

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

Comes MABEL M. SIMS and by this her bill of complaint
presented against RALPH M. SIMS, respectfully shows:

FIRST: That she is twenty years of age and is now and
has been all of her lifetime a bona fide resident of Baldwin
County; that Ralph M. Sims is over the age of twenty one years
and is now and has been for the last five years a bona fide
resident of Fairhope, Baldwin County, Alabama.

SECOND: That complainant and the said Ralph M. Sims
were legally married at Defuniak Springs, Florida, on July 5th,
1928 and immediately returned to Robertsdale, Baldwin County,
where after living as husband and wife for less than a month,
the said Ralph M. Sims voluntarily abandoned complainant and has
since the first week of February, 1928, lived separate and apart
from her in the town of Fairhope without contributing anything
to her support and without any resumption of marital relations,
he having abandoned her for more than two years next prior to
the filing of this bill.

THE PREMISES CONSIDERED, complainant prays that Ralph
M. Sims be made party defendant to this bill and by appropriate
process served upon him be required to answer same within the
time fixed by law and to abide by such orders and decrees as may
be made in the premises.

COMPLAINANT FURTHER PRAYS that upon the hearing of this
cause a decreed be rendered forever divorcing her from the said
Ralph M. Sims, granting her the right to marry again should she
so desire, to resume her maiden name of Murch and such other,
further or different relief as to equity may seem meet.

R. L. Cobb
Solicitors for Complainant.

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

R. L. Cobb
Solicitors for Complainant.

RECORDED

力 00000

MABEL W. STUBBS
Compensation,

42

PAULINE M. SMITH
Defendant.

BEHIND ON COMPLETING

Read June 22/93

John H. Armstrong
Raymond

LAW OFFICES

RICKARBY & CO.

LEAS MINETTE, ALMA ROBERTSON, AND

MABEL M. SIMS,

Complainant

vs

RALPH SIMS,

Defendant

E Q U I T Y

CIRCUIT COURT OF

BALDWIN COUNTY ALABAMA

Before me the undersigned Notary Public personally appeared Elliott G. Rickarby who being sworn says that by a decree rendered in the above styled cause on the 15th day of September 1931, Ralph Sims, the above named Defendant was ordered to pay to Mabel M. Sims, the Complainant, the sum of \$150.00 and costs of court and that Vincent Klein and Raymond Klein doing business as the Busy Bee Garage, are believed to have in their possession or under their control money or effects belonging to said Defendant or to be indebted to him and that affiant believes that process or garnishment against said Busy Bee Garage is necessary to obtain satisfaction of said decree.

Elliott G. Rickarby

Subscribed and sworn to before me this 30th day of May, 1935.

Nathaniel Simon

Notary Public, Baldwin County Alabama

ALBANY, NEW YORK, MAY 31, 1925

IN SENATE

REPORT OF THE COMMISSIONER OF THE LAND OFFICE

CHAPTER 1

SECTION 1

SECTION 2

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SECTION 24

Mabel M. Sims,

vs.

Ralph Sims,

AFFIDAVIT FOR CARRIAGEMENT
ON DECEMBER

953

~~SECRET~~

back

U

Filed May 31 1925
Richard D. Smith
Register

STATE OF ALABAMA, BALDWIN COUNTY

IN THE CIRCUIT COURT

Term, 19__

MABEL M. SIMS

Plaintiff.

Versus

RALPH SIMS

Defendant.

RAYMOND KLEIN AND VINCENT KLEIN

Garnishee.

To RALPH SIMS

You will take notice that affidavit having been made in the above stated cause, that

RAYMOND KLEIN AND VINCENT KLEINis supposed to be indebted to the said defendant RALPH SIMSor have effects of the said RALPH SIMS in theirpossession or under their control and that they believe that process of gar-nishment is necessary against said RALPH SIMS to obtain

satisfaction of said judgment.

That Writ of Garnishment has this day been issued to the said RAYMOND KLEIN ANDVINCENT KLEINcommanding THEM to be and appear beforethe Circuit Court to be holden for BALDWIN County, Alabama, and within thirty daysafter service thereof, then and there to answer on oath what they are indebted to saidRALPH SIMS

at the time of service of this Writ of Garnishment.

or at the time of making their answer, and whether they will not be indebtedin future to him by a contract then existing, and whether they have not intheir possession or under their control personal or real property or things in action be-longing to defendant RALPH SIMSWitness my hand this the 31st day of May, 19 35Robert L. Quack, Clerk.

985

STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT

MABEL M. SIMS

Plaintiff.

vs.

RALPH SIMS

Defendant.

