

MATTIE B. RICHERSON,  
Complainant,

-VS-

JOHN E. RICHERSON,  
Respondant,

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

This cause coming on to be heard upon the petition of  
Mattie B. Richerson, complainant in the foregoing stated cause,  
to appoint a Special Register in this cause and said petition being considered  
by the court and being understood by the court, it is ordered, adjudged  
and decreed by the court that the petitioner is entitled to the  
relief prayed for therein and that said motion be and the same is hereby  
granted and it is further ordered, adjudged and decreed that W. D. Letford  
a practising attorney residing at Evergreen, Ala., be and is hereby  
appointed Special Register in this cause, whose duties it shall be  
to perform all the duties and have all the powers and jurisdiction of  
this cause which are devolved by law upon the Register this 10<sup>th</sup> day  
of February, 1928.

John A. Leigh  
Judge of the 21st., Judicial  
Circuit of Alabama.

DECREE OF DIVORCE.

THE STATE OF ALABAMA,

BALDWIN COUNTY.

No. 673

CIRCUIT COURT,  
IN EQUITY.

MATTIE B. RICHERSON,  
Complainant,

-vs-

JOHN E. RICHERSON,  
Defendant.

THIS cause coming on to be heard at this term was submitted upon the Bill of Complaint, <sup>answer of defendant with</sup> ~~deceit 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.

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.

It is further ordered, that the said Mattie B. Richerson and John E. Richerson be, and they are hereby permitted to again contract marriage,

It is further ordered, that the said John E. Richerson pay the costs herein taxed, for which execution may issue.

It is further ordered, adjudged and decreed that said Mattie B. Richerson and John E. Richerson shall not again marry except to each other until sixty days after this date, and that if an appeal is taken within sixty days they shall not marry again except to each other during the said pendency of appeal.

This <sup>18<sup>th</sup></sup> day of April, 1928.

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

STATE OF ALABAMA,  
BALDWIN COUNTY.

I, T. W. Richerson, 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 18<sup>th</sup> day of April, 1928, in the cause of Mattie B. Richerson, Complainant, vs. John E. Richerson, Defendant, as appear of record in said Court.  
Witness my hand and seal this 18<sup>th</sup> day of April, 1928.

Original

CLERICAL CORNER

No.

WATSON CORNER

THE OFFICE OF THE

DEPT. OF THE

COMMISSIONER

JOHN W. HICKSON

DEPARTMENT

RECORDED

Inlesim office  
April 18, 1928.

W.D. Rufford  
Special Register

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Richerson

vs

Richerson

Circuit Court,

Baldwin County,

Alabama.

Memorandum of authorization on demurrers of respondent  
to the original bill.

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Cruelty as defined and within the meaning of the  
statute has a ground for divorce.

Carr vs Carr, 171 Alabama, page 600.

Farmer vs Farmer, 80 Alabama, page 322.

Goodrich vs Goodrich, 44 Alabama, page 670.

The christian interpretation of the contract of  
marriage requires that the husband shall love the wife, that  
he shall delight in her as himself and when proof shows that  
he habitually fails to do this, the Courts upon very slight  
indication of peril of her body or health will interpose for  
her protection by divorce.

Goodrich vs Goodrich, 44 Alabama, page 670.

According to the authorities, suit for divorce on  
the ground of cruelty is substantially a proceeding quia  
temet. The Court interferes not merely because acts of  
cruelty has been committed, nor to punish such acts, but to  
afford protection to the complainant for the future.

Bishop on Marriages and Divorce, Sec. 454-501.

Any conduct on the part of the husband which  
furnishes reasonable apprehension that the continuation of the  
relation of husband and wife would be attended with bodily  
harm to the wife is legally cruel to her. Of course, an act  
of unlawful violence on his part occasioning pain and injury  
to her and employing future risk of her life, limb or health,

amounts to cruelty, but there may be cruelty without actual violence.

Smedley vs Smedley, 30 Alabama, page 715.

GARR vs Garr, 171 Alabama, page 602.

The wife is entitled to a decree if the conduct of the husband is such as generally a reasonable apprehension on violence to her person.

Farmer vs Farmer, 69 Alabama, page 84.

Wood vs Wood, 80 Alabama, page 256.

