

1005

LUCILLE W. BROWN,

Complainant,

-vs-

RALPH H. BROWN,

Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TO THE HONORABLE THE CIRCUIT COURT-EQUITY SIDE, STATE OF ALABAMA;  
BALDWIN COUNTY, AND THE HONORABLE FRANCIS W. HARE, JUDGE THEREOF,  
SITTING IN EQUITY:-

Comes your Complainant, Lucille W. Brown, and exhibits this,  
her Bill of Complaint for divorce against Ralph H. Brown, and for  
grounds thereto shows:-

FIRST:

That both your Complainant and the Defendant are over  
the age of twenty-one years and are bona fide residents of the  
County of Baldwin in the State of Alabama.

SECOND:

That your Complainant and the Defendant were married on  
heretofore, to-wit, August 23rd, 1921 and lived together as man  
and wife until, to-wit, the 15th day of May, 1931;  
when on account of the matters hereinafter complained of, your  
Complainant was compelled to leave the Defendant and reside with  
her father.

THIRD:

That immediately preceding and for some time prior to  
the date on which your Complainant left Defendant, that Defend-  
ant committed actual violence on the person of your Complainant,  
attended with danger to her life or health; that the Defendant  
slapped your Complainant and that the conduct of Defendant was  
such that your Complainant had reasons to apprehend the commission  
of actual violence on her person, attended with danger to life  
and health, had she continued to reside with him.

FOURTH:

That there was born to your Complainant and the Defendant  
a girl child who is now of the age of six years, and who is living  
with your Complainant.

FIFTH:

(page one)

Your Complainant further shows unto your Honor that she is without any property or means of livelihood and is at this time, owing to the total failure and refusal of the Defendant to properly support and care for her and for her minor child, compelled to earn her own living; that the Defendant is young, able bodied and a very successful automobile salesman and is now working with Klumpp Motor Company in Fairhope, Alabama; that he is otherwise versed in the automobile business and as such salesman earns, and is well able to earn, a large salary.

PRAYER FOR PROCESS AND RELIEF.

The premises considered, your Complainant prays that there issue all necessary summons directed to the said Defendant necessary to make him party to this cause, and requiring him to appear and plea, answer or demur, within the time and under the penalties as prescribed by law and the rules of this Honorable Court.

That your Honor will cause to be held by and before the Register of this Court a reference to ascertain and fix a reasonable amount to be paid by the said Defendant to the Complainant, as alimony pendente lite and permanent, and counsel fees for this divorce, consistent with the property and earning capacity of the Defendant, and the station and condition in life of the parties hereto; and that your Honor will decree unto your Complainant such alimony pendente lite and counsel fees.

That upon a final hearing hereof your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your Complainant and the Defendant be forever dissolved and that your Complainant be again permitted to contract the marriage relationship should she so desire.

That your Honor will further decree unto your Complainant a reasonable amount for permanent alimony to be paid her by the Defendant, consistent with his property and earning capacity and with the station and condition in life of the parties hereto. And as in duty bound your Complainant will ever pray, etc.

Lucille W Brown  
Petitioner.

(page three)

FOOT NOTE:-

The Defendant, Ralph H. Brown, is required to answer each and every paragraph of the foregoing Bill of Complaint, from "First" to "Fifth", both inclusive, but answer under oath is hereby expressly waived.

W. L. Hart, / Ward O. Chason  
Solicitors for Complainant.

LUCILLE W. BROWN,

Complainant,

-VS-

RALPH H. BROWN,

Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TO THE HONORABLE THE CIRCUIT COURT-EQUITY SIDE, STATE OF ALABAMA;  
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such that your Complainant had reasons to apprehend the commission  
of actual violence on her person, attended with danger to life  
and health, had she continued to reside with him.

FOURTH:

That there was born to your Complainant and the Defendant  
a girl child who is now of the age of six years, and who is living  
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FIFTH:

Your Complainant further shows unto your Honor that she is without any property or means of livelihood and is at this time, owing to the total failure and refusal of the Defendant to properly support and care for her and for her minor child, compelled to earn her own living; that the Defendant is young, able bodied and a very successful automobile salesman and is now working with Klumpp Motor Company in Fairhope, Alabama; that he is otherwise versed in the automobile business and as such salesman earns, and is well able to earn, a large salary.

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The premises considered, your Complainant prays that there issue all necessary summons directed to the said Defendant necessary to make him party to this cause, and requiring him to appear and plea, answer or demur, within the time and under the penalties as prescribed by law and the rules of this Honorable Court.

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That upon a final hearing hereof your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your Complainant and the Defendant be forever dissolved and that your Complainant be again permitted to contract the marriage relationship should she so desire.

That your Honor will further decree unto your Complainant a reasonable amount for permanent alimony to be paid her by the Defendant, consistent with his property and earning capacity and with the station and condition in life of the parties hereto. And as in duty bound your Complainant will ever pray, etc.

Swelle W Brown  
Petitioner.



