

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

COMES ELLYN B. BEATY, and by this her bill of complaint  
presented against CLIFTON M. BEATY, respectfully shows:

FIRST: That Complainant is now and has been for more  
than three years next proceeding the filing of this bill  
a bonafide resident of Baldwin County, Alabama. That Clifton  
M. Beaty is over the age of twenty-one years and resides in  
Los Angeles, California.

SECOND: That Complainant and Defendant were lawfully  
married on or about 1923 and lived together as husband and  
wife at Chino, California, (where both taught school) until  
December 12, 1924, when the Defendant willfully abandoned the  
bed and board of Complainant, which abandonment has continued  
to the present time as she and he have lived separate and a-  
part continuously since that date without resuming marital re-  
lations of any kind. That in November 1925, she came to Alabama  
and established her residence at Fairhope where she has contin-  
uously resided, and of which town she has been a bonafide resident  
since November 25, 1925. Since she has been living in Fairhope  
she has not seen her husband, nor has he done anything for her  
support or toward a resumption of their former married life. That  
there was born to said couple a son, Chester B. Beaty, who is now  
three and one-half years of age and resides with and is cared for  
exclusively by Complainant.

THE PREMISES CONSIDERED, Complainant prays that Clifton  
M. Beaty be made party defendant in this cause, that he being  
a non-resident, whose address is 206 Chamber Commerce Building,  
Los Angeles, California, so that personal service cannot be had  
upon him, notice of the filing of this bill be given to him by

registered mail and he be required to answer same within the time prescribed by law.

COMPLAINANT FURTHER PRAYS, that upon the hearing of this cause, a decree be rendered forever divorcing her from the said Clifton M. Beaty, granting her the right to marry again should she so desire, and such other, further and different relief as to equity may seem meet.

*Elliott B. Rinsaby*  
Solicitor for Complainant

NOTE:

The Defendant is required to answer each paragraph of the foregoing bill, but not under oath.

*Elliott B. Rinsaby*  
Solicitor for Complainant.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, the undersigned authority, personally appeared this day, Ellyn B. Beaty, who being sworn, says that she is the complainant in the foregoing cause. That Clifton M. Beaty, the defendant, is a non-resident of the State of Alabama, whose address is 206 Chamber of Commerce Building, Los Angeles, California. That personal service in this cause cannot be had upon said defendant and that notice by registered mail is necessary to obtain service upon said defendant.

*Ellyn B. Beaty*

Sworn to and subscribed to be fore me this the 27th day of November, 1928.

*Gladys Bush,*  
Notary Public, Baldwin County, Alabama.

ELLYN E. BEATY,  
Complainant

VS.

CLIFTON M. BEATY,  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY,

IN EQUITY.

THE DEPOSITION OF ELLYN B. BEATY AND HELEN C. SACRISTE  
WITNESSES FOR THE COMPLAINANT.

The said witnesses being by me first duly sworn to tell the truth the whole truth and nothing but the truth, upon examination by E. G. Rickaby, Esquire, Solicitor for the Complainant, testified as is hereinafter set forth.

ELLYN B. BEATY.

I am the Complainant in this case, and was more than twenty-one years of age when this bill was filed. I am now and have been continuously since November 25, 1925, a bona fide resident of the town of Fairhope, Baldwin County, Alabama.

On August 9, 1923, while in Manila, P. I. I was married to Clifton M. Beaty, the Defendant in this cause, who was then over the age of twenty-one years, and who is now living in Los Angeles, California. We lived together in Manila until April of the following year, 1924, when we went to California where Mr. Beaty was teaching at the California Junior Republic, at a town called Chino. Mr. Beaty did not support me or provide for my necessities while we were there, and because of this, and in order to obtain the necessaries of life, I was compelled to leave him, which I did on December 12, 1924, going to stay with my mother in Evanston, Illinois. In November of 1925, I left Evanston and came down to Fairhope to live where I arrived on November 25, 1925, and in which town I have continuously lived ever since, up to and including the present time. Since Mr. Beaty and I parted, I have had no support from him for myself or the child of our marriage, Chester Beaty, born May 10, 1925, who has lived with and been supported by me continuously since his birth.

2.

I have heard from Mr. Beaty several times in the last few years, but he has made no effort to get me to come back, or to do anything toward supporting me, and I am dependent upon my own efforts to support myself and our child. He abandoned me in December 1924, by failing to provide for me, and forcing me to leave him on that account, and this abandonment has continued absolutely up to the present time. I have not even seen him in all of this period.

Evelyn B. Beaty

HELEN SACRISTE

I am and have been for the last ten or fifteen years, a resident of the town of Fairhope. I knew Mrs. Beaty from the date of her arrival in Fairhope, in November 1925, and have had occasion to see her very frequently since that time. My acquaintance with her is such that I know of my own knowledge that she has lived in Fairhope ever since her first arrival, except for vacation trips, and that she has not seen her husband in that time. He has not been in Fairhope, nor has she left to live with him since her arrival in Fairhope, and I can state of my own knowledge that she and he have lived separate and apart for more than three years past, that is continuously since November 1925, up to date. She has her little boy with her, and supports him with her own efforts, and without any assistance from her husband, either for herself or the child.

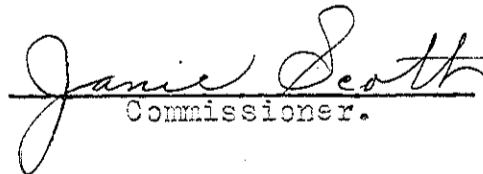
Helen C. Sacriste

CERTIFICATE

I, Janie Scott, the commissioner named in the attached commission issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in a case pending in the Equity side of said Court, wherein Ellyn B. Beaty is Complainant, and Clifton M. Beaty is Respondent, under and by virtue of the power conferred upon me by said commission, I caused the witnesses named in the commission, namely Ellyn B. Beaty and Helen C. Secriste, who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in 905 Van Antwerp Building, in the city of Mobile, Alabama, where the said witnesses after being first duly sworn by me, upon examination by E. G. Rickarby, Esquire, Solicitor for the Complainant, testified as is hereinbefore written. 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 of kin to either of the parties to the cause, or otherwise interested in the result thereof.

In Witness whereof, I hereunto set my hand and seal as Commissioner, this the 11th day of December, 1928.

  
Commissioner.

The State of Alabama, }

CIRCUIT COURT.

Baldwin County

To ~~Ellyn B. Beatty~~ Janie Scott

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 Ellyn Beatty, and Helen Sacriste,

as witnesses in behalf of Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Ellyn B. Beatty

Complainant

and

Clifton F. Beatty,

Defendant,

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

Witness 12th day of December 1928.

D. W. Rice Register.

Commissioners Fee \$ 5.00

Witness Fee's \$

No. 781.

THE STATE OF ALABAMA,

Baldwin

County.

CIRCUIT COURT.

Ellyn B. Beatty

Complainant.....

vs.

Clifton M. Beatty

Defendant.....

COMMISSION TO TAKE DEPOSITION  
ON INTERROGATORIES.

COMMISSIONER:

Janie Scott,

905 Van Antwerp Building,  
Mobile, Alabama.

WITNESSES:

Ellyn B. Beatty



ELLYN B. BEATY,  
Complainant.

-vs-

CLIFTON M. BEATY,  
Defendant.

IN EQUITY

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Comes Clifton M. Beaty, Defendant in the above styled cause, and for answer to the bill of complaint herein, says he denies each and every allegation of the same.

Having thus fully answered Defendant prays that the bill may be dismissed and he be permitted to go hence with his reasonable costs in this cause expended.

*Clifton M. Beaty*  
206 Chamber Commerce Bldg  
Los Angeles California  
December 3, 1928.

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ELLYN B. BEATY,

VS.

CLIFTON M. BEATY.

ANSWER

Filed Dec 28,  
T. W. Williams  
Register

RECORDED

*Placed in my file for  
the summer and will be  
made release to  
at 91, 5th Avenue*

ELLYN B. BEATY,  
Complainant,

-vs-

CLIFTON M. BEATY,  
Defendant.

IN EQUITY

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Comes the Defendant and accepts service and notice of demand for oral examination of Complainant's witnesses. He further accepts service and notice of the time and place set for taking testimony of Complainant's witnesses and agrees that this cause may be submitted for final decree at any time on the pleadings and Complainant's evidence as noted by the Register.

*Clifton M. Beaty*  
206 Chamber Commerce Bldg  
Los Angeles, California  
December 3, 1928.

*Faint handwritten notes, possibly a date and name, written vertically in the left margin.*

**RECORDED**

*Frank Decker  
Methuen  
Mass*

WARRANT

CLINTON M. BRADY

VS.

