

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA.

IN EQUITY.

LOUISE DAVIS,
COMPLAINANT,

VS.

M. R. DAVIS,
RESPONDENT.

NO. 370

This cause coming on to be heard was submitted for final decree upon the bill of complaint as amended, decree pro confesso against the respondent, and the testimony as noted by the Register.

Upon due consideration the Court is of the opinion that the complainant is entitled to the relief prayed for in her said bill of complaint as amended, that the bonds of matrimony heretofore existing between the complainant and the respondent should be dissolved, and that the parties should be permitted to marry again under the terms and conditions imposed by the law of Alabama.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the complainant and the respondent, M. R. Davis, be, and the same are hereby dissolved and annulled, and that the said Louise Davis be, and she hereby is forever divorced from the said M. R. Davis.

It is further ordered, adjudged and decreed by the Court that the Complainant pay the costs of this suit, for which execution may issue.

It is further ordered, adjudged and decreed by the Court that when the costs of this suit shall have been paid both the complainant and the respondent are hereby permitted to contract marriage again, but they shall not be permitted to remarry, except to each other, until the expiration of sixty days from the date of this decree.

Done, ordered and decreed in term time,
on this the 16th day of November, 1937.

F. W. Hare

JUDGE.

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

M. R. DAVIS,

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

LOUISE DAVIS

against said M. R. DAVIS

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, Robert S. Duck, Register of said Circuit Court, this 28th day of September 1937

Robert S. Duck Register

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

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA.

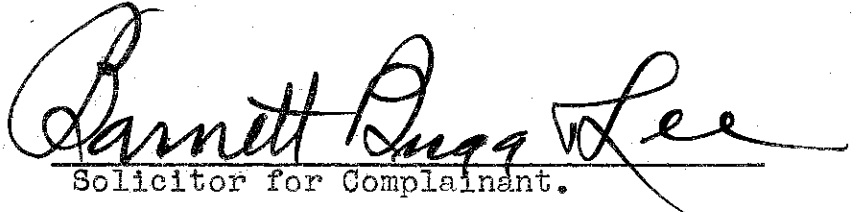
IN EQUITY.

LOUISE DAVIS,
COMPLAINANT,
VS.
M. R. DAVIS,
RESPONDENT.

Now comes the complainant in the above stated cause and amends the second paragraph of her bill of complaint, heretofore filed in this cause, by making said second paragraph read as follows:

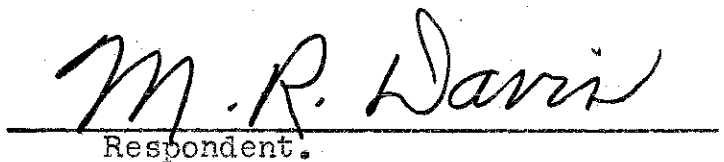
"That complainant and respondent were legally married to each other in Monroe County, Alabama, during the year 1925, and lived together as husband and wife until a few months ago. That at various and sundry times while they were living together as such husband and wife the said respondent committed actual violence on the person of complainant, did threaten further acts of violence on her person, and from his conduct and repeated threats complainant had reason to apprehend and did apprehend that respondent would commit further acts of violence on her person attended with danger to her life or health. On account of such reasonable apprehension complainant concluded she could not safely live longer with respondent as his wife, and did separate from him several weeks ago, did move to Monroe County, Alabama, where she now resides, and since that time she has never lived with said respondent as his wife. And

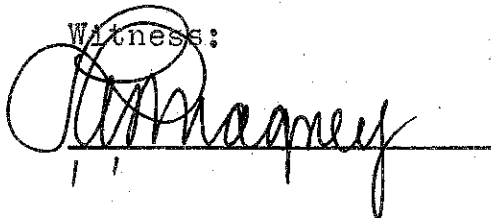
complainant alleges that on account of said acts and threats of respondent she is entitled to have the bonds of matrimony existing between them severed in the way and manner provided by law."


Solicitor for Complainant.

I, M. R. Davis, respondent named in the above stated cause, hereby acknowledge receipt of a copy of the above and foregoing amendment to the bill of complaint filed by the complainant herein.

This October 18, 1937.


Respondent.

Witness:


The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

LOUISE DAVIS

Complainant

vs.

