

4674

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARGARET BROWN DILL, Complainant

vs.

HORACE BREWER DILL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~BACKED UP BY COURT RECORDS~~ Answer and Waiver 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 MARGARET BROWN DILL is forever divorced from the said HORACE BREWER DILL for and on account of the grounds complained of in Bill, contemplated cruelty. Settlement made between the parties having executed is hereby confirmed.

It is futher 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 futher ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is futher ordered that MARGARET BROWN DILL the Complainant pay the cost herein to be taxed, for which executed may issue.

This 10 day of September 1959

[Signature] 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

MARGARET BROWN DILL

Complainant

vs.

HORACE BREWER DILL

Respondent

DIVORCE DECREE

FILED  
SEP 10 1959  
ALICE J. DUCK, CLERK  
REGISTER

MARGARET BROWN DILL,  
Complainant,

-vs-

HORACE BREWER DILL,  
Respondent.

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

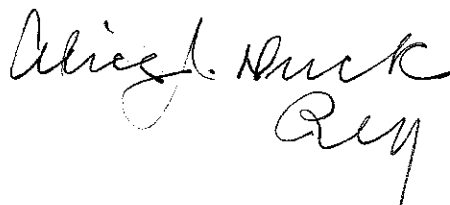
NOTE OF EVIDENCE

This cause is submitted for final decree on Complainant's bill, answer and waiver filed by Respondent, and depositions of Complainant and GLADYS MILLS.



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E. G. RICKARBY  
Solicitor for Complainant



Alice J. Duck  
Att'y

MARGARET BROWN DILL,

Complainant,

-vs-

HORACE BREWER DILL,

Respondent.

NOTE OF EVIDENCE

FILED

SEP 1 1939

ALICE J. DUCK, CLERK  
REGISTER

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

The State of Alabama,  
Baldwin County.

Circuit Court, Baldwin County

No. 4694

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon \_\_\_\_\_

Horace Brewer Dill

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-----

Horace Brewer Dill

-----, Defendant-----

by Margaret Brown Dill

-----, Plaintiff-----

Witness my hand this 5 day of August 1959

Alvin J. Luck

-----, Clerk

EX 8-19-59

MARGARET BROWN DILL,  
Complainant,  
-vs-  
HORACE BREWER DILL,  
Respondent.

I  
I  
I  
I  
I

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

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

Comes your Complainant, MARGARET BROWN DILL, and represents and shows unto your Honor as follows:

1. That Complainant is over the age of twenty-one years and is a bona fide resident of Baldwin County, State of Alabama.
2. That the Respondent, HORACE BREWER DILL is over the age of twenty-one years and is a resident of Fairhope, Baldwin County, Alabama.
3. That your Complainant and Respondent were lawfully married in Mississippi on, to-wit, the 10th day of June, 1950, and have lived together as husband and wife up until the 23rd day of July, 1959, when Complainant was forced to leave because of Respondent's continued threats to her health and life as hereinafter stated.
4. Complainant further avers that said Respondent has become addicted after marriage to habitual drunkenness.
5. Complainant further states that Respondent has committed actual violence upon the person of his wife, attended with danger to her life and health, by striking her with his fist on the back of her head, on, to-wit, the 17th day of July, 1959, at their home at 202 Grand Avenue, Fairhope, Baldwin County, Alabama.
6. That the Complainant believes from the Respondent's conduct, that he will commit further violence to her person, attended with danger to her life and health, in that on, to-wit, the 23rd day of July, 1959, he telephoned her at her place of business and said that if she came home he would kill her.

Dill vs. Dill, Bill of Complaint, Cont'd.

7. Respondent is a man possessed of property and a pension of approximately \$126.00 per month from the Southern Bell Telephone and Telegraph Company, a further pension of Social Security benefits of approximately \$109.00, and a Veterans Disability pension of approximately, \$79.80 per month, for disabilities incurred during World War I.. Complainant and Respondent own, jointly, their home at 202 Grand Avenue, Fairhope, Alabama, which is described as follows, to-wit:

Lot No. Two (2) of Block No. Three (3) in Airey Heights, an Addition to Fairhope, Baldwin County, Alabama, as per map recorded in Misc. Book No. 1, Page 325, together with the right and easement to use the well on Lot No. Three (3) adjoining this Lot No. Two (2) on the East, and to enter upon said Lot No. Three (3) to get the water from said well, the lot conveyed being the lot conveyed to John Hakanson and wife, Ida A. Hakanson to the said Minnie Lee Partin by deed dated July 6th, 1914, and recorded in the Probate Office of Baldwin County, Alabama, in Deed Book No. 21 NS, Page 621; and including, also, a frame dwelling house.

Complainant and Respondent also own, jointly, a 1957 Ford Automobile.

