

FRANK W. GLAMMEYER,

Complainant.

vs.

FRIEDA GLAMMEYER,

Respondent

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 on personal service; Testimony of Frank

W. Glammeyer and Herman Doege

and in behalf of Defendant upon

R. S. Dues

Register.

FRANK W. GLAMMEYER,
Complainant,
VS.
FRIEDA GLAMMEYER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NUMBER 410.

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

And now comes the Complainant in the above styled cause and respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That on August 1st, 1938, a decree was rendered by this Honorable Court, granting to the Complainant a divorce from the Respondent, on the ground of voluntary abandonment.
2. That in and by said decree the Complainant was awarded the custody, care and control of the minor children: namely: Willfred Glammeyer, Dan Glammeyer, Esther Glammeyer, Charles Glammeyer and Ramona Glammeyer, subject to the further orders of this Court.
3. That the said minor, Willfred Glammeyer, is ~~not~~ the child of the Respondent, Frieda Glammeyer and that the Complainant is not the father of said minor.
4. That in drafting the decree, it was inadvertently inserted that the Complainant, Frank W. Glammeyer, have the custody, care and control of said minor, Willfred Glammeyer.
5. That the Respondent now complains that the Complainant has no right to the custody, care and control of the said minor child, Willfred Glammeyer, but that she, as the mother of said child, has the right to the custody, care and control of him.

WHEREFORE, the premises considered, Complainant prays that your Honor will amend the decree nunc pro tunc so as to award to the Complainant, Frank W. Glammeyer, the custody of the minor children: Dan Glammeyer, Esther Glammeyer, Charles Glammeyer and Ramona Glammeyer, subject to the further orders of the court.


Solicitor for Complainant.

STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

Before me, the undersigned authority, in and for said County, in said State, personally appeared HUBERT M. HALL, who is known to me and who having been by me first duly sworn, deposes and says: That he was Solicitor of record for the Complainant in the cause of Frank W. Glammeyer vs. Frieda Glammeyer, in the Circuit Court of Baldwin County, Alabama, in Equity, being cause numbered 410; that a decree was granted by said Court on August 1st, 1938; that he, as Solicitor for the Complainant, for the convenience of the Court, drafted the final decree; that in drafting the said decree, he inadvertently let the decree recite that the Complainant, Frank W. Glammeyer, should have the custody, care and control of the said minor children, namely: Willfred Glammeyer, Dan Glammeyer, Esther Glammeyer, Charles Glammeyer and Ramona Glammeyer, subject to the further orders of this Court; that at that time he knew that Frank W. Glammeyer was not the father of the minor, Willfred Glammeyer, and therefore had no right to the custody, care and control of him; that the insertion of Willfred Glammeyer in the decree was an error and should be corrected.

Hubert M. Hall

Sworn and subscribed to before me this 5th day of October, 1938.

O'Byrne Jones
Notary Public Baldwin County, Ala.

ent to this Bill of Complaint, requiring her 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 him a decree of absolute divorce, forever barring the bonds of matrimony existing between him and the Respondent, FRIEDA GLAMMEYER; that your Honor will enter a further order and decree awarding to him the care, custody and control of the said minor children: Willfred Glammeyer, Dan Glammeyer, Esther Glammeyer, Charles Glammeyer, and Ramona Glammeyer; that your Honor will give and grant unto him such other, further different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

Frank W. Glammeyer
Complainant.

Becher & Becher
Solicitors for Complainant.

FOOT NOTE:

The Respondent, FRIEDA GLAMMEYER, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 4, inclusive, but not under oath, oath being hereby expressly waived.

Frank W. Glammeyer
Complainant.

Becher & Becher
Solicitors for Complainant.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 410

July

Term, 1938

FRANK W. GLAMMEYER,

, Complainant

Vs.

FRIEDA GLAMMEYER,

, Defendant

To R. S. DUCK,

, 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

BEEBE, HALL & BEEBE,

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.

BEEBE, HALL & BEEBE,

Solicitor for Complainant.

The State of Alabama,
Baldwin County.

{ No. 410 CIRCUIT COURT IN EQUITY.

FRANK W. GLAMMEYER, Complainant

vs.

