.
That in the latter part of February, 1949, Complainant left Defendant
because of his continued cruel treatment. That for the last two
years he has been indifferent to her and at times being very cruel,
having beaten her on a number of occasions. On Saturday night,
February 12th, 1949, he came home obviously under the influence of
liquor; he beat her severely and ran her and her two children from
home since which time they have been living apart from him with
Complainant's sister. From Defendant's treatment of her and behavior
she is unwilling to return to him for fear of great bodily harm and
for her life.

THE PREMISES CONSIDERED, Complainant prays that
Joseph Mahand be made party defendant to this cause and by proper
process required to answer this Bill within the time prescribed by law.

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this cause a decree be rendered forever divorcing her from said Joseph.

Mahard, granting her the sole custody of Leon Alphonse and Erna Rae, the two children of the marriage, and allowing a suitable amount for the support of said children and a reasonable amount for her counsel fees.

Complainant further prays that she be granted the right to marry again, should she so desire, and to have such other, further or different relief as to equity may seem meet.

Richard D. Richerby
Solicitors for Complainant.

Solicitors for Complainant
RICKERBY & RICKERBY

FILED
MAY 2 1910

DEPT. OF JUSTICE

RECEIVED
MAY 10 1910

COMPLAINT
OF
MAY 10 1910

OBJ.

40234

ELLIOTT G. RICKARBY

LAW OFFICES

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

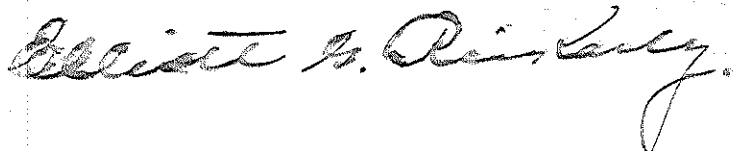
April 19, 1949

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

Dear Mrs. Duck:

MAHAND vs. MAHAND: With this we hand
you testimony of Sarah Mahand and Willie Mae
Brown and decree and two copies which we
have written in accordance with Judge Mash-
burn's instructions.

Yours very truly,



for:
RICKARBY & RICKARBY

EGR:la
4 encls.
2918.

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

April 2, 1949

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

Dear Mrs. Duck:

MAHAND vs. MAHAND: With this find bill in duplicate in this cause. Do not issue subpoena in this for the present as this man signed an answer some time ago and also an agreement as to alimony but there was some disagreement between him and his wife on the latter and this point will have to be adjudicated by the Court. However, he may be in within the next few days to sign another answer, or I can find the original, when we will advise you.

Sincerely,

Elliott G. Rickarby

for:
RICKARBY & RICKARBY

EGR:la
2918.
2 encls.

THE STATE OF ALABAMA }
Baldwin County }Circuit Court of Baldwin County, Alabama,
(In Equity)SARAH P. MAHAND, COMPLAINANT

vs.

JOSEPH MAHAND, RESPONDENTI, RHODA L. ALLEN~~as Register and Commissioner~~ by agreement of partieshave called and caused to come before me Sarah P. Mahand, witness in her own
behalf, and Willie Mae Brown, witnesses for Complainant.witness ^{es} named in the requirement for Oral Examination, on the 18th day of April,
194⁹, at the office of Rickarby & Rickarby
in Fairhope, Alabama, and having first sworn said witness ^{es} to speak the
truth, the whole truth, and nothing but the truth, the said Sarah P. Mahand and
Willie Mae Brown doth depose and say as follows:SARAH P. MAHAND

I am the Complainant in this cause, am over the age of twenty-one years and since childhood have been a bona fide resident citizen of Baldwin County, Alabama, now living at Daphne.

On March 13th, 1934 I married Joseph Mahand and lived with him as his wife up to the 12th day of last February. He is over the age of twenty-one and a life long resident of this County. We have two children, Leon Alphonse, now 13 and Erna Rae, 3 years of age. These children are living with me at the home of my sister Julia Brown in Daphne where we have been since my husband drove me out of our house last February.

For the past two years my husband has been mean to me. He would come home under the influence of liquor and be mean and quarrelsome. A number of times he beat me. I stood this up to Saturday night February 12th past when he came home drunk and beat me severely, knocking me down and kicking me as I lay on the floor. He ordered me out of the house and the children too and I was glad to get away and have not been back since. I feel if I go back to him, he will sooner or later kill me in a drunken rage. He has met me on the street since and begged me to come back, but I am afraid to. I had come back to him a number of times before on his promise of better behavior, but he has never yet kept his word for more than a few days.

Joseph has a good job with the Grand Hotel and gets \$140.00 a month so he can afford to support his children. I am supporting myself, but must have help from him for our two children.

Sara Penn Mahand

I, RHODA L. ALLEN 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 es and read over to them and they signed the same in the presence of myself and E. G. Rickarby

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; 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 19th, day of April, 1949.

Rhoda L. Allen
Commissioner by agreement of parties.

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

SARAH P. MAHAND,

COMPLAINANT

vs.

JOSEPH MAHAND,

RESPONDENT

ORAL DEPOSITION

Filed 4-21, 1949

Benjamin L. Henck, Register.
RECORDED IN

Record

Vol. _____ Page _____

Register

2249