

MILDRED F. YEEND

Complainant.

VS

THOMAS A. YEEND

RESPONDENT.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard was submitted upon the Bill of Complaint, answer, waiver of notice, testimony of Complainant's witnesses, and agreement of parties, all as noted by the Register and in consideration thereof, the Court is of the opinion that Complainant is entitled to the relief prayed for in her bill.

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that the bonds of matrimony heretofore existing between Complainant and Respondent be, and the same are, hereby dissolved and the said MILDRED F. YEEND is forever divorced from the said Thomas A. Yeend on account of habitual drunkenness, as alleged in the bill.

IT IS FURTHER ORDERED AND DECREED that neither party shall marry again except to the other until the expiration of sixty days from this date, and that if appeal be taken within said sixty days neither shall marry again except to the other during the pendency of such appeal, but that after the expiration of said sixty days Complainant may again contract marriage provided that the costs of this cause are paid in full.

IT IS FURTHER ORDERED AND DECREED that the Respondent, Thomas A. Yeend shall pay to Complainant the sum of FIFTY DOLLARS within thirty days from this date, and as a reasonable allowance for her solicitor's fees incurred in this cause, and shall further pay to Complainant the sum of TWENTY DOLLARS per month on or before the 15th day of each calendar month commencing April 15th, 1933.

IT IS FURTHER ADJUDGED AND DECREED that the care and custody of DOROTHY BEVILLE YEEND, the daughter and only child of the parties hereto, is granted to Complainant subject to the right, however, of Respondent to see said child at any time during reasonable hours.

IT IS FURTHER ORDERED that the Respondent, Thomas A. Yeend, pay the costs of this cause, for which execution may issue.

Done at Monroeville, Alabama this 13th day of April, 1933.

D. W. Hare
Judge.

Thomas A. Yeend

Dorothy Beville Yeend

John A. Yeend

John A. Yeend

John A. Yeend

John A. Yeend

John A. Yeend

RECORDED

Mildred F. Yund
vs.

Thomas A. Yund

RECORDED

Final Decree

Filed April 14, 1933

J. W. Richardson
Register.

MILDRED F. YEEND

Complainant.

VS

THOMAS A. YEEND

Respondent.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

The Complainant requests the oral examination of the
following named witnesses in her behalf, namely

Mrs. Mildred F. Yeend

Mrs. Annie E. Falligant

J. H. Titus.

Allof said witnesses reside in Baldwin County.

Miss Bernice S. Folmar, now domiciled in Fairhope, is
suggested as a suitable person to be appointed commissioner to
take the depositions of the above named witnesses.

Elliott L. Rice
Solicitor for Complainant.

MILDRED F. YEEND

Complainant

VS

THOMAS A. YEEND

Respondent

APPLICATION FOR

COMMISSION,

Filed Dec 3rd 1932
T.W. Richardson
Register

J. H. TITUS:

I am a resident of the Town of Fairhope and Marshal of the town. I have known Thomas A. Yeend for about twelve years both before he moved over to Fairhope and since he has been living here, where he has lived for the last three years. When I first knew him he was fairly steady and hard working and if he was drinking at all it was moderately. In the last two or three years, however, he has developed the habit and is now intoxicated a considerable portion of the time. He will start drinking and stay drunk for a week or so at a time, to my knowledge. Just how often he will do this I do not know as unless he is disorderly or comes near where I am I would know nothing of what he does but I do know from observation and from being called in by Mrs. Yeend when he was pretty far gone in liquor, that he is now drinking very hard. I have been called on by his wife on a number of occasions to help get him home and to quiet him when he was on spees. I have not been called on until the last year but I knew that this behaviour had been going on before this time. I have been called on some four or five times and have known from hearsay of his being drunk a number of other times besides this.

J. H. Titus

THE DEPOSITIONS OF MILDRED F. YEEND AND J. H.
TITUS, WITNESSES FOR COMPLAINANT IN THE ABOVE ENTITLED CAUSE:

Said witnesses having been duly sworn to tell the truth, the whole truth and nothing but the truth upon examination by Elliott G. Rickarby Esq., Solicitor for Complainant, testified as follows:

MRS. MILDRED F. YEEND:

I am the Complainant in this cause and am over the age of twenty two years. Thomas A. Yeend is also over the age of twenty two years and is now and has been for more than two years next prior to this date a resident of Baldwin County, living in Fairhope. Both he and I were born and raised in Alabama. On February 8th, 1922 Thomas A. Yeend and I were married in the City of Mobile and lived as husband and wife in that city up to about three years ago when we moved to Fairhope where we have since resided. I still live in Fairhope but my husband since the early part of November, 1932, has been staying with relatives in Mobile. We have one child, a daughter, Dorothy Beville Yeend who is not quite eight years of age, and who is living with me.