M. R. DAVIS

Respondent.
~~Defendant~~

Oral examination before the Register of the following witnesses:

Louise Davis

who reside in Alabama, said examination being conducted in Bay Minnette, Alabama,

on this the November, 1937, day of, and there being present

the Register of the court

The said witness being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

My name is Louise Davis, I reside in Monroe county, Alabama, am the complainant in this case; the respondent, M. R. Davis, resides in Baldwin county, Alabama; both parties have resided in the state of Alabama for more than three years last past; both parties are over the age of twenty-one years. The complainant and respondent were married to each other in Monroe county, Alabama, during the year 1925, and lived together as husband and wife until a few months before the filing of the suit in this case; on many different occasions during the time we lived together as husband and wife the respondent became enraged and struck complainant many blows on her person, and repeatedly threatened further acts of violence on her person; that such acts and threats were repeated at intervals for several years, and gradually became more frequent and severe; that complainant tried many times to get respondent to desist and to live with complainant in peace, but these efforts of complainant were completely unavailing; that she was finally convinced from the acts and continuous threats that respondent would at most any time commit further acts of violence on her person that would endanger her life or health if she continued to live with him. She then left respondent, moved to Monroe county, Alabama, and has never lived with respondent since that time. Complainant is fully convinced that it would not be safe for her to live with respondent as his wife.

Louise Davis

CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No.

VS.

PLAINTIFF

DEFENDANT

BILL OF COSTS

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$ 7 20
Filing each bill and other papers	\$	10	For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Issuing each subpoena		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof		40	Each notice sent by mail to creditor ...	15
Entering each return thereof		15	Filing receipting for and docketing each claim, etc.	25
For each order of publication	1	00	For all entries on subpoena docket, etc.	50
Issuing Writ of injunction	1	50	For all entries on commission docket, etc.	50
For each copy thereof		50	Making final record, per 100 words	15
Entering each return thereof		15	Certified copy of decree	1 00
Issuing Writ of Attachment	1	00	Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof		15		
Docketing each case	1	00	TOTAL FEES OF REGISTER..	
Entering each appearance		25	FEES OF SHERIFF	14 70
Issuing each decree pro confesso on per ser.	1	00	Serving and returning subpoena on deft. \$1 50	2 00
Issuing each decree pro confesso on publica	1	00	Serving and returning subpoena for witness	65
Each order appointing guardian	1	00	Levyng attachment	1 50
Any other order by Register		50	Entering and returning same	25
Issuing Commission to take testimony		50	Selling property attached	
Receiving and filing		10	Impaneling Jury	75
Endorsing each package		10	Executing Writ of possession	2 50
Entering order submitting cause		50	Collecting execution for costs	1 50
Entering any other order of court		25	Serving and returning sci. fa., each	65
Noting all testimony		50	Serving and returning notice	65
Abstract of cause, etc.	1	00	Serving and returning writ of injunction	1 50
Entering each decree		75	Serving and returning writ of exeat	1 50
For every 100 words over 500		15	Taking and approving bonds, each	75
Taking account, etc.	3	00	Collecting money on execution	
Taking testimony, etc		15	Making Deed	2 50
Each report, 500 words or less	2	50	Serving and returning application, etc..	1 00
For every 100 words over 500		15	Serving attachment, contempt of court..	1 50
Amount claimed less than \$500, etc	2	00		
Issuing each subpoena		25	TOTAL FEES OF SHERIFF..	1 50
Witness certificate, each		25	RECAPITULATION	
Issuing execution, each		75	Register's Fees	16 70
Entering each return		15	Sheriff's Fees	1 50
Taking and approving bond, each	1	00	Commissioner's Fees	1 50
Making copy of bill, etc		15	Solicitor's Fees	1 50
Each notice not otherwise provided for ..		50	Witness Fees	
Each certificate or affidavit, with seal ..		50	Guardian Ad Litem	
Each certificate or affidavit, no seal		25	Printer's Fees	
Hearing and passing on application, etc. ...	3	00	Trial Tax	3 00
Each settlement with Receiver, etc.	3	00	Recording Decree in Probate Court	13 00
Examing each voucher of Receiver, etc ..		10		
Examing each answer, etc.	3	00	TOTAL	21 20
Recording resignation, etc		75		
Entering each certificate to Supreme Court		50		
Taking questions and answers, etc		25		
For all other ser relating to such proceedings	1	00		
For services in proceeding to relieve minors, etc., same fee as in similar cases.				
Commission on sales, etc: 1st \$100, 2 per cent: all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.				
Sub Total Carried Forward		17 20		

Received payment this _____ day of _____ 193_____

Register.

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

LOUISE DAVIS, COMPLAINANT,

vs.

