

593

MICHAEL ULRICH,
Complainant,

-vs-

MINNIE ULRICH,
Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

ANSWER & CROSS BILL OF RESPONDENT.

TO THE HON. THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, SITTING IN
EQUITY:

Comes the respondent in the above styled cause and files this, her answer and cross bill to the original Bill of Complaint and answering and complaining, shows unto this court, as follows:-

(1). Answering the first paragraph of the Bill of Complaint, respondent admits that both complainant and respondent are over the age of twenty one years but denies that complainant has resided in Baldwin County, Alabama, for more than two years continuously next preceding the filing of this Bill of Complaint. She further denies that her post office address at the time of filing of said bill was unknown to complainant but that it was and was known to him to be as alleged in the complaint and respondent further denies that complainant made diligent search and inquiry relative to her residence and post office address or that he was unable to ascertain the same but states and alleges that he knew her exact address at all times and knew that she was residing with one of their sons at the above named address.

(2). Answering the second paragraph of the Bill of Complaint, respondent admits the marriage on September 6th., 1894 but denies that she voluntarily abandoned complainant and denies that they have not lived together as husband and wife for more than two years continuously next preceding the filing of this bill of complaint but alleges that the facts of the separation are as hereinafter set forth in her cross bill.

Respondent further answering says that the allegations in the affidavit of complainant as to the respondent's whereabouts other than her post office address were known to the complainant to be false at the time of making such affidavit.

(page two)

And having answered, your complainant, humbly complaining, files this her cross bill for divorce against the said Michael Ulrich and for grounds thereof shows unto this court as follows:-

A. Cross Complainant adopts the foregoing answer as a part of this, her cross bill and prays that it be taken as such.

B. Cross complainant alleges and avers that on to-wit: during the month of September, 1925, your cross complainant was compelled to leave Michael Ulrich on account of his cruel and inhuman treatment; that the conduct of the said Michael Ulrich for several months prior to September, 1925, was such that your cross complainant had reason to apprehend the commission of actual violence on her person attended with danger to life or health and that by reason of such conduct upon the part of Michael Ulrich she was compelled to send for her youngest son to come and take her to his home in Buffalo, New York for the said Michael Ulrich failed to provide your cross complainant with funds necessary to make the trip; that this separation took place in September, 1925 and that prior to that time there has been no separation between the parties.

WHEREFORE, your cross complainant prays that this be taken as her answer and cross bill, that appropriate process issue in the premises to make the said Michael Ulrich cross respondent in this cause requiring him to appear, plead, answer or demur within the time allowed by law; that on a final hearing of this cause your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between Michael Ulrich and Minnie Ulrich be forever dissolved and that Minnie Ulrich be again permitted to contract the marriage relation should she so desire. And, as in duty bound, she will ever pray, etc.

STONE & STONE,
Solicitors for Minnie Ulrich,
Respondent and Cross Complainant.

FOOTNOTE:-

The complainant and cross respondent, Michael Ulrich, is required to answer each and every paragraph of the foregoing cross bill from "A to B" both inclusive, but answer under oath is hereby expressly waived.

STONE & STONE,
Solicitors for Respondent and Cross Complainant.

MICHAEL ULRICH,
Complainant and
Cross-respondent,

-vs-

MINNIE ULRICH
Respondent and
Cross-complainant

Comes Michael Ulrich, complainant and cross-respondent, and
for answer to the cross-bill in this cause filed by Minnie Ulrich,
denies each and every allegation contained therein and demands strict
proof of the same.

RICKARBY, BRUSH & HALL

MERRY & CROWLEY

Solicitors for Michael Ulrich

214
Filed 6/30/76

D. W. Peterson
Register

RECORDED

MICHAEL ULRICH,
Complainant,

-vs-

MINNIE ULRICH,
Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

AGREEMENT FOR TAKING OF TESTIMONY AND
SUBMISSION OF CAUSE:

It is stipulated and agreed between Rickarby, Beebe & Hall and Mabry and Crovat, as Solicitors for complainant and Stone & Stone; as Solicitors for respondent in this cause, that testimony be taken and this cause submitted at this time and without giving of any notices required by statutes or the laws of this state.

Rickarby Beebe Hall
Mabry & Crovat
Stone & Stone

Filed 6/30/26

D.W. Picman
Register

RECORDED

Micheal Ulrich

vs.

Minnie Ulrich

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

I, T.W. Richerson, Register of said Court, do hereby certify that I

did, on the 1st day of June 1926, send to

Minnie Ulrich, Defendant.

whose address was 17 Naval Ave Buffalo, N.Y.