The State of Alabama, }  
BALDWIN County

CIRCUIT COURT.

To Gladys Bush

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Sibley Richerson and Wilbur A. Richerson and Mattie B. Richerson

as witnesses in behalf of Mattie B. Richerson in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Mattie B. Richerson is Complainant and

John E. Richerson is Defendant,

on oath to be by you administered, upon interrogatories to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 7th day of April 1928

W. S. Letford Register.

Commissioners Fee \$

Witness Fee's \$

Mattie B. Richerson,

vs.

John Richerson.

In the Circuit Court,

Baldwin County, Alabama,

In Equity,

Now comes Mattie B. Richerson, the complainant in the foregoing stated cause and propounds interrogatories to herself, Sibley Richerson and Wilbur A. Richerson, who are witnesses for complainant and who are resident citizens of Baldwin County, Alabama, and whose testimony will be material for the complainant on the trial of the cause.

First.

Where do you live? What is your age? What relation, if any, are you to the complainant or respondent?

Second.

Do you know complainant and respondent? If yes, how long have you known them? Was complainant and respondent ever married? If yes, when and where? Are they now living together as man and wife. If not, when did they separate? Where did they separate? What caused their separation? Please state all the facts and circumstances within your knowledge which would tend to show that the respondent committed actual violence on the person of the complainant, which acts of violence were attended with danger on the health or life of complainant. Please state all facts or circumstances which would show that the conduct of the respondent was such that the complainant had reasonable apprehension of such violence. Please state the acts and circumstances which would show that the conduct of the respondent toward complainant was such that she had reasonable apprehension to fear that actual violence would be committed on her person by respondent. Please state all circumstances that occurred at the time of the separation of the complainant and respondent.

Third.

How old is complainant? How old is respondent? Where do they each reside and how long have they resided

in Baldwin County. Have they any children?. Give their names and ages.

Henry D. Moorer,

C. E. Hamilton,

Attys. for Mattie B. Richerson.

NOTE:

The complainant suggests Miss Gladys Bush, of Bay Minette, Baldwin County, Alabama, as a suitable and proper person to act as commissioner in taking the testimony of the witnesses named in the foregoing interrogatories.

Henry D. Moorer,

C. E. Hamilton,

Attorneys for Mattie B.  
Richerson.



STATE OF ALABAMA,  
BALDWIN COUNTY.

I, Norborne Stone, hereby accept service of the foregoing interrogatories, waive copy of the same to be served upon me as attorney for respondent, John Richerson, waive the right to cross said interrogatories, hereby consent that a commission may issue at once to Miss Gladys Bush and waive notice of the taking of the testimony of the witnesses named in the interrogatories and consent that such testimony may be taken at once and filed in the cause.

This 31 day of March, 1928.

Norborne Stone

Atty. for respondent, John Richerson.

Filed April  
6th 1928

W.D. Lufkin  
Register

MATTIE B. RICHEYSON,  
Plaintiff,

-VS-

JOHN E. RICHEYSON,  
Defendant,

INTERROGATORIES PROPOUNDED BY  
WILBUR A. RICHEYSON, A WITNESS ON BEHALF  
OF PLAINTIFF.

DEPOSITION OF WILBUR A. RICHEYSON, a witness produced,  
sworn and examined on the 7th., day of April, in the year 1928,  
under and by virtue of a Commission issued out of the Circuit Court,  
Baldwin County, Alabama, in a certain cause therein pending and at  
issue between MATTIE B. RICHEYSON, Plaintiff, and JOHN E. RICHEYSON,  
Defendants, as follows:-

Wilbur A. Richerson of Mobile, Mobile County, Alabama,  
age twenty one years and upwards, being duly and publicly sworn pursuant  
to the direction hereto annexed and examined on the part of the plaintiff  
doth depose and say as follows:-

FIRST - To the first interrogatory he saith:- 206 George Str.,  
Mobile, Alabama; I am 25 years of age; I am a son of Mrs. Mattie B.  
Richerson, Plaintiff in the above styled cause.

