

512

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

IDELL ENGLISH BRYARS Complainant

VS.

GASQUE BRYARS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on PERSONAL SERVICE 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 IDELