

LUCINDA M. CHRISTY, )  
 COMPLAINANT . )  
 V. . ) IN THE CIRCUIT COURT OF BALDWIN COUNTY.  
 ROBERT D. CHRISTY, )  
 RESPONDENT. ) IN EQUITY.

Personally appeared before me, George F. Reil, commissioner named in the attached commission, Lucinda M. Christy and John P. Lowell material witnesses for the complainant in the above entitled cause, who being duly sworn depose and say as follows:

Testimony of Lucinda M. Christy:

FIRST.

My name is Lucinda M. Christy, I am complainant in this suit and I am seventy two years old and live at Fairhope in Baldwin County, Alabama now and have lived there continuously for more than five years last passed. The respondent Robert D. Christy is sixty eight years old and resided for a long time at Fairhope, Alabama, but at the time this bill was filed he resided in Mobile, Alabama. Since that time he has left Mobile and now resides at Indianapolis Indiana.

SECOND.

The respondent, Robert D. Christy, and I were married to each other at Mobile, Alabama on July 18th, 1912 and we lived at Fairhope for a considerable while thereafter.

THIRD.

The respondent for more than six years has lived an indolent live and during that time has done absolutely nothing for my support at all, and until we separated I had to support myself and him and had to use my own property for that purpose. I have very little property and it is not sufficient for the support of the two of us. I have had to pay all the taxes, rents and water bills with the proceeds of my labor. The respondent has nothing and absolutely refuses to work or to provide either a home or any means of living for me. For more than two years before this bill was filed, he has lived a worthless indolent life and we

have had nothing to do with each other during that time.

FOURTH.

The respondent abuses me and on one occasion he struck me and also continuously threatens to injure me and falsely accuses me of infidelity to him. I have never been unfaithful to him, but as he uses this as an excuse to abuse me I am afraid to live with him because it is dangerous to my life and health. On one occasion he caught me by the back of the neck and wrenched my neck so that I suffered great pain for a long time.

*Lucinda M. Christy*

TESTIMONY OF JOHN P. LOWELL.

My name is John P. Lowell. I live at Fairhope, Alabama, and I am over the age of twenty one years. I know both Robert D. Christy and Lucinda M. Christy. The complainant is a good, <sup>hard working</sup> woman. The respondent Robert D. Christy is worthless and for a long time has not done anything to contribute to the support of his wife. I know that this is true because I knew them intimately during their married life.

SECOND.

The complainant, Lucinda M. Christy, is held in high esteem by all of her neighbors at Fairhope. The respondent, Robert D. Christy, is looked upon as a worthless individual. He has left Baldwin County now, and I understand is living in Indianapolis, Indiana.

*John P. Lowell*

Certificate of Commissioner.

I, George F. Reil, the Commissioner named in the attached commission, do hereby certify that I have been made personally acquainted with the said witnesses, Lucinda M. Christy and John P. Lowell, and know them to be the identical persons named in the said commission; that they were duly sworn by me to speak the

truth, the whole truth and nothing but the truth and were examined by me as above stated, and that their evidence was taken down by me as near as might be in their own language and was read over to them, and was subscribed by them in my presence on the 9<sup>th</sup> day of January 1920, in Fairhope, Alabama.

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

Witness my hand and seal this 9<sup>th</sup> day of January 1920.

George F. Riel  
Commissioner.

The State of Alabama,

CIRCUIT COURT.

Baldwin COUNTY. Equity Division.

To George F Reil,

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 Lucinda M Christy, John P Lowell,

material witnesses in a suit now pending in our Circuit Court of Baldwin County, wherein

Lucinda, M Christy is Plaintiff, and Robert D Christy,

is Defendant, and we hereby authorize and empower you to call and cause to come before you Lucinda M Christy and John P Lowell,

the said witnesses and their deposition on the Holy Evangelists to take, as well for the complainant as for the touching their knowledge of the matters and things in controversy in said suit, which deposition, when so taken, shall be signed by said witnesses 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 26th day of December 1919

Witness' Fees, - - - \$

Commissioners' Fees, \$ J. W. Dickerson Clerk.

No. ....

The State of Alabama

Co. ....

CIRCUIT COURT,

Equity

DIV. ....

Lucinda M. Christy

vs. Plaintiff

Robert D. Christy

Defendant

COMMISSION TO TAKE DEPOSITION ON SWORN INTERROGATORIES.

