

4191

EVELYN ELIZABETH SULLIVAN,		IN THE CIRCUIT COURT OF
Complainant		BALDWIN COUNTY, ALABAMA
-vs-		
JULIUS C. SULLIVAN,		IN EQUITY
Respondent		

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes EVELYN ELIZABETH SULLIVAN and by this Bill of Complaint presented against JULIUS C. SULLIVAN, respectfully shows:

FIRST: That the Complainant and Respondent are both over the age of twenty-one years and Complainant is a bona fide resident of Baldwin County, Alabama, and the Respondent is now residing at 23 Dauphinwood Drive, Mobile, and separation occurred in Baldwin Co. Ala.

SECOND: Complainant and Respondent were married on or about the 1st day of May, 1944 and lived together as husband and wife until about the 1st. day of December, 1957; except for three separate times when they separated because of his conduct as here and after shown.

THIRD: Respondent committed actual violence upon the person of his wife, attended with danger to her life or health, by striking her while the parties were living in Texas, and that he has repeatedly made threats against this Complainant that he would strike her, knock her teeth down her throat or knock her head through the wall, and that these statements are made while he is under the influence of alcohol and is not responsible; and that from his conduct Complainant believes that if she continued to live with him, it would be dangerous to her life or health, she being made by his conduct to be a highly nervous woman.

FOURTH: That to this marriage there have been born four children, namely: CAROL ANN, a daughter, aged thirteen; WILLIAM EUGENE, a son, aged eight; JOHN MICHAEL, a son, aged five; and JOSEPH EMRICH, a son, aged two; and that these children are under her care and custody and that it is to the best interest of these children to be under Complainant's care and custody.

FIFTH: The Complainant has no personal estate other than her earnings as a typist and that it is necessary that the Respondent contribute to the support of said children, he being an able-bodied man and being now employed as a seaman.

THE PREMISES CONSIDERED, Complainant prays that JULIUS C. SULLIVAN be made a party defendant to this cause, and by proper process required to plead, answer or demur within the time prescribed by law.

Complainant further prays that on a final hearing of this cause, a decree be rendered, first, giving her the care and custody of said minor children, and second, ordering the Respondent to contribute for the support of said children, and granting her a divorce from the bed and board of the Respondent, and for such other different or further relief as to the Court may seem proper.

  
E. G. RICKARBY,  
Solicitor for Complainant

4191

EVELYN ELIZABETH SULLIVAN,

Complainant

-vs-

JULIUS C. SULLIVAN,

Respondent

BILL OF COMPLAINT

FILED

DEC 21 1957

ALICE A. BULL, Register

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

**THE STATE OF ALABAMA,**

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. ....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon Julius C/ Sullivan

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 \_\_\_\_\_

Julius C. Sullivan, Defendant .....

by Evelyn Elizabeth Sullivan

....., Plaintiff.....

Witness my hand this 21 day of Dec 19.....57

*Alice J. Duck* Clerk

85706 ✓ 187  
4191 Page

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

EVALYN ELIZABETH SULLIVAN

Plaintiffs

vs.

JULIUS C. SULLIVAN

Defendants

SUMMONS and COMPLAINT

Filed 12 21- 19 57

Alice J. Duck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

12-21- 19 57

Sheriff

I have executed this summons

this 28th Dec. 19 57

by leaving a copy with

Julius C. Sullivan

~~Sheriff claims miles at~~

~~Ten Cents per mile Total \$~~

~~W. WILKINS Sheriff~~

Ray D. Bridges Sheriff  
Wm Wade Deputy Sheriff

LAW OFFICES

E. G. RICKARBY

BANK BUILDING  
FAIRHOPE, ALABAMA

March 3, 1958

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

Dear Mrs. Duck:

Inre: Sullivan vs. Sullivan  
Our File: 4327

Enclosed herewith motion for Decree Pro-Confesso in  
the above styled cause.

Please process and oblige.

Yours very truly,



/nmk  
Encl.

*Please phone me when  
issued.*



**FILED**

**MAR 5 1958**

**ALICE L. DUCK, Register**



CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

EVELYN ELIZABETH SULLIVAN  
Complainant,  
Vs. JULIUS C. SULLIVAN  
Respondent.

In the Circuit Court.  
In Equity No. 4191.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent \_\_\_\_\_

JULIUS C. SULLIVAN

by the Sheriff of Mobile County, on the 28 day of December

19~~X~~ 57.

And it further appears to the Register, that that the said \_\_\_\_\_

JULIUS C. SULLIVAN

\_\_\_\_\_ the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of E.G. Rickarby Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said \_\_\_\_\_

JULIUS C. SULLIVAN

This 5th day of March, 19~~X~~ 58.

*Alice J. Duck*  
Register.

500

EVELYN ELIZABETH SULLIVAN	)	
	)	IN THE
VS.	)	CIRCUIT COURT OF BALDWIN COUNTY,
	)	
JULIUS C. SULLIVAN,	)	ALABAMA. IN EQUITY
	)	

MRS. EVELYN ELIZABETH SULLIVAN, THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Rickarby.

