Richard Allen Hail	)	
	)	
vs.	)	In Circuit Court, Baldwin County, Alabama.
	)	
Anna B. Hail.	)	In Equity.

To the Hon. John D. Leigh, Judge of the Twenty-first Judicial Circuit of the State of Alabama.

The petition of Anna B. Hail, the defendant and Cross complainant in the above stated cause, respectfully shows to your Honor, that in the above stated cause and on the 7th day of June 1920, this Honorable Court rendered a decree granting to petitioner a divorce from the complainant and also awarding her permanent alimony to be paid monthly by the said Complainant, Richard Allen Hail, a copy of said Decree is hereto attached marked Exhibit A, and made a part of this petition.

Petitioner now shows unto your Honor, that Richard Allen Hail has failed and refused to pay to her or to the Register of this Court for her, the two installments of alimony of seventy-five dollars each, one due and payable on June 1st 1920 and the other due and payable on July 1st. 1920.

Petitioner further shows to your Honor said Richard Allen Hail has stated to several persons that he does not intend to pay one dollar of the alimony awarded petitioner by this Court.

Petitioner further shows to your Honor that said Richard Allen Hail is a practicing physician in the Town of Robertsdale, Baldwin County, Alabama, and does a large practice and petitioner verily believes is amply able to pay said alimony.

Petitioner therefore prays your Honor to cause said Richard Allen Hail to appear before you at such time and place as you may order and show to your Honor why he should not be adjudged guilty of contempt of this Court in failing to abey the order of this Court as to the payment of said alimony so awarded by this Court by its decree of June 7th. 1920, and on his failure to show good cause for his failure, that he be committed to custody until he makes such payments, or for such other or different relief as to your Honor may seem meet and proper under the circumstances.

Subscribed and sworn to before me this 22 day of July 1920.

An Anna B. Hail

E. Glenn Simmons

Notary Public, Baldwin County, Alabama.

My Commission expires February 12, 1923

Wm. S. Anderson
Solicitor for Petitioner

The State of Alabama)
Baldwin County.) No.195. Circuit Court, Baldwin County, Ala.

In Equity.

Richard Allen Hail, Complainant

vs.

Anna B. Hail, Defendant.

Decree.

This cause coming on to be heard in Vacation under an agreement between the Solicitors for the Complainant and defendant filed in the cause on April 12th, 1920, was submitted on the 12th day of April 1920 on said Agreement and on the testimony as noted by the Register, and upon consideration thereof the Court is of the opinion that the Complainant is not entitled to the relief prayed for in his Bill, but that the defendant is entitled to the relief prayed for in her Amended Answer and Cross Bill, filed, January 9th 1920.

It is therefore ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the defendant and the Complainant be, and the same are hereby dissolved, and the said Anna B. Hail is forever divorced from the said Richard Allen Hail, for an on account of his having voluntarily abandoned her for more than two years next before the filing of her Cross Bill, as alleged in her amended Answer and Cross Bill filed January 9, 1920.

It is also the opinion of the Court that the said Anna B. Hail is entitled to permanent alimony from the said Richard Allen Hail, in such amount as may be suitable to his estate and the condition in life of the parties, and also that he pay a reasonable attorney's fee to her Solicitor in this cause.

It is therefore ordered, adjudged and decreed by the Court, that the said Richard Allen Hail pay to the said Anna B. Hail, or into the hands of the Register of this Court for her, the sum of Seventy-five Dollars per month commencing on the 1st. day of June 1920 as permanent alimony. It is further ordered that the said Richard Allen Hail pay to the Solicitor of the said Anna B. Hail or to the Register of this Court for him the sum of Fifty Dollars as a reasonable attorney's fee for his services in this case.

The custody of the two boys is awarded to said Anna B. Hail.

It is further ordered that Complainant pay the costs in this case for which let execution issue.

Rendered in Vacation this 7th day of June 1920.

John D. Leigh,
Judge.

Exhibit A.

The State of Alabama } No.195. Circuit Court, Baldwin County, Ala.
Baldwin County. }

In Equity.

Richard Allen Hall, Complainant

vs.

Anna B. Hall, Defendant.

Decree.

This cause coming on to be heard in Vacation under an agreement between the solicitors for the complainant and defendant filed in the cause on April 18th, 1920, was submitted on the 18th day of April 1920 on said Agreement and on the testimony as noted by the Register, and upon consideration thereof the Court is of the opinion that the complainant is not entitled to the relief prayed for in his Bill, but that the defendant is entitled to the relief prayed for in her amended Answer and Cross Bill filed June 9th 1920.

It is therefore ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the defendant and the Complainant, and the same are hereby dissolved, and the said Anna B. Hall is forever divorced from the said Richard Allen Hall, for the account of his having voluntarily abandoned her for more than two years next before the filing of Cross Bill, as alleged in her amended Answer and Cross Bill filed January 9, 1920.

It is also the opinion of the Court that the said Anna B. Hall is entitled to permanent alimony from the said Richard Allen Hall in such amount as may be suitable to his estate and the contention in fact of the parties. And also that he pay a reasonable attorney's fee to her Solicitor in this cause.

It is therefore ordered, adjudged and decreed by the court, that the said Richard Allen Hall pay to the said Anna B. Hall, or into the hands of the Register of this Court for her, the sum of Seventy-five Dollars per month commencing on the 1st day of June 1920 as permanent alimony. It is further ordered that the said Richard Allen Hall pay to the Solicitor of the said Anna B. Hall or to the Register of this Court for him the sum of Fifty Dollars as a reasonable attorney's fee for his services in this case.

The custody of the two boys is awarded to said Anna B. Hall.

It is further ordered that Complainant pay the costs in this case for which let execution issue.

