

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ELEANOR P. ROBERTS, Complainant

vs.

CLEON B. ROBERTS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Con

esso on Answer and Waiver 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 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 that the said ELEANOR P. ROBERTS is forever divorced from the said CLEON B. ROBERTS for and on account of CRUELTY

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Eleanor Roberts the Complainant pay the cost herein to be taxed, for which execution may issue.

This 18th day of February, 1917
J. W. Hare
Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, in Equity.

No. 1739 Page

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

ELEANOR P. ROBERTS

Complainant.

Vs.

CLEON B. ROBERTS

Respondent.

DIVORCE DECREE

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ELEANOR F. ROBERTS, Complainant

vs.

CLEON B. ROBERTS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Con-
fesso on Answer and Verdict 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 said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and
that the said ELEANOR F. ROBERTS is forever divorced from the said
for and on account of CRUELTY CLEON B. ROBERTS

It is further ordered, adjudged and decreed that neither party to this suit shall again marry ex-
cept to each other until sixty days after the rendition of this decree, and that if appeal is taken with-
in sixty days, neither party shall again marry except to each other during the pendency of said
appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted
to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Eleanor Roberts
the Complainant pay the cost herein to be taxed, for which execution may issue.

This 10th day of February, 1947

F. W. Hare
Judge Circuit Court, in Equity.

I, Alice J. Duck, Register of the Circuit
Court of Baldwin County, Alabama, do hereby certify that the
foregoing is a correct copy of the original decree rendered by the
Judge of the Circuit Court in the above stated cause, which said
decree is on file and enrolled in my office.

Witness my hand and seal this the 11th day
of February, 1947.

Register of Circuit Court, in Equity.

No. Page

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

.....
Complainant.

Vs.

.....
Respondent.

DIVORCE DECREE

ELEANOR ROBERTS
Complainant

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS

CLEON B. ROBERTS
Defendant

DEPOSITIONS OF ELEANOR ROBERTS AND ORLANDO
C. POWERS, WITNESSES FOR COMPLAINANT.

The above named witnesses, appeared before me at the time and place hereinafter stated and upon examination by counsel for Complainant, after being sworn, testified as follows:

ELEANOR ROBERTS

My name is Eleanor Roberts and I am a bona fide resident of Baldwin County, Alabama, for the three years next preceeding the filing of this bill and over the age of twenty-one years. I married Cleon Bernard Roberts on the 3rd day of September, 1944 at Twin Beach Church, Fairhope, Alabama and at that time he was a resident of Prichard, Alabama and we lived together as husband and wife until the 4th day of April, 1946. There were no children to this marriage.

The main reason for the separation was that during the first part of the year 1946, my husband was living at my mother's home without employment and made no effort to get along with my family, and he voluntarily abandoned me and then later insisted that I give up my home and my job and come over and live with him in Mobile, although at the time he had no home for me nor a job in which to support us, and I refused to go with him under those conditions.

It was after this that he became more insistant, and while always rather quick tempered, he became violent towards me and on the latter part of April, 1946, he came to the school where I taught, one evening while a school function was going on, and threatened to throw me out bodily, if I didn't go with him; and then again in the latter part of September, he approached me while I was attending services at the Twin Beach Church and tried to force me to leave in the car, but a neighbor came up and he left me alone. On the 3rd of October, Cleon came to the home of my mother, where I was staying just outside of Fairhope; I met him at the door and told him I did not wish to see him, but he foreced his way into the house, pulled out a pistol and pointed it at me, saying that if I called for help he would shoot me. My brother Orlando C. Powers came up and talked to him and finally persuaded him to give up the gun and leave the house.

From my husband's conduct, even though he is now employed, I have reason to and do feel that if I went back to live with him, he would commit actual physical violence upon my person attended with danger to my life, whenever anything displeased him or upset him. Furthermore the threats he has made have made me actually physically sick and nervous.

I am the Complainant in this case and I am making no claim against my husband for support.