RAYMOND KLEIN AND
VICENT KLEIN

Garnishee.

Notice to Defendant of Issuing
Garnishment

ELLIOTT G. RICKARBY
Attorney.

(Box 670-2) MARSHALL & BRUCE CO., NASHVILLE

Received in office May 31 1935

M. H. Williams
Sheriff.

Executed by serving
copy of the within Writ of Garnish-
ment on the within named.

Ralph Sims

on the 1 day of June, 1935

M. H. Williams
C. N. Anderson
Sheriff.

GARNISHMENT ON JUDGMENT

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT BALDWIN COUNTY

TERM, 192

To Any Sheriff of the State of Alabama—Greeting:

WHEREAS, At a regular Term, 192, of the Circuit Court of Baldwin County,
to-wit: On the fifteenth day of Sept, 1923, being a regular day of
said term.

Mabel M. Sims
recovered judgment against a decree against

Ralph Sims
for the sum of One hundred and fifty Dollars, and cost of suit,

and affidavit having been made by Elliot B. Ristler, Solicitor for Complainant
that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the
following named persons or corporations, viz:

Raymond Klein and Vincent Klein,
doing business as
Buzzy Bee Garage

has or is believed to have in their possession, or under their control money
or effects belonging to said defendant or that they are is, or
is believed to be indebted to said defendant or to be liable to them, or to one of them on a
contract for the delivery of personal property, or on a contract for the payment of money which may be dis-
charged by the delivery of personal property or which is payable in personal property.

You are Therefore Hereby Commanded to Summon

Raymond Klein and Vincent Klein

to be and appear before the honorable the Circuit Court for Baldwin County, at the Court House thereof, in
the City of Bay Minette, on the Monday within thirty days from the service of this writ A. D. 1923
then and there within the three first days of the term, to answer on oath, whether at the time of the service of
the garnishment, or at the time making their answer, or at any time intervening the time of serving
the garnishment and making the answer they were indebted to said defendant
and whether they will not be indebted in future to said de-
fendant by a contract then existing, and whether by a contract then existing they are
is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which
may be discharged by the delivery of personal property, or which is payable in personal property, and whether
has not in their possession or under their control money or
effects belonging to the defendant Ralph Sims

Herein fail not, and have you then and there this Writ.

Witness, Robert S. Duck
F. W. RICHERSON, Clerk of said Court, this 31st

day of May A. D. 1923

Issued 31st day of May A. D. 1923

ATTEST:

Robert S. Duck Clerk.

Executed
by serving copy within Summons

Raymond Klein
Vincent Klein

M. H. Milken
C. H. Anderson

(Original ~~Filed~~ *Sealed*)

Circuit Court, Baldwin County

No. 952

Mable In Sims

VS. } GARNISHMENT ON JUDGMENT

Ralph L. Sims

Issued 31 day of May 1928

Returnable day of July 1928

Blair L. R. Ledy
Attorney.

July 31st, 1931

Mr. Ralph Sims
Fairhope, Alabama

Dear Sir:-

Please take notice that we are today applying to the Register in Chancery for an order of reference to ascertain a suitable amount to be allowed the complainant as alimony pen dente lite and also as counsel fees for the prosecution of this cause. This action will be granted on Monday next as of course. We are sending a copy of this letter to the Register in Chancery that he may know that notice of our action has been given you.

Yours truly,

HICKARY & COBB

By

R:W
322

LAW OFFICES
RICKARBY & COBB
ROBERTSDALE, ALA.

September 5th, 1931

Thomas W. Richerson, Esq.
Bay Minette, Alabama

Dear Mr. Richerson:

SIMS VS SIMS: I am sorry that you did not see me take off the first page of the evidence in this case, which I brought to Robertsdale with me in order to write up the report of the Register and also the decree upon this report. I return the first page, together with that sent me yesterday afternoon and will ask you to send the decree on to the Judge after the reference has laid over the proper time, the exact number of days I now forget.

EDWARD VALREE VS SARAH P. VALREE: Please enter the name of my firm as attorneys for the Defendant in this case and also at your convenience mail me the file. It is the case in the Circuit Court, on the law side, that you showed me yesterday.

With personal regards,

Sincerely,

Elliot S. Rickaby

R:F
322

MAHEL M. SIMS,
Complainant.

IN EQUITY.

vs

IN THE CIRCUIT COURT OF

RALPH SIMS,
Defendant.

BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the evidence of the Complainant 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 said bill.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Defendant, be, and the same are hereby dissolved, and the Complainant is hereby forever divorced from the Defendant.