Issued this 26 day

Dec

1919

*[Signature]*

WITNESSES:

Lucinda M. Christy

Robert D. Christy

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, deposeseth 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:

<p>C D v. E F</p> <p>_____</p> <p>DEPOSITION OF</p> <p>A B</p>	<p>To _____ Esq.,</p> <p>CLERK OF THE CIRCUIT COURT.</p> <p>_____</p> <p>_____ County, Ala.</p>
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 The package may be sent by mail or private conveyance.

STEWART BROOKS

B. F. McMILLAN, JR.

Brooks & McMillan  
Attorneys at Law  
Mobile

Jan. 10, 1920.

Mr. T. W. Richerson,  
Bay Minette, Ala.

Dear Tom:

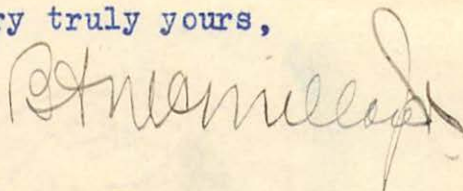
Christy v. Christy.

I enclose herewith depositions of Lucinda M. Christy and John P. Lowell.

Please have cause submitted for me and notify me when final decree is rendered.

Very truly yours,

McM/J.  
Encl.



Brooks & McMillan  
Attorneys at Law  
Mobile

Friend  
Dear Sir  
Dear Sir  
Dear Sir  
Dear Sir

Honorable J. W. Richardson,  
Register in Chancery  
Bay Minette  
Ala.

Dear Sir  
I have  
been  
very  
pleased  
to  
hear  
from  
you  
and  
am  
glad  
to  
hear  
that  
you  
are  
well  
and  
hope  
you  
will  
continue  
to  
be  
so  
for  
many  
years  
to  
come

Robt. M. Christie  
Esq. in Equity  
Court of Chancery

STATE OF ALABAMA, ) IN THE CIRCUIT COURT OF SAID COUNTY.  
COUNTY OF BALDWIN, ) IN EQUITY. No. \_\_\_\_\_

TO THE HONORABLE JOHN D. LEIGH, JUDGE.

Humbly complaining your Oratrix, Lucinda M. Christy, as complainant brings this her bill of complaint against Robert D. Christy as respondent and respectfully shows:

FIRST.

Complainant and respondent are each over the age of twenty one years; Complainant resides at Fairhope in Baldwin County, Alabama and has resided there for more than three years last passed; the said respondent resides at Mobile, Alabama, but his exact address at Mobile is not known to complainant.

SECOND.

The complainant and respondent were married to each other at Mobile, Alabama on to-wit July 18th, 1912 and lived at Fairhope for a considerable while thereafter and complainant lives there now, but respondent left her at Fairhope, Alabama and is as stated residing in Mobile.

THIRD.

For the past six years respondent has done nothing for the support of complainant, and the complainant has had to furnish support for both herself and the said respondent. She has had to work to secure means of livelihood and has had to use her own property which is not sufficient to maintain her for the support of herself and the said respondent. She has had to pay all taxes, rents and water bills with the proceeds of her labor. The respondent has no property and refuses to work to provide a home or to provide any means of living for either himself or complainant. For more than two years last passed respondent has done nothing for the support of complainant and has lived a worthless and indolent life and complainant now charges the said respondent with voluntarily



abandonment for two years last passed, which acts of abandonment are hereinabove stated.

FOURTH.

In addition to the facts hereinabove setforth in the preceding paragraph respondent is cruel to complainant in that he abuses and threatens her and falsely accuses her of infidelity to her marriage vows.

The premises considered complainant prays that your Honors will take jurisdiction of the cause made by this bill of complaint and by proper process issuing to him from this court the said Robert D. Christy be made a party respondent hereto and be required to answer the charges herein made against him in all things as required by the rules and practice of this court.

Complainant further prays that upon the hearing of this bill your Honors will order, adjudge and decree that the bonds of matrimony heretofore existing between complainant and respondent be forever dissolved and that plaintiff be granted a divorce from the bonds of matrimony existing between her and said respondent.

Complainant prays for such other, further and different relief as in equity and good conscience may be due her in the premises, and in duty bound complainant will ever pray, etc.,

*James A. Williams*  
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Solicitors for Complainant.

Note.

The respondent, Robert D. Christy is required to answer each and every allegation and paragraph of the foregoing bill of complaint, but oath thereto is hereby expressly waived.

*James A. Williams*  
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Solicitors for Complainant.