Eleanor P. Roberts

ORLANDO C. POWERS

My name is Orlando C. Powers and I am the brother of Eleanor Roberts the Complainant in this divorce case. I know that she is a bona fide resident of Baldwin County and has been for the three

page two

years next preceeding the filing of this Bill of Complaint.

I know her husband Cleon B. Roberts and I have known him for two years before she married him. He appeared to me to be a very high strung individual and while I do not know to my personal knowledge of any of the incidents except of the incident of the gun. I do know that on the night of October 3rd, 1946, after she and Cleon had separated and she had told him not to molest her further, he came over to our place just outside of Fairhope and I came up as he forced his way in our house. When my sister told him that she did not want to see him and that if he insisted on coming in she would call the police he drew a pistol on her and threatened her life. I went up to him and after talking to him for a while persuaded him that if he did anything with the pistol it would complicate everything and make a tragedy of both their lives. He finally surrendered the pistol to me which I turned over to Eleanor's attorney and persuaded him to leave the house.

The pistol which I took away from him was loaded and a .38 caliber Smith & Wesson. I here hand you a paper dated the 10th of October, 1946, bearing Cleon B. Roberts' signature, which shows Roberts' receipt for the pistol, which is attached here-with and marked Exhibit 1.

Orlando C. Powers

CERTIFICATE

I, Cecelia S. Mickle, acting as commissioner by agreement of parties hereby certify that in the case of Eleanor Roberts vs Cleon B. Roberts, pending on the Equity side of the Circuit Court of Baldwin County, I caused Eleanor Roberts and Orlando C. Powers, witnesses for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, and where, after being duly sworn, upon examination by the solicitor for the Complainant, they testified as is above written, and their testimony, after being reduced to writing, was read over and signed by them.

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

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner, this the 5th day of February, 1947.

Cecelia S. Mickle
Commissioner

ELEANOR ROBERTS
Complainant

vs

CLEON B. ROBERTS
Respondent

DEPOSITIONS

Filed
2-8-47
Cliff J. Duck
Reporter

RICKARBY & RICKARBY
ATTORNEYS FOR COMPLAINANT

ELEANOR P. ROBERTS,
Complainant,
Vs.
CLEON P. ROBERTS,
RESPONDENT.

EQUITY NO. _____
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

Now comes the Respondent and demurs to the Complainant's
Bill of Complaint and to each and every allegation therein, and
for grounds thereof says:

1. That the Bill is without equity.
2. That there are no facts alleged giving the Complainant
the right to a divorce.

REYNOLDS AND MASHBURN,
by J. Fair J. Mashburn, Jr.
Solicitors for the Respondent.

EQUITY NO. 1739

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ELEANOR P. ROBERTS,
Complainant,

Vs.

Cleon B. ROBERTS,
Respondent.

DEMURRER.

FILED
Apr 1 1946
R. S. DUCK, CLERK

NOTICE TO:

RICKARBY & RICKARBY
Solicitors for Complainant

and

MR. J.T. MASHBURN
Solicitor for Respondent

Under and by virtue of decree of reference
granted by Judge Hare in the case of ELEANOR P.
ROBERTS vs CLEON B. ROBERTS, I will hold a re-
ference to determine what would be a reasonable
sum as temporary alimony, including a reasonable
Solicitor's fee.

Request that you have witnesses present at
the hearing which is to be at my office in the
Court House at Bay Minette at , on
January , 1947.

Alice J. Duck

J. TERRY REYNOLDS, JR.

ATTORNEY AT LAW

907-908-909 FIRST NATIONAL BANK BLDG.

MOBILE 13, ALABAMA

TELEPHONE 2-3122

January 15, 1947.

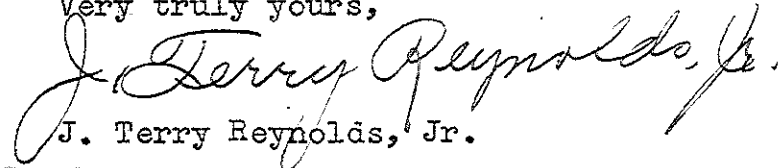
Mrs. Alice J. Duck
Clerk, Circuit Court of Baldwin County,
Bay Minette, Alabama.

