

MARION C. BRYARS,
Complainant,
VS.
CLIFTON R. BRYARS,
Respondent.

IN THE
CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
IN EQUITY
NO. 3696

This cause coming on to be heard was submitted upon the bill of Complaint, demurrer of the Respondent to the original bill of Complaint, filed February 11, 1956, decree overruling demurrer of the respondent to the original bill of complaint of the complainant, filed February 29, 1956, Answer of the Respondent to the original bill of complaint of the Complainant filed March 20, 1956, and testimony on behalf of the Complainant and the Respondent, taken ore tenus, 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 Respondent be, and the same are hereby dissolved, and that the said MARION C. BRYARS is forever divorced from the said CLIFTON R. BRYARS for and on account of cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant be, and she hereby is awarded the custody of the minor children, Dawn Elaine Bryars, Clifton R. Bryars, Jr. and Gwyn Almyra Bryars, subject to right of visitation at reasonable times by the Respondent.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Respondent pay to the Complainant, towards the maintenance and support of his said minor children the sum of SEVENTEEN AND 50/100 (\$17.50) DOLLARS per week, beginning as of this date.

AND IT FURTHER APPEARING to the Court that the Complainant has had to spend unusual sums in the care, medical attention and support of said minor children, and the Court being of the opinion

that the Respondent should contribute his part towards the payment of said expenses -

I IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Respondent pay to the Complainant the sum of TWO HUNDRED FIFTY AND 00/100 (\$250.00) DOLLARS to be applied against the said extra ordinary expenses and that the Respondent be and he is hereby given 24 months in which to pay said amount.

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 THE Respondent, Clifton R, Bryars, pay the cost herein to be taxed, for which execution may issue.

This 8th day of May, 1956.



Judge of the Circuit Court, in
Equity

be meet and proper.

Marion C. Bryars
Complainant.

STATE OF ALABAMA

BALDWIN COUNTY.

Before me, Norborne C. Stone, a Notary Public, in and for said State and County, personally appeared Marion C. Bryars, who is known to me, and who, after being by me first duly and legally sworn, doth depose and say under oath as follows:

That her name is Marion C. Bryars; that she is the Complainant in the above styled cause; that she signed the foregoing petition and declares that all the matters and facts alleged therein are true and correct.

Marion C. Bryars

Sworn to and subscribed before
me this 15th day of June, 1956.

Norborne C. Stone
Notary Public, Baldwin County,
Alabama.

Filed June 15, 1956
Alice J. Husk, Reg.
Exp. June 15, 1956

#3696

Received 15 day of June 1956
I on 18 day of June 1956
received a copy of the within

Clifton Bryan
service on

TAYLOR WILKINS, Sheriff
By W.A. Tolbert D. S.
Perdido

Sheriff claims 26 miles at
Ten Cents per mile Total \$ 2.60
TAYLOR WILKINS, Sheriff
BY Tolbert
DEPUTY SHERIFF

Vertical handwritten notes on the left margin.

FILED

JUN 15 1956

ALICE J. DUCK, Register

Vertical handwritten notes in the center margin.

Large handwritten scribbles on the right side of the page.

MARION C. BRYARS,
Complainant,

VS.

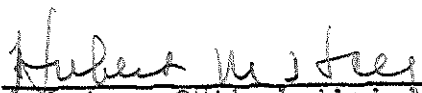
CLIFTON R. BRYARS,
Respondent

)
)" IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA, IN
)
) EQUITY. NO. 3696A
)
)

This cause coming on to be heard, and the Respondent, Clifton R. Bryars having been brought before this Court by the Sheriff of Baldwin County, Alabama, and he having offered no excuse or reason why he has disregarded the orders of this Court, and it further appearing to the Court that said Respondent is in arrears in the sum of to-wit: FIVE HUNDRED EIGHTY FIVE AND 00/100 (\$585.00) DOLLARS, under the terms of that certain decree of this Court dated May 8, 1956, and the Court having considered all of the above, is of the opinion that the said Clifton R. Bryars is in contempt of this Court and should be punished accordingly; it is, therefore

ORDERED, ADJUDGED AND DECREED by the Circuit Court of Baldwin County, Alabama that the said Clifton R. Bryaras is in contempt of this Court and that he be placed in the County jail at Bay Minette, Alabama, not later than 9:00 o'clock A. M. on Thursday, June 18, 1959, to there remain until he has purged himself of such contempt or until further order of this Court.

Done this 17th day of June, 1959.



Judge, 26th Judicial Circuit of
Alabama.

MARION C. BRYARS,	Y	
Complainant,	Y	IN THE CIRCUIT COURT OF
vs.	Y	
CLIFTON R. BRYARS,	Y	BALDWIN COUNTY, ALABAMA
Respondent.	Y	IN EQUITY NO. 3696
	Y	

It having been made to appear to the Court that the Respondent Clifton R. Bryars has failed and refused to come before this Court in response to the order thereof dated January 22, 1959, requiring him to appear before this Court in his own proper person at 10:00 A. M. on the 11th day of February, 1959, at the Courthouse in Bay Minette, Baldwin County, Alabama, then and there to show cause, if any he had, why he should not have been punished for contempt of this Court; and the Court having considered the same is of the opinion that an order should forthwith be entered requiring the Sheriff of Baldwin County, Alabama, or any County in which the Respondent may be found, to forthwith take the Respondent Clifton R. Bryars into his custody and bring him before this Court to show cause, if any he has, why he should not be punished for contempt; it is, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, that the Sheriff of Baldwin County, Alabama, or of any County in the State of Alabama, where the Respondent Clifton R. Bryars may be found, shall forthwith take the said Clifton R. Bryars into his custody and bring him before this Court then and there to show cause, if any he has, why he should not be punished for contempt of this Court for failure to heed and obey the order of this Court dated January 22, 1959.

Done this the 15 day of June, 1959.

Hubert M. ...

 Judge, Circuit Court of Baldwin County,
 Alabama, In Equity

MARION C. BRYARS,
COMPLAINANT
VS
CLIFTON R. BRYARS,
RESPONDENT

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

Comes the Respondent by C. LeNoir Thompson his attorney of record and moves to quash the citation for contempt filed in said cause and as grounds for same shows unto this Honorable Court as follows:

1.

That the said Respondent has been committed and has been received in the Bryce Hospital at Tuscaloosa, Alabama for treatment.

2.

That a receipt for his admission is in the hands of the said attorney of record being furnished him by the individuals transporting the said Clifton R. Bryars to Tuscaloosa and is in words and figures as follows:

3.

That the original receipt is attached hereto and made a part hereof and is in words and figures as follows:

RECEIPT FOR PATIENT

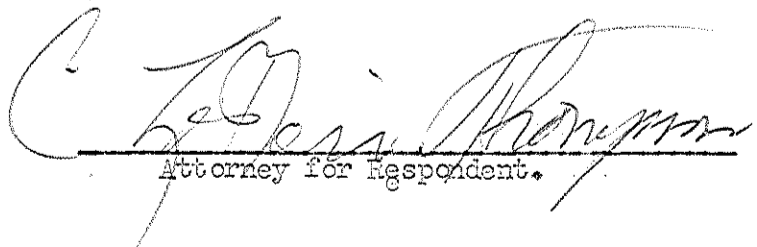
Mr. C. R. BRYARS of Baldwin County has been received as a patient in The Bryce Hospital for the Insane at Tuscaloosa, Alabama.

Brought by R. B. Bryars

June 23, 1956

Received by Dr. Patton. M. D.
Ass't. Physician.

WHEREFORE the said motion.


Attorney for Respondent.

MARION C. BRYARS,
Complainant,
VS.
CLIFTON R. BRYARS,
Respondent

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

Comes this day Marion C. Bryars, the Complainant in the above styled cause, and files herein her verified petition praying for an order for Clifton R. Bryars to show cause why he should not be punished for contempt for failure to comply with the decree this court heretofore rendered in this cause on May 8, 1956, and upon consideration of said petition it is ordered, adjudged and decreed by the Court:

(1) That the said Clifton R. Bryars shall appear before this Court in his own proper person at 9 o'clock A. M. on the 25 day of June, 1956, at the Courthouse in Bay Minette, Baldwin County, Alabama, then and there to show cause, if any he has, why he should not be punished for contempt of Court, for and on account of the matters and things set out in the verified petition of the said Marion C. Bryars.

(2) That the Sheriff of any County in the State of Alabama, where the said Clifton R. Bryars may be found, shall forthwith serve upon the said Clifton R. Bryars a true and correct copy of this order and of the petition referred to herein and such Sheriff shall make proper return thereof.

Done this 15th day of June, 1956.

Robert M. Sale

Judge, 28th Judicial Circuit of
Alabama, sitting in Equity

3696
~~3606~~

Received 15 day of June 1956
and on 18 day of June 1956
served a copy of the within _____

by Clifton Bryson
by service on _____

TAYLOR WILKINS, Sheriff
By W.A. Tolbert D. S.
Perclida

Sheriff claims 26 miles at
Ten Cents per mile Total \$ 2.60
TAYLOR WILKINS, Sheriff
BY Tolbert
DEPUTY SHERIFF

W

MARION C. BRYARS,
Complainant,
vs.
CLIFTON R. BRYARS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 3696

APPLICATION FOR REHEARING

Comes now the Complainant in the above styled cause, by her solicitors, and files this her application for a rehearing of the above styled cause and for a modification of the final decree heretofore entered in the same on the 8th day of May, 1956, and as grounds for her said application, assigns the following, separately and severally:

1. That said decree is contrary to the evidence.
2. That said decree is contrary to Equity.
3. That the decree is contrary to Equity in that the amount therein required to be paid by the Respondent to the Complainant towards the maintenance and support of the minor children of the Respondent is grossly inadequate and detrimental to the best interest of the welfare of said children.
4. That the amount therein required to be paid by the Respondent to the Complainant for support of the minor children of the Respondent is insufficient.
5. That said decree fails to provide for the payment by the Respondent to the Complainant of the hospital and medical bills which the Complainant personally incurred on the birth of Gwyn Almyra Bryars.
6. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to reimburse the Complainant for hospital and medical expenses which she incurred on the birth of the youngest child of the Respondent and the Complainant for medical attention and services to the Complainant.

7. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to adequately and fully reimburse the Complainant for hospital, medical, drug, professional and incidental expenses which she has been required to pay, as shown by the evidence in said cause, for extraordinary expenses in the care, maintenance and support of the minor children of the Respondent.

8. That said decree is contrary to Equity and good conscience in that it does not require the Respondent to discharge his moral, legal and equitable duty and obligation to provide for, support, maintain and care for his wife and minor children.

9. That said decree is contrary to Equity and good conscience in that the amount required to be paid by the Respondent to the Complainant to be applied against the extraordinary expenses that it has been necessary that the Complainant incur in the care, maintenance and support of her said children is not required to be paid until twenty-four months after the rendition of said decree.

10. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to pay all of the extraordinary expenses which it has been necessary to incur for the maintenance, care and support of the minor children of the Respondent.

11. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to pay to the Complainant the amount in which the Respondent was in arrears up to and including May 8, 1956, under the terms of the decree of the Circuit Court of Baldwin County, Alabama, Juvenile Division, which was introduced as evidence in said cause.

12. That said decree is contrary to Equity and good conscience in that it fails to enforce the moral and legal obligations which the Respondent has and had to his children and to the Complainant.

13. That said decree is contrary to Equity and good conscience in that it fails to award any sum or sums to the Complainant as alimony or support for herself.

14. That said decree is contrary to Equity and to good conscience in that it fails to award any sum to the Complainant as alimony.

15. That said decree is contrary to Equity and good conscience in that it fails to require the Respondent to pay any sum or sums to the Complainant as support for herself.

16. That said decree fails to require the Respondent to pay the solicitors fee which it was necessary that the Complainant incur in this proceeding.

17. That said decree fails to require the Respondent to pay to the Complainant for the use and benefit of her solicitors of record of the reasonable attorneys fee that it was necessary that she incur in this proceeding in order to prosecute the same.

18. That said decree is contrary to Equity and good conscience in that it fails to require the Respondent to pay a reasonable portion out of the amount which he is capable of earning for the maintenance, support and education of his children.

Respectfully submitted,

CHASON & STONE

By: *William J. Stone*

The foregoing application for a rehearing, having been filed in this cause and the same having been called to the attention of the Court, the Court is of the opinion that the same should be, and it hereby is, set down for hearing on the 28th day of May, 1956, at 10:00 A.M. and that the Respondent be given notice of the filing of said application by the delivery to him by the Register of this Court of a copy of said application and this order.

Dated this 15th day of May, 1956.