SECOND - To the second interrogatory he saith: Yes.  
All my life; yes; I do not know when and where; no; They separated in  
December, 1926; in Stockton, Baldwin County, Alabama; my father was drunk and  
attempted to shoot my mother; it was dangerous for her to stay around him;  
he had threatened to kill her several times; he attempted to shoot her with  
a pistol; this was about December 25th., 1926; my father gets drunk and  
remains so for several days at a time and is extremely dangerous at that  
time threatening to kill his entire family; he got the pistol and attempted  
to shoot his wife, my mother Mrs. Mattie B. Richerson; my father John E.  
Richerson is dangerous when intoxicated and he frequently takes alcoholic  
liquids.

THIRD: To the third interrogatory he saith:- I do not know the ages of either my mother or father but they are considerably over the age of fifty years; both reside at or near Stockton, Baldwin County, Alabama; they have six children, namely:- Leslie, about 37 years; George Richerson, about 35 years of age; Mrs. Paul J. Bryars, 32 years of age; Sibley Richerson, about 29 years; Elizabeth Richerson, 27 years; Wilbur<sup>As</sup> Richerson, 25 years.

*Wilbur A. Richerson*

MATTIE B. RICHEYSON,  
Plaintiff,

-vs-

JOHN E. RICHEYSON,  
Defendant,

INTERROGATORIES PROPOUNDED BY  
SIBLEY RICHEYSON, A WITNESS ON BEHALF  
OF PLAINTIFF.

DEPOSITION OF SIBLEY RICHEYSON, a witness produced,  
sworn and examined on the 16th., day of April, 1928, under and by  
virtue of a Commission issued out of the Circuit Court, Baldwin County,  
Alabama, in a certain cause therein pending and at issue between  
Mattie B. Richerson, Plaintiff, and John E. Richerson, defendants;  
as follows:-

Sibley Richerson of Stockton, Baldwin County, Alabama,  
age twenty seven years, being duly and publicly sworn pursuant  
to the direction hereto annexed and examined on the part of the plaintiff  
doth depose and say as follows:-

FIRST - To the first interrogatory he saith: I live in Stockton,  
Baldwin County, Alabama; I am twenty seven years of age; I am a son of  
Mrs. Mattie B. Richerson, Plaintiff in the above styled cause.

SECOND: To the second interrogatory he saith: Yes, I know  
complainant and respondent. I have known them all my life; yes; I do not  
know when and where; no; they separated in December, 1926; in Stockton,  
Baldwin County, Alabama; my father was drunk and attempted to shoot my mother;  
it was dangerous for her to stay around him; he had threatened to kill her  
several times; he attempted to shoot her with a pistol; this was about  
December 27th., 1926; my father gets drunk and remains so for several days  
at a time and is extremely dangerous at that time and threatened to kill his  
entire family at that time; he got the pistol and attempted to shoot his wife,  
my mother, Mrs. Mattie B. Richerson; my father, John E. Richerson, is

dangerous when intoxicated and he frequently takes alcoholic liquids.

THIRD: To the third interrogatory he saith: Mrs. Mattie B. Richerson, complainant, is sixty five years of age; John E. Richerson, respondent; is sixty years of age; both reside at or near Stockton, Baldwin County, Alabama; they have six children, namely:- Leslie Richerson, about 57 years of age; George Richerson, about 55 years of age; Mrs. Paul J. Bryars, 32 years; Sibley Richerson 27 years of age; Elizabeth Richerson, about 26 years of age; Wilbur A. Richerson, 25 years of age;.

Sibley Richerson

TESTIMONY OF MRS. MATTIE B. RICHERSON:-

FIRST - To the first interrogatory she saith:- I live at Stockton, Baldwin County, Alabama; I am sixty five years of age; I am the wife of John E. Richerson;

SECOND - To the second interrogatory she saith:- I am the complainant; I have know John E. Richerson, all my life; Yes, John E. Richerson and I were married; we were married in the year 1887 at Stockton, Baldwin County, Alabama; we are not living together now as man and wife; we separate December, 25th., 1926; we separated in Stockton, Baldwin County, Alabama; he was drunk and had a pistol and threatened to shoot me; John E. Richerson had made threats against me a number of times and often attempted to carry out his threats and was prevented by my boys; he had made similar threats a number of times; he choked me one time before but it was not on December 25th., 1926; from his acts and threats of violence my health or life was endangered; I was afraid to live with him longer; I was afraid he would kill me; if

it had not been for my boys with me at this time he would very likely have seriously injured me or killed me; he had a pistol in his hands at this time on December 25th., 1926, threatened to kill me and some other members of my family; The pistol was taken away from him by my boys.