FRIEDA GLAMMEYER, Defendant

Motion is hereby made for a Decree Pro Confesso against

FRIEDA GLAMMEYER 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 20th day of July 19 38

BEEBE, HALL & BEEBE, Solicitor.

The State of Alabama, } No. _____ CIRCUIT COURT IN EQUITY.
Baldwin County.

FRANK W. GLAMMEYER, Complainant

vs.

FRIEDA GLAMMEYER, Defendant

In this cause it appears to the REGISTER, R. S. DUCK

that a summons requiring the Defendant

FRIEDA GLAMMEYER,

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 him

was served upon him by the Sheriff of Baldwin County, Alabama, on the 26th day of May 19 38

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

Beebe, Hall & Beebe,

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

Frieda Glammeyer

Defendant aforesaid.

This 20th day of July 19 38

R. S. Duck Register.

FRANK W. GLAMMEYER,
Complainant,
VS.
FRIEDA GLAMMEYER,
Respondent.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint, Decree Pro Confesso and Testimony as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

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

IT IS FURTHER ORDERED that the Complainant be and he is hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said FRANK GLAMMEYER shall not again marry, except to the said FRIEDA GLAMMEYER, until sixty days after this date, and that if an appeal is taken within sixty days, he shall not again marry, except to the said FRIEDA GLAMMEYER, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, FRANK W. GLAMMEYER, have the custody, care and control of the minor children, namely, Willfred Glammeyer, Dan Glammeyer, Esther Glammeyer, Charles Glammeyer and Ramona Glammeyer, subject to the further orders of this court. However, the Respondent shall have the right to visit the said children from time to time.

Dated at Monroeville, Monroe County, Alabama, this first day of

August, 1938.

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

FRANK W. GLAMMEYER,

Complainant,

VS.

FRIEDA GLAMMEYER,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

In Equity.


In this cause it is made to appear to the Court by affidavit of Hubert M. Hall, and by a petition filed herein by the Complainant on October 7, 1936, that in a divorce decree in said cause, dated August 1st, 1938, the Complainant, Frank W. Glammeyer, was awarded the custody, care and control of an infant, Wilfred Glammeyer; and

WHEREAS, it appears that said Complainant was not the father of said minor, and not entitled to his custody, and that the custody of said minor was inadvertently decreed to said Complainant; and

WHEREAS, the Chancery Court is the natural Guardian of infants and has the right and authority to fix the custody of said infants as their best interests may appear;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the said decree of August 1, 1938, be, and the same hereby is, altered and changed so as to award the custody of said Winfred Glammeyer to the Respondent in said divorce suit, Frieda Glammeyer.

This the 8th day of October, 1938.


Judge

RECORDED *Duch*
7-496

No. _____ Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

vs.

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

Filed **July 20,** 1938

R. S. Duch

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

FRANK W. GLAMMEYER,
Vs. **Complainant.**

FRIEDA GLAMMEYER,
Respondent.

**REQUEST FOR DECREE IN
VACATION**

Filed July 30th, 1938

R. S. Dueck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

Duck
2-3-77

FINAL DECREE:

FRANK W. GLAMMEYER,

Complainant,

VS.

FRIEDA GLAMMEYER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed this 1 day Aug 1977
R. S. Duck
Clerk/Registrar

TERMINO's file

Booklet no. 7

No.

Page

7-496

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

GLAMMEYER,

vs.

GLAMMEYER,

DECREE PRO CONFESSO ON
PERSONAL SERVICE

Issued July 20, 19 38

M. S. Duck
Register.

Moore Printing Company, Bay Minette, Ala.

(original)

Serve on Frieda Glammeyer
Circuit Court of Baldwin County
IN EQUITY

No. 410

SUMMONS

FRANK W. GLAMMEYER,
Complainant,

vs.

FRIEDA GLAMMEYER,
Respondent.

Beebe, Hall & Beebe.
Solicitor for Complainant

Recorded in Vol. _____ Page _____

RECORDED *Quest*
9-444

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this 22

day of August, 1938

[Signature]
SHERIFF

Executed this 26th day of

May 1938

by leaving a copy of the within Summons with

Frieda Glammeyer

Defendant

M. H. Wilkins

Sheriff

By *John C. Davis*
Deputy Sheriff

RECORDED *book*
7-1144

BILL OF COMPLAINT

FRANK W. GLAMMEYER,

Complainant,

VS.