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such

receipt was duly received and filed by me in this cause, on the 8th day of June 1926

Witness my hand, this 29th day of June 1926

T.W. Richerson Register.

(4) 2
No. 581

CIRCUIT COURT OF
BALDWIN COUNTY,
IN EQUITY.

Micheal Ulrich

Minnie Ulrich,

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

Filed in office on this 29th

day of June 1926.

T. W. Pearson
Register.

RECORDED

IN THE CIRCUIT COURT, BALDWIN COUNTY, IN EQUITY.MICHAEL ULRICH

Complainant.

vs.

MINNIE ULRICH

Respondent.

I, T. W. RICHMOND

Register

as

have called and caused to come before me Minnie Ulrich, the Respondent and Cross-complainant and a witness for Respondent and Cross-Complainant and

Otto Ulrich, a witness for respondent and cross-complainant

witnesses named in the Requirement for Oral Examination, on the 30 day of June

1926, at the office of the Register

in Bay Minette, Alabama, and having first sworn said witness(es) to speak the truth, the

whole truth, and nothing but the truth, the said witnesses

doth depose and say as follows:

MINNIE ULRICH, being duly sworn, testifies as follows:-

My name is Minnie Ulrich and I am the respondent and cross complainant in the above styled cause now pending in the Circuit Court equity side, State of Alabama, Baldwin County; both Michael Ulrich and myself are over the age of twenty-one years and we are bona fide residents of Baldwin County, Alabama and I have been such resident for more than two years next immediately preceding the filing of the original bill in this cause; Michael Ulrich and I were married during the year 1894 and we lived together as man and wife until during the month of September, 1925, when I was compelled to leave him; for some time prior to my being compelled to leave Michael Ulrich his conduct had been such that I feared and apprehended the commission of actual violence on my person attended with danger on life or health.

While living at Elberta and for several months prior to my leaving him, Michael Ulrich would curse and abuse me; toward the last this became unbearable; he is a man of high temperament and would fly into a rage and then it was that I feared for myself; these fits of temper were occurring so often and were becoming so violent that my nerves gave out on me and I was in constant fear of some bodily harm at his hands; on one occasion he threatened to throw a shoe last at me.

His conduct became so unbearable and his attitude so threatening that I feared to stay in the same house with him and sent for my youngest son to come and get me and take me to his home in Buffalo, New York which he did; I have never returned to live with Michael Ulrich since said time.

I gave him no reason or excuse for such cruel and inhuman treatment. I am 53 years old and my physical condition and my age made it so that I could not stand up under this kind of treatment. My husband became so that he would never have a decent word for me and was constantly calling me vile and ugly names which I would not like to repeat; he would also curse our children.

Minnie Ulrich

OTTO ULRICH, being duly sworn, testifies as follows:-

My name is Otto Ulrich and I am thirty-one years of age and live at Elberta, Baldwin County, Alabama where I have lived for more than the past year. I am the son of Minnie and Michael Ulrich who are both over twenty-one years of age. My mother, Minnie Ulrich has lived in Baldwin County, Alabama since about May 1924, except for a few months past when she was at the home of my youngest brother in Buffalo, N. Y.; my mother left for the home of my youngest brother last September, he came down and took her back with him. My mother and father for the past several years and most especially just prior to her going to my youngest brother's home did not get along together at all. She is 53 years of age and their domestic relations were such just prior to her going north that she became nervous and apparently worried most of the time.

For sometime prior to September 1925 my father and mother were constantly in some disagreement; my father is a man of high temper and at times seems to lose control of his temper; owing to the age and physical condition of my mother during this period just prior to September, 1925, these disagreements and the temper of my father made it unbearable for her.

Since she was compelled to leave him in September 1925, they have not lived to-gether as man and wife; all of this occurred in Baldwin County, Alabama.

On account of the conditions then prevailing my mother feared to let my father know of her going to my youngest brother's and he came down and took her to his home without my father knowing it.

Seeing conditions growing from bad to worse I, on several occasions talked with my father in an effort to set things aright but could do nothing.

My father is a man of very high temper and at times it gets the best of him, and then he flies into a rage. In my opinion it is impossible for them to live to-gether owing to the matters above testified to.

Otto Ulrich

ORAL EXAMINATION.

I, T. W. Richerson, as _____, hereby certify that the foregoing deposition..... on Oral Examination was..... taken down in writing by me in the words of the witnesses... and read over to them.... and..... they..... signed the same in the presence of myself and Hon. C. Stone, Atty. Gen. at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness..... or had proof made before me of the identity of said witness.....; that I am not of counsel or of kin to any of the parties to said cause, or in 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 30th, day of June, 1926.
T. W. Richerson (L. S.)

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No. 593 Page.....