ELLYN B. BRADY

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ELLYN B. BEATY,  
Complainant

VS.

CLIFTON M. BEATY,  
Defendant

IN EQUITY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard was submitted for decree in vacation at the request of the Complainant and by consent of the Defendant on file, upon the bill of complaint, answer 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 the prayer of said bill.

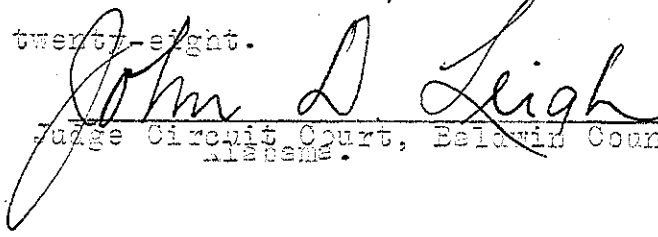
It is, therefore, ORDERED, ADJUDGED and DECREED, by the Court, that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the said Ellyn B. Beaty is forever divorced from the said Clifton M. Beaty, for and on account of his abandonment of her bed and board, as alleged in said bill of complaint.

It is further ORDERED that the Complainant have the custody of and control of Chester Beaty, the infant child of said marriage.

It is further ordered that said Ellyn B. Beaty be, and she hereby is permitted to again contract marriage, upon the payment of the costs of this cause, but shall not marry again, except to the said Clifton M. Beaty, until sixty days after this date. And should an appeal be taken within said sixty days, she shall not marry anyone, other than the said Clifton B. Beaty during the pendency of said appeal.

It is further ordered that the Complainant pay the costs of this cause, for which execution may issue.

Done at Brewton, Alabama, this the 17<sup>th</sup> day of December, Nineteen Hundred and twenty-eight.

  
Judge Circuit Court, Baldwin County  
Alabama.

ELLYN B. BEATY,  
Complainant

VS.

CLIFTON M. BEATY,  
Defendant.

DECREE

*Remained typed  
Filed 7/14/69  
J W Morrison  
Register*

RECORDED

ELLYN B. BEATY,  
Complainant

VS.  
CLIFTON M. BEATY,  
Defendant

IN EQUITY  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

Comes the Complainant and with the consent of the Defendant, as per agreement on file, requests the Register to transmit to the Judge of this Circuit, the file of papers in the cause, including Complainant's evidence as filed together with a note of testimony, and with the request that this be submitted to the Judge for final decree.

*Ellynn B. Beaty*  
Solicitor for Complainant.

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ELLYN B. BEATY,  
Complainant

VS.

CLIFTON M. BEATY,  
Defendant

REQUEST FOR SUBMISSION

*Filed Dec 14<sup>th</sup> 1928  
T. W. Richardson  
Register*

RECORDED



8581 NOTE OF TESTIMONY

Ellyn B. Beatty

vs.

Clifton M. Beatty,

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,  
Answer of Deft. and testimony of Ellyn B. Beatty and Helen Sacriste.

and in behalf of Defendant upon

*D. W. Richardson*

Register.

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No. 784.

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

Ellyn B. Beatty

VS

Clifton M. Beatty.

RECORDED  
NOTE OF TESTIMONY

Filed in Open Court this 14th  
day of December, 1928. 1928

*D. W. Rice*

Register

ELLYN B. BEATY,  
Complainant

VS.

CLIFTON M. BEATY,  
Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY,

IN EQUITY.

TO THOMAS W. RICHMOND, ESQUIRE, REGISTER IN CHANCERY:

Complainant hereby requests that a commission issue to take the testimony of Ellyn B. Beaty and Sacriste, upon oral examination. Said witnesses being residents of Fairhope, Alabama.

Complainant suggests the name of \_\_\_\_\_ as a suitable Commissioner to take the testimony in said cause. Said Commissioner being a resident of the city of \_\_\_\_\_

*Ellyn B. Beaty*  
Solicitor for Complainant

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ELLYN B. BEATY,

VS.

WINSTON M. BEATY

APPLICATION FOR COMMISSION

*Filed Dec 8/38  
Wilmington  
Virginia*

**RECORDED**

OFFICE OF THE CLERK OF THE SUPREME COURT OF VIRGINIA  
Richmond, Virginia

THE OFFICE OF THE CLERK OF THE SUPREME COURT OF VIRGINIA  
Richmond, Virginia

RECORDED FOR COMMISSION

LAW OFFICES OF  
ELLIOTT G. RICKARBY  
908 1/2 VAN ANTWERP BUILDING  
MOBILE, ALABAMA

ELLYN B. BEATTY  
VS.  
CLIFFORD M. BEATTY.

