

(969)

**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 \_\_\_\_\_

**BEN GURLT**

of 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 Bill of Complaint lately exhibited by

**MARIE GURLT**

against said \_\_\_\_\_

**BEN GURLT**

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 8th day of

**JULY**

1  
193

T. W. Richerson Register.

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

*Original*

Serve on BEN GURLEY

Circuit Court of Baldwin County  
In Equity.

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

**SUMMONS**

MARIE GURLEY

VS.

BEN GURLEY

*Ben Gurley*

BEER & HALL,  
Solicitor for Complainant.

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

**RECORDED**

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 1931

Sheriff.

Executed this 8th day of

*July* 1931

by leaving a copy of the within Summons with

*the wife of Ben Gurley*

Defendant.

*Miss Mary*

Sheriff.

By *James H. Hall* Deputy Sheriff.

Gurt & Gurt

MARSHALL & BRUCE CO. NASHVILLE

1	Martin Eke	6 00
2	L. Schubert	6 00
3	A. Perone	6 00
4	Carl Beck	
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

MARIE GURLT,

Complainant,

-VS-

BEN GURLT,

Respondent.

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

Comes the Complainant, Marie Gurlt, and moves the Court to dismiss the above cause without prejudice, upon payment of the costs by her.

Complainant shows unto the Court that a Decree of Reference to determine attorneys' fees and alimony pendente lite on August 5th, was ordered to be held; that said Reference was ordered before the expiration of the thirty days from the service of Summons on Ben Gurlt and for that reason the costs accruing upon the ordering of said Reference should not be taxed in this cause.

Marie Gurlt

WITNESSES:

W. H. Brantley  
E. D. Ruston

MARIE GURLT,

Complainant,

-vs-

BEN GURLT,

Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE

BALDWIN COUNTY, ALABAMA.

Comes the Complainant, Marie Gurt, and moves the Court to dismiss the above cause without prejudice, upon payment of the costs by her.

Complainant shows unto the Court that a Decree of Reference to determine attorneys' fees and alimony pendente lite on August 5th, was ordered to be held; that said Reference was ordered before the expiration of the thirty days from the service of Summons on Ben Gurt and for that reason the costs accruing upon the ordering of said Reference should not be taxed in this cause.

Marie Gurt

WITNESSES:

James W. [illegible]  
[illegible]

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes your Complainant, MARIE GURLT, and humbly complaining against BEN GURLT respectfully represents and shows unto your Honor as follows:

FIRST:

That both your Complainant and the Respondent, Ben Gurlt, are over twenty-one years of age and bona fide residents of Baldwin County, Alabama; that they have been such residents of Baldwin County, Alabama, since October, 1929;

SECOND:

That your Complainant and the Respondent are wife and husband, having intermarried at Chicago, Illinois, on May 1st, 1915;

THIRD:

That they lived together as husband and wife in Baldwin County, Alabama, from October, 1929, until July 4, 1931;

FOURTH:

That on July 4, 1931, the Respondent, at a dance at Elberta, in Baldwin County, Alabama, where several people were gathered, cursed and abused the Complainant, and did actual violence to her person by striking her; that on various times prior to July 4, 1931, the Respondent had cursed and abused and did actual violence to the Complainant; that the conduct of the Respondent was such that the Complainant could not live with him;

FIFTH:

That there were born to the marriage between your Complainant and the Respondent two children: One boy named Rudolph Gurlt, fifteen years old, and one girl named Louise Gurlt, eleven years old; that the Respondent, on account of his violent temper and the manner in which he treats the said children, is not a suitable or fit person to have the custody of them; that your

Complainant, the mother of said children, should of right have the custody of the above named children, as she is the proper person to have the care, custody and control of them;

That the Respondent is an able bodied man and owns real property in Baldwin County, Alabama, to the value of approximately Ten Thousand Dollars (\$10,000.00) and personal property to the value of approximately Two Thousand Dollars (\$2,000.00); that your Complainant has no money or any source of income other than through her manual labor; that the Complainant has no funds with which to employ counsel to prosecute this suit;

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Ben Gurlt party respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court;

That your Honor will order a reference to determine the proper amount to be paid by the Respondent to the Complainant as alimony pendente lite and as attorneys' fees;

Your Complainant further prays that your Honor will, upon a final hearing of this cause, grant unto her an absolute divorce, forever barring the bonds of matrimony existing between her and the respondent, Ben Gurlt; that your Honor will enter an order and decree awarding her the custody, care and control of the children, Rudolph Gurlt and Louise Gurlt; that your Honor will further enter an order and decree that the Respondent pay to the Complainant such an amount as to your Honor may seem meet and proper as permanent alimony. Your Complainant prays that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive. And as in duty bound your Complainant will ever pray.