W. H. Stone
Circuit Judge.

Filed: May 10, 1956
Alvin J. Duck
Register

Service accepted May 15/56

C. Letourneau

MARION C. BRYARS,	I	
Complainant,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
CLIFTON R. BRYARS,	I	IN EQUITY NO. 3696A
Respondent.	I	

ORDER

This day came Marion C. Bryars and filed her sworn petition in this Court and it having been brought to the attention of this Court and it appearing to the Court from said petition that the Respondent Clifton R. Bryars has failed and refused to pay the amounts required by him to be paid under the terms of a decree of this Court dated May 8, 1956; and the Court having considered the same is of the opinion that a citation for contempt should be issued in this cause to the said Clifton R. Bryars; it if, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that the said Clifton R. Bryars shall appear before this Court in his own proper person at 10 o'clock A. M. on the 11 day of February, 1959, at the Courthouse in Bay Minette, Baldwin County, Alabama, then and there to show cause, if any he has, why he should not be punished for contempt of Court, for and on account of the matters and things set out in the verified petition of the said Marion C. Bryars, heretofore filed in this Court.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Sheriff of any County in the State of Alabama, where the said Clifton R. Bryars may be found, shall forthwith serve upon the said Clifton R. Bryars a true and correct copy of this order and of the petition referred to herein and such Sheriff shall make proper return thereof to this Court.

Done this 22 day of January, 1959.

Robert M. Sale
 Judge, 28th Judicial Circuit of Alabama,
 Sitting in Equity

MARION C. BRYARS,

Complainant,

vs.

CLIFTON R. BRYARS,

Respondent.

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

The petition of Marion C. Bryars heretofore filed in this cause having been heretofore set down for hearing and continued on account of the inability of the Respondent to appear in Court; and it now appearing to the Court that the said Clifton R. Bryars is now able to appear in Court; it is, therefore, ORDERED, ADJUDGED and DECREED by the Court as follows:

1. That the said Clifton R. Bryars shall appear before this Court in his own proper person at 10 o'clock A. M. on the 27 day of Nov, 1956, at the Courthouse in Bay Minette, Baldwin County, Alabama, then and there to show cause, if any he has, why he should not be punished for contempt of Court, for and on account of the matters and things set out in the verified petition of the said Marion C. Bryars.

2. That the Sheriff of any County in the State of Alabama, where the said Clifton R. Bryars may be found, shall forthwith serve upon the said Clifton R. Bryars a true and correct copy of this order and of the petition referred to herein and such Sheriff shall make proper return thereof.

Done this 16 day of Nov, 1956.

Hubert M. Hall

Judge, 28th Judicial Circuit of
Alabama, sitting in Equity

MARION C. BRYARS,
Complainant,
vs.
CLIFTON R. BRYARS,
Respondent.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 3696

APPLICATION FOR REHEARING

Comes now the Complainant in the above styled cause, by her solicitors, and files this her application for a rehearing of the above styled cause and for a modification of the final decree heretofore entered in the same on the 8th day of May, 1956, and as grounds for her said application, assigns the following, separately and severally:

1. That said decree is contrary to the evidence.
2. That said decree is contrary to Equity.
3. That the decree is contrary to Equity in that the amount therein required to be paid by the Respondent to the Complainant towards the maintenance and support of the minor children of the Respondent is grossly inadequate and detrimental to the best interest of the welfare of said children.
4. That the amount therein required to be paid by the Respondent to the Complainant for support of the minor children of the Respondent is insufficient.
5. That said decree fails to provide for the payment by the Respondent to the Complainant of the hospital and medical bills which the Complainant personally incurred on the birth of Gwyn Almyra Bryars.
6. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to reimburse the Complainant for hospital and medical expenses which she incurred on the birth of the youngest child of the Respondent and the Complainant for medical attention and services to the Complainant.

7. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to adequately and fully reimburse the Complainant for hospital, medical, drug, professional and incidental expenses which she has been required to pay, as shown by the evidence in said cause, for extraordinary expenses in the care, maintenance and support of the minor children of the Respondent.

8. That said decree is contrary to Equity and good conscience in that it does not require the Respondent to discharge his moral, legal and equitable duty and obligation to provide for, support, maintain and care for his wife and minor children.

9. That said decree is contrary to Equity and good conscience in that the amount required to be paid by the Respondent to the Complainant to be applied against the extraordinary expenses that it has been necessary that the Complainant incur in the care, maintenance and support of her said children is not required to be paid until twenty-four months after the rendition of said decree.

10. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to pay all of the extraordinary expenses which it has been necessary to incur for the maintenance, care and support of the minor children of the Respondent.

11. That said decree is insufficient and is contrary to Equity and good conscience in that it fails to require the Respondent to pay to the Complainant the amount in which the Respondent was in arrears up to and including May 8, 1956, under the terms of the decree of the Circuit Court of Baldwin County, Alabama, Juvenile Division, which was introduced as evidence in said cause.

12. That said decree is contrary to Equity and good conscience in that it fails to enforce the moral and legal obligations which the Respondent has and had to his children and to the Complainant.

13. That said decree is contrary to Equity and good conscience in that it fails to award any sum or sums to the Complainant as alimony or support for herself.

14. That said decree is contrary to Equity and to good conscience in that it fails to award any sum to the Complainant as alimony.

15. That said decree is contrary to Equity and good conscience in that it fails to require the Respondent to pay any sum or sums to the Complainant as support for herself.

16. That said decree fails to require the Respondent to pay the solicitors fee which it was necessary that the Complainant incur in this proceeding.

17. That said decree fails to require the Respondent to pay to the Complainant for the use and benefit of her solicitors of record of the reasonable attorneys fee that it was necessary that she incur in this proceeding in order to prosecute the same.

18. That said decree is contrary to Equity and good conscience in that it fails to require the Respondent to pay a reasonable portion out of the amount which he is capable of earning for the maintenance, support and education of his children.

Respectfully submitted,

CHASON & STONE

By: Marlene Stone

The foregoing application for a rehearing, having been filed in this cause and the same having been called to the attention of the Court, the Court is of the opinion that the same should be, and it hereby is, set down for hearing on the 28 day of May, 1956, at 9 A.M. and that the Respondent be given notice of the filing of said application by the delivery to him by the Register of this Court of a copy of said application and this order.

Dated this 15th day of May, 1956.

Robert M. Hall
Circuit Judge.

I accept service and waive further notice 5/15/56
filed
May 14, 1956
Alice J. Luck
Reg.

MARION C. BRYARS,
Complainant,

versus

CLIFTON R. BRYARS,
Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO: 3696

It having been made to appear to the Court in the above styled cause that the Respondent Clifton R. Bryars has not complied with the terms and provisions of the decree of this Court rendered in this cause on the 8th day of May, 1956, it is, therefore

ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that the Sheriff of Baldwin County, Alabama, or any county of the State of Alabama wherein the said Clifton R. Bryars may be found, forthwith take the said Clifton R. Bryars into his custody and bring him before this Court to show cause, if any he has, why he should not be held in contempt of this Court and punished accordingly.

DONE this the 30 day of April, 1957.

Hubert M. Hall
Circuit Judge

W

No 3696

Marion C. Bryars

vs.

Clifton R. Bryars

ved 30 day of April 1957
n day of 19

red a copy of the within notice
Clifton R. Bryars

ervice on

TAYLOR WILKINS, Sheriff

eturned 26 By day of June 1957 D. S.

ot found in my county after diligent search and in-
iry.

Taylor Wilkins, Sheriff

By W. A. Tolbert
Deputy Sheriff

FILED

APR 30 1957

ALICE J. DICK, Register

MARION C. BRYARS,	¶	
Complainant,	¶	IN THE CIRCUIT COURT OF
vs.	¶	BALDWIN COUNTY, ALABAMA
CLIFTON R. BRYARS,	¶	IN EQUITY.
Respondent.	¶	

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HONORABLE HUBERT M. HALL, JUDGE THEREOF:

Comes your Complainant, the undersigned Marion C. Bryars, and files this her Bill of Complaint for divorce against Clifton R. Bryars and respectfully represents and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are both over the age of Twenty-one years and resident citizens of Baldwin County, Alabama. That your Complainant now resides in Bay Minette, Alabama, but that the Respondent is now confined to the penitentiary under an order of commitment of the Juvenile Division of the Circuit Court of Baldwin County, Alabama. That both your Complainant and the Respondent have been residents of the State of Alabama and of Baldwin County for more than two years next preceding the filing of this Bill of Complaint.