Rendered in Vacation this 7th day of June 1920.

John D. Leigh,
Judge.

Recorded Jun 24, 1920
Fees $2.00
Paid Chancery Clerk
Refund

RECORDED

Filed Oct 20, 1920
Paid Chancery Clerk
Refund

Bertie H.

Richard Allen Hail, Complainant vs. Anna B. Hail, Defendant and Cross Complainant	Circuit Court, Baldwin County, Alabama. In Equity.

In the matter of the petition of Anna B. Hail, Defendant and Cross Complainant in above stated cause, presented July 23rd.1920:

It appearing from the sworn allegations of said petition, that the said Richard Allen Hail, complainant in said cause, has failed and refused to obey the order and decree of the Circuit Court of Baldwin County, Alabama, made on June 7th.1920, "that the said Richard Allen Hail pay to the said Anna B. Hail, or into the hands of the Register of this Court for her, the sum of Seventy-five Dollars per month, commencing on the 1st day of June 1920 as permanent alimony".

It is therefore ordered that the Register of this Court issue forthwith a Citation to the said Richard Allen Hail, commanding him to appear before the Judge of this Court on Thursday, August 26th. 1920 at 9-30 o'clock A.M. at the Court House at Bay Minette, Alabama, and show cause why he should not be committed for contempt of this Court, in failing and refusing to obey the order of this Court as to paying the alimony awarded to said Anna B. Hail by the Circuit Court of Baldwin County, Alabama, unless before that date he pay to the said Anna B. Hail or to the Register of this Court for her, the amount of alimony now due under the said Decree of June 7th.1920.

Witness my hand this 18th day of August 1920.

John D. Leigh

Judge.

86

Filed Aug 20th 1920
D C Richmon
Register

RECORDED

Recorded in
Minutes Page 81

Richard Allen Hail, Complainant	)	Circuit Court, Baldwin County,
vs.	)	Alabama.
Anna B. Hail, Defendant and	)	
Cross Complainant.	)	In Equity.

To the Sheriff of Baldwin County, Alabama, Greeting:

We command you that without delay you execute this writ and due return thereof make to us on the 26th day of August 1920:

In the matter of the petition of Anna B. Hail, defendant and Cross Complainant in the above stated cause, presented on July 23rd.1920:

It appearing from the sworn allegations of said petition that the said Richard Allen Hail, complainant in said cause has failed and refused to obey the order and decree of the Circuit Court of Baldwin County Alabama, made on June 7th.1920, "that the said Richard Allen Hail pay to the said Anna B. Hail, or into the hands of the Register of this Court for her, the sum of Seventy-five Dollars per month, commencing on the 1st day of June 1920,as permanent alimony".

It is therefore ordered that the Register of this Court issue forthwith, a citation to the said Richard Allen Hail, commanding him to appear before the Judge of this Court on Thursday, August 26th.1920 at 9-30 o'clock A.M. at the Court House at Bay Minette, Alabama, and show cause why he should not be committed for contempt of this Court in failing and refusing to obey the order of this Court as to paying the alimony awarded to said Anna B. Hail by the Circuit Court of Baldwin County, Alabama, unless before that date he pay to the said Anna B. Hail or to the Register of this Court for her, the amount of alimony now due under the said decree of June 7th.1920.

Witness my hand this 18th day of August 1920.

(signed) John D. Leigh, Judge.

Witness the hand of the Register and the seal of said Circuit Court, this 20th day of August 1920.

T. W. Richerson,

Register.

CIRCUIT COURT SEAL BALDWIN COUNTY, ALA.

RECORDED

6/4

Recd in Office August, 20th 1920

And Executed August 20th 1920

by serving copy of the within

on Dr, R.A. Hail,

W.R. Stuart
Sheriff Baldwin Co

By Louis P. White
Deputy Sheriff

Original

Serve Copy on Dr R A Hail Robertsdale Ala.

RECORDED

BALDWIN COUNTY ALABAMA
FILED
1920 AUG 20 PM 3 00

Recorded

Minnie Allen Hail, Complainant,
vs.
Anna B. Hail, Defendant and
Cross Complainant.

Circuit Court, Baldwin County, Alabama.
In Equity.

To the Sheriff of Baldwin County, Alabama. Greeting:

We command you that without delay you execute this writ and make return thereof make to us on the 20th day of August 1920:

In the matter of the petition of Anna B. Hail, defendant and cross complainant in the above stated cause, praying on July 23rd.1920: it appearing from the sworn allegations of said petition that the said Minnie Allen Hail, complainant in said cause has filed her bill and cross bill to obey the order and decree of the circuit court of Baldwin County Alabama on June 7th.1920, wherein the said Anna B. Hail, or the husband of the said Anna B. Hail or to the Sheriff for her, the sum of Seventy-five Dollars per month, as connsiderg on the before the judge of this Court or Chancery Monday, August 23rd.1920 at 9 o'clock A.M. at the Court House at Bay Minette, Alabama, and show cause why he should not be commanded for this Court as to serving the attorney in fact and recharging to obey the order of this Court as to Baldwin County, Alabama and to said Anna B. Hail by the said Dr R A Hail or to the Sheriff, Deputies unless before this Court that date be and the day to the said Anna B. Hail or to the Sheriff for her, the sum of Seventy-five Dollars per month. as connsiderg on the before the judge of this Court or Chancery Monday, August 23rd.1920 at 9 o'clock A.M. at the Court House at Bay Minette, Alabama, and show cause why he should not be commanded for this Court as to serving the attorney in fact and recharging to obey the order of this Court as to Baldwin County, Alabama and to said Anna B. Hail by the said Dr R A Hail or to the Sheriff, Deputies unless before this Court that date be and the day to the said Anna B. Hail or to the Sheriff

Witness my hand this 7th day of August 1920.