Beebe & Stae  
Solicitors for Complainant.

FOOT NOTE:

The Respondent is required to answer each and every allegation contained in the foregoing Bill of Complaint in paragraphs FIRST to FIFTH inclusive, but not under oath, oath being expressly waived.

Deebe & Tall  
Solicitors for Complainant.



STATE OF ALABAMA.

BALDWIN COUNTY.

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

MARIE GURLT,

Complainant,

vs.

BEN GURLT,

Respondent.

No. 970.

TO BEN GURLT:

Pursuant to an order of reference made in the above entitled cause at the July 8th, 1931, term of the Circuit Court, in Equity, for the County aforesaid, I have appointed ten o'clock A. M. on Wednesday, August 5th, 1931, at my office in the Court House at Bay Minette, Alabama, for considering the matters thereby referred to me as Register in Chancery, at which time and place all parties concerned are to attend.

WITNESS my hand as Register of said Circuit Court, in Equity, this the 29<sup>th</sup> day of July, 1931.

  
Register.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes your Complainant, MARIE GURLT, and humbly complaining against BEN GURLT respectfully represents and shows unto your Honor as follows:

FIRST:

That both your Complainant and the Respondent, Ben Gurlt, are over twenty-one years of age and bona fide residents of Baldwin County, Alabama; that they have been such residents of Baldwin County, Alabama, since October, 1929;

SECOND:

That your Complainant and the Respondent are wife and husband, having intermarried at Chicago, Illinois, on May 1st, 1915;

THIRD:

That they lived together as husband and wife in Baldwin County, Alabama, from October, 1929, until July 4, 1931;

FOURTH:

That on July 4, 1931, the Respondent, at a dance at Elberta, in Baldwin County, Alabama, where several people were gathered, cursed and abused the Complainant, and did actual violence to her person by striking her; that on various times prior to July 4, 1931, the Respondent had cursed and abused and did actual violence to the Complainant; that the conduct of the Respondent was such that the Complainant could not live with him;

FIFTH:

That there were born to the marriage between your Complainant and the Respondent two children: One boy named Rudolph Gurlt, fifteen years old, and one girl named Louise Gurlt, eleven years old; that the Respondent, on account of his violent temper and the manner in which he treats the said children, is not a suitable or fit person to have the custody of them; that your

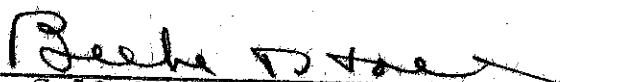
Complainant, the mother of said children, should of right have the custody of the above named children, as she is the proper person to have the care, custody and control of them;

That the Respondent is an able bodied man and owns real property in Baldwin County, Alabama, to the value of approximately Ten Thousand Dollars (\$10,000.00) and personal property to the value of approximately Two Thousand Dollars (\$2,000.00); that your Complainant has no money or any source of income other than through her manual labor; that the Complainant has no funds with which to employ counsel to prosecute this suit;

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Ben Gurlt party respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court;

That your Honor will order a reference to determine the proper amount to be paid by the Respondent to the Complainant as alimony pendente lite and as attorneys' fees;

Your Complainant further prays that your Honor will, upon a final hearing of this cause, grant unto her an absolute divorce, forever barring the bonds of matrimony existing between her and the respondent, Ben Gurlt; that your Honor will enter an order and decree awarding her the custody, care and control of the children, Rudolph Gurlt and Louise Gurlt; that your Honor will further enter an order and decree that the Respondent pay to the Complainant such an amount as to your Honor may seem meet and proper as permanent alimony. Your Complainant prays that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive. And as in duty bound your Complainant will ever pray.

  
Solicitors for Complainant.

FOOT NOTE:

The Respondent is required to answer each and every allegation contained in the foregoing Bill of Complaint in paragraphs FIRST to FIFTH inclusive, but not under oath, oath being expressly waived.

Beebe & Stone  
Solicitors for Complainant.