THIRD- To the third interrogatory she saith:- I am the complainant and 65 years of age; John E. Richerson, respondent, is 61 years of age; we both reside at or near Stockton, Baldwin County, Alabama, and have resided there our entire lives. We have six children living, namely:-

Leslie Richerson, 59 years of age; George Richerson, 35 years of age; Mrs. Paul J. Bryars, 32 years of age; Sibley Richerson 27 years of age; Elizabeth Richerson, 26 years of age and Wilbur A. Richerson, 25 years of age;

Maude B. Richerson

C E R T I F I C A T E.

I, Gladys Bush, under and by virtue of a commission issued out of the Circuit Court, Baldwin County, Alabama, on the 7th., day of April, 1928, in said entitled cause, therein pending, do hereby certify that I caused to come before me at my office in Bay Minette, Baldwin County, Alabama, on the 7th., day of April, 1928, Wilbur A. Richerson, and caused to come before me on the 16th., day of April, 1928, at my office in Bay Minette, Alabama, Sibley Richerson and Mrs. Mattie B. Richerson; that I have personal knowledge of the said witnesses, Wilbur A. Richerson and Sibley Richerson, and complainant, Mrs. Mattie B. Richerson; that each of said witnesses and complainant, after being duly sworn to tell the truth, the whole truth and nothing but the truth, were examined by me and testified as hereinbefore shown; their answers being reduced to writing by me, as near as might be, in their own language, whereupon they subscribed their names to the same in my presence.

And I further certify that I am neither of counsel nor of kin to any of the parties to said cause, nor in any manner interested in the result thereof.

Witness my hand and seal this 16th., day of April, 1928.

Gladys Bush  
Commissioner.





Mary B. Richardson

vs

John E. Richardson

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Assignor of  
John E. Richardson

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Filed & approved

6/11 1928

W.D. Ruffin  
Special Registrar

MATTIE B. RICHERSON,  
Complainant,

-VS-

JOHN E. RICHERSON,  
Respondant,

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

This cause is submitted to the Court on this the 10<sup>th</sup>  
day of February, 1928, on the petition of Mattie B. Richerson,  
said petition having been considered and understood by this Court, and it  
appearing to the court that the petitioner is entitled to the relief prayed  
for therein, It is considered, ordered, adjudged and decreed by the court  
that this cause be and is hereby referred to W. D. Letford  
Special Register of this Court to hold a reference to hear the testimony and  
to determine, first: What is a reasonable amount to be paid petitioner  
for her support and maintenance during the pendency of this litigation;  
Second: What is a reasonable amount to be paid to petitioner as a reasonable  
Solicitors fee for carrying on this litigation? said amounts to be based upon  
the estate of the husband and condition of life of the parties.

It is further ordered that W. D. Letford  
as such Special Register of this court hold a reference to determine said  
amounts and that ten days notice of the time of holding said reference be  
given to the Solicitors of both parties and that upon reference the Register  
to determine said amount's as set out above and report the same to this Court for  
action thereon.

John A. Leah  
Judge of the 21st., Judicial Circuit  
of Alabama.

MPGO

Bay Minette, Ala.,

*May 16 1927*

*J. W. Richardson*

IN ACCOUNT WITH  
**G. W. Humphries**  
JUDGE OF PROBATE, BALDWIN COUNTY

Please Return Bill With Remittance

Deed Tax and  
Mortgage Tax

Rec. Fee

Total

Rec. Mort. from

*Rec'd*  
*W. L. Marden vs. Laurent Millaudon*

*" " M. J. Stanton, Compt. vs. A. J. Rowland*

*Paid 5/17/27  
G. W. Humphries Judge  
by S. K. Kirby, Clerk*

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MATTIE B. RICHerson,  
Complainant

-vs-

JOHN E. RICHerson,  
Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE  
BALDWIN COUNTY  
ALABAMA.