IT IS FURTHER ORDERED that the said Mabel M. Sims, be, and she hereby is, permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that a reference be held by the Register of this court to ascertain a suitable amount to be allowed Complainant as alimony pendente lite and also as permanent alimony, also what will be a proper sum to be allowed Complainant as counsel fees for the prosecution of this cause, also that this case remain upon the docket of this court for such further orders and decrees as may be necessary and proper to compel the payment of the sums ascertained as proper for the purposes aforesaid.

IT IS FURTHER ORDERED THAT the said Ralph Sims 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 Mabel M. Sims.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Mabel Sims shall not marry again except to the said Ralph Sims until after sixty days from this date, and that if an appeal be taken within said sixty days that she shall not marry again except to said Ralph Sims during the pendency of said appeal.

DONE IN TERM TIME this the eighteenth day of August 1931.

Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA:
BALDWIN COUNTY :

I, THOMAS W. RICHESON, Register of the Circuit Court of said County, do hereby certify that the foregoing on the preceding page is a full, true and correct copy of the decree rendered by said Court on the 18th day of August 1931 in the cause of MABEL M. SIMS vs RALPH SIMS, Complainant and Defendant respectively as same appears of record in said Court.

WITNESS MY HAND AND THE SEAL of said Court this the day
of 1931.

Register Circuit Court of Baldwin County, Ala.

200

Recd Aug 18/93/
J W Rice
Clerk

8581 NOTE OF TESTIMONY

Mabel M. Sims

vs.

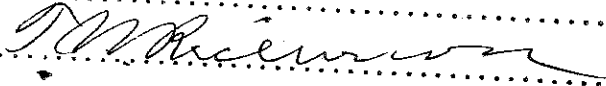
Ralph M. Sims

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,
decree pro confessor and testimony of Ethel Murch, Vada Baldwin
and Mabel M. Sims,

and in behalf of Defendant upon


Register.

RECORDED

No. _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Mabel M. Sims

VS

Ralph M. Sims

NOTE OF TESTIMONY

Filed in Open Court this 18th

day of August. 192³¹

[Signature]
Register

The State of Alabama,
Baldwin County.

{ No. 982 CIRCUIT COURT IN EQUITY.

Mabel M. Sims,

Complainant

vs.

Ralph M. Sims,

Defendant

Motion is hereby made for a Decree Pro Confesso against

Ralph M. Sims,

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 3rd day of August 1931.

Richard G. Cady

Solicitor

No. 982.

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

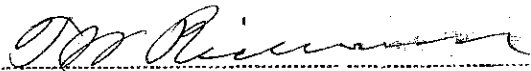
Mable KM. Sims,

vs.

Ralph M. Sims,

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed August 3rd, 1931.



Register.

Recorded in Record,

Vol. Page

Register.

MABEL M. SIMS, Complainant,
VS.
RALPH SIMS, Respondent.

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

Comes the complainant and amends the bill of complaint heretofore filed in this cause by changing the prayer for relief to read as follows:

"Complainant further prays that an order of reference be made forthwith directed to the Register of this Court requiring him to ascertain and report suitable amounts to be allowed to complainant as alimony pendente lite and as counsel fees for the prosecution of this cause; that upon said report and allowance a decree be rendered against defendant for such amounts as shall be ascertained by the register as proper; that upon the hearing of this cause a decree be rendered forever divorcing her from the said RALPH SIMS granting her a suitable sum as permanent alimony, the right to marry again should she so desire, to resume her maiden name and such other, further or different relief as to equity may seem meet.

Richardby & Cobb

Solicitors for complainant.

NOTE: The defendant is required to answer each paragraph of the foregoing bill as amended, but not under oath.

Richardby & Cobb

Solicitors for complainant.

MABEL M. SIMS,

Complainant

VS.

RALPH M. SIMS,

Defendant

Filed July 13, 1931.

T. J. Reardon
Register

MABEL M. SIMS
Complainant.

VS.

RALPH SIMS
Defendant.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes the complainant and moves the Register for
an order of reference to ascertain a suitable amount to be
allowed complainant as solicitors' fees and for alimony
pendente lite.

RICKARBY & COBB

Solicitors for Complainant.

COPY.

MABEL M. SIMS
Complainant.

VS

RALPH SIMS
Defendant.

MOTION FOR REFERENCE.

Filed July 22/531

J. W. Rickarey
Attys.

RICKAREY & COBB
Attys.