(signed) John D. Leigh, Judge.

Witness the hand of the Register and the seal of said Circuit Court this 20th day of August 1920.

Register.

DR. L. W. ROE
701-702 VAN ANTWERP BUILDING
MOBILE, ALA.

Aug. 23, 1920.

Dr. R. A. Hail,
Robertsdale,
Ala.

My dear Doctor:

Since you were last in my office, I have been thinking of you and was fearful that I did not drive home to you the importance of my advice which I gave you when you were in Mobile.

You will recall that it has been three months since you first came to me concerning your condition and cough, and I told you at the time that I was fearful that you were having a tubercular outbreak. Since your first visit you must call to mind the fact that you had lost thirty pounds and that your physical strength is much below par, and that your persistent cough and occasional fever coupled with the physical findings of your lungs makes most emphatic the fact of the tubercular condition existing. I am aware of how strenuous your life is and I would most earnestly urge you to give it up and be relieved of your work for a period, and am satisfied of the necessity of a change to the mountains as the best thing for you, and would urge this upon you. You must remember the three cardinal things which are conducive to the relief of your condition: A life in the open, good food and rest. Unless you do these things I cannot give any hope to you of your ultimate cure. Do not take this, please, as idle advice, but act as promptly as you can if you expect to get any relief. I would be glad to hear from you as to your decision in this matter which should be promptly done.

With kind regards, I remain

Very truly yours,

Dr. L. W. Roe

LWR:MBD

Anna B Hall
vs
R. A. Hall

Motion for Rule Nisi

Comes R. A. Hall and for answer to rule nisi shows that since the rendition of the decree for alimony he has paid out for his wife the following sums Baldwin Bros $30.85, and $6.50 Hope $67.40 for his son Dick $132.40 + ~~Kennith~~ $10, that during the whole of that time he has been in bad health ~~Kennith $10~~ and in addition to practice being due has not been able to attend to all by reason of the fact that he cannot go out at night except in case of labor and he has been unable to pay any more. Having done this best he could under the circumstances he prays his discharge. R A Hall

Subscribed & sworn to this 24 day 1920

J W Kinnon
Clerk Circuit Court

RICHARD ALLEN HAIL, Complainant.	)	
-vs-	)	IN THE CIRCUIT COURT-EQUITY SIDE STATE OF ALABAMA BALDWIN COUNTY. No._____
ANNA BROWN HAIL, Defendant.	)	

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND THE HON. A. E. GAMBLE, JUDGE THEREOF, SITTING IN EQUITY:-

Your complainant, Richard Allen Hail, brings this, his original bill of complaint for divorce against Anna Brown Hail and respectfully represents and shows unto your Honor and unto this Honorable court as follows:-

FIRST.

That he and the defendant are both bona fide residents of the county of Baldwin and State of Alabama, and that he has resided there continuously for more than three years next immediately preceeding the filing of this bill of complaint. That both he and the defendat are over the age of twenty one years.

SECOND.

That he and the defendant were married at Fairhope, Baldwin County, State of Alabama, on to-wit; December 28th, 1898. That they lived to-gether as man and wife until to-wit; June 1st, 1917.

THIRD.

That on, to-wit; the 1st of June, 1917, while living at Robertsdale, in said county and state, the said Anna Brown Hail, without just cause or legal excuse, voluntarily deserted andabandoned your complainant and has never since returned to live with your complainant.

FOURTH.

That of said marriage there was born to your complainant and the defendant the following children; Charles Kenneth Hail, now 19 years of age; Richard Allen Hail Jr., now 12 years of age, both of said children now reside with the defendant at Robertsdale but are now and have always been supported by your complainant.

PRAYER FOR PROCESS.

The premises considered, complainant prays that this be taken as his complaint for divorce for voluntary abandonment and that such orders and decrees be made and such subpoenas issued as will

make the said defendant, Anna Brown Hail, party respondent to this bill of complaint, requiring her to appear and plead, answer or demur to said complaint, within the time required by law, under the pains and penalties of this honorable court.

PRAYER FOR RELIEF.

That upon a final hearing of this bill and cause that your honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the complainant and the defendant be forever dissolved; that he be again granted the right to re-marry; that the custody of the above named children be granted unto him and such other anf further and further and different relief as he may be entitled to in equity and good conscience. And as in duty bound, he will ever pray, etc., etc.,

Richard Allen Hail
by Stone & Stone
Solicitors for Complainant/

FOOT NOTE:-

The defendant, Anna Brown, Hail, is required to answer each and every paragraph of the foregoing bill of complainat from FIRST to Fourt, both inclusivem but not under oath, answer under oath being hereby expressly waived.

Stone & Stone
Solicitors for Complainant.

RICHARD ALLEN HAIL, Complainant.	)	
-vs-	)	IN THE CIRCUIT COURT-EQUITY SIDE STATE OF ALABAMA BALDWIN COUNTY. No._____
ANNA BROWN HAIL, Defendant.	)	

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND THE HON. A. E. GAMBLE, JUDGE THEREOF, SITTING IN EQUITY:-

Your complainant, Richard Allen Hail, brings this, his original bill of complaint for divorce against Anna Brown Hail and respectfully represents and shows unto your Honor and unto this Honorable court as follows:-

FIRST.

That he and the defendant are both bona fide residents of the county of Baldwin and State of Alabama, and that he has resided there continuously for more than three years next immediately preceeding the filing of this bill of complaint. That both he and the defendat are over the age of twenty one years.

SECOND.