The State of Alabama
Baldwin County

IN CIRCUIT COURT, IN EQUITY.

Michael Ulrich

vs. Complainant,

Minnie Ulrich,

Respondent.

ORAL DEPOSITION.

Filed June 30th, 1926

T. W. Richerson, Register.

Recorded in

Record

Vol. _____ Page _____

Register.

NOTE OF TESTIMONY

The State of Alabama,

Micheal Ulrich

Complainant

VS.

Minnie Ulrich

Respondent

& Cross Complainant.

No. 583

In Circuit Court,

In Equity

IN THIS CAUSE comes the Cross Complainant

her solicitor and submits the same for Final

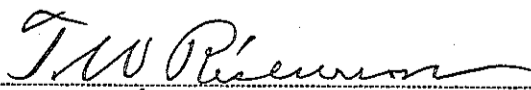
decree upon the Original Bill and exhibits thereto Answer & Cross Bill, answer of

Complainant to cross bill and agreement for submission, and upon the following testimony, to-wit:

Minnie Ulrich and Otto Ulrich,

I hereby certify that the above note of Testimony is correct.

This 1st day of July, 1926



Register.

No. 583

The State of Alabama

Baldwin County

Circuit Court in Equity

Micheal Ulrich

Complainant

vs.

Minnie Ulrich,

Respondent

Cross Complainant,

NOTE OF TESTIMONY

Filed 30th day of June, 19 26

T. W. Pickens Register

Record Page

The State of Alabama, }
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama--GREETING :

WE COMMAND YOU, That you summon Michael Ulrich,

Baldwin

County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to ^{a cross} Bill of Complaint lately exhibited by

Minnie Ulrich,

against said

Michael Ulrich

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 11th day of June, 192 6.

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

SERVE ON.....

Circuit Court of Baldwin County
In Equity.

No.

SUMMONS

Michael Ulrich,

vs.

Minnie Ulrich,

*Send Copy to
Mr. Beebe*

Rickaby, Beebe & Hall,

Solicitor for Complainant

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this *June 11th,*

~~1926~~ 192 *6*

W R Stunt

Sheriff.

Executed this *12th* day of

June 192 *6*

by leaving a copy of the within Summons with

W C Beebe Atty

Defendant.

W R Stunt

Sheriff.

By
Deputy Sheriff.

The State of Alabama,
Baldwin County.

} CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama--GREETING :

WE COMMAND YOU, That you summon Minnie Ulrich,

17 Naval Avenue, Buffalo, New York.

of New York ~~County~~, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Micheal Ulrich,

against said Minnie Ulrich,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 1st day of

June, 1926.

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

SERVE ON.....

**Circuit Court of Baldwin County
In Equity.**

No.

SUMMONS

Micheal Ulrich

vs.

Minnie Ulrich,

Rickarby, Beebe & Hall.

Solicitor for Complainant

Recorded in Vol. Page

**THE STATE OF ALABAMA,
BALDWIN COUNTY.**

Received in office this

day of 192.....

Sheriff.

Executed this day of

192.....

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By Deputy Sheriff.

*Copy of Bill of
Copy of Summons
Registered Minnie Ulrich
17 Naval Ave - Beaufort, N.C.
June 1st 1926
J. W. Beebe*

[Faint vertical text and markings on the right side of the page, possibly bleed-through or a separate document edge.]

The State of Alabama, }
Baldwin County.

No. 593

CIRCUIT COURT, IN EQUITY

Micheal Ulrich

Complainant

vs.

Minnie Ulrich

and Cross Complainant Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, ^{Answer & Cross Bill} ~~and the testimony as noted by the Register; and, upon consideration thereof, the Court is of opinion that the Complainant is entitled to the relief prayed for in said bill.~~ ^{Cross Bill} ~~and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

Cruelty

It is further ordered, that the said Minnie Ulrich

be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Minnie Ulrich

pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Micheal Ulrich

It is further ordered, adjudged and decreed that said Minnie Ulrich

shall not again marry except to said Micheal Ulrich

until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Micheal Ulrich, during the pendency of said appeal

This 7th day of July 1926

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, _____ Register of said Circuit Court of said County.

Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on

the _____ day of _____, 192____, in the cause of

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____, 192____

Register.

THE STATE OF ALABAMA,

BALDWIN COUNTY,

CIRCUIT COURT, IN EQUITY,

BALDWIN COUNTY, ALA.

Michael Ulrich

vs.

Minnie Ulrich.

DEGREE OF DIVORCE.

Filed in office this

2nd

day of

July 1924

Register.