Q. Is your name Evelyn Elizabeth Sullivan?

A. Yes sir.

Q. Where were you living at the time this suit was filed?

A. Baldwin County.

Q. You were a resident of Baldwin County, Alabama?

A. Yes sir.

Q. Where was Mr. Sullivan living?

A. Baldwin County.

Q. Are both of you over 21 years of age?

A. Yes sir.

Q. When were you and your husband married?

A. May 11, 1944.

Q. How long had you lived together as man and wife?

A. Off and on until we separated November 3.

Q. Has he ever committed acts of cruelty on you?

A. Yes.

Q. How many times?

A. Oh I would say a dozen times.

Q. When was the last time?

A. It was in October of '57, I would say.

Q. Did he lay his hands on you?

A. Yes.

Q. Tell the Court exactly what happened?

A. There have been so many occasions--

Q. The last time?

A. The last time he would go to in a drunken rage and slap me about

the face, usually.

Q. Did he ever make any threats of violence?

A. Yes, repeated threats of violence.

Q. Did you believe those threats?

A. Yes.

Q. Did you have reason to believe the threats?

A. Yes I did because he hit me before.

Q. If you had continued to live with him do you believe that he would have committed violence upon your person?

A. Yes sir, I do.

Q. Would this be dangerous to your life or health?

A. Yes I am sure it would be.

Q. How many children do you have?

A. Four.

Q. Are they with you?

A. Yes.

Q. What is the best interest of those children - where should they be?

A. With me, their mother.

Q. Can he provide a good home for them?

A. He could make the money to provide it, but I don't think He's capable of doing it.

Q. Is there any reason why he has shown whether he is fit or unfit to have charge of the children?

A. Yes - the fact that he is drinking excessively and can't even think properly most of the time.

Q. Do you have any money or property?

A. I have a job of three months steady income, but no property.

Q. What are you making ?

A. \$50.00 a week.

Q. Is that enough to provide for your four children and yourself?

A. With the bear necessities - rent and groceries - no luxuries.

Q. What type work does Mr. Sullivan do?

A. usually construction work - ship yard work.

Q. What does he make?

A. In that line I would say he averages \$60.00 a week.

Q. Does he work full time at this work?

A. No, as a rule he does not.

Q. Is he capable of working full time?

A. He would be capable if he didn't drink so heavily.

Q. Is it necessary for him to provide for the support of the children to raise them properly?

A. Well not to raise them properly - Money is not the main thing in raising children properly, but we could certainly use it for things that I couldn't provide for them.

Q. Provide a better standard of living?

A Yes.

MR. JOHN E. EMRICH, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

---

Examination by Mr. Bailey.

Q. What is your name?

A. John E. Emrich.

Q. What kin are you to Mrs. Sullivan?

A. Brother.

Q. You are her brother?

A. Yes sir.

Q. In December of 1957 what was her residence?

A. Fairhope, Alabama.

Q. What was Mr. Sullivan's residence?

A. Fairhope, Baldwin County, Alabama.

Q. Are both of them over the age of 21 years?

A. Yes sir.

Q. About when were they married?

A. 1944.

Q. Have they been living together happily since that time?

A. No sir.

Q. Have you ever seen him evidence violence or cruelty towards her?

A. Yes.

Q. What did he do?

A. Wasn't any actual physical violence - threats and drinking.

Q. He made threats of personal injury?

A. Yes, on one occasion after they separated.

Q. What did he say?

A. He came to our house after they separated and sounded to me like he wanted a reconciliation, but he was drunk and he got loud and louder and got to threatening that he would hurt her--

Q. What did he say?

A. Well he more or less said : "You'll wish you had come back".

Q. Indicating that he would commit violence?

A. Yes sir.

Q. Is Mrs. Sullivan taking good care of the children?

A. Yes she is.

---

C E R T I F I C A T E :

I hereby certify that the foregoing, consisting of pages 1 to 4 both inclusive, correctly sets forth a true and correct transcript of the evidence in the above styled cause, taken by me in open court.

This March 18, 1958

*Louise Dunsenbury*  
Official Court Reporter

**FILED**  
MAR 21 1958  
ALICE J. BUCK, C.R.

LAW OFFICES  
E. G. RICKARBY  
BANK BUILDING  
FAIRHOPE, ALABAMA

December 18, 1957

Mrs. Alice Duck  
Clerk of Circuit Court  
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed find Bill of Divorce - Sullivan vs. Sullivan.

Mrs. Sullivan was left with these four children, and just recently gotten a job and hasn't paid me and when she does, I'll take care of your fees.

Yours very truly,



EGR/nmk

delivered

delivered

when cost

paid





Page 2 of 2 pages.

I, Alice Duck, 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 \_\_\_\_\_, 1958.

\_\_\_\_\_  
Register of Circuit Court,  
In Equity.