That he and the defendant were married at Fairhope, Baldwin County, State of Alabama, on to-wit; December 28th, 1898. That they lived to-gether as man and wife until to-wit; June 1st, 1917.

THIRD.

That on, to-wit; the 1st of June, 1917, while living at Robertsdale, in said county and state, the said Anna Brown Hail, without just cause or legal excuse, voluntarily deserted andabandoned your complainant and has never since returned to live with your complainant.

FOURTH.

That of said marriage there was born to your complainant and the defendant the following children; Charles Kenneth Hail, now 19 years of age; Richard Allen Hail Jr., now 12 years of age, both of said children now reside with the defendant at Robertsdale but are now and have always been supported by your complainant.

PRAYER FOR PROCESS.

The premises considered, complainant prays that this be taken as his complaint for divorce for voluntary abandonment and that

make the said defendant, Anna Brown Hail, party respondent to this bill of complaint, requiring her to appear and plead, answer or demur to said complaint, within the time required by law, under the pains and penalties of this honorable court.

PRAYER FOR RELIEF.

That upon a final hearing of this bill and cause that your honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the complainant and the defendant be forever dissolved; that he be again granted the right to re-marry; that the custody of the above named children be granted unto him and such other anf further and further and different relief as he may be entitled to in equity and good conscience. And as in duty bound, he will ever pray, etc., etc.,

Richard Allen Hale
by Stone & Stone
Solicitors for Complainant/

FOOT NOTE:-

The defendant, Anna Brown, Hail, is required to answer each and every paragraph of the foregoing bill of complainat from FIRST to Fourt, both inclusivem but not under oath, answer under oath being hereby expressly waived.

Stone & Stone
Solicitors for Complainant.

21/3

Copy for Deft.

Richard Allen Hall
Complainant

v

Anna Brown Hall
Defendant

Divorce Proceeding

Circuit Court Equity
State of Alabama
Baldwin County

Filed this August
27, 1918.
F. W. Kennon
Register

Richard Allen Hail, Complainant,	)	In the Circuit Court of Baldwin County,
vs.	)	Alabama, In Equity.
Anna Brown Hail, Defendant,	)	

The answer of Anna B. Hail to the Bill of Complaint filed against her in the above stated cause:

1.

For answer to the first paragraph Respondent admits the statements therein to be true.

2.

The statements in the second paragraph of the bill are true, except that Complainant ceased to live with Respondent on July 3rd. 1917.

3rd.

Respondent denies the allegations contained tn the third paragraph of the Bill of Complaint. And Respondent says that to her best recollection, on the 3rd day of July 1917 Complainant left her, that he moved out of the house where they were living and has never returned to her; she continued to live in the same house with their children for for more than a year, when she moved into a house she had previously bought. The house she moved into is only about a block and a half from the house they were living in when complainant left her. Complainant took his clothes and other belongings to his office, just one block distant, where he has lived ever since

Respondent now shows to the Court, that she has frequently gone to his office and tried to persuade Complainant to come back home and live with her. For some time after he left Respondent cooked his meals and either carried them to him or sent them by one of the children. She has at all times been most anxious to have him return and live with her, which she has told him repeatedly.

4th.

The names and ages of the children that were born to Complainand and Respondent are correctly stated in the Fourth paragraph of the Bill, and said children have continued to reside with Respondent in the Town of Robertsdale, Alabama, and complainant has contributed mainly to their support.

Further snswering Respondent shows to the Court that she has

not deserted or abandoned Complainant, that she has been willing and anxious at all times to live with Complainant, and she now offers to live with him as his wife, either in the house where she now lives, or in any other place where he will provide a home for her and their children.

Anna B. Hail
Respondent.

W. S. Anderson
Solicitor for Respondent.

2 3/4

Answer

Filed Oct 8th. 1919.
P. J. V. Riemon

RECORDED

Richard Allen Hail, Complainant.	)	In the Circuit Court of Baldwin County, Alabama.
vs.	)	In Equity.
Anna B. Hail, Defendant.	)	

In the above stated case it is agreed by and between the Solicitors for the Complainant and the Solicitor for Defendant that the testimony taken in said cause may be published by consent, and the cause submitted for a Decree in vacation on the Note of Testimony taken by the Register of this Court.

It is further agreed that Fifty Dollars is a reasonable fee to be allowed by the Court for the Solicitor of the defendant, Anna B. Hail.

Witness our hands this 12th day of April 1920.

Stone & Stone

Solicitors for Complainant.

Wm. L. Anderson

Solicitor for Defendant.

6m

Richard Allen Hail

vs.

Anna B. Hail.

Agreement as to submission of cause in vacation and Solicitor's fee for Defendant's Solicitor.

Filed
April 12/920
T W Rennison
Register

RECORDED

Richard Allen Hail,)
Complainant) In the Circuit Court of Baldwin County, Alabama
vs.)
) IN EQUITY.
Anna B. Hail,)
Defendant.)

Now comes Respondent, Anna B. Hail, and leave of Court being first had and obtained files this her amended Answer and Cross Bill to the Bill of Complaint filed against her in the above stated cause.

1.

She admits that both she and Complainant are over the age of twenty-one years and both are residents of Baldwin County, Alabama, and have been such residents for more than three years immediately preceeding the filing of the Bill in this case. She admits that they were married at Fairhope, Alabama on the 28th day of December 1898 and lived together since that time until some time in the Summer of 1917.

2.

Respondent denies the allegations in the Third Paragraph of the Bill, that on, to-wit; the 1st of June 1917, while they were living together at Robertsdale in this County, that she voluntarily deserted and abandoned Complainant; on the contrary she says that on or about the 3rd day of July 1917 Complainant voluntarily left her and has never lived with her since; she says, that Complainant moved out of the house where they were living, taking with him his clothing and other belongings and has never lived with her since.