Depositions of, ELLYN B. BEATTY  
and HELEN SACRISTE, witnesses,  
for Complainant.

*Received*

*Filed Dec 14/1928*

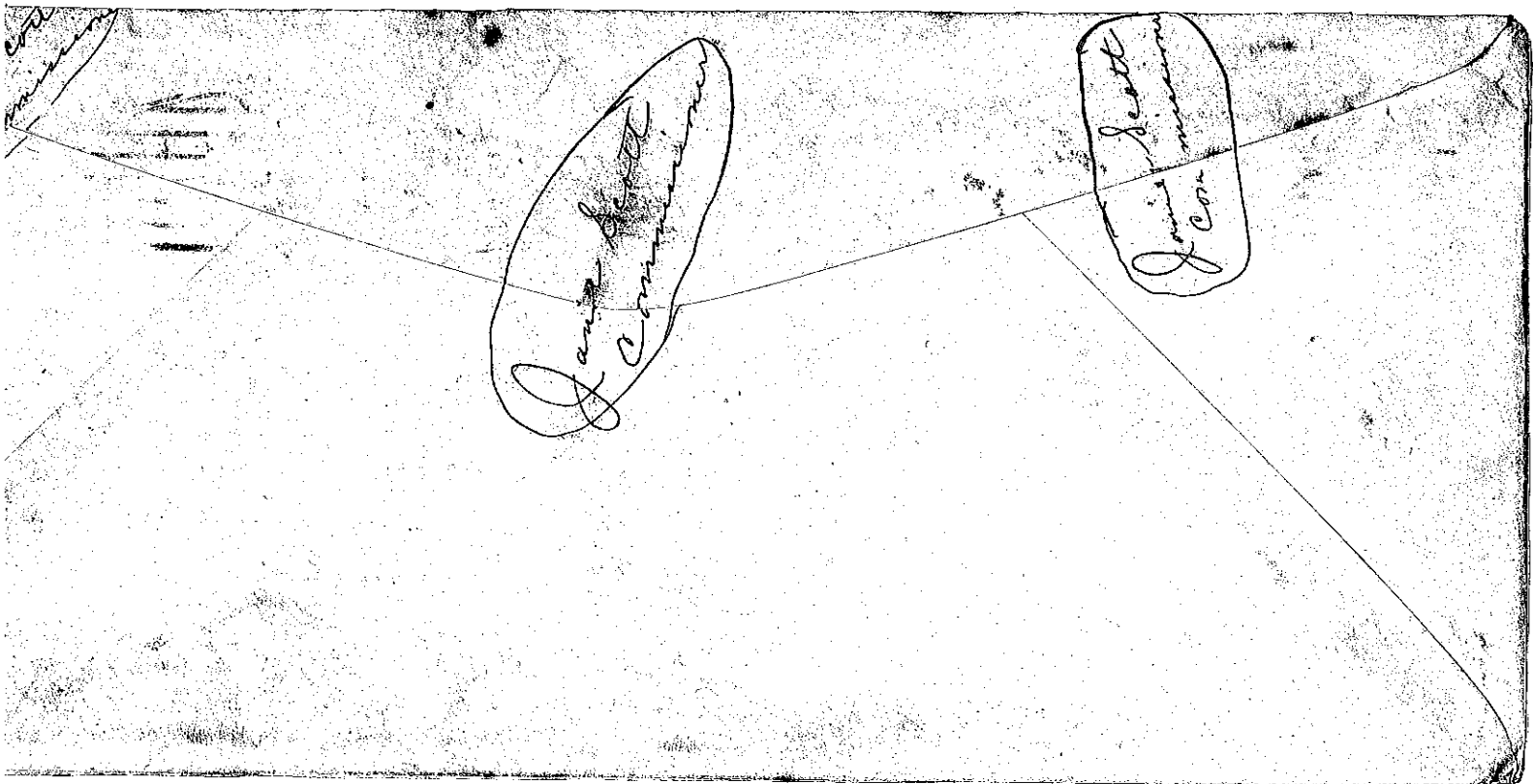
*T. W. Richardson  
Register*

Thomas W. Richardson, Esquire,

Register Circuit Court,

Bay Minette, Alabama.





James Scott  
Commissioner

James Scott  
Commissioner