Dear Mrs. Duck:

I just received a copy of a letter directed to you by Rickarby and Rickarby, attorneys at Fairhope, asking that you send out notices giving ten days' notice with reference to taking testimony in the case of Eleanor P. Roberts Vs. Cleon B. Roberts. I would like to advise you that Mr. Mashburn, attorney of your city, and I are opposing taking of testimony in this case by deposition, as it is my client's desire and request of me that we hear this case in open court, hence we are opposed to this testimony being taken in the manner requested by Mr. Rickarby.

I would like to further advise that we filed a demurrer to the bill of complaint filed by Mr. Rickarby, which has not as yet been ruled on, and I do not see how testimony can be taken until the demurrer has been disposed of. In the meantime, I am preparing an answer in this matter and a motion to take the testimony in open court, so I will ask you to hold the matter of a reference in abeyance.

Very truly yours,


J. Terry Reynolds, Jr.

JTR:mcb

CC: Messrs. Rickarby and Rickarby
Attorneys at Law,
Fairhope, Alabama.

Mr. T. J. Mashburn, Jr.,
Attorney at Law,
Bay Minette, Alabama.

NOTICE TO:

RICKARBY & RICKARBY
Solicitors for Complainant

and

MR. J.T. MASHBURN
Solicitor for Respondent

Under and by virtue of decree of reference
granted by Judge Hare in the case of ELEANOR P.
ROBERTS vs CLEON B. ROBERTS, I will hold a re-
ference to determine what would be a reasonable
sum as temporary alimony, including a reasonable
Solicitor's fee.

Request that you have witnesses present at
the hearing which is to be at my office in the
Court House at Bay Minette at , on
January , 1947.

Alice J. Duck

January 14, 1947

Mrs. Alice J. Duck
Clerk, Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

ELEANOR P. ROBERTS vs CLEON B. ROBERTS:
Please check and see whether notice of motion
for reference in the above mentioned case
was given defense counsel.

Mr. Reynolds writes me on the 10th that
he has no notice of this motion. If it has
been given, please send out enclosed notices,
giving ten days notice, filling in the time
and date that you would like to hold this
reference.

Yours very truly,

RICKARBY & RICKARBY

By: 

EGRjr;csn
2475
encls.

CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, EQUITY SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CLEON B. ROBERTS, to appear and plead, answer or demur within thirty days of this service hereof to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama at Bay Minette against him as Defendant by ELEANOR P. ROBERTS, Complainant.

WITNESS my hand this the 10 day of October, 1946.

R. S. Duck
Register, Circuit Court
By Alice J. Duck
D.R.

TO THE

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

Comes ELEANOR P. ROBERTS, and by this her Bill of Complaint, presented against CLEON B. ROBERTS, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; she being a Bona fide resident of Fairhope, Baldwin County, Alabama, for three years next preceeding the filing of this Bill, and he a resident of Mobile County, Alabama.

SECOND: That Complainant and Defendant were married on September 3, 1944 and lived together as husband and wife until April 4, 1946, when they parted. There were no children of this marriage.

THIRD: That Defendant has at various and sundry times, committed actual violence on the person of his wife attended with danger to her life and health and from his conduct she has reasonable ground for apprehension that he will commit further violence to her person. One specific instance of his conduct took place on the third day of October when the Defendant came to the home of Complainant's mother, just outside of the City of Fairhope, Baldwin County, Alabama, forced his way into the house and threatened her with a pistol. This happened after he made threat in

the early part of September, 1946, in front of the Twin Beach Church, of Fairhope, that he would take her life.

FOURTH: Defendant is employed at a large salary with the Veteran's Administration as Educational Co-ordinator and as such has sufficient estate to pay for the costs of this proceeding and Complainant is without means except her wages as a school teach in Baldwin County.