Respondent continued to live in the same house where they were living when he left her for more than a year, and then she moved into a house she had previously bought, which is only a block and a half from the house they were living in when he left her.

3.

The names and ages of the children that were born to Complainant and Respondent are correctly stated in the Fourth Paragraph of the Bill

4.

Respondent now shows to the Court that Complainant voluntarily abandoned her on the 3rd day of July 1917; that she has frequently gone to his office and tried to persuade him to come back home and live with her; that for a considerable time after he left her she cooked his meals and either carried them to him herself or sent them by one of the children; that she has used every effort on her part to induce Complainant to return and live with her, but to no avail, he has at all times persistently refused to live with her; she is now satisfied that he never intends to live with her as his wife.

She now charges that he voluntarily abandoned her on July 3rd. 1917.

5.

Respondent shows to the Court that she owns a very small amount of property in her own name, said property consists in a vacant lot at Toulminville, in Mobile County, worth about $500. from which she gets no income; the house and lot in the Town of Robertsdale, where she lives, which cost her $300. She has about $1000. loaned out on mortgage. The only income she has is derived from this loan and some small amounts she earns by writing, not exceeding about five dollars a month. She also owns a few chickens and a cow and calf.

The Complainant, her husband, is a practicing physician in the Town of Robertsdale, and does a large and lucrative practice, she does not know what real estate, if any, he owns, but she is informed that he has bought several pieces of property. Since he left her Complainant has never given her any money, but he has paid her grocery bill and feed bills for the chickens and cow and calf, the total not exceeding $40. a month.

Prayer for Process.

The premises considered Respondent prays that this her answer may be taken and treated as a Cross Bill, that Complainant be made a party defendant to the same, that the usual process issue to the said Richard Allen Hail, and that he be required to plead, answer or demur

to said Cross Bill within the time required by law and the rules of this Court.

Prayer for Relief.

Respondent prays that upon the hearing of the testimony in this cause your Honor will order and decree that the bonds of matrimony now existing between her and Complainant be dissolved, and that she be permitted to marry again;

that Complainant be required to pay such reasonable attorney's fee for her attorney in this case as your Honor may deem right and proper, and that Complainant be required to pay such amount of alimony as may be suitable to his estate and the condition in life of the parties in this case; and that she be awarded the care and custody of the two boys.

Anna B. Hail.
Respondent & Cross Complainant.

Wm S. Anderson
Solicitor for Anna B. Hail.

Foot note:

Complainant is required to answer the allegations in the foregoing Cross Bill from Paragraph 2 to Paragraph 5 both inclusive, but not under oath, his oath to the same is hereby expressly waived.

Wm S. Anderson
Solicitor for Mrs Anna B. Hail,
Respondent and Cross Complainant.

RECORDED

3

Richard Allen Hail

vs

Anna B. Hail

Amended Answer &
Cross Bill -
Filed Jan 7th 1920
T. W. Rickman
Register

RECORDED

8587 SUMMONS—Original.

Baldwin Times Print.

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 Richard Allen Hail

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, wihout oath, to a ~~Bill of Complaint~~ the amended Answer and cross bill lately exhibited by

Anna B Hail

against said

Richard Allen Hail

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 9th day of January, 1920. 191

T. W. Richerson

Register.

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

2nd Original

Serve on.....

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No.....

SUMMONS.

Richard Allen Hail

vs.

Clarka B Hail

Filed Jan 9th 1920
T. A. Simmons
Register

W S Anderson
Solicitor for Complainant.

Recorded in Vol.....Page.....

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this.....
day of .....191.....

.....
Sheriff.

Executed this.....day of
..... 191.....
by leaving a copy of the within Summons with

.....
Defendant

.....
Sheriff

By .....
Deputy Sheriff.

we hereby accept service of the within subpoena on Wednesday Allen Hail this Jan 9th 1920
Stone & Stone
Solicitors for
R. A. Hail.

RECORDED

COMMISSION TO TAKE DEPOSITION. [redacted] (Box 649.) MARSHALL & BRUCE CO., NASHVILLE

The State of Alabama, } **CIRCUIT COURT.**

Baoldwin COUNTY. } In Equity Division.

To W. H. Hawkins Esq.,

or such of you as may act herein, of Baldwin *County, State of* Alabama, *Greeting:*

KNOW YE, That we, reposing confidence in your integrity, skill, and ability have appointed you Commissioners to take the testimony of

Anna B. Hail, C. G. Hoiles and A. J. Aubert, material witnesses for the defendant,

~~material witnesses~~ *in a suit now pending in our* Circuit *Court of* Baldwin *County, wherein* Richard Allen Hail is Complainant, ~~Plaintiff~~, *and* Anna B. Hail is *Defendant*, *and we hereby authorize and empower you to call and cause to come before you* the Solicitors for the Complainant and the Solicitor for the defendant, and on Oral Examination conducted by said Solicitors you will take the ~~te~~ Depositions of said witnesses

~~the said witnesses and their deposition on the Holy Evangelists to take~~, *as well for the* complainant *as for the* Defendant *touching* their *knowledge of the matters and things in controversy in said suit, which deposition, when so taken, shall be signed by said witness~~es~~ and certified by such of you Commissioners as may act herein; and you are further commanded, the deposition, when so taken, with this commission, to return under your hands and seals to the Clerk of said Court, with all convenient speed, and any one or more of you Commissioners, are authorized to act alone in the premises.*

Witness my hand, this 27th *day of* January *19*20

Witness' Fees, - - - $

*Commissioners' Fees, $*6.00 D. W. Pierson *Clerk.*

No.....

The State of Alabama,

.....County.