At the time we were married, Mr. Yeend was working for the United Fruit Company in Mobile and was steady and well behaved. If he used liquor at all it was in moderation and I had never known him being intoxicated. About four or five years ago, however, he commenced drinking and the habit has grown on him badly until now he is an habitual drunkard. In the last year he has been drinking very heavily. He would get on a spree, stay drunk for a week at a time, staying away from home, and at the end of this period he would come home sick and would be under the doctor's care for two or three days, as a result of this debauch. It would be only a few days after he recovered before he would do the same

Two.

thing all over again. He seems unable to control desire for liquor and I regret to say that he is now a habitual drunkard and it is for this reason and for the sake of our little girl that I have left him. In addition to becoming intoxicated he would at times become very violent when in this condition and has on more than one occasion struck me so that I fear if I continue to live with him that he will sometime do me an injury in a drunken spell. I believe that if I continue to live with him that my life will be in danger because he completely loses control of his temper and his reason when intoxicated. I also have the interest of my little girl to consider.

Mildred F. Yeend

CERTIFICATE:

I, Bernice S. Folmar, the commissioner named in the attached commission, hereby certify that in an equity case pending in the Circuit Court of Baldwin County in which Mildred F. Yeend is Complainant and Thomas A. Yeend is Defendant, I caused J. H. Titus and Mildred F. Yeend to appear before me at my office on the 3rd day of December, 1932, and having been sworn to tell the truth, testified as is hereinbefore set forth, and signed the same in my presence.

I further certify that I am neither of counsel nor of kin to any of the parties in this cause, nor in anywise interested in the outcome thereof.

Witness my hand this the 3rd day of December, 1932.

Bernice S. Folmar
Commissioner.

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Miss Bernice S. Folmar,

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 Mrs. Mildred F. Yeend, Mrs Annie E. Falligant, J. H. Titus,

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

Mildred F. Yeend

Complainant

Thomas A. Yeend,

Defendant,

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

Witness 3rd. day of December 1932.

W. R. Richardson

REGISTER

COMMISSIONER'S FEE, \$ 5.00

WITNESS' FEES, \$

NO. _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Mildred F. Yeend,

Complainant

vs.

Thomas A. Yeend,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Miss Bernice S. Folmar,

WITNESSES:

Miss Mildred F. Yeend,

Mrs Annie E. Falligant.
J.H. Titus.

Commissioner's fee 5⁰⁰ unpaid.

MILDRED F. YEEND,
Complainant,
vs.
THOMAS A. YEEND,
Respondent.

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

It is hereby agreed between the parties to this cause that a reference to ascertain the amount of alimony and counsel fees be waived; that should the Court find that Complainant is entitled to a divorce, the final decree shall contain an allowance of fifty dollars to complainant as solicitor's fees in this cause to be paid \$5.00 per month, the first payment to be made January the 10th, 1933 and a like amount to be paid on the 10th of each month thereafter until the said sum has been paid; the right of Complainant to the sole custody of Dorothy Beville Yeend, the child of said marriage, subject to the right of Respondent to see her at all reasonable times, and an order for the payment to Complainant of twenty dollars per month for the maintenance and support of said child until she reaches the age of eighteen years, in lieu of all other alimony, the first payment of alimony to be made on the 10th day of December, 1932 and a like amount to be paid on the 10th day of each month thereafter.

The above agreement to be filed as part of the record in this cause and to be incorporated in the decree of divorce.

Mildred F. Yeend
Complainant.

Thomas A. Yeend
Respondent.

RECEIVED
JAN 10 1932
COURT

IN THE
COURT OF COMMONS
AT THE CITY OF LONDON

MILDRED F. YEEND,
Complainant,
vs.
THOMAS A. YEEND,
Respondent.

AGREEMENT AS TO ALIMONY AND
ATTORNEY'S FEE.

Filed Dec 3rd 1932
W. Richardson
Registrar

W. Richardson
Registrar

8581 NOTE OF TESTIMONY

MILDRED F. YEEND

vs.

THOMAS A. YEEND

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,.....
..Summons and return on defendant, agreement between parties as.....
to alimony, ^{and attorneys fees} and testimony of Jack Titus and Mildred F. Yeend,
...in behalf of complainant.....

and in behalf of Defendant upon Answer of Defendant, waiver and consent to
..submission and agreement between parties as to alimony and attor-
..ney's fees.....

