

HAYDEN H. CRABB,)	
)	
Complainant,)	IN THE CIRCUIT COURT OF
)	
vs.)	BALDWIN COUNTY, ALABAMA
)	
THETA M. CRABB,)	IN EQUITY - NO. 2949
Respondent.)	

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, SITTING IN EQUITY:

1. Complainant avers that he and the respondent are both over the age of 21 years; that he is a bona fide resident citizen of Mobile County, Alabama, and has been such for a period of more than one year next immediately preceding the filing of this, his Bill of Complaint; and that the respondent is a non-resident of the State of Alabama, whose last known address was Gilroy, California.

2. Complainant alleges that he and the respondent are husband and wife, having been lawfully married on January 22, 1940, in Tacoma, Washington.

3. Complainant avers that the respondent has voluntarily abandoned his bed and board without his consent, without sufficient reason therefor, and without intention to return, and that said abandonment has been continuous and uninterrupted for a period of more than one year next immediately preceding the filing of this Bill of Complaint,


PRAYER FOR PROCESS

Wherefore, the Complainant prays that Theta M. Crabb be made a party respondent to this Bill of Complaint, and be required to appear and plead, answer or demur to the Bill of Complaint within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that upon the final hearing of this cause

Your Honors will enter a decree dissolving the bonds of matrimony now existing between the Complainant and the Respondent and grant him an absolute divorce with the right to re-marry. The Complainant prays for such other, further and different relief as in equity and good conscience he may be entitled to receive in the premises.



George A. Tonsmeire
Solicitor for Complainant

2949

The State of Alabama }
Baldwin County }

Circuit Court

Equity

To..... THETA M. CRABB

..... Gilroy, California

You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defendant....., by..... HAYDEN H. CRABB Complainant.....

A copy of which Bill of Complaint is hereto attached.

Witness by hand, this..... 24th day of January..... 1953.....

Wm. J. Duck
Register

Mrs. Theta M. Crabb
P.O. 2 - Box 48
Libroy, Calif.



Alice J. Duck, Circuit Clerk
Baldwin County
Bay Minette
Alabama

1600

~~11/2/01~~

~~W. H. H. H.~~

W. H. H.

Rt. 2 - Box 48
Gilroy, Calif.,
April 1, 1953.

Alice J. Duck, Circuit Clerk,
Baldwin County,
Bay Minette, Ala.

Dear Miss Duck:-

I had intended to return to Alabama to answer the Bill of Complaint in person which was filed against me by my husband, Hayden H. Crabbe but I can not afford the money a trip back there would cost. However, I want you to know the whole thing is nothing but lies.

I did not abandon Mr. Crabbe nor have I refused to return to him. Neither has it been a year since we parted in Mobile as I left there on August 24, 1952. He is the one who made the reservation on the plane for me to come out here, bought my ticket and drove me to the airport at Bates Field. I didn't wish to come out here at that time as I had expected to go to Florida with him where he was working. Our neighbors in Mobile knew that was my intention when we sold our home to the McDonalds but Mr. Crabbe insisted I should come out here at that time. I thought it was to be for a visit only until I received a letter from him November 1, 1952. This is part of that letter — " Theta the rest of this

letter is going to be hard for me to write. Had I held my job at Gulf I believe we would have made out O.K. At least we would have had a house and some money. I tried it with the truck but the longer I kept it up the harder it became for me to return to Mobile. I just seemed to be all twisted up all the time and yet I knew it was not right that you be alone all the time but I could not get enough money ahead to do any different. That man in S.F. was on my mind too much of the time. I guess I let it become an obsession with me. Finally I decided to sell the house, give you the money and ask you to turn me free and then do something to even the score with him if I could win in no other way. I know now I can never get straightened out and that is definite. If I stay here as sure as I am alive right now I will get into trouble. Consequently I intend to go foreign. I have made a good contact and I will at least be able to pay off my debts and who knows? maybe get another start. Although I don't really care too much and just seem to be tired and have been for a long time. It has not been fair to you but what could I do? The first chance that came up I at least got you back amongst friends where you would not be alone. I did think for awhile that I would like to transfer out to S.F. but that would be about the worst thing I could do. On top of that you know I do not like it out there and never would. However I may make out O.K. yet, but I want to be free and on my own with no responsibilities whatsoever. Will you do it? I have never intended to hurt you or make you unhappy but every time I got a start something would show up and I had to start in again. It gets tiresome in time and I am no younger

and as it stands right now I don't care too much anyway. I believe I will be able to sell the Tractor and let the money go on the notes until it is paid for and still have a little left over. Will know more after I talk to Jim in Birmingham. I can trust him and that is a help. I intend for you to have all the house brings in, including the money I have received so far. If you do not want to take my word Geo. Tonsmeire can handle it for you. That is the best I can do. I wish you would write me at 256 Siena Vista and I will receive it when I go there from Birmingham next week. Should also be able to send you some money next week as I will get some from Jim. I guess that is all for now take it easy and let me hear from you. Always. Hayden."