CIRCUIT COURT,

DIVISION.

.....

.....

vs. Plaintiff,

.....

Defendant.

COMMISSION TO TAKE DEPOSITION ON SET INTERROGATORIES.

Issued this 27 day of Jan 1920

J. M. Pearson Clerk.

WITNESSES:

.....

.....

.....

.....

MARSHALL & BRUCE CO., NASHVILLE

DIRECTIONS:

TO THE COMMISSIONERS IN EXECUTING AND RETURNING THE COMMISSION.

1. If the time and place of executing the commission are not named therein, the Commissioners will subpoena the witness to appear before them at such time and place as they may appoint, and administer the oath to witness.

2. Either the Commissioners, witness, or some impartial persons, must reduce the answer of witness to writing, as near as may be in the language of the witness.

3. State the caption of the cause at the beginning, and then the following heading or title:

By virtue of the Commission hereto annexed, issued from the office of the Clerk of the Circuit Court of_____ County, State of Alabama, we, the Commissioners therein named, have called and caused to come before us the said A B, the witness named in said commission, on this_____day of_____191__, at the_____; and having duly cautioned and sworn the said witness to speak the truth, the whole truth, and nothing but the truth, A B, the said witness, deposeth and saith as follows:

First.—To first interrogatory he saith:

Second.—To second interrogatory he saith:

First.—To first cross-interrogatory he saith:

4. When the deposition is finished, it must be subscribed by the witness and certified as follows:

We, C D and E F, the Commissioners in said commission named, do hereby certify that the foregoing testimony and answers, taken down and written by us in the words of the witness, A B, were read over to him; that he assented, swore to, and subscribed the same in our presence, at the time and place herein mentioned; that we have personal knowledge of the personal identity of said witness [or, if unacquainted with the witness, that proof hath been made before us of the identity of the said witness]; that we are not of counsel or kin to either of the parties to said cause, nor interested in the event thereof. And we inclose the said testimony, together with said commission and the interrogatories, direct and cross, to the said Clerk of the Circuit Court whence the same emanated, as our full execution of said commission.

Given under our hands and seals, this_____day of_____191__

_____[L. S.]

_____[L. S.]

Next unite the commissions, interrogatories, and answers together, with wafers or tape; second, envelope all, sealed with three seals; third, write each Commissioner's name across each seal; and, fourth, write on the envelope the names of the parties and witnesses, and direct it thus:

C D *v.* E F —— DEPOSITION OF A B	*To*.....*Esq.*, CLERK OF THE CIRCUIT COURT. ....*County, Ala.*

☞ **The package may by sent by mail or private conveyance.**

The State of Alabama, Baldwin County.

In Circuit Court, in Equity.

Richard Allen Hail, Complainant

vs.

Anna B. Hail, Defendant.

Oral examination before W. H. Hawkins, commissioner named in the annexed commission of the following witnesses viz:- Anna B. Hail and A. J. Aubert, material witnesses for the defendant, who reside in Alabama, said examination being conducted in the office of W. H. Hawkins, the Commissioner at Bay Minette, Baldwin County, Alabama on this the 30th day of January 1920, there being present, Hon. W. S. Anderson, solicitor for defendant Anna B. Hail and Norborne C. Stone, a member of the firm of Stone & Stone, solicitors for complainant Richard Allen Hail.

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

Mrs Anna B. Hail being first duly sworn deposes as follows:

My name is Anna B. Hail and I am over the age of 21 years. I reside in Baldwin County, Alabama, and have been such resident for more than three years next before the filing of the bill of complaint in this cause. I was married to Richard Allen Hail, the original complainant in this case and the defendant to the cross bill filed by me, on January 9, 1920, on the 28th day of December 1898, and we lived together since that time until the summer of 1917. We are not living together now, because on or about July 3rd. 1917, he left me and went to his office, and has never lived with me since then. I continued to live in the same house for more than a year, and then moved into a house which I owned about a block and half distant, where I have lived ever since, I have many times tried to get him to come back and live with me, but he refused and said that "He was done with me". I prepared meals for him from time to time , and carried or sent the meals to his office by one of the children. He always refused to live with me, and said he would never live with me again.

The following named children were borne to us viz:- Charles Kenneth Hail, age 19 and Richard Allen Hail, Jr., now 12 years of age. These children live with me now at Robertsdale, Alabama. I own the following described property in my own name:- A vacant lot at Toulminville, Ala., worth $500, or rather I was offered $500.00 for it; a house and lot at Robertsdale, Alabama for which I paid $300 and I am now buying 3 lots at Robertsdale on which I have paid $175.00, and on which I still owe $25.00 and when I pay this I will get a deed to the lots. I have a mortgage for $1000 on property in the City of Mobile, Ala. The only income I get from any of this property is from the mortgage, from which I get 8% per annum. I also receive for correspondence to the local papers not exceeding $5.00 per month.

I do not know what property Dr. Hail has. He is a practicing physician and surgeon in the town of Robertsdale, Ala. I know that he has a large practice. The nearest practicing physician is 12 miles distant, at Foley, Ala. He is the only physician at Robertsdale. I dont know what his income is now, but I know that according to his cash books his income from December 1917 to May 1918 averaged something over $300 per month. Dr. Hail has supported me, since he left me, except my good clothes.

I have never received any money from him since he left me. He paid whatever I bought at C. G. Hoiles store, and he still pays the bills I contract at Hoiles' store. He also paid the feed bills for the cow and calf and about two dozen chickens, the drug bill, meat bill, wood bill and some country produce. The bills for these expenditures were not sent to me but to Dr. Hail and I am not able to say what they amount to. To the best of my judgment the bills he has paid for me since he left me in July 1917 will amount to about $75.00 per month

Cross examination by N. C. Stone one of the solicitors for R. A. Hail.