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

Comes MABEL M. SIMS and by this her bill of complaint
presented against RALPH M. SIMS, respectfully shows:

FIRST: That she is twenty years of age and is now and
has been all of her lifetime a bona fide resident of Baldwin
County; that Ralph M. Sims is over the age of twenty one years
and is now and has been for the last five years a bona fide
resident of Fairhope, Baldwin County, Alabama.

SECOND: That complainant and the said Ralph M. Sims
were legally married at Defuniak Springs, Florida, on July 5th,
1928 and immediately returned to Robertsdale, Baldwin County,
where after living as husband and wife for less than a month,
the said Ralph M. Sims voluntarily abandoned complainant and has
since the first week of February, 1928, lived separate and apart
from her in the town of Fairhope without contributing anything
to her support and without any resumption of marital relations;
he having abandoned her for more than two years next prior to
the filing of this bill.

THE PREMISES CONSIDERED, complainant prays that Ralph
M. Sims be made party defendant to this bill and by appropriate
process served upon him be required to answer same within the
time fixed by law and to abide by such orders and decrees as may
be made in the premises.

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

RICKARBY & COBB

Solicitors for Complainant.

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

RICKARBY & COBB

Solicitors for Complainant.

MABEL M. SIMS
Complainant.

VS.

RALPH SIMS
Defendant.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes the complainant and moves the Register for
an order of reference to ascertain a suitable amount to be
allowed complainant as solicitors' fees and for alimony
pen dente lite.

R. L. Carby & Cobb.
Solicitors for Complainant.

Original

MABEL M. SIMS
Complainant.

VS.

RALPH SIMS
Defendant.

MOTION FOR REFERENCE.

Filed July 22/1931
W. H. Harrison
Proctor

RICKABY & COBB
ATTYS.

MABEL M. SIMS
Complainant.

VS.

RALPH SIMS
Respondent.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

DEPOSITIONS OF MABEL M. SIMS AND ETHEL MURCH, WITNESSES FOR
COMPLAINANT IN THE ABOVE ENTITLED CAUSE:

The said witnesses^{who} have been first duly sworn to tell
the truth, the whole truth, and nothing but the truth upon ex-
amination by Elliott G. Rickerby, Esq., of counsel for com-
plainant, testify as follows:

MABEL M. SIMS: I am the complainant in this cause and
am now and have been all of my life a bona fide resident of Baldwin
County. I am twenty years of age and Ralph M. Sims is about twenty
five years of age. He lives now and has been living for the last
five years in Fairhope, Alabama.

On July 5th, 1928, Ralph Sims and I were married at
De Funiak Springs, Florida, where we had gone for the purpose. We
immediately returned to Robertsdale where I went back to my people.
We lived together as husband and wife in Robertsdale for less than
a month when Ralph Sims of his own accord abandoned me and since
the first week in August, 1928, he and I have lived separate and
apart, he in Fairhope and I with my people in Robertsdale. During
this time he has done nothing toward my support, nor have I had
anything to do with him. In this time I have only seen him two
or three times when I passed him on the street and have had no
conversation with him except at the time this divorce was started
in my lawyer's office. This abandonment has existed for more than
two years before the bill for divorce in this case was filed.

Mabel Sims.

VADA BALDWIN: I am an older sister of the complainant in this case, who lives with me and I am well acquainted with her movements. After her marriage to Ralph Sims in July, 1928, she at once returned to Robertsdale and went back to live with her people. She and her husband lived together but a few weeks, and about the first part of August, 1928, without any good excuse he left her and went to live in Fairhope, where he has lived ever since, she living with her own people and a large part of the time with me. Since this abandonment I have seen her practically daily and know of my personal knowledge that he has not been back to her, not has she had anything to do with him, not has he done anything for her support. He has abandoned her continuously from the time he left her up to the present time, now about three years. I am stating this from my personal knowledge.

Vada Baldwin.

ETHEL MURCH: I am the younger sister of the complainant in this cause and live in Robertsdale. I have lived all of my life in Baldwin County. My sister, Mabel, was married in July, 1928, but she and her husband lived together only about a month when he left her of his own accord and without any fault on her part and has since that time entirely abandoned her. He has lived in Fairhope with his people and she has lived in Robertsdale with hers. She has not seen him more than two or three times and that only to pass him on the street and has not resumed the relations of husband and wife in all this time. As far as I know, she has not spoken to him except in passing until a few months ago, when I am informed she met him in her lawyer's office and talked with him a few minutes there. They have been living separate and apart for more than two years prior to June 22nd, when this bill was filed. Had she and he been together during this time or had he done anything for her I would have known it.

Ethel Murch

CERTIFICATE.