THE PREMISES CONSIDERED; Complainant prays that CLEON B. ROBERTS be made party Defendant to this cause and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that the bonds of matrimony between herself and Defendant be dissolved and that the Defendant be required to pay a reasonable sum in the Court to defray the expenses of this action and for Counsel fees, and for such other further or different relief as to equity may seem meet.

Richard R. R. R.
Solicitors for Complainant.

34
ELEANOR P. ROBERTS
Complainant

VS

CLEON B. ROBERTS
Defendant

SUMMONS

BILL OF COMPLAINT

*works for Veterans
Administrator*

Benjamin

Received 1947 Day of October 1946
and on 29th Day of October 1946
I served a Copy of the Summons & Complaint
on Cleon B. Roberts

by service on.....
W. E. HOLCOMBE, Sheriff
By W. E. Holcombe D.S.

*Filed
10-10-46
R. S. Huch
by Alice J. Duck D. P.*

ELEANOR P. ROBERTS
Complainant

E Q U I T Y

vs.

CLEON B. ROBERTS
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

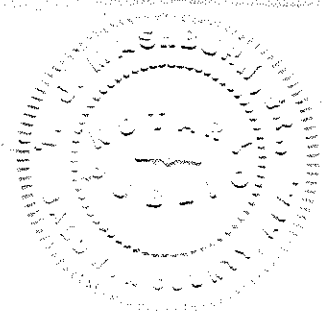
Comes CLEON B. ROBERTS, Respondent in the above styled cause,
and for answer to the Bill of Complaint says he denies each and
every allegation of same.

Upon the understanding that there will be no claim made for
alimony or counsel fees, Respondent hereby waives notice of de-
mand for oral examination of Complainant's witnesses; of the issue
of commission to take testimony; of the time and place set for
taking same and of the right to introduce evidence in his own be-
half. He further agrees that this cause may be submitted for
final decree at any time on the pleading and Complainant's evi-
dence as noted by the Register.

Cleon B. Roberts
Respondent

Before me, the undersigned Notary, personally appeared
CLEON B. ROBERTS, who is known to me to be the Respondent above
named, and who acknowledged that he executed the foregoing answer
voluntarily with knowledge of its contents.

Witness my hand and official seal this the 3 day of
1946.



J. J. Mashburn, Jr.
Notary Public, Mobile County, Alabama
My commission expires

ELEANOR P. ROBERTS,
Complainant,

VS.

CLEON P. ROBERTS,
Respondent.

EQUITY NO. _____
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

MOTION TO SET CAUSE DOWN FOR HEARING IN OPEN COURT.

Comes the Respondent, CLEON P. ROBERTS, by his
Solicitor, J. TERRY REYNOLDS, JR., and moves this Honorable
Court to set the above styled cause down for hearing in
open court.

J. Terry Reynolds, Jr.
SOLICITOR FOR RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ELEANOR P. ROBERTS,
Complainant,

VS.

CLEON P. ROBERTS,
Respondent.

MOTION TO SET CAUSE DOWN FOR
HEARING IN OPEN COURT.

Filed

1-25-47

Alice J. Leuck

open court.

court to set the above cause down for hearing in

open court, and the above cause be heard in

open court, and the above cause be heard in

MOTION TO SET CAUSE DOWN FOR HEARING IN OPEN COURT.

Respondent.

CLEON P. ROBERTS,

VS.

ELEANOR P. ROBERTS,

Complainant,

IN EQUITY.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

MOTION TO SET CAUSE DOWN FOR

ELEANOR P. ROBERTS,
Complainant,
VS.
CLEON P. ROBERTS,
Respondent.

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

On Motion of the Complainant, the above styled case is set down for hearing in open Court in Bay Minette, Alabama, on Monday, February 3, 1947.

This 27th day of January, 1947.

J. W. Hare
Judge

ELEANOR P. ROBERTS,

Complainant,

-VS-

CLEON B. ROBERTS,

Respondent.