The lot in Toulminviile in my best judgment is worth $800.00. The house and lot in Robertsdale in my judgnment is worth $500.00. The three lots at Robertsdale that I am buying, on which there is a balance are worth in my judgment $200.00. The valueof the pers onal property now owned by me, in my judgment is $150.00. In my judgment the value of my estate, real and personal, is approximately $2650.00. This iis my individual and separate estate, coming to me through the estate of my parents. The income from my estate is from the $1000 mortgage, from which I derive 8% per annum.

My statement that I know he has a large practice is based upon the fact that most of his time is spent in answering his calls. The surrounding country in the vicinity of Robertsdale is a rural community and the inhabitants are chiefly farmers. ~~Tx makx calls in xx community xx like xx this xx mare time xx is xx xxxxxxxx~~ . The practice of Dr. Hail is distributed over four towns and the rural community ~~xx xx xx xxxxxxx xx xx xxxx~~ ix around those towns.

I do not know what the income from his practice is. Robertsdale is ~~xx~~ unincorporated ~~xxxx~~. My statement that from December 1917 to May 1918 Dr Hail's income was something over $300.00 per month is based entirely upon what I saw on his cash book in his handwriting. ~~xxixxxx~~ I did not see him receive any of this money.

I do not know what property he owns nor what his income is .

Anna B. Hail,

Mr. A. J. Aubert being duly sworn doth depose and say as follows:-
My name is A. J. Aubert and I resid e at Robertsdale, Alabama. I am over the age of 21 years and am a Justice of the Peace at Robertsdale.

I know Dr. R. A. Hail and Mrs. Anna B. Hail, the parties to this suit, and have known them since some time in 1913. They have lived in Robertsdale ever since. They are not living together now as husband and wife. About two years and a half ago they ceased to live together. I know nothing as to the merits or cause of the separation. I know that Dr. Hail moved to his office sometime in the summer of 1917, while Mrs. Hail continued to live in the house they formerly occupied. Dr Hail is a practicing physician and has a pretty fair practice. There is no other physician at Robertsdale at present. His practice covers a large territory. I have known him to go as far as 18 miles. I do not know what his income is from his practice. He uses an automobile in his practice and has been in the habit of using one for the past four or five years, in his practice.

Cross Examination.

The large territory covered by Dr. Hail's practice consists of rural community. Within about three miles of Robertsdale this country is fairly settled and beyod this it is sparely settled. Robertsdale is a small town. ~~xxxx~~ It is not incorporated. I do not know what his income is nor what he is worth. He maintains a c car to attend to his practice. I do not know what the upkeep of this car is.

A J Aubert

State of Alabama,

Baldwin County.

I, W. H. Hawkins, as commissioner, hereby certify that the foregoing depositions on oral examination were taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of me, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or in any manner interested in the result thereof.

Witness my hand and seal as commissioner this the 30th day of January 1920.

W. H. Hawkins ----Seal.

Commissioner.

8564 APPLICATION FOR ORAL EXAMINATION.

THE STATE OF ALABAMA,
Baldwin *County.*

CIRCUIT COURT, IN EQUITY.

Richard Allen Hail *Complainant*

vs.

Anna B. Hail *Defendant*

No.

Now comes the Defendant *by* Wm. S. Anderson, her *Solicitor of Record, and makes application to the Register of said Court to issue a Commission to take the testimony in said cause, or oral examination, of the following named witness* es, *who reside within the State of Alabama:*

NAME OF WITNESS.	*RESIDENCE OF WITNESS.*
Anna B. Hail	Robertsdale, Ala
C. G. Hoiles	Robertsdale, Ala
A. J. Aubert	Robertsdale, Ala.

And he *suggests the name of* W. H. Hawkins *who resides at* Bay Minette, Ala *as a suitable person to be appointed Commissioner to take the testimony of said witness* es.

This 27th *day of* January 1920. *19*

Wm S. Anderson

Solicitor for Anna B. Hail.

The Applicant for said Oral Examination is hereby required to give in writing ..... *days notice thereof, before the examination is taken, to the adverse party, or to* the *Solicitor*s *of Record, if either reside* ..... *in this District, but if neither reside therein, the notice may be given by entry on the Order Book of the Clerk.*

O. M. Riemann

Register.

4/2

No.....

THE STATE OF ALABAMA,

.....County.

CIRCUIT COURT, IN EQUITY.

APPLICATION FOR ORAL EXAMINATION.

.....

.....

.....

vs.

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.....

.....

Filed in office this 27th

day of Jan 1920

D. W. Reinecke

Register.

RECORDED

RICHARD ALLEN HAIL	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY? ALA.
	)	EQUITY SIDE.
VS	)	
ANNA BROWN HAIL	)	

The answer of Richard Allen Hail to the amended answer and cross bill of Anna Brown Hail, heretofore filed in this cause.

Answering the Cross bill of Anna Brown Hail Complainant

Admits the allegations of Paragraph 3 of said Cross Bill.

Complainant denies the allegations of the 2ne. 4th. and fifth paragraph and demands strict proff thereof.

Stone & Stone

Solicitors for Complainant.

Richard Allen Hail.

4a

Richard Allen Hail,
Complainant.

-vs-

Anna Brown Hail,
Defendant.

Answer of Complainant to

Cross Bill filed by Deft.

Filed in this office this

January 26 ,1920.

T W Richmond
Register.

RECORDED

8587 SUMMONS—Original. Baldwin Times Print.

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 Anna Brown Hail

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, wihout oath, to a Bill of Complaint lately exhibited by

Richard Allen Hail,

against said

Richard Brown Hail,

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 28th day of August, 1919.