I, Bernice S. Folmar, the commissioner named in the attached commission, hereby certify that pursuant to the authority vested in me I caused the witnesses named in said commission to appear before me at my office in Robertsdale, Alabama, on the fourth day of August, 1931, when, after being first duly sworn they testified upon examination by complainant's solicitor as is herein set forth, that their testimony was by me reduced to writing and after being read over by them was signed by them in my presence.

I further certify that I am neither of counsel nor of kin to either party to the cause or in any wise interested in the result thereof.

Given under my hand and seal as commissioner this the fourth day of August, 1931.

Bernice S. Folmar

Commissioner.

MABEL M. SIMS

Complainant.

VS

RALPH SIMS

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO THOMAS W. RICHMOND, ESQ., REGISTER OF SAID COURT:

Comes the Complainant and requests the oral examination of the following witnesses for complainant: MABEL M. SIMS, VADA BALDWIN, AND ETHEL MURCH, all of said witnesses residing in the Town of Robertsdale, Alabama.

Complainant further suggests the name of Miss Bernice S. Folmar, a resident of Robertsdale, Alabama, as a suitable person to act as commissioner in taking the testimony of said witnesses.

Am. Taylor & Cobb.
Solicitors for Complainant.

MAUEL H. SIMS
Complainant.

VS.

RALPH SIMS
Defendant.

APPLICATION FOR ORAL

EXAMINATION.

Filed Aug 2nd 1931
Wm. H. C. C. C.
Register

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Bernice S. Folmar,

Robertsdale Alabama,

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 Mabel M. Sims, Vda Baldwin, Ethel Myrch,

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

Mabel M. Sims,

Complainant

and

Ralph Sims,

Defendant,

on oath to be by you administered, upon 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 3rd day of August, 19 31.

J. M. McCremon

REGISTER

COMMISSIONER'S FEE, \$ 5.00 paid by Complainant.

WITNESS' FEES, \$ _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Mabel M. Sims,

Complainant
VS.

Ralph M. Sims,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Bernice Folmar,

WITNESSES:

Mabel M. Sims, Vada Baldwin,

Ethel Murch,

Commissioner for S. E. O. by Corp.

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 Ralph M.Sims,
Fairhope Alabama,

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

Mabel M.Sims,

against said

Ralph M.Sims,

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 22nd day of

June, 193 1.

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 _____
Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Mabel M. Sims

vs.

Ralph M. Sims,
Fairhope Ala.

Rickarby & Cobb.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____
day of _____ 1931

Sheriff.

Executed this 29th day of
June 1931

by leaving a copy of the within Summons with

Ralph M. Sims Defendant.

W. A. Stewart

Sheriff.

By A. P. Hewitt
Deputy Sheriff.

MABEL M. SIMS,

Complainant.

vs

RALPH M. SIMS,

Defendant.

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to summon RALPH M. SIMS to appear before the Honorable Francis W. Hare, Judge of the Circuit Court of Baldwin County, sitting in Equity, at the Court house at Bay Minette, Alabama, at 2 P.M. of Tuesday August 20th, 1935 then and there to show cause why he should not be held in contempt for disobedience of the Court's order of September 15th, 1931.

Witness my hand on this the 15th day of August, 1935.

Ralph Hare
Register Circuit Court.

OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW YORK

IN SENATE, JANUARY 15, 1935.

REPORT OF THE COMMISSIONER OF THE LAND OFFICE.

THE COMMISSIONER OF THE LAND OFFICE has the honor to acknowledge the receipt of the report of the COMMISSIONER OF THE LAND OFFICE, dated January 15, 1935, and to transmit herewith a copy of the same to the SENATE.

1/15

Rec. in office

8/15/35

Wm. A. H. H. H.
H. H. H. H.

MABEL M. SIMS,
Complainant,

E Q U I T Y .

versus

CIRCUIT COURT OF
BALDWIN COUNTY, ALA.

RALPH SIMS,
Respondent.

To RALPH SIMS,
Respondent in said cause:

Demand is hereby made upon you to produce at the hearing of the contempt proceedings in this cause to be held before the Honorable Francis M. Hare at the coming Non-Jury and Equity Term of the Circuit Court of this County, the two letters written to you by Complainant's Solicitor, E. G. Rickarby, Esq., subsequent to May First, 1935 and addressed to you at Daphne, Alabama and referring to the demand made on you in Complainant's behalf for payment of the amounts decreed against you in your divorce proceedings.


Solicitor for Complainant.

EQUITY.

MABEL . SIMS, complainant.

versus

RALPH SIMS, Respondent.

DEMAND FOR PRODUCTION OF
CORRESPONDENCE.