(page three)

FOOT NOTE:-

The Defendant, Ralph H. Brown, is required to answer each and every paragraph of the foregoing Bill of Complaint, from "First" to "Fifth", both inclusive, but answer under oath is hereby expressly waived.

*Thyforth Ward & Chason*  
Solicitors for Complainant.

Received.  
*Thyforth Ward & Chason*  
Filed September 22, 1931

BUTDAIN CORRAL.  
SLAVE OF VIVBURY  
IN THE CIRCULAR CORRAL-LOUISIANA SIDE

Defendant.

EVAN H. BROWN.

-42-

Complainant.

ROBERT H. BROWN.

BILL OF COMPLAINT.

*Thyforth Ward & Chason*

The State of Alabama, }  
Baldwin County.

No. 1005.

CIRCUIT COURT, IN EQUITY

Lucille W. Brown

Complainant.

vs.

Ralph Brown,

Defendant.

In this cause it appears to the Register,  
that a Summons requiring the Defendant Ralph Brown,


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 Brown,  
was served upon him by the Sheriff of Baldwin County, Alabama, on the  
5th day of October, 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 Hybart, Heard and Chason,  
Atty's for Complainant,

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 Brown,

Defendant aforesaid.

This 16th day of November, 1931.



Register.

4 RECORDED

RECORDED

No. 1005..... Page.....

The State of Alabama,  
Baldwin County

Circuit Court In Equity

Lucille W. Brown

vs.

Ralph Brown,

Decree Pro Confesso On  
Personal Service.

Issued ... November 16th, 19 31.

*W. H. Brown*

Register.



8550 REQUEST FOR DECREE IN VACATION.

MOORE PTC CO.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 1005. Vacation Term, 19231

Lucille Brown, Complainant

vs.

Ralph Brown, Defendant

To T.W. Richerson, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Hybart, Heard and Chason

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Hybart, Heard & Chason  
Solicitor for Complainant.

6  
No. 1005 **RECORDED** Page.....

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Lucille Brown

vs.

Ralph Brown

REQUEST FOR DECREE IN  
VACATION

FILED Dec 4th, 1931. 192.....

*J. M. Anderson*  
Register

RECORDED IN ..... RECORD

VOL. .... PAGE .....

Register

**The State of Alabama,**  
Baldwin County.

{ No. 1005. CIRCUIT COURT IN EQUITY.

Lucille W. Brown,

Complainant

vs.

Ralph Brown,

Defendant

Motion is hereby made for a Decree Pro Confesso against

Ralph Brown,

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

16 day of

Nov.

1931

Hyatt, Heard & Shann Solicitor.

2  
No. 1005.

Page.....

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

Lucille W .Brown

vs.

Ralph Brown,

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

Filed November 14th, 1931

*Mr. Reardon*

Register.

Recorded in..... Record.

Vol..... Page.....

Register.

8581 NOTE OF TESTIMONY

Lucille Brown

vs.

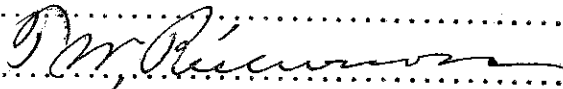
Ralph Brown,

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 confesso and testimony of Lucille Brown and Lois Wienand,

and in behalf of Defendant upon -----

  
Register.

5  
**RECORDED**

No. 1005.

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

Lucille Brown

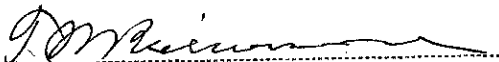
VS

Ralph Brown

NOTE OF TESTIMONY

Filed in Open Court this 4th

day of Dec 1931. 192



Register



The State of Alabama }  
Baldwin County

Circuit Court of Baldwin County, Alabama,  
(In Equity)

LUCILLE W. BROWN,

COMPLAINANT

VS.

RALPH H. BROWN.

RESPONDENT

I, T. W. Richerson,

as Register ~~and Commissioner~~ of the Circuit Court-Equity Side, State of Alabama,  
Baldwin County,

have called and caused to come before me Lois Wienand and Lucille W. Brown

witnesses named in the Requirement for Oral Examination, on the 1st day of December

1931, at the office of the Register of the Circuit Court, Baldwin County,

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Lois Wienand and Lucille W.

Brown doth depose and say as follows:

TESTIMONY OF LOUIS WIENAND TAKEN ORALLY BEFORE T. W. RICHESON,  
REGISTER IN CHANCERY OF THE CIRCUIT COURT, BALDWIN COUNTY,  
ALABAMA, ON THE FIRST DAY OF DECEMBER, 1931.

My name is Louis Wienand and I am over the age of twenty-one years. I am a sister of Mrs. Lucile W. Brown, who was the wife of Ralph H. Brown, having been from time to time a frequent visitor in their home and having been thrown with them more or less. I know that they were married on August 23, 1921, and that they lived together as man and wife until the 15th day of November, 1931, when on account of the ill treatment of Ralph H. Brown Mrs. Brown was compelled to leave him. At this time he committed actual violence upon the person of Mrs. Brown by striking her, and his attitude was such as to lead both her and myself to believe that he might do actual violence to her had she continued to reside with him. I also know that there was a girl child born to them, and whose name is Beverly Brown, who is now about the age of six years, I know of my own knowledge that Mrs. Lucile W. Brown is the fit and proper person of the two parents to have the custody of this child, and that she should be awarded the permanent keeping of her; that by reason of his violent habits Ralph H. Brown is not a fit and proper person to have the custody of this child.

That all the matters and facts herein stated are based upon my personal knowledge and acquaintance with Lucile W. Brown and Ralph H. Brown.

Louis Wienand

TESTIMONY OF MRS. LUCILE W. BROWN TAKEN ORALLY BEFORE  
T. W. RICHMOND, AS REGISTER OF THE CIRCUIT COURT IN  
CHANCERY.

My name is Lucile W. Brown and I am over the age of twenty-one years, and am a bona fide resident of Baldwin County, Alabama, having been such a resident since 1921. I was married to Ralph H. Brown on the 23rd day of August, 1921, and we lived together as man and wife until the 15th day of May, <sup>1931</sup> at which time I was compelled on account of his ill treatment to leave him; that upon this date Ralph H. Brown committed actual violence upon my person by slapping me; that such violence was attended with danger to my life and health had I continued to live with him any longer; that on account of such violence and of his threats I was compelled to remain away from him and we have not since lived together as man and wife; that such violence was without any legal excuse or justification on his part.

That there was born to Ralph H. Brown and myself a girl child, who is now six years of age and whose name is Beverly Brown. and who resides with and makes her home with me; that Ralph H. Brown is not a fit and proper person to have the custody of a child of such tender years, and that the custody of the child should be awarded to me.

Lucile W. Brown

ORAL EXAMINATION

I, T. W. Richerson, as Register ~~and Commissioner~~ hereby certify that the foregoing deposition ~~s~~ on Oral Examination was taken down in writing by me in the words of the witness~~es~~ and read over to them and they signed the same in the presence of myself Ans B R C Heard one of the Attys for Complainant at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness~~es~~ or had proof made before me of the identity of said witness~~es~~; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 1st day of December 19 31.

T. W. Richerson (L. S.)

No. 1005. Page \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

Lucille Brown,

vs. COMPLAINANT

Ralph Brown

RESPONDENT

**ORAL DEPOSITION**

Filed Dec 1st, 1931.

RECORDED IN

T. W. Richerson, Register

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register

**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 H. Brown

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

Lucille W. Brown

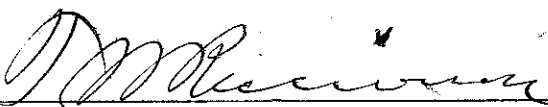
against said

Ralph Brown,

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 24th day of

Sept 193 1.

 Register.

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

119 *Amended*

Serve on *By* **RECORDED**

Circuit Court of Baldwin County  
In Equity.

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

**SUMMONS**

**Lucille W. Brown**

vs.

**Ralph Brown**

*(Dated)*

*B. C. Anderson*  
*Co.*

**Hybart Heard & Chason.**

Solicitor for Complainant.

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

**RECORDED**

**The State of Alabama,  
BALDWIN COUNTY.**

Received in office this 3

day of Oct 1931

*J. H. Gilchrist*, Sheriff.

Executed this 5 day of

Oct 1931

by leaving a copy of the within Summons with

*Ralph Brown*  
Defendant.

*Dr. H. H. Edwards*, Sheriff.

By *Sam Bernstein*  
Deputy Sheriff.



The State of Alabama, { No. 1005. Circuit Court, in Equity.  
Baldwin County.

Lucille W. Brown Complainant

vs.

Ralph Brown, Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree 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.

on account of cruelty.

It further ordered, that the said Lucille W. Brown, and Ralph Brown be, and they are hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Lucille W. Brown 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

Ralph Brown,

It is further ordered, adjudged and decreed that said Lucille W. Brown shall not again marry except to said Ralph Brown, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Ralph Brown,

during the said pendency of appeal

It is further ordered that Lucille W. Brown have the care custody, care and control of Beverly Brown, a girl child about six years of age born of this marriage, until further orders of this Court, This 5th day of December, 1931.

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

STATE OF ALABAMA, { Circuit Court, in Equity.  
Baldwin County.

I, \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_\_\_, in the cause of \_\_\_\_\_

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_\_\_

Register

RECORDED

NO. 1005.

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.  
BALDWIN COUNTY, ALA.

Lucille W. Brown

vs.

Ralph Brown,

DECREE OF DIVORCE.

Filed in office this

7th

day of

December, 1931

M. W. Piccinnini

Register.

E. O. M.

Moore Printing Co. Bay Minette, Ala.