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Solicitors for Complaintant.  
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of complaint, but each thereto is hereby expressly waived.

each and every allegation and paragraph of the foregoing bill  
The respondent, Robert D. Christy is required to answer  
here.  
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Solicitors for Complaintant.  
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promises, and in duty bound complaintant will ever pray, etc..

relief as in equity and good conscience may be due her in the

Complaintant prays for such relief, damages and attachment  
said respondent.

a divorce from the bonds of matrimony existing between her and  
respondent be forever dissolved and that plaintiff be Granted  
of matrimony heretofore existed between complaintant and  
bill your Honors will grant, and decree that the bonds

Complaintant further prays that when the hearing of this  
all things as required by the Rules and practice of this court.  
be required to answer to the bill herein made against him in  
said Robert D. Christy heretofore a party respondent hereto and  
plaint and by proper process issuing to him from this court the

will make jurisdiction of the cause made by this bill of com-  
The promises considered complaintant prays that your Honors  
intelligibly to her marriage vows.  
that he abuses and threatens her and falsely accuses her of

Preceding paragraph respondent is cruel to complaintant in

In addition to the facts hereinabove setforth in the  
FOURTH.

are hereinabove stated.

abandonment for two years last passed, which acts of abandonment  
3.

LUCINDA M. CHRISTY,  
COMPLAINANT  
V,  
ROBERT D. CHRISTY,  
RESPONDENT.

IN THE CIRCUIT COURT OF BALDWIN COUNTY  
IN EQUITY.

And now comes the respondent and for answer, denies each and every allegation of the bill of complaint and demands strict proof thereof.

Robert D. Christy  
Respondent.

LUCINDA M. CHRISTY,  
COMPLAINANT  
V.  
ROBERT D. CHRISTY,  
RESPONDENT.)

IN THE CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

The respondent hereby agrees that complainant may proceed to take her evidence in this cause and submit for final decree in any way or manner that she may elect. This respondent hereby waiving all forms and notices.

Robert D. Christy  
Respondent.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

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CIRCUIT COURT, IN EQUITY.

No. .... Term, 191.....

Lucindy M Christy

Complainant.....

vs.

Robert D Christy.

Defendant.....

To T.W. Richerson, 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 Lucindy M Christy

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.

Brooks and Mc Millan.

Solicitor for Complainant.

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

Lucindy M Christy

vs.

Robert D Christy

REQUEST FOR DECREE IN  
VACATION.

Filed Jan 14th, 1920 191

Register

Recorded in Record

Vol. Page

Register

Lucindy M Christy

vs.

Robert D Christy

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 testimony of 2 witnesses, .....

and in behalf of Defendant upon.....

*J. W. Stevenson*

Register

No. 210.

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

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IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

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Lucindy M Christy

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vs.

Robert D Christy.

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NOTE OF TESTIMONY.

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Filed in Open Court this... 14th,

day of ... January, 1920. 191

*J. M. Rice*

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Register

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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 Robert D. Christy,

of Mobile, County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Lucinda M. Christy,

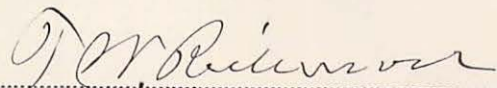
against said

Robert D. Christy,

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 12th, day of December

1919.



Register.

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



(55) Original

copy  
Serve on Robert D. Christy,

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

No. ....

SUMMONS.

Lucinda M. Christy,

vs.

Robert D Christy, *Plaint*

*J. S. Humber 17*

Brooks and Mc Millan.

Solicitor for Complainant.

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this .....

day of ..... 191 .....

Sheriff.

Executed this *17* day of

*Dec* 191 *9*

by leaving a copy of the within Summons with

*Robert D Christy*

*Intestate*

Defendant

*William H*

Sheriff

By *J. H. Turner*

Deputy Sheriff.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

No. 210. CIRCUIT COURT, IN EQUITY.

Lucindy M Christy Complainant  
vs.  
Robert D Christy, Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso

and testimony as noted by the Register; and, upon consideration thereof, the Court is of opinion that the Complainant is entitled to the relief prayed for in

her 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 the said

Lucindy M Christy is forever divorced from the said

Robert D Christy for and on account of

Voluntary abandonment,

as alleged in said Bill of Complaint;

It is further ordered, that the said Lucindy M Christy be, and he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Lucindy M Christy pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Robert D Christy

It is further ordered, adjudged and decreed that said Lucindy M Christy shall not again marry except to said Robert D Christy until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Robert D Christy during the pendency of said appeal.

This 29th day of March 1920 191

John D Leigh  
Judge of the Circuit Court of Baldwin County.

No. 210.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.  
BALDWIN COUNTY, ALA.

Lucindy M. Christy

vs.

Robert D. Christy

DECREE OF DIVORCE.

Filed in office this *30th*

day of *March* 1920. 191

*D. McIlwain*  
Register.

E. O. M.