Executed Aug 15 1935
By Sheriff Henry D. Williams and
Comptroller

Ralph Sims

M. Williams Sheriff
By Corrine Ingram

144
Rec. in office
8/15/35
M. Williams
Sheriff

The State of Alabama, }
Baldwin County. }

No. 982

CIRCUIT COURT, IN EQUITY

Mabel M. Sims,

Complainant . . .

VS.

Ralph M. Sims,

Defendant . . .

Register,

In this cause it appears to the _____ register,
that a Summons requiring the Defendant Ralph M. Sims,

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon Ralph M. Sims,
was served upon him by the Sheriff of Baldwin County, Alabama, on the 29th day of June 1931

And the said Defendant --- having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of **Rickabby & Cobb,**

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said Ralph M. Sims,

Defendant . . . aforesaid.

This 3rd day of August, 1931

Register.

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RECORDED

1931

No. 982..... Page.....

The State of Alabama,
Baldwin County

Circuit Court In Equity

Mabel M. Sims,

vs.

Ralph M. Sims,

Decree Pro Confesso On
Personal Service.

Issued August 3rd, 1931. 19.....

W. M. [Signature]
Register.

MABEL M. SIMS

Complainant.

VS

RALPH SIMS

Defendant.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

This cause, coming on to be heard upon the report of the Register upon a reference held to ascertain suitable and proper amounts to be allowed Complainant as temporary and permanent alimony and counsel fees, and said report being filed and having laid over as required by law and no objections being interposed thereto:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, Ralph Sims, pay forthwith into the Registry of this Court for the benefit of Complainant the sum of Forty Dollars as permanent alimony and the further sum of Five Dollars per week for twelve consecutive weeks commencing with the 24th day of August, 1931, and continuing for eleven weeks thereafter.

IT IS FURTHER ORDERED AND DECREED that the said Ralph Sims pay forthwith the sum of Fifty Dollars to the Register of this Court for the benefit of Complainant as a reasonable Solicitors' fee allowed her in this cause.

For the payment of all sums here adjudged to be now due, together with the costs of this Reference, execution may issue.

Done at ^{Bay Minette} ~~Monroeville~~, Alabama, this the 15th day of September, 1931.

F. W. Hare
Judge.

MABEL M. SIMS
Complainant.

VS

RALPH SIMS
Defendant.

*Filed Sept 13
1934
T.M. [illegible]*

DECREE APPROVING REGISTER'S
REPORT AND ORDERING PAY-
MENT OF ALIMONY AND
COUNSEL FEES.

12/14

MABEL M. SIMS,
Complainant.

IN EQUITY.

vs

IN THE CIRCUIT COURT OF

RALPH SIMS,
Defendant.

BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the evidence of the Complainant 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 said bill.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Defendant, be, and the same are hereby dissolved, and the Complainant is hereby forever divorced from the Defendant.

IT IS FURTHER ORDERED that the said Mabel M. Sims, be, and she hereby is, permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that a reference be held by the Register of this court to ascertain a suitable amount to be allowed Complainant as alimony pendente lite and also as permanent alimony, also what will be a proper sum to be allowed Complainant as counsel fees for the prosecution of this cause, also that this case remain upon the docket of this court for such further orders and decrees as may be necessary and proper to compel the payment of the sums ascertained as proper for the purposes aforesaid.

IT IS FURTHER ORDERED THAT the said Ralph Sims 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 Mabel M. Sims.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Mabel Sims shall not marry again except to the said Ralph Sims until after sixty days from this date, and that if an appeal be taken within said sixty days that she shall not marry again except to said Ralph Sims during the pendency of said appeal.

DONE IN TERM TIME this the eighteenth day of August 1931.

J. W. Hare
Judge of the Circuit Court of Baldwin County.

RECORDED:
INDEXED:

200

Grabel vs Sims
RECORDED
100

Ralph Sims
Def.

Decree of Divorce.

Filed Aug 18/93
J. McMillan
Register

MABEL M. SIMS,
COMPLAINANT,

VS

RALPH M. SIMS,
Respondent.

EQUITY.

CIRCUIT COURT OF BALDWIN COUNTY.

ALABAMA.

Comes MABEL M. SIMS, by her Solicitor of record and shows to the Court that on the 15th day of September, 1931, pursuant to the report of a reference held to ascertain a proper allowance for alimony and counsel fees, an order was made by the Court for the payment by the Respondent Ralph M. Sims of Forty dollars as temporary alimony, five dollars per week for twelve weeks in lieu of permanent alimony and fifty dollars as fees for Complainant's solicitor, also the costs of the proceeding. That at the time said order was made, Respondent was out of steady employment and no steps were taken to enforce the payment by him of the amounts decreed against him, no part of which has been paid.