J. W. Robinson

Register.

No. _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Mildred Yeend

VS

Thomas A. Yeend

NOTE OF TESTIMONY

Filed in Open Court this 12

day of April 1923

D. McPherson

Register

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 1088

Vacation Term, 192 33

MILDRED F. YEEND, Complainant...

vs.

THOMAS A. YEEND, Defendant...

To T.W. RICHESON, 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 E.G. RICKABBY

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.

.....E.G. RICKABBY.....
Solicitor for Complainant.

MILDRED F. YEEND,

Complainant.

VS

THOMAS A. YEEND

Respondent.

IN EQUITY .

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes THOMAS A. YEEND, Respondent in the above styled cause
and for answer to the Bill of Complaint says:

FIRST: He admits the allegation as to the names, ages
and residence of the parties, and existence of the marriage.

SECOND: HE denies all further allegations of the bill.

Having thus fully answered, Respondent prays that said
Bill be dismissed and he be permitted to go hence with his reason-
able costs in this behalf expended.


Solicitors for Respondent.

MILDRED F. YEEND

Complainant

VS

THOMAS A. YEEND

Respondent.

ANSWER.

Filed Dec 3rd 1932

*T W Richardson
Register*

W. H. COWAN

Solicitor for Respondent

MILDRED F. YEEND

Complainant.

VS

THOMAS A. YEEND

Respondent.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

The Respondent hereby waives notice of the names, time and places of taking depositions of Complainant's witnesses, of the right to cross-examine said witnesses, or to offer evidence in his own behalf, and further consents that said cause may be submitted for final decree without further notice to him upon the pleadings and Complainant's evidence.


Solicitor for Respondent.

MILDRED F. YEEND

Complainant

VS

THOMAS A. YEEND

Respondent

WAIVER AND CONSENT TO
SUBMISSION.

Filed Dec 3rd 1932
T.W. Richardson
Register

W. H. COWAN
Solditor for Respondent.

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 THOMAS A. YEEND

(805 Springhill Ave., Mobile, Ala)

of Mobile 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

MILDRED YEEND

against said THOMAS A. YEEND

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 19th day of

November 1932

T. W. Richerson Register.

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

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ORIGINAL

Serve on **RECORDED**

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

MILDRED F. YEEND

vs.

THOMAS A. YEEND

(805 Springhill, Ave.

MOBILE, Ala)

ELLIOTT G. RICKARBY

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

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

Received in office this _____

day of _____ 193 _____

Sheriff.

Executed this 21 day of

November 193 2

by leaving a copy of the within Summons with

Thomas A. Yeend

Defendant.

W. H. Holcomb, Jr.
Sheriff.

By Mose Bernstein
Deputy Sheriff.

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

Comes MILDRED F. YEEND and by this her bill of Complaint presented against THOMAS A. YEEND shows:

ONE: That she and the said Thomas A. Yeend are both over the age of twenty one years, natives and life long residents of the State of Alabama and residents of Fairhope, Baldwin County, for more than two years next prior to the filing of this bill.

TWO: That they were legally married in the city of Mobile on February 8th, 1922, and lived together in that city up to about three years prior to this date, since when they have resided in Fairhope until the early part of November, 1932, since when Thomas A. Yeend has been staying with relatives in Mobile. Of this marriage there has been born one daughter, Dorothy Beville Yeend, not yet eight years of age, who resides with Complainant in Fairhope.

THREE: That since their marriage the Defendant above named has become addicted to habitual drunkenness.

FOUR: That at various times in the last two years Defendant has committed actual violence to the person of Complainant attended with danger to life and health and because of the actions heretofore committed, as well as Defendant's intemperate habits and violent temper. Complainant has reason to apprehend further violence attended with danger to her health or even to her life.

THE PREMISES CONSIDERED, Complainant prays that Thomas A. Yeend be made party defendant to this bill and by proper process be required to answer same within the time prescribed by law and obey such orders and decrees as may be made from time to time.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from the said Thomas A. Yeend granting her the right to marry again should she so desire, the custody of the child of said marriage, and a proper allowance for the maintenance and support of said child.

Complainant further prays that an order of reference be made forthwith directing the Register of this Court to ascertain and report upon a suitable allowance to be made by Defendant as temporary alimony during the trial of this cause and for the fee of Complainant's solicitor, that upon said report an order be made requiring the payment by Defendant of the amounts for said purposes found to be proper and that such other, further and different orders and decrees may be rendered as to this Court shall seem meet.

Elliott S. Rinkaby

Solicitor for Complainant.

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

Elliott S. Rinkaby

Solicitor for Complainant.