I heard nothing more from him until I received a night letter November 18, 1952 as follows:-
"Please comply with request in Tonsmeire letter immediately. Will write full details from Trinidad in about one week. Hayden". I never received that letter and doubt that he ever wrote it.

Nothing had been mentioned about a divorce until I received the letter from Mr. Tonsmeire saying Mr. Crabb had been in to see him that day (Nov. 13, 1952) and made arrangements for him to handle the closing of the sale of our home to Mr. McDonald for a total sale price of \$14,500⁰⁰. Also that Mr. Crabb had advised him that we had agreed on a divorce and that he wished him to secure it there in Mobile. I have never agreed to a divorce.

I heard nothing more from Mr. Crabb until January 15, 1953. In that letter he wrote - "That if I did not have to be free I would not have asked you for

a divorce but it is absolutely necessary. To fight it will only cause both of us a lot of worry, trouble and money. I told you in the letter (the one I didn't receive) I was in plenty trouble and unless you would consent to divorce it could and would be worse and that is still the way it stands".

When Mr. Crabb built our house in Mobile he borrowed \$2800.00 from my daughter and myself which was money from my mother's estate. Also most of the \$2100.00 in bonds we cashed to buy the lot belonged to me. He gave me the \$1000.00 we had in bonds in 1943 when we separated for a short time as he thought he was in love with a young girl. Then I saved \$1000.00 in bonds out of my allowance he sent me while at sea. So far from the sale of our home in Mobile I have received \$3538.80 (and \$1400.00 of that belongs to my daughter) and \$250.00 Mr. Crabb gave me just before he put me on the plane to come out here. We also had several thousand dollars tied up in a tractor, trailer, Packard car and furniture. I believe Mr. Crabb should pay me the money he has promised (the money he drew against the house the first two months I was out here) before he is given a divorce, marries again and takes on more responsibilities. I tried to explain all this to Mr. Tonsmeire and was surprised when he filed the Bill of Complaint before it was straightened out. Mr. Crabb owes me \$4750.00. All I have received from him so far is promises.

I wish I could afford to come back there and appear in person. I feel Mr. Crabb has treated me

in a shabby manner. Evidently he just decided to discard me for someone younger. I am 52. My daughter is a widow with three small children to support. Her husband was killed in an automobile accident two years ago. Mr. Crabb is the one who abandoned me. He sent me out here instead of letting me go to Florida with him as I wanted to do. He promised to send me some money but he never did. If he had any intentions of keeping his promise he certainly could have sent me something during the past five months.

When Mr. Crabb and I were married on Jan. 25, 1940 he had nothing except a job and a lot of debts. In less than a week after our marriage he lost his job due to union trouble and he didn't get another job until seven months later. We spent a good part of that time here in Gibroy with my folks. I deprived myself of many things so we could accumulate what little we had. He only bought me two coats during the nearly 13 years we were together and I am still wearing the last one he bought for me in 1945.

I trust and pray the court will not grant a divorce to Mr. Crabb. I did not voluntarily abandon his bed and board without his consent nor have I refused to return to him.

Respectfully yours,
Theta M. Crabb
(Mrs. Hayden H. Crabb)

RECEIPT FOR REGISTERED ARTICLE No. 618

Fee paid 30

1-24-1953

(Date)

Class postage paid 1

Return receipt fee 4

Declared value, \$ none

Special delivery fee _____

Surcharge paid, \$ _____

Restricted delivery (Accepting employee will place initials in proper space)
 in person _____
 or order 20
 Fee paid _____

From Whip Dunt _____

(Sender)

Addressed to B. M. Allen _____

(Street and number)

(Post office and State)

Whita m Crab _____

(Address)

Libray _____

(Street and number)

(Post office and State)

Postmaster, per 2m 2



GPO c9-16

RECEIPT FOR REGISTERED ARTICLE No. 733

Fee paid 30

3-3
(Date)

1953

Class postage paid 1

Return receipt fee 7

Declared value, \$ none

Special delivery fee 7

Surcharge paid, \$ —

Restricted delivery
(Accepting employee will place
initials in proper space)

in person

or order

Fee paid 20



From Alise J. Duck
(Sender)

B.M.
(Street and number) (Post office and State)

Addressed to Sheta M. Crabbe
(Addressee)

Box 48 - Sierra Calif
(Street and number) (Post office and State)

GPO c9-16-12666-5

Postmaster, per esp

2949

Form 3811
Rev. 1-4-40

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 Thats m Crable
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 3/6, 1951

FILED
3-10-51
ALICE J. DICK, Register

Post Office Department
OFFICIAL BUSINESS

MAIL CALL
MAR 6
5-PM
1953

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

(GPO)

POSTMARK OF DELIVERING
OFFICE

Return to W. J. Smith - Register
(NAME OF SENDER)

Street and Number, }
or Post Office Box, } Box 239

REGISTERED ARTICLE

No. 733

Post Office Bay Minette

INSURED PARCEL

No. _____

16-12421

State Ala.