SECOND:

That your Complainant and the Respondent have been twice married to each other, the first of which marriages was on June 16, 1945, and the second of which marriages was on March 17, 1951. That they were divorced by an order of this Court dissolving the marriage of June 16, 1945, by the terms of that certain decree rendered in, to-wit: November, 1947. That there have been born to your Complainant and the Respondent as a result of their marriages, three children: Dawn Elaine Bryars, now eight years of age, Clifton R. Bryars, Jr., now two years of age, and Gwyn Almyra Bryars, now four months old.

THIRD:

That your Complainant and the Respondent lived together as man and wife until, to-wit: January 31, 1955, at which time they were separated on account of the matters hereinafter complained of, when your Complainant was compelled to be separated from the Respondent and live separate and apart from him. That on, to-wit: January 31, 1955, the Respondent committed actual violence upon the person of your Complainant, attended with danger to her life and health by striking her with his fist and knocking her down and from his conduct, your Complainant had reason to believe that if she continued to live with him, that he would commit further acts of violence upon your Complainant attended with danger to her life and health. That your Complainant has not lived with the Respondent since said date.

FOURTH:

Your Complainant further alleges that the Respondent is not a fit and proper person to have the care, custody and control of the minor children above named and that she is a fit and proper person to have such care, custody and control. That the Respondent is an able-bodied man who is fully capable of employment, and that when he is employed, he earns approximately Sixty to Seventy Dollars a week. That although your Complainant is employed and earning approximately Fifty Dollars per week, that her total earnings are grossly inadequate to properly maintain, educate and support the three children named above, and to provide the said Clifton R. Bryars, Jr., who is presently suffering from an affliction of his foot, with the proper medical care and treatment. That the treatment required for said minor is an extraordinary expense and your Complainant's resources are entirely inadequate to meet such expense together with the necessary expenses.

FIFTH:

That it was necessary that your Complainant employ a solicitor to represent her in this proceeding, and to this end she employed Norborne C. Stone of the firm of Chason & Stone, in Bay Minette, Alabama, and has incurred the expense of the fee of such solicitors, and she has no money or property with which to pay said solicitors for their services without denying to her children some of the necessities of life.

PRAYER FOR PROCESS:

The premises considered, your Complainant respectfully prays that this Honorable Court will cause the usual writ or process to be issued and directed to the Respondent, requiring him to plead, answer and demur to this Bill of Complaint within the time prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF:

The premises considered, your Complainant further prays that on a final hearing of this cause that this Honorable Court will grant to your Complainant an absolute divorce from the Respondent for and on account of cruelty and that in and by the terms of said decree that your Complainant will be awarded the full and complete care, custody and control of the minor children herein named and that the Respondent will be required and compelled to pay to the Complainant an amount to be determined by this Honorable Court as support for said children and a further and additional amount as support and/or alimony for your Complainant. Your Complainant further prays that in and by the terms of said decree that this Honorable Court will fix and determine a reasonable solicitors' fee for the firm of Chason & Stone for the services rendered by them and will, in and by the terms of said decree, require the Respondent to pay said solicitors' fee; and your Complainant prays for such other, further and different relief as in equity will be meet and proper.

CHASON & STONE
Solicitors for Complainant.

Marion C. Bryars
Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Norberne C. Stone, Jr., a Notary Public, in and for said State and County, personally appeared Marion C. Bryars, who after being by me first duly and legally sworn, says:

That the allegations contained in the foregoing Bill of Complaint are true.

Sworn to and subscribed before me this 11th day of January, 1956.

Marion C. Bryars

Norberne C. Stone, Jr.
Notary Public, Baldwin County, Ala.

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3696

Jan. TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CLIFTON R. BRYARS

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

CLIFTON R. BRYARS, Defendant

by

MARION C. BRYARS, Plaintiff

Witness my hand this 13 day of Jan. 19 56

E.H. Jan 17, 1956

33

Alice J. Busby, Clerk

No. 3696

Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT

MARION C. BRYARS

Plaintiffs

vs.

CLIFTON R. BRYARS

Defendants

SUMMONS and COMPLAINT

Filed JAN. 13, 1956

Alice J. Duck, Clerk

CHASON & STONE

Plaintiff's Attorney

Defendant's Attorney

56

RECEIVED IN OFFICE
JAN 14 1956
RECEIVED IN OFFICE
M. S. BUTLER, Sheriff
Jan 13, 1956

Wayne E. Butler, Sheriff

I have executed this summons

this _____, 19

by leaving a copy with

I hereby certify that copy of this summons and complaint, has been served on Clifton R. Bryars an inmate of Kilby Prison. This 17th day of Jan. 1956.