Complainant now learns that Respondent is now able to pay his said obligations as he is operating a filling station in the Town of Daphne by which he makes a living and supports not only himself, but a second wife whom he has recently married. Complainant, who has paid the costs of Court, sought to secure from Respondent a repayment of this as well as a part of the money due her under the terms of the Court's decree, but all requests for payment, even in small installments have been entirely ignored.

THE PREMISES CONSIDERED, Complainant prays that an order be made notifying the Respondent, Ralph M. Sims to appear before this Court on a day certain, then and there to show cause why he should not be held in contempt of Court for disobedience of the Court's order of September 15th, 1931.

Elliot L. Rinsley
Solicitor for Complainant.

Page Two

This cause coming on to be heard upon the foregoing motion it is hereby ordered that said motion be granted and that the Register of this Court issue a citation to Ralph M. Sims to appear before the Court at 2 P.M. of Tuesday, August 20th, then and there to show cause why he should not be held in contempt for disobedience of the order of Court made in this cause on the 15th day of September, 1931.

Done at Monroeville, Alabama this the 13th day of August, 1935.

J. W. Hare
Judge.

982 RECORDED
EQUITY. *Kurz*

MABEL M. SIMS,
Complainant,

versus

RALPH SIMS,
Respondent.

MOTION TO REQUIRE RESPONDENT
TO SHOW CAUSE.

Filed this 13 day Aug. 1932

Robert S. Black
Clerk-Register

ELLIOTT G. RICKAREY,
Solicitor.

MABEL M. SIMS
Plaintiff.

VS

RALPH SIMS
Defendant.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

In this cause the Register reports to the Court that he gave notice of the time and place of executing the reference ordered by decree in said cause for the purpose of ascertaining a suitable amount to be allowed complainant as temporary and permanent alimony and for counsel fees and in said reference, held upon the 4th day of September, 1931, at Ten A. M. at his office in the Court House, he was attended by the complainant and her Solicitor, Elliott G. Rickarby Esq., the defendant being in default.

The testimony of Complainant and of J. B. Blackburn, Esq. being given and taken down as provided by law, upon consideration of said testimony the Register reports that the sum of FIVE DOLLARS per week would be a suitable allowance to be made Complainant for alimony both temporary and permanently, that upon said basis the sum of FORTY DOLLARS would be a suitable amount to be allowed Complainant as temporary alimony for the period between June 23rd, the date of the filing of the Bill and August 18th, 1931, the date when the decree of divorce was rendered.

The register further recommends that the additional sum of FIVE DOLLARS per week as permanent alimony would a proper allowance for such purpose but further shows that Complainant in open court expressed a desire to interpose no claim for permanent alimony after the expiration of twelve weeks hereafter. The register further recommends that the further sum of FIVE DOLLARS PER WEEK for twelve weeks, or a total sum of SIXTY DOLLARS be awarded Complainant as permanent alimony.

The Register further reports that the sum of FIFTY DOLLARS would be a reasonable and proper Solicitor's fee for Complainant's Solicitors in this cause. A transcript of the testimony adduced at the hearing is hereto attached.

Dated at Bay Minette this the 4th day of September, 1931.

Register.

NABEL M. SIMS, Plaintiff,

vs.

RALPH M. SIMS, Defendant.

IN THE CIRCUIT COURT-EQUITY

SIDE. STATE OF ALABAMA,

BALDWIN COUNTY

TESTIMONY AT REFERENCE HELD BY REGISTER ON SEPTEMBER

4, 1931.

DIRECT EXAMINATION BY ELLIOTT G. RICKARBY:

J. B. Blackburn, witness for complainant, testified as follows:

My name is J. B. Blackburn . I am now a practicing attorney of the Baldwin County bar, and as such am familiar with the usual and customary charges for legal fees in cases of divorce. In my opinion in a case such as the present, where the parties are white, a proper fee for the complainant's solicitor would be \$50.00. I base this opinion from the amount of work required and the standing of the parties in the community. I understand that this figure is practically the minimum charge to white clients at this bar ^{where alimony is involved}

J. B. Blackburn

Mrs. Mabel M. Sims, Complainant, testifies as follows:

I am the complainant in this case, and since the Decree of Divorce was rendered I have resumed my maiden name of Murch. Ralph Sims, the defendant, is an able-bodied man about twenty-four years of age and a painter by trade. When times are good men in his line in Fairhope, where he lives, can earn between sixty cents and a dollar an hour; but at the present time wages as low as forty cents are paid. Ralph Sims is a fairly good painter and can do good work.