GEORGE A. TONSMEIRE
ATTORNEY AND COUNSELLOR AT LAW
ANNEX FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

January 23, 1953

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

Dear Mrs. Duck: Re: Crabb vs. Crabb

I am enclosing the original bill of divorce which had been sent to you previously, and returned by you with the suggestion that it be filed in Mobile County.

I have since talked to the Judge and explained the circumstances and he has agreed to have the case set down on your docket.

The respondent's address is Route 2, Box 48, Gilroy, California.
Check to cover registered mail fee is enclosed.

Yours very truly,


George A. Tonsmeire

GAT:S

encls.

GEORGE A. TONSMEIRE
ATTORNEY AND COUNSELLOR AT LAW
ANNEX FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

February 27, 1953


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

Dear Mrs. Duck:

Re: Crabb vs. Crabb, No. 2949

I am in receipt of your notice that registered mail service to Mrs. Crabb has been returned "Unclaimed." As I am still having correspondence directly with her at Route 2, Box 48, Gilroy, California, I will appreciate your making another attempt to secure service by registered mail. I am enclosing check to cover.

Yours very truly,


George A. Tonsmeire

lmt

Enclosure

HAYDEN H. CRABB

Complainant

No. 2949 Vs.

THETA M. CRABB

Defendant

CIRCUIT COURT OF MOBILE- BALDWIN
COUNTY, ALABAMA
IN EQUITY

DEMAND FOR ORAL EXAMINATION

The State of Alabama,
Mobile County }

The complainant requests the oral examination of the following named witnesses
on his behalf, viz:

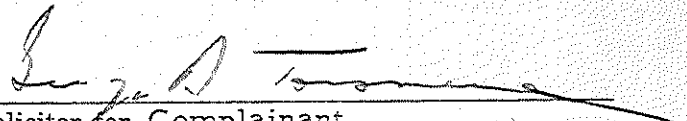
Hayden H. Crabb and Harry S. Mattei

said witnesses reside in the County of Mobile, State of Alabama. Genevieve G. Spafford
who reside at Mobile, Alabama

is suggested as suitable person to be appointed Commissioner to take depositions of said witness
on such oral examination.

Filed _____

JAMES A. CRANE, Register.
Alice Duck


Solicitor for Complainant
George A. Tonsmeire

No. 2949

Baldwin

**CIRCUIT COURT OF MOBILE COUNTY,
Mobile, Alabama**

Hayden H. Crabb

Vs.

Theta M. Crabb

DEMAND FOR ORAL EXAMINATION

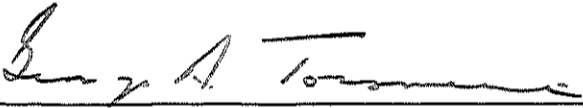
FILED

AUG 17 1953

ALICE J. DUCK, Register

STATE OF ALABAMA)
)
COUNTY OF MOBILE)

Personally appeared before me the undersigned authority in and for said state and county, George A. Tonsmeire, known to me, who, being by me first duly sworn, on oath deposes and says that he is personally acquainted with Theta M. Crabb, the respondent in that certain cause pending in the Circuit Court of Baldwin County, Alabama, In Equity No. 2949, wherein Hayden H. Crabb is the complainant; that the said Theta M. Crabb was not at the time of the filing of this suit and is not now in the Military or Naval Service of the United States.



George A. Tonsmeire

Subscribed and sworn to before me
this the 13th day of August, 1953.



Notary Public, Mobile County, Alabama

[Faint, illegible text]

FILED
AUG 17 1953

ALICE I. DUCK, REGISTRAR

[Faint, illegible text]

[Faint, illegible text]

ALICE J. DUCK, Circuit Clerk

Baldwin County

BAY MINETTE, ALA.



Deliver to Addressee Only

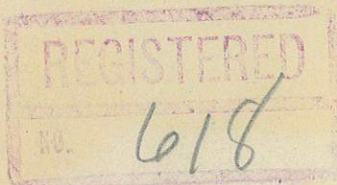


RETURN RECEIPT REQUESTED

Registered
For Delivery Only To Person
To Whom Addressed

Return Receipt Requested

Theta M. Crabb,
Gilroy, California



Unclaimed



GILROY
FEB 10
1953
CALIF.

BAY MINETTE
JAN 24
1953
ALA.

ALA.
FEB 17
1953
BAY MINETTE

GILROY
JAN 28
1953
CALIF.

BAY MINETTE
JAN 24
1953
ALA.

8/13/53

LAW OFFICES
GEORGE A. TONSMEIRE
FIRST NATIONAL BANK ANNEX
MOBILE, ALABAMA

August 13, 1953

Mrs. Theta M. Crabb
Route 2, Box 48
Gilroy, California

Dear Mrs. Crabb:

Just a line to let you know that we are proceeding to take the testimony and submit same to the Court for decree in the divorce suit brought by Mr. Crabb against you.

Yours very truly,
COPY
TONSMEIRE & HOWETTE,

George A. Tonsmeire

GAT:S