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

IN EQUITY

NO. 1739

Comes the Respondent in the above styled cause and for answer to the bill of complaint and to each paragraph and allegation thereof, says as follows:

O N E

The allegations of the first paragraph are admitted.

T W O

The allegations of the second paragraph are admitted.

T H R E E

And for answer to the bill of complaint and each and every paragraph thereof the respondent says as follows:

A. The respondent specifically denies the allegation in part third of said bill of complaint, that the respondent has at various and sundry times committed actual violence on the person of his wife, attended with danger to her life and health, or that from his conduct he has caused her reasonable ground of apprehension that he would commit further violence upon her; that your Respondent further specifically denies that he threatened bodily harm or the safety of the complainant with a pistol, or that he threatened he would take her life.

B. Respondent further specifically denies that he earns a large salary or that he has sufficient estate to pay for the costs of this proceeding and your respondent further says that the complainant does have the means and wherewith to bear her own expense, to pay her solicitor or record and such other expenses as she may incur.

C. Your respondent further says that instead of him threatening her life or attempting to commit bodily harm upon the complainant, that on the contrary he has never laid a hand upon her in a fit of temper or anger and that they have not lived

or cohabited together as man and wife since April, 1946, because the complainant refused to live and cohabit with him in that she insisted upon remaining in Baldwin County, Alabama, and residing with her mother and brother or other members of her family, at a time when your respondent was required to move and come to Mobile County, Alabama, in order to earn a livelihood and to be located in the vicinity where his employment was; that the complainant refused to come to Mobile with him and said that she was going to stay with her mother and she has since that time refused to come to Mobile and live with him, though your respondent would very much like for her to do so.

D. Your respondent, for further answer to said bill of complaint, says that he is very much in love with the complainant and desires that she remain and be his wife and live and cohabit with him as such and your respondent begs and pleads that she return to him and live with him in the County of Mobile, Alabama, and says that he will be a good husband to her and earn a living and provide for her, but that he does not desire to live with and care for her whole family.

E. The respondent further says in answer to said bill of complaint and each and every paragraph thereof that said complaint was not brought in good faith on the part of the complainant, in that she well knew the allegations that he, the respondent, had committed actual violence on the person of the complainant, attended with danger to her life or health and from his conduct she has a reasonable ground for apprehension that he will commit further violence, are untrue and the respondent says that she has in effect abandoned him without cause or fault on his part and has refused to live and reside with him, unless he would care for and maintain financially her brother and her mother.

F. Respondent further says that said bill of complaint and each and every allegation thereof was not brought in good faith in that she well knows that she is or has been working

and earning a good income as a school teacher in Baldwin County, Alabama, and the allegation that she is without means to support herself is untrue.

WHEREFORE, the premises considered, this respondent prays, that the complainant's bill of complaint be dismissed at the cost of the complainant and that he not be required to pay her solicitor's fees and he prays for such other and further relief as he may be entitled to receive.

Cleon B. Roberts
Respondent

STATE OF ALABAMA

COUNTY OF MOBILE

Personally appeared before me, the undersigned, Cleon B. Roberts, respondent, in the above entitled cause, who after having been made known to me and who, being by me first duly and legally sworn to speak the truth, doth depose and say that the above and foregoing answer is true and correct.

Cleon B. Roberts
Respondent-Affiant

Subscribed and sworn to before me
this 22nd day of January, 1947.

Blanche D. McBride
Notary Public, Mobile County, Alabama

J. Terry Reynolds
Solicitor for Respondent

Solicitor for Respondent

EQUITY NO. 1739 ~~RECORDED~~

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ELEANOR P. ROBERTS,
Complainant,

VS.

CLEON P. ROBERTS,
Respondent.

ANSWER OF RESPONDENT.

Filed

1-25-47

*Alice J. Duck
Register*

TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA

F. W. HARE, JUDGE

A. H. ELLIOTT, CIRCUIT SOLICITOR

LOUISE J. DUSENBURY, COURT REPORTER

MONROEVILLE, ALABAMA

January 27, 1947.