FRIEDA GLAMMEYER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed April 22, 1935
R. S. Dool, Reporter

RECORDED *R. S. Duck*

AFFIDAVIT OF SOLICITOR

FRANK W. GIANNEYER,

Complainant,

VS.

FRIEDA GIANNEYER,

Respondent.

IN THE CIRCUIT COURT OF

BAIRDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 410.

Filed October 7, 1938
R. S. DUCK

clerk - register

By *Walter S. Thompson*
Deputy

RECORDED *Duck*

PETITION TO AMEND FINAL DECREE:

FRANK W. GLAMMEYER,

Complainant,

VS.

FRIEDA GLAMMEYER,

Respondent.

IN THE CIRCUIT COURT OF

BALTIMOR COUNTY, ALABAMA,

IN EQUITY,

NO. 410.

Filed October 7, 1938

R. S. DUOK

clerk - register

By *W. L. H. Thompson*
clerk

RECORDED

Duch
2-1377

No. 410

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

FRANK W. GLAMMEYER

Complainant,

vs.

FREIDA GLAMMEYER,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 30th
day of July 1938

R. S. Duch

REGISTER

(HID)

The State of Alabama }
Baldwin County

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

FRANK W. GLAMMEYER

COMPLAINANT

VS.

FRIEDA GLAMMEYER

RESPONDENT

I, O'BYRNE JONES, as Special Commissioner

~~as Register and Commissioner~~

have called and caused to come before me Frank W. Glammeyer and Herman Doege

witnesses named in the Requirement for Oral Examination, on the 29 day of July

1938, at the office of Beebe, Hall & Beebe,

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

truth, the whole truth, and nothing but the truth, the said Frank W. Glammeyer

doth depose and say as follows:

ORAL EXAMINATION

I, O'Byrne Jones, as ~~Register~~ ^{Special} Commissioner hereby certify

that the foregoing deposition s. on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses 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 29th day of July 1938.

O'Byrne Jones (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

FRANK W. GIANMEYER

COMPLAINANT

vs.

FRIEDA GIANMEYER

RESPONDENT

ORAL DEPOSITION

Filed July 30, 1938

R.S. Duck, Register
RECORDED IN

Record

Vol. _____ Page _____

Register

My name is Frank W. Glammeyer. I am the Complainant in this cause. I live at Elberta, in Baldwin County, Alabama, and am over twenty-one years of age. I have lived in Baldwin County for more than three years next preceding the filing of this Bill of Complaint. Frieda Glammeyer is over twenty-one years of age and lives in Baldwin County, Alabama.

Frieda Glammeyer and I were married at Foley, in Baldwin County, Alabama, in 1926. We lived together as husband and wife, in Baldwin County, Alabama, until in March, 1934; In March, 1934, Frieda Glammeyer voluntarily abandoned me, my bed and board, and has remained away voluntarily and continuously since that time. We have not lived together as man and wife since March, 1934.

We have five children, all minors under fourteen years of age, who are now and have been all their lives with me. I have had to take care of these children all their lives and am still ready, able and willing to care and provide for them. Frieda Glammeyer has never looked after the children as they should have been and she is not now in position to care and provide for them. The five minor children are: Willfred Glammeyer, Dan Glammeyer, Esther Glammeyer, Charles Glammeyer and Ramona Glammeyer.

Frank W. Glammeyer

HERMAN DOEGE, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Herman Doege. I live at Elberta, in Baldwin County, Alabama. I am acquainted with Frank W. Glammeyer and Frieda Glammeyer. I have known both of them since 1932. I live about two and one-half miles from the place where Frank W. Glammeyer lives, and have occasion to be around his place and to see him quite often. I know that Frank W. Glammeyer and Frieda Glammeyer do not live together as husband and wife and that the care of the home and minor children is left to Mr. Glammeyer. I know from my own personal knowledge and from reputation in the community that Frieda Glammeyer is not a suitable person to have the care and custody of their minor children.

Herman Doege