J. W. Buchanan

E. O. M.

RECORDED

~~Ulrich (make father)~~

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA. IN EQUITY SITTING

Comes Michael Ulrich and humbly complaining against Minnie
Ulrich and respectfully shos unto your Honor as follows:

FIRST. That your complainant is over the age of twenty one
years and is a resident of Baldwin County, Alabama, where he has re-
sided for more than two years continuously next preceding filing of
this bill; that Minnie Ulrich is over twenty one years of age and that
her present Post Office address is unknown, her last known Post Office
address being 17 Naval Avenue, Buffalo, New York; that he has made
diligent search and inquiry to ascertain her present residence and
Post Office address and has been unable to ascertain her place of res-
idence and address, other than that she is a non-resident of the State
of Alabama.

SECOND. That your complainant and said Minnie Ulrich are
husband and wife, having intermarried September 6, 1894, at Buffalo,
New York; that more than two years ago, the said Minnie Ulrich vol-
untarily abandoned your complainant and they have not lived together
as husband and wife for more than two years continuously next preceding
the filing of this bill of complaint; that your complainant was without
fault in said abandonment.

Wherefore your complainant prays this Honorable Court to take
jurisdiction of cause made by this bill of complaint, that the said
Minnie Ulrich be made party defendant to the bill of complaint and by
~~appropriate process be required to plead, answer or demur to this bill~~
of complaint within the time and under the usual penalties prescribed
by law and practised by this Honorable Court.

The complainant further prays that upon final hearing of
this cause made by this bill of complaint your Honor will make and
enter a decree forever dissolving the bonds of matrimony existing between
complainant and the said Minnie Ulrich; that he have such other further
or different relief as to this court in equity and good conscience seem
proper.

The defendant, Minnie Ulrich, is required to answer every allegation of foregoing complaint, paragraph first and second, inclusive, but not under oath. Oath is hereby expressly waived.

Rickarby, Beebe & Hall
Woodford Mabrey
Attorneys for complainant

STATE OF ALABAMA

BALDWIN COUNTY

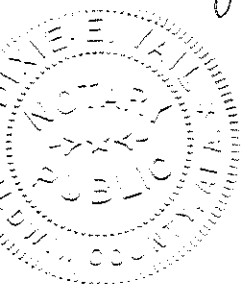
Before me, *Dwight E. Tail*, a Notary Public in and for said State and County, this day personally appeared Michael Ulrich, who is known to me, and who, being by me duly sworn, deposes and says that he is complainant in the cause of Michael Ulrich vs. Minnie Ulrich, in the Circuit Court of Baldwin County, Alabama, in Equity, for divorce; that the said Minnie Ulrich is over the age of twenty one years of age; and that her present Post Office address is unknown, and that her last known Post Office address was 17 Naval Avenue, Buffalo, New York; that he has made diligent search and inquiry to ascertain her present residence and Post Office address, and has been unable to ascertain her place of residence and address, other than that she is a non-resident of the State of Alabama.

Michael Ulrich

Sworn to and subscribed before me, this the 27th day of

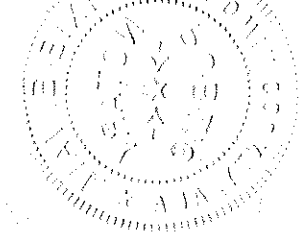
May, 1926.

Dwight E. Tail
Notary Public
Baldwin County, Alabama.



Field June 1st 1926
T. W. Ricumson
Register

RECORDED



The State of Alabama, }
Baldwin County

No. 593.

CIRCUIT COURT IN EQUITY

Micheal Ulrich.

Complainant

vs.

Minnie Ulrich,

And Cross Complainant

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of opinion that the Complainant is entitled to the relief prayed for in said ~~bill~~ **Cross 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 the complainant is forever divorced from the Defendant, on account of

Cruelty.

It is further ordered, that the said Minnie Ulrich. be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Minnie Ulrich. pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said

Micheal Ulrich.

It is further ordered, adjudged and decreed that the said Minnie Ulrich shall not again marry except to said Micheal. Ulrich. until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Micheal Ulrich.

during the said pendency of appeal

This 1st day of July 19 26.

John D Leigh.

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY

STATE OF ALABAMA }
BALDWIN COUNTY }

CIRCUIT COURT, IN EQUITY

I, R S Duck. Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 1st day of July 19 26, in the cause of Micheal Ulrich.

Complainant

vs.

Minnie Ulrich.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the 21

day of February. 19 38.



Register

No. 593.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
Baldwin County, Ala.

Micheal Ulrich.

vs

Minnie Ulrich.

DECREE OF DIVORCE

Filed in office this 2

day of July, 1926.

T W Richerson.

Register.

E. O. M. _____