M. R. DAVIS, DEFENDANT.

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Your complainant, Louise Davis, brings this her bill of complaint against M. R. Davis, and for cause of action respectively shows to the court the following facts:

FIRST

That she is a resident of Monroe county, Alabama; that the respondent, M. R. Davis, is a resident of Baldwin county, Alabama; and that both are over the age of twenty one years. That both complainant and respondent have been residents of Alabama for more than three years last past.

SECOND

That complainant and respondent were legally married to each other in Monroe county, Alabama, during the year 1925, and lived together as husband and wife until a few months ago. That the respondent became addicted after marriage to habitual drunkenness, which practice on his part continued until complainant was unable to endure it longer, and she separated from him several weeks ago. Complainant moved to Monroe county, Alabama, where she now resides. Since their separation they have never lived together again as husband and wife.

To the end that equity may be had and done by the parties complainant prays the court as follows:

PRAYER FOR PROCESS

That the said M. R. Davis be made party respondent to this bill of complaint, and that the process of this court do forthwith issue to him requiring him to appear and to plead, answer or demur within the time and under the penalties prescribed by law and this honorable court.

PRAYER FOR RELIEF

That upon a final hearing the court will make and enter an appropriate order or decree severing the bonds of matrimony between the

parties hereto.

That the court will also grant complainant the right to contract marriage again as provided by law.

And complainant prays for such other, further and different relief as she may be entitled to in the premises.

Parnett Rugg & Lee
Solicitors for Complainant.

FOOT NOTE

The Respondent is required to answer the entire foregoing bill of complained, paragraphs first and second, but answer under oath is hereby expressly waived.

Parnett Rugg & Lee
Solicitors for Complainant.

BALDWIN

THE STATE OF ALABAMA, ~~MONROE~~ COUNTY

IN THE CIRCUIT COURT, IN EQUITY.

Louise Davis,

Complainant

vs.

M. R. Davis,

Respondent

Now comes the Complainant..... by her..... Solicitor of Record and shows to the Court that on the 28 day of Sept, 19 37 she..... filed her..... Bill of Complaint in the above stated cause, and a summons issued in said cause and was served by the Sheriff of Baldwin..... County on the Defendant..... more than thirty days prior to this date, and said Defendant..... has to this date failed to appear and demur, plead to, or otherwise answer the allegations of said Bill of Complaint as required by law, the Complainant..... by her..... Solicitor of Record now moves the Register of this Court to enter up or render a Decree Pro Confesso in this cause against said Defendant.

This 28 day of ~~October~~ November, 19 37

Darrett Bugg Lee
Solicitor for Complainant.

The State of Alabama, Baldwin County

IN THE CIRCUIT COURT IN EQUITY

Louise Davis, Complainant,

vs.

M. R. Davis, Respondent. ~~Defendant~~

In this case it being made to appear to the Register that a Summons requiring the ~~Defendant~~ Respondent

M. R. Davis,

to appear and plead, answer or demur to the Bill of Complaint

in this cause within thirty days from the service of said Summons upon him respondent

by the Sheriff of Baldwin County, on the 8th day of October, 1937.

and the said Defendant having failed to plead, answer or demur to the said Bill, to the date hereof, it is now, therefore, on motion

of Barnett, Bugg & Lee, Complainant's Solicitor, ordered and decreed that the said Bill of

Complaint in this cause be, as amended and it hereby is in all things taken as confessed against the said M. R. Davis,

the respondent aforesaid.

~~the respondent aforesaid.~~

Passner, Register.

RECORDED

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No. _____

Page _____

7-323

The State of Alabama

Barber

COUNTY.

IN CIRCUIT COURT, IN EQUITY

Louise Davis

vs.

Complainant,

J. R. Davis

Defendant.

DECREE PRO CONFESSO ON PERSONAL SERVICE

Issued this *8* day of *Jan*, 19*37*

R. S. [Signature], Register.

Filed in office *Jan 8*, 19*37*

R. S. [Signature], Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

No. Page

THE STATE OF ALABAMA

~~Baldwin~~ ~~Montee~~ County

IN CIRCUIT COURT, IN EQUITY

Louse Davis

vs. Complainant,

m R Davis

Respondent.

Motion For Decree Pro Confesso On
Personal Service

Filed *Jan 8*, 193*7*

R. Jones, Register.

Recorded in

Record

Vol. Page

Register.

Bessie Fricer,

vs.

Joseph Fricer,

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,
Testimony of Bessie Fricer and Joseph Ciganek,

and in behalf of Defendant upon Answer and Waiver,

R. S. Duck

Register.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

BESSIE FRICER, Complainant

vs.