Comes the respondent, John E. Richerson, and demurs to the Bill of Complaint in this cause filed and to each paragraph thereof, separately and severally, and for grounds of demurrer, assigns, the following:-

- (1). That there is no equity in the Bill of Complaint.
- (2). That said Bill of Complaint is without equity.
- (5). That the matters complained of do not constitute any ground or grounds for divorce.

(4). For that said complaint seeks to set up cruelty on the part of the respondent as against the complainant but fails to aver any facts showing the commission of actual violence on the person of complainant, attended with danger to life or health.

(5). For that said complaint seeks to show cruelty on the part of the respondent as against complainant but fails to show any conduct by the respondent as against the complainant from which there could be reasonable apprehension of the commission of actual violence on the person of complainant attended with danger to life or health.

(6). For that it does not appear that the complainant is without means or is unable to pay the solicitors fee prayed for.

(7). For that complainant seeks temporary alimony other than an allowance for the support of the complainant out of the estate of respondent, suitable to his estate and the con-

(page two)

dition of life of the parties.

(8). For the complaint seeks a permanent allowance on the decree of divorce but fails to allege or aver that the complainant has no separate estate or that it is insufficient for her maintenance.

  
Solicitor for Respondent.

MATTIE B. RICHESON,  
Complainant,

Vs.

JOHN E. RICHESON,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE JOHN D. LEIGH, AS JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA:

1. Your Complainant, Mattie B. Richerson, a resident of Baldwin County, Alabama, over the age of twenty-one years respectfully shows unto your Honor, that on or about the 24th, day of March 1887, your Complainant was inter-married with said John E. Richerson in said State and County, and that they lived together for many years as man and wife in the County of Baldwin, in said State; that your Complainant has been a bona fide resident of Baldwin County, Alabama, for more than three years next preceding the filing of this bill of complaint.

2. That during the month of December 1926, said John E. Richerson came home drunk and cursed this Complainant and at the same time he used all kinds of vile and immoral language addressed to me, in my presence, and the said John E. Richerson cursed and abused this Complainant with profane words and at the same time and place he drew a pistol which he had concealed on his person while he was drunk, and flourished it around in an angry manner as if he intended to shoot a member of our family, in my presence and in the presence of my son, Sibley Richerson, who knocked him down at that time, and from such conduct exhibited by said John E. Richerson in the presence of this Complainant, this Complainant has reasonable apprehensions of actual violence being committed on the person of this Complainant by the said Richerson, such violence was attended with danger to Complainant's life or health, all of which she has reasonable apprehension if she continues to live with said John E. Richerson.

3. That during last Christmas morning said Richerson ordered this Complainant and his and Complainant's family to gather up all of their personal belongings and leave the place and keep

out and not return thereto, hence this Complainant and her children left her home, being the home which this Complainant's father had built for her and in which this Complainant and said Richerson were living during the month of December 1926.

4. That this Complainant and said Respondent have not lived together as husband and wife since the 25th, day of December 1926, and have not in any manner had connection since that time; Complainant states that the said John E. Richerson is now a resident of Baldwin County, Alabama, residing at or near Stockton, and is over the age of twenty-one years and that she charges him with the allegations set out in paragraph two and three of this bill of complaint.

The premises considered, your Complainant prays your Honor to take jurisdiction ~~of~~ this cause and ascertain what will be a reasonable amount of temporary alimony to be paid by the said Richerson to this Complainant during the pendency of this suit and make and enter an order requiring the said Respondent to pay to this Complainant temporary alimony during the pendency of this suit, allow this Complainant a reasonable sum as a solicitor's fee for filing this bill of complaint to be paid to Complainant's solicitor for conducting the prosecution of this suit, and that your Honor will require said defendant to pay a reasonable solicitor's fee; Complainant further prays the Court to allow and require said respondent to pay to this Complainant a liberal amount of permanent alimony to be paid by said respondent to this Complainant, or paid out of the estate of said John E. Richerson; Complainant further prays the Court that a summons be issued directed to the said John E. Richerson requiring him to appear and plead, answer or demur to your Complainant's bill of complaint within the time allowed by law.

And that upon the final hearing of this cause your Honor will grant your Complainant a decree of absolute divorce from the said John E. Richerson, and require the said Richerson to pay to this Complainant permanent alimony, and, that such other relief may be



granted to your Complainant as your Honor may think proper,  
for which your Complainant will ever pray.