Mrs. Alice J. Duck,
Bay Minette, Alabama.

IN RE: Eleanor P. Roberts vs. Cleon P. Roberts.

Dear Mrs. Duck:-

Enclosed you will find order setting the
above case down for hearing in open court on next Monday,
February 3rd.

Please notify the lawyers representing
the parties.

With regards, I am

Yours very truly,

F. W. Hare
F. W. HARE

ELEANOR P. ROBERTS
Complainant

E Q U I T Y

vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

CLEON B. ROBERTS
Respondent

MOTION FOR REFERENCE.

Comes the Complainant in the above styled cause and shows to the Court that she has filed a Bill for Divorce against her husband on, to wit, the 8th day of October, 1946; and that the Respondent has a steady job and draws a substantial salary from the Veteran's Administration as Educational Coordinator, and has sufficient estate to pay the costs of this procedure, including a reasonable Solicitor's fee for the Complainant's Solicitor in this Cause.

Complainant further states and shows that she and the Respondent were married on the 3rd day of September, 1944, and that her bill in this case shows good grounds for divorce.

Wherefore the Complainant prays that this Court will order a reference to be held before the Register to determine a reasonable sum for the Respondent to pay for the expenses of this procedure and including a reasonable Solicitor's fee. And that the Register will report his action to this Court and that Complainant will be ordered to pay said sum.

.....*Rickard T. Day*.....
Solicitor for Complainant

The Register is directed to hold a reference to ascertain what would be a reasonable sum as temporary alimony, including a reasonable Solicitor's fee, after giving Respondent 10 days notice of the time and place of such reference.
This Dec. 31, 1946.

J. W. Hare
Judge

1739
ELEANOR P. ROBERTS
Complainant

vs.

CLEON B. ROBERTS
Respondent

MOTION FOR REFERENCE

RICKAREY & RICKAREY
Solicitors for
Complainant

Filed

12-23-46

*Alvin J. Duck
Sey.*

ELEANOR P. ROBERTS,
Complainant,
VS.
CLEON P. ROBERTS,
Respondent.

EQUITY NO. 1739
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

MOTION TO SET ASIDE ORDER TO HOLD REFERENCE.

Comes the Respondent, by his Solicitor, and moves that this Honorable Court set aside the Order to Hold Reference heretofore granted on the 31st day of December, 1946, and for grounds for said motion says:

1. That neither the Respondent nor his Solicitors had notice that Complainant had filed a motion for a reference.
2. That at the time said Order was made there was on file a demurrer to Complainant's Bill Complaint.

Telfair P. Masliburne, Jr.
Solicitor for the Respondent.

MOTION FOR THE REVERSAL

EQUITY NO. 1739
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ELEANOR P. ROBERTS,
Complainant,
VS.
CLEON P. ROBERTS,
Respondent.

MOTION TO SET ASIDE ORDER
TO HOLD REFERENCE

Filed

1-18-49

Alice J. Luck
Register

FOR THE COURT OF RECORDS, BALDWIN COUNTY, ALABAMA

CLERK OF THE COURT
BALDWIN COUNTY, ALABAMA

RECORDED
INDEXED
BALDWIN COUNTY, ALABAMA

ELEANOR P. ROBERTS

vs.

CLEON B. ROBERTS

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Answer and Waiver of the Respondent and testimony of the Complainant

and in behalf of Defendant upon _____

Rickarby & Rickarby atty

Alice J. Rickarby
Register.

No. 1739

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ELEANOR P. ROBERTS

vs.

GLEON B. ROBERTS

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

Register.

Printed By The Baldwin Times

EXHIBIT I

10 Oct 1946

RECEIVED from J. H. Rickarby Jr.

1 - 38 Smith's Winter Review Dollars

\$

Elmer B. Roberts

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
Answer and Waiver of the Respondent and testimony of the Complainant

and in behalf of Defendant upon

Rickarby & Rickarby atty

Alice J. Leach
Register.