8. That Complainant is without funds or estate to properly support herself and pay the costs of this proceeding, including her solicitor's fee.

9. Complainant further states that there are no children born to this marriage.


PREMISES CONSIDERED, COMPLAINANT PRAYS that this Court will make the said HORACE BREWER DILL a party respondent to this Bill of Complaint and order him to plead, answer or demur within the time required by law.

Complainant further prays that the Court will order a reference held to determine a proper amount for the Respondent to pay as support of this Complainant, and for her costs and expenses in prosecuting this action, including her solicitor's fee, and that the Respondent be ordered to pay this amount.

DILL vs. DILL, Bill of Complaint, Cont'd.

Complainant further prays that on a hearing of this cause, the Court will enter a decree forever divorcing her from the said Respondent, and dividing the property of the Complainant and Respondent, owned jointly by them, and making an allowance out of the estate of the husband for the support of this Complainant as is fit and proper.

Complainant further prays for such other different and further relief as to Equity may seem meet.

  
E. G. RICKARBY,  
Solicitor for Complainant.


STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, the undersigned notary public, personally appeared MARGARET BROWN DILL, who being first duly sworn, deposes and says that the facts contained in the foregoing Bill of Complaint are true and correct.

  
AFFIANT

Subscribed and sworn to before me this 1st day of August, 1959.

  
WILLIE K. STEPHENS, Notary Public,  
Baldwin County, Alabama.

*Filed 8-5-59*



4674

MARGARET BROWN DILL,

Complainant,

- Vs. -

HORACE BREWER DILL,

Respondent.

Received 5 day of Aug 1959  
and on 19 day of Aug 1959  
I served a copy of the within Bill of Complaint  
on Horace Brewer Dill

By service on \_\_\_\_\_  
\_\_\_\_\_  
TAYLOR WILKINS, Sheriff  
By Edlugh Stallone D. S.

Fairhope, Ala

Sheriff claims 70 miles at  
Ten Cents per mile Total \$ 7.00  
TAYLOR WILKINS, Sheriff  
BY Edlugh  
DEPUTY SHERIFF

BILL OF COMPLAINT

Filed 8-15-59  
Edlugh Stallone

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

MARGARET BROWN DILL,	I	
Complainant,	I	IN THE CIRCUIT COURT OF
-VS-	I	BALDWIN COUNTY, ALABAMA,
HORACE BREWER DILL,	I	IN EQUITY.
Respondent	I	

ANSWER AND WAIVER

Comes the respondent, HORACE BREWER DILL, in the above styled cause and for answer to the Bill of Complaint heretofore filed in said cause, and to each and every paragraph thereof, says:

He denies each and every allegation contained therein and demands strict proof thereof.

Respondent hereby submits himself to the jurisdiction of this Honorable Court and waives notice of the time and place for taking testimony in said cause, waives the issuance of a formal commissioner to take testimony in said cause and consents that said cause may be submitted for final decree at any time or place without further notice to him of such submission.

*Horace Brewer Dill*  


---

 HORACE BREWER DILL

STATE OF ALABAMA,  
 BALDWIN COUNTY.

I, the undersigned notary public, in and for said County, in said State, hereby certify that HORACE BREWER DILL, whose name is signed to the foregoing instrument and who is known to me to be the respondent above named, acknowledged before me on this day that he executed the same voluntarily with knowledge of its contents.

Witness my hand and official seal this the 25<sup>th</sup> day of August, 1957.

*[Signature]*  
 Notary Public, Baldwin County, Ala.

**FILED**  
 sep 10 1959  
 ALICE J. DUCK, CLERK & REGISTER

MARGARET BROWN DILL,

Complainant,

- VS -

HORACE BREWER DILL,

Respondent.

+ ANSWER AND WAIVER

FILED

SEP 19 1959

ALICE J. DUCK, CLERK  
REGISTER

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

**E. G. RICKARBY**

392 FAIRHOPE AVENUE  
FAIRHOPE, ALABAMA

September 9, 1959

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

Dear Mrs. Duck:

Re: Dill vs. Dill  
Our File: 4543

Enclosed find Divorce Decree, Answer and Waiver,  
Note of Evidence and Testimony of Complainant and  
witness, together with commissioner's statement,  
in the above mentioned cause.

The Bill of Complaint and deposit for costs have  
already been sent and would, therefore, appreciate  
your processing these papers as quickly as possible.

Thanks.

Yours very truly,



ts  
encl.