JOSEPH FRICER Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~and~~ ~~Testimony of Bessie Fricer and Joseph Ciganek,~~ 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 Bessie Fricer is forever divorced from the said

Joseph Fricer

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.

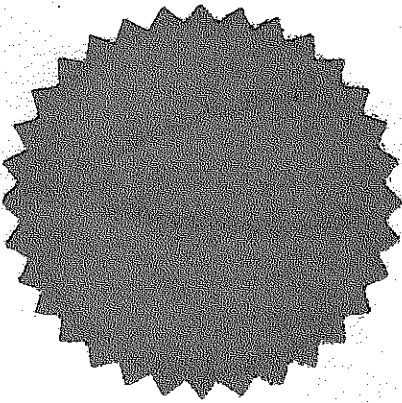
It is further ordered that Bessie Fricer and Joseph Fricer be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Joseph Fricer the Respondent pay the cost herein to be taxed, for which execution may issue.

This 30th day of September, 19 37

J. W. Ware Judge Circuit Court, in Equity.

I, Register of the Circuit Court for 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.

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

JOSEPH FRICER

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

BESSIE FRICER

against said

JOSEPH FRICER

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, Robert S. Duck, Register of said Circuit Court, this 30th day

of September 1937



Register

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

BESSIE FRICER,
Complainant,
VS.
JOSEPH FRICER,
Respondent.

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

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

Comes your Complainant, BESSIE FRICER, and humbly complaining against the Respondent, JOSEPH FRICER, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That the Complainant and the Respondent are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.
2. That your Complainant and the Respondent are husband and wife, having intermarried at Detroit, Michigan, on December 6th, 1913.
3. That on to-wit, September 27th, 1937, and various times prior thereto, the Respondent, cursed, threatened and abused the Complainant; that the conduct of the Respondent is such that your Complainant has every reasonable apprehension to believe and does believe that if she continues to live with the Respondent, he will carry out his threats and do actual violence to her person, which will necessarily be attended with danger to her life and health.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said JOSEPH FRICER party respondent to this Bill of Complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, and Complainant prays that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Bessie Fricker & Becher
Solicitors for the Complainant.

FOOT NOTE:

The Respondent, JOSEPH PRICER, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

Bula Hara + Bula
Solicitors for the Complainant.

BESSIE FRICER,

Complainant,

VS.

JOSEPH FRICER,

Respondent.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA,

) IN EQUITY.

Comes the Respondent, in his own proper person, and for answer to the Complainant's Bill of Complaint, and to each count thereof, separately and severally, says:

1. That he admits the allegations contained in Paragraphs 1 and

2.

2. That he denies the allegation contained in Paragraph 3 and demands strict proof of the same.

Joseph Fricer
Respondent.

BESSIE FRICER,
Complainant,
VS.
JOSEPH FRICER,
Respondent.

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

Comes the Respondent, in his own proper person, and waives notice of the time of taking testimony of the witnesses on behalf of the Complainant; the right to cross-examine said witnesses; and consents that the matter be submitted for final decree forthwith without further notice.

Joseph Fricer
Respondent.

RECORDED

*Min 2.
page 320*

No. 371

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Bessie Fricer,

vs.

Joseph Fricer

NOTE OF TESTIMONY

Filed in Open Court this 30

day of September 1937

R. S. Duck

REGISTER

RECORDED 7-295-

Book

Serve on _____

**Circuit Court of Baldwin County
IN EQUITY**

No. _____

S U M M O N S

THE STATE OF ALABAMA,

BALDWIN COUNTY

Received in office this _____

day of _____, 193_____

SHERIFF

Executed this 9th 3rd day of

1932

by leaving a copy of the within Summons with

Joseph F. Davis

Defendant

M. H. McHenry

Sheriff

By *E. W. Anderson*

Deputy Sheriff

Solicitor for Complainant

Recorded in Vol. _____ Page _____

~~W. H. GORDON~~

Book

7-296

BILL OF COMPLAINT

HESSIE FRIOR,

Complainant,

VS.

JOSEPH FRIOR,

Respondent.

Filed this *30* day *September* 19*52*

H. S. O'Neil

Clerk-Register

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

3

No. 371 Page 2 - 320

The State of Alabama
Baldwin County

In Circuit Court, In Equity

BESSIE FRICER,
vs. Complainant.

JOSEPH FRICER,
Respondent.

DIVORCE DECREEE

Filed this 30th
day of September, 1937

W. S. Brock
Clerk-Register