T. W. Richerson
Register.

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

3/4 Original
Copy
Serve on Dr Hall's wife

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No.

SUMMONS.

Richard Allen Hail

vs.

Anna Brown Hail
Wife of Dr Hail

Stone and Stone.
Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 28th
day of August 1919

W. R. Stuart
Sheriff.

Executed this 9th day of
September 1919
by leaving a copy of the within Summons with
Anna Brown Hail

Defendant

W R Stuart
Sheriff

By B O Wiggins
Deputy Sheriff.

RECORDED

8581 NOTE OF TESTIMONY.

Richard Allen Hail

vs.

Anna B. Hail

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, and Answer to Cross Bill

and in behalf of Defendant upon Amended Answer & Cross Bill filed, Jany. 9th, 1920 and Depositions of A. J. Aubert and Anna B. Hail, and the written agreement signed by the Solicitors of the parties, filed this day.

T. W. Bacon

Register

6 3/4

No. 195

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Richard Allen Hail

vs.

Anna B. Hail.

NOTE OF TESTIMONY.

Filed in Open Court this April 2d

day of 1920 191

G. M. Reichman

Register

RECORDED

Richard Allen Hail, Complainant,	)	In the Circuit Court of Baldwin County, Alabama.
vs.	)	
Anna B. Hail, Defendant and Cross Complainant.	)	In Equity. August 26th,1920.

In the matter of the Rule Nisi issued to the said Richard Allen Hail on the petition of said Anna B. Hail, on the 18th.day of August 1920, citing him to appear before the Judge of the Circuit Court of Baldwin County, Alabama, on Thursday, August the 26th.1920 at 9-30 o'clock A.M. at the Court House at Bay Minette, Alabama, and show cause why he should not be committed for contempt of Court in failing and refusing to obey the order of this Court,that he pay to the said Anna B. Hail,or into the hands of the Register of this Court for her, the sum of seventy-five Dollars per month,commencing on the first day of June 1920 as permanent alimony.

This day came the said Richard Allen Hail in person and by his attorney, the said Anna B. Hail also appeared by her attorney; and the Court heard the evidence produced and offered, and after considering such evidence the Court is of the opinion that the said Richard Allen Hail has not shown good cause for failing and refusing to obey the order of the Court in its decree of June 7th.1920,as to alimony, it also appeared from the evidence of said Richard Allen Hail,that he has failed to pay the fee agreed on/by the Solicitors of the parties to this cause, and awarded by the Court as a proper fee to the solicitor of said Anna B. Hail in its decree of June 7th.1920;

It is therefore ordered, adjudged and decreed by the Court that the said Richard Allen Hail be and he is allowed thirty days from this day in which ~~to pay~~ to pay up the alimony now due under said decree of June 7th.1920,and also said Solicitor's fee of Fifty Dollars,to the solicitor of said Anna B. Hail,awarded in said decree, and failing to make such payments,within the thirty days so allowed,he will be adjudged in contempt of this Court, and the Court will make such orders as may be necessary to enforce this order.

It is further ordered that said Richard Allen Hail pay the costs of this proceeding for which let execution issue.

It is further ordered, adjudged and decreed by the Court that all other matters and questions are hereby reserved by the Court for such orders and decrees as may hereafter be deemed advisable by the Court.

Done at Bay Minette, Alabama, this the 26th day of August, 1920

John D. Leigh
Judge.

Filed Aug 2 1920
T W Simmons
Register

Recorded in Minutes
Page 81 1/2

RECORDED

The State of Alabama) No 195. Circuit Court Baldwin County, Alabama.
Baldwin County.) In Equity.

Richard Allen Hail, Complainant.

vs.

Anna B. Hail, Defendant.

Decree.

This cause coming on to be heard in Vacation under an agreement by and between the Solicitors for the Complainant and defendant filed in the cause on April 12th.1920, was submitted on the 12th day of April 1920 on said Agreement and on the testimony as noted by the Register, and upon consideration thereof the Court is of the opinion that the Complainant is not entitled to the relief prayed for in his Bill, but that the defendant is entitled to the relief prayed for in her Amended Answer and Cross Bill Filed January 9th.1920.

It is therefore, ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the defendant and the complainant be, and the same are hereby dissolved, and the said Anna B. Hail is forever divorced from the said Richard Allen Hail, for and on account of his having voluntarily abandoned her for more than two years next before the filing of her Cross Bill, as alleged in her amended Answer and Cross Bill,filed January 9,1920.

It is also the opinion of the Court that the said Anna B. Hail is entitled to permanent allimony from the said Richard Allen Hail in such amount, as may be suitable to his estate and the condition in life of the parties, and also that he pay a reasonable attorney's fee to her solicitor in this cause.

It is therefore ordered, adjudged and decreed by the Court, that the said Richard Allen Hail pay to the said Anna B. Hail,or into the hands of the Register of this Court for her, the sum of Seventy five Dollars per month commencing on the 1 day of June 1920 as permanent Alimony. It is further ordered that the said Richard Allen Hail pay to the Solicitor of the said Anna B. Hail, or to the Register of this Court for him the sum of Fifty Dollars as a reasonable attorney's fee for his services in this case. The custody of the two boys is awarded to the said Anna B. Hail.

It is further ordered that the Complainant pay the costs in this case for which let execution issue.

Rendered in Vacation this 9th day of June 1920.

John D. Leigh
Judge.

Richard Allen Hail

vs.

Anna B. Hail.

Decree for Divorce & Alimony.

Filed June 19th 1920
T. W. Rickman
Register

Decree Recorded
Min Minutes Page 80 1/2

RECORDED