**E. G. RICKARBY**

392 FAIRHOPE AVENUE  
FAIRHOPE, ALABAMA

August 4, 1959

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

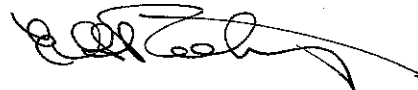
Re: Margaret B. Dill  
Vs: Horace B. Dill  
File 4543

Dear Mrs. Duck:

Enclosed find divorce bill in the above mentioned cause. Please process and have copy served on Defendant whose address is; Horace B. Dill, Grand Avenue, Fairhope, Alabama.

I am enclosing \$25.00 for cost.

Yours very truly,



EGR/bs  
Enclosure

MARGARET BROWN DILL,  
Complainant,

-vs-

HORACE BREWER DILL,  
Respondent.

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

TESTIMONY OF MARGARET BROWN DILL COMPLAINANT

Margaret Brown Dill, being duly sworn, deposes and says as follows, to-wit:

My name is Margaret Brown Dill and I am filing this suit for a divorce against my husband Horace Brewer Dill. We are both over 21 years of age and have been living here in Fairhope, Baldwin County, Alabama since 1950, and were both still living here when I filed this suit for a divorce. My husband Horace Brewer Dill is now in Anniston, Alabama, and I am still living here in Fairhope, Baldwin County, Alabama. We were married on the 10th of June, 1950, and lived together as husband and wife until the 23rd of June, 1959, when I had to leave him. In the last three years our marriage has not been happy because of my husband's conduct. He is retired and drinks too much and gets intoxicated and is abusive and violent when he is drinking. In the past few years his drinking has become more regular and while we were living together he drank almost every day to excess and periodically he would become violent and abusive. These periods would occur about once a month lately. On one or two previous occasions I had to leave him because of his conduct but felt sorry for him and came back. On the 17th of July of 1959, he was intoxicated and struck me on the back of the head and he is a big man and his striking me put my life or health in danger.

We continued to have friction and on the 25th day of July, 1959, he phoned me at my job with the telephone company in Mobile and said that if I came back to his house he would kill me and I believe that it would be dangerous to me if I continue to live with him in his present condition. I left him on the 23rd of July, 1959, and I have lived separate and apart from him since that date. We own a home here together in Fairhope that I have spoken about in the decree

and he has made a deed of this to me and I have taken that in settlement of all claims other than my claim for a divorce in this bill. There are no children born of this marriage.

Margaret Brown Hill

Subscribed and sworn to before me this the 8<sup>th</sup> day of September 1959.

Lillie H. Stephens  
Notary Commissioner

MARGARET BROWN DILL,

Complainant,

-vs-

HORACE BREWER DILL,

Respondent.

TESTIMONY OF COMPLAINANT

FILED

SEP 10 1959

ALICE J. DUCK, CLERK  
REGISTER

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



STATE OF ALABAMA

COUNTY OF BALDWIN

My name is Gladys Mills and I live at 1871 south Mott Drive in Mobile, Alabama and I have known Margaret Brown Dill and her husband Horace B. Dill for about three years as I work in the office with Mrs Dill at the Telephone Company in Moblie.

I know that both of them are over the age of twenty-one years and are residents of Fairhope, Baldwin County, Alabama. They have been having matrimonial trouble and I have heard Mr. Dill speak roughly to his wife and make threats against her. She has been very much disturbed by his conduct.

There are no children to this marriage.

Gladys Mills

Subscribed and sworn to before me this the 29th day of August, 1959.

Lillie K Stephens  
COMMISSIONER.

MARGARET BROWN DILL,

Complainant,

-vs-

HORACE BREWER DILL,

Respondent.

TESTIMONY OF WITNESS

FILED

SEP 10 1959

ALICE J. DUCK, CLERK  
REGISTER

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

MARGARET BROWN DILL,		
Complainant,		IN THE CIRCUIT COURT OF
-VS-		BALDWIN COUNTY, ALABAMA,
		IN EQUITY.
HORACE BREWER DILL,		
Respondent.		

COMMISSIONER'S STATEMENT

I, Tillie K. Stephens, acting as Commissioner in the above mentioned cause now pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have caused the witnesses, namely, MARGARET BROWN DILL and GLADYS MILLS, to appear before me at my office on 392 Fairhope Avenue, in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn, upon examination of E. G. Rickarby, Esquire, Solicitor for the Complainant, did testify as shown by the attached testimony, and that their testimony was, by me, reduced to writing as given by them as near as might be in their identical language and, after being so reduced to writing, was read over by said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, nor in anywise interested in the results thereof.

IN WITNESS WHEREOF, I hereunto set my hand as Commissioner on this the 8th day of September, 1959.

  
 \_\_\_\_\_  
 COMMISSIONER

4674

MARGARET BROWN DILL,

Complainant,

-VS-

HORACE BREWER DILL,

Respondent.

COMMISSIONER'S  
STATEMENT

FILED  
SEP 19 19...  
ALLEN BRYAN, CLERK  
REGISTER

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