J. M. McCullough, Jr.
J. M. McCullough, Jr., Commissioner,
Board of Corrections, St. of Ala

Sheriff

Deputy Sheriff

MARION C. BRYARS,
Complainant,

VS.

CLIFTON R. BRYARS,
Respondent

)
)"
) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA, IN
) EQUITY. NO. 3696A
)
)
)

This cause coming on to be heard, and the Respondent, Clifton R. Bryars having been brought before this Court by the Sheriff of Baldwin County, Alabama, and he having offered no excuse or reason why he has disregarded the orders of this Court, and it further appearing to the Court that said Respondent is in arrears in the sum of to-wit: FIVE HUNDRED EIGHTY FIVE AND 00/100 (\$585.00) DOLLARS, under the terms of that certain decree of this Court dated May 8, 1956, and the Court having considered all of the above, is of the opinion that the said Clifton R. Bryars is in contempt of this Court and should be punished accordingly; it is, therefore

ORDERED, ADJUDGED AND DECREED by the Circuit Court of Baldwin County, Alabama that the said Clifton R. Bryaras is in contempt of this Court and that he be placed in the County jail at Bay Minette, Alabama, not later than 9:00 o'clock A. M. on Thursday, June 18, 1959, to there remain until he has purged himself of such contempt or until further order of this Court.

Done this 17th day of June, 1959.

Robert M. ...

Judge, 28th Judicial Circuit of
Alabama.

FILED

6-17-59

ALICE J. DUCK, CLERK
REGISTER

MARION C. BRYARS,
Complainant,

versus

CLIFTON R. BRYARS,
Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO: 3696

It having been made to appear to the Court in the above styled cause that the Respondent Clifton R. Bryars has not complied with the terms and provisions of the decree of this Court rendered in this cause on the 8th day of May, 1956, it is, therefore

ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that the Sheriff of Baldwin County, Alabama, or any county of the State of Alabama wherein the said Clifton R. Bryars may be found, forthwith take the said Clifton R. Bryars into his custody and bring him before this Court to show cause, if any he has, why he should not be held in contempt of this Court and punished accordingly.

DONE this the 30 day of April, 1957.

Hubert M. Hall
Circuit Judge

MARION C. BRYARS,
Complainant,

vs.

CLIFTON R. BRYARS,
Respondent.

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

DECREE OVERRULING DEMURRER OF RESPONDENT

This cause coming on to be heard was submitted upon the Bill of Complaint and the demurrer thereto, and the Court having considered the same is of the opinion that the demurrer is not well taken and should be overruled.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the demurrer of the Respondent to the Bill of Complaint heretofore filed in this cause be and the same hereby is overruled and the Respondent is hereby given 20 days from the date hereof in which to file further pleadings.

Done this 28 day of February, 1956.

Hubert M. Steel
Circuit Judge

MARION V. BRYARS,)
Complainant,)
VS.)
CLIFTON R. BRYARS,)
Respondent.)

IN THE
CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA. IN EQUITY.
NO. 3696

This cause being regularly called, on this a regular day for the calling of the docket of this Court, and the parties not answering,

IT is ordered by the Court that this cause be continued until April 30, 1956,

IT IS FURTHER ORDERED that this case be, and it is hereby set down for the taking of testimony, and submission for final decree on April 30, 1956, at the Courthouse in Bay Minette, Alabama beginning at 9 A. M.

IT IS FURTHER ORDERED that a copy of this order be mailed to the respective Solicitors of record for the parties to this cause.

This 17th day of April, 1956.

44

Robert M. Allen

Judge, 28th Judicial Circuit

FILED

APR 18 1956

ALICE J. DICK, Registrar

MARION C. BRYARS,	Y	
Complainant,	Y	IN THE CIRCUIT COURT OF
vs.	Y	BALDWIN COUNTY, ALABAMA
CLIFTON R. BRYARS,	Y	IN EQUITY NO. 3696A
Respondent.	Y	

PETITION

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

Comes your Petitioner, the undersigned Marion C. Bryars, and respectfully represents and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That she is one and the same person as the Complainant in the above styled cause in which cause a decree of divorce was rendered on May 8, 1956, divorcing your Petitioner from the said Clifton R. Bryars and awarding to her the custody of the minor children, Dawn Elaine Bryars, Clifton R. Bryars, Jr. and Gwyn Almyra Bryars. That in and by the terms of said decree the said Clifton R. Bryars was ordered to pay to your Petitioner, toward the maintenance and support of his said minor children, the sum of Seventeen Dollars and Fifty Cents (\$17.50) per week, beginning May 8, 1956.

SECOND:

That your Petitioner has not received any payment from the said Clifton R. Bryars since November 8, 1958, on which date she received a payment of Seventeen Dollars and Fifty Cents (\$17.50) and on which date the Respondent was in arrears on prior payments due in the amount of Thirty-two Dollars and Fifty Cents (\$32.50).

WHEREFORE, the premises considered the undersigned respectfully prays that this Honorable Court will, upon the filing of this petition, issue an order or citation directed to the Respondent Clifton R. Bryars requiring him to appear in this Honorable Court

and show cause, if any he has, why he is not in contempt of this Honorable Court for and on account of his failure and refusal to pay to the Petitioner the amount ordered by this Court to be paid by him for the uses and purposes hereinabove alleged and under the terms of the decree hereinabove referred to.

Respectfully submitted,

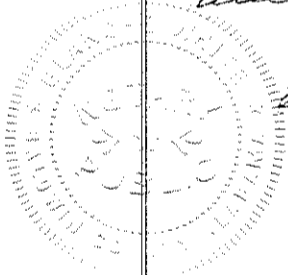
Marion C. Bryars
Marion C. Bryars

Sworn to and subscribed before me
on this the 21st day of January, 1959.

Blanche White
Notary Public, Baldwin County, Alabama

Filed Jan. 22, 1959
Alice J. Luck,

Exp. Jan. 22, 1959



MARTON C. BRYARS,
COMPLAINANT

VS

CLIFTON R. BRYARS,
RESPONDENT

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

Comes the Respondent by C. LeMoire Thompson his attorney of record and moves to quash the citation for contempt filed in said cause and as grounds for same shows unto this Honorable Court as follows:

1.

That the said Respondent has been committed and has been received in the Bryce Hospital at Tuscaloosa, Alabama for treatment.

2.

That a receipt for his admission is in the hands of the said attorney of record being furnished him by the individuals transporting the said Clifton R. Bryars to Tuscaloosa and is in words and figures as follows:

3.

That the original receipt is attached hereto and made a part hereof and is in words and figures as follows:

RECEIPT FOR PATIENT

Mr. C. R. BRYARS of Baldwin County has been received as a patient in The Bryce Hospital for the Insane at Tuscaloosa, Alabama.

Brought by R. B. Bryars

June 23, 1956

Received by Dr. Patton. M. D.
Ass't. Physician.

WHEREFORE the said motion.


Attorney for Respondent.

MARION G. BRYARS
COMPLAINANT
VS
CLIFTON R. BRYARS
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
CASE NO. 3696

Comes the Respondent and for answer to the complaint filed in said cause and to each count and each phase thereof shows unto this Honorable Court as follows:

1.

As to count one he admits the allegations alleged therein.

2.

As to Count two he admits the allegations alleged therein.

3.

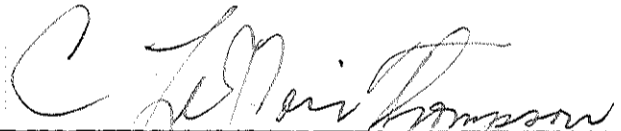
He denies the allegations alleged in count three.

4.

As to count four he denies the allegations alleged therein.

5.

As to count five he denies the allegations alleged therein.


Attorney for Respondent.

FILED
MAR 20 1956
ALICE L. BUCK, Register

MARION C. BRYARS
COMPLAINANT
VS
CLIFTON R. BRYARS
RESPONDENT

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

~~Comes the respondent in the above styled cause and for demurrer to said~~
cause and each and every phase thereof shows unto this Honorable Court as
follows:

1.
That said complaint does not state a cause of action.

2.
That count four of said complaint is at variance with count one of
said complaint.

3.
That said complaint alleges an impossible situation wherein count one
alleges confinement of said respondent and count four alleges your
respondent to be gainfully employed at a sum of Seventy (\$70.00) Dollars
per week.

Filed
Feb. 11, 1956
Alice J. Duck,
Reg.

Clifton R. Bryars
Attorney for Respondent.