I am now living with my ^{relatives} ~~parents~~ at Robertsdale, and can get along with the help I get from them. I require,

however, at least Five Dollars per week in addition to what help I get from my people, and feel that this is the lowest amount that I can get along with. Ralph Sims makes an income when he works more than enough to pay this allowance, though he is not fond of doing hard work. He has done nothing for me, however, since we were married.

Mable M. Sims

I.T.W. Richerson, as Register, hereby certify that the foregoing oral examination of Reference was taken down in writing by me in the words and figures ~~as stated~~ of the witness and read over to them and the signed the same in the presence of myself and Hon. E.G. Richarby, Atty for Complainant, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses that I am not of Counsel or kin to any of the parties to said cause or in any manner interested in the result thereof.

Given under my hand and seal of said Court this 5th day of September, 1931.

I.T.W. Richerson Register.

Mabel M. Sims, Complainant

vs.

Ralph M. Sims, Defendant

REPORT OF REGISTER,

also

TESTIMONY TAKEN AT REFERENCE

HELD SEPTEMBER 4, 1931, in

OFFICE OF T. W. Richerson,

Register.

Filed Sept 5th 1931
T. W. Richerson
Register

MABEL M. SIMS,

Complainant.

vs.

RALPH M. SIMS,

Respondent.

No. 982

IN EQUITY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

This cause coming on to be heard upon the motion of Complainant to require Respondent to show cause why he should not be held in contempt for failure to pay the alimony and counsel fees provided for in the Court's order of September 15th, 1931 and it appearing to the Court by agreement of counsel that Respondent was not wilfully in contempt and was willing to make payments if given time;

IT IS THEREFORE ORDERED, that the hearing on Complainant's motion shall be continued from month to month conditional upon the payment by Respondent to Complainant's Solicitor of not less than Five Dollars per month on or before the 15th day of each month, commencing September 15th, 1935.

It is further ordered that if said monthly payments are made regularly until the sum of Fifty Dollars has been paid, together with all of the costs of the divorce and of the present proceedings then the Respondent shall be released from further liability for alimony and counsel fees and considered purged of contempt. It is further ordered that upon failure of Respondent to make any monthly payment aforesaid this cause may be reopened upon motion of Complainant for such further orders as are proper in the premises.

Done at Bay Minette, Alabama this the 20th day of August, 1935.

F. W. T. Hare

Judge.

RECORDED
Arch

98 w

MABEL M. SIMS,

Complainant.

vs

RALPH M. SIMS,

Respondent.

ORDER IN CONTEMPT PROCEEDINGS.

Filed Aug 23, 1925

Robert S. Buck
Register

In the Matter of Removal
of Disability of Non-age
of

EASON HOLBROOK

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

TO THE HONORABLE JUDGE OF SAID COURT, SITTING IN EQUITY:

Comes your petitioner, Eason Holbrook, and respectfully shows unto your Honor that she is a minor over eighteen years of age; that her father and mother are both dead; that she has a guardian, viz., Gus Dade, a resident of Baldwin County, Alabama, who was appointed guardian of the estate of petitioner by the Probate Court of Baldwin County, Alabama.

Petitioner further shows unto your Honor that she is a resident of Baldwin County, Alabama, residing with her guardian, Gus Dade, and his wife, who have raised and educated petitioner since she was about ten or eleven years of age.

Petitioner further shows unto your Honor that she has no property belonging to her estate exceeding a value of six or seven hundred dollars; that she recently graduated in the public High School at Fairhope, Alabama; that she has a good musical education and is capable of attending to her own small business affairs and that it is to her interest and will be a great saving to her small estate to have her disabilities of non-age removed.

WHEREFORE, petitioner prays that your Honor will take jurisdiction of this, her petition, and that you will order testimony in support of same to be furnished by affidavit, and that upon the hearing of said petition, your Honor will be pleased to enter a decree removing the disabilities of non-age of your petitioner.

Sworn to and subscribed before
me July 3rd, 1931.

Notary Public

County, Ala.

Sworn to and subscribed before me
July 15, 1931

Notary Public Mobile County, Ala.

RECORDED

Letter to Bureau
dated 10/1/31
Re: of Leon H. H. H.

In Reply

Recd. July 21/31
J. M. H. H. H.
H. H. H.

Mahorner & Mahorner,
1st National Bank Bldg
Mobile Ala,
Atty's for complainant.

Letter to Bureau
dated 10/1/31
Re: of Leon H. H. H.