Charles Hall

Solicitor for Complainant.

**FOOTNOTE:**

The respondent is required to answer each of the allegations  
contained in the foregoing bill of complaint, but not under  
oath, oath to answer being hereby expressly waived.

Charles Hall

Solicitor for Complainant.

Richerson  
vs.  
Richerson

Circuit Court,  
Baldwin County,  
Alabama.

Memorandum of authorities on demurrers of respondent  
to the original bill.

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marriage requires that the husband shall love the wife, that  
he shall delight in her as himself and when proof shows that  
he habitually fails to do this, the Courts upon very slight  
indication of peril of her body or health will interpose for  
her protection by divorce.

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According to the authorities, suit for divorce on  
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Bishop on Marriages and Divorce, Sec. 454-501.

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furnishes reasonable apprehension that the continuation of the  
relation of husband and wife would be attended with bodily  
harm to the wife is legally cruel to her. Of course, an act  
of unlawful violence on his part occasioning pain and injury  
to her and employing future risk of her life, limb or health,  
amounts to cruelty, but there may be cruelty without actual  
violence.

Smedley vs. Smedley, 30 Alabama, page 715.

Carr vs. Carr, 171 Alabama, page 602.

The wife is entitled to a decree if the conduct of the husband is such as generally a reasonable apprehension on violence to her person.

Farmer vs. Farmer, 69 Alabama, page 84.

Wood vs. Wood, 80 Alabama, page 256.

*J. E. Hanna*  
*J. E. Hanna*

Mutter B. Richardson

vs.

John E. Richardson

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint.

a. y. m. s. report of Norman Stone Sol. for  
Presidents

Depositions of Mutter B. Richardson

" " Sibley Richardson

" " Walter Richardson

" " Mutter

and in behalf of Defendant upon

Answers of Depositions

W. D. Keenan  
Special Register.

*[Handwritten mark]*

No. \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

VS

NOTE OF TESTIMONY

Filed in Open Court this 17<sup>th</sup> \_\_\_\_\_

day of April \_\_\_\_\_ 1928

N. O. Rufford  
Special Register

No. \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

vs

NOTE OF TESTIMONY

Filed in Open Court this 17th  
day of April 1928

M. S. Hurtford  
Special Register



2 Original  
# 03  
SERVE ON

Circuit Court of Baldwin County  
In Equity.

No. \_\_\_\_\_

SUMMONS

Mattie B. Richerson,

vs.

John E. Richerson

*Richerson*

Charles Hall.

Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this 22nd  
day of June 1927

C. Irwin  
Sheriff.

Executed this 29th day of  
June 1927  
by leaving a copy of the within Summons with

John E. Richerson  
Defendant.  
*C. Irwin*  
Sheriff.

By \_\_\_\_\_  
Deputy Sheriff.

RECORDED



MATTIE B. RICHEYSON,  
Complainant,

-vs-

JOHN E. RICHEYSON,  
Respondent,

IN THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE 21st., Judicial Circuit  
of the STATE OF ALABAMA, SITTING IN EQUITY.

Comes the petitioner, Mattie B. Richerson, and  
shows unto Your Honor as follows:-

FIRST:

That she and the respondent is over the age of twenty  
one years and each reside in Baldwin County, Alabama.

SECOND:

That on the 22nd., day of June, 1927, this petitioner  
filed her original bill in this court setting up that the respondent,  
John E. Richerson and herself were married on the 24th., day of March,  
1887; the said John E. Richerson being made a party respondent to the  
original bill and that your petitioner and the said John E. Richerson had  
lived together as man and wife in Baldwin County, Alabama, for more than  
thirty years when the said John E. Richerson's conduct was such as to put  
petitioner in reasonable apprehension of danger to her life or health,  
which conduct was attended by the use of a deadly weapon on the part of the  
said John E. Richerson; that while said deadly weapon was not in fact  
used, the said John E. Richerson did threaten the life of your petitioner  
and at the same time used vile and profane language to your petitioner,  
and that on the 25th., day of December, 1926, a separation occurred between  
your petitioner and the said John E. Richerson, since which time your  
petitioner and the said John E. Richerson have lived separately and apart and  
during no part of said time has the said John E. Richerson contributed any  
sum or sums of money or property of any kind towards the support and maintenance

of your petitioner and that your petitioner is a woman sixty-five years of age and without means of support and thrown upon the charity of her relatives for her support and maintenance.

THIRD:

That in December, 1926, the said John E. Richerson drove your petitioner from her home, which home was built by your petitioner from funds derived from sale of timber which was left her by her deceased father.

FOURTH:

Petitioner further alleges that she is now living in a rented house in Stockton, Alabama, and that living with her is an afflicted daughter of your petitioner and respondent who is unable to earn her own livelihood, and there is also living with petitioner a grandson of your petitioner and the said respondent of the age of six years and that your petitioner is endeavoring to raise and maintain the said child, the mother of said grandchild being dead.

FIFTH:

Petitioner further alleges and shows that in said bill of complaint that your petitioner prays that a reasonable amount be granted to petitioner as alimony Pendente Lite and that the court also fix what would be a reasonable Solicitors fee for petitioner filing the original bill which alimony and solicitors fee is to be paid by the respondent and that permanent alimony be allowed petitioner upon final determination of the cause.

SIXTH:

Petitioner further alleges that the respondent has not filed an answer to said bill but has interposed demurrers thereto, said demurrers being filed on the 26th., day of July, 1927, which demurrers have not been heard and determined by this court and that petitioner is in destitute circumstances while said proceeding is being conducted and that she is physically unable by age and by physical infirmities to earn her own livelihood and that she is now under the treatment of a physician for physical ailments and has been for the past six months; petitioner further alleges that she is without funds to carry on this litigation and that a

reference should be immediately held to determine what amount should be paid to her for support and maintenance while this litigation is pending and what amount should be paid to her as solicitors fee for conducting said litigation.

THE PREMISES CONSIDERED, petitioner prays that Your Honor will direct the Register of this court to hold a reference to determine first: What is a reasonable amount to be paid petitioner for her support and maintenance during the pendency of this litigation? Second: What is a reasonable amount to be paid to petitioner as a reasonable Solicitors fee for carrying on this litigation? And that upon the report of the Register and upon such reference Your Honor will order such amounts to be paid to the petitioner.

HENRY D. MOORER & C. E. HAMILTON, Sr.,  
Solicitors for Complainant,  
Mattie B. Richerson.

MATTIE B. RICHEYSON,  
Complainant,

-VS-

JOHN E. RICHEYSON,  
Respondent,

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

TO THE HONORABLE JOHN D. LEIGH, Judge of the 21st., Judicial Circuit of the  
STATE OF ALABAMA.

Your petitioner, Mattie B. Richerson, complainant in the  
foregoing stated cause, moves the court as follows:

FIRST:

She has this day filed a petition to Your Honor as  
Judge of said Court asking that a reference be held by the Register of  
this Court to ascertain, first: What is a reasonable amount to be paid  
to said Mattie B. Richerson complainant, in this cause, for her support  
and maintenance during the pendency of this litigation; Second: What is  
a reasonable amount to be paid the said Mattie B. Richerson as a reasonable  
Solicitors fee for carrying on this litigation, said amounts to be based  
on the estate of the husband and on the condition and life of the parties.

SECOND:

Petition alleges that Honorable T. W. Richerson, who is  
the Register of the Circuit Court in Equity in said County, is a first cousin  
of the respondent in this cause and therefore disqualified from acting as  
Register to hold the reference prayed for by your petitioner; that a suitable  
and proper person should be appointed as Special Register to perform  
all the duties and have all the powers and jurisdiction in this cause which  
are devolved by law upon the Register.

THE PREMISES CONSIDERED your petitioner moves the court to  
appoint some suitable and proper person to act as Special Register in this

cause whose duty it shall be to perform all the duties and have all the powers and jurisdiction in the cause which are devolved by law upon the Register and Your petitioner prays for such other, further order<sup>s</sup> and decrees as may be necessary and proper in the matter.

HENRY D. MOORE & C. E. HAMILTON, Sr.,  
Solicitors for Mattie B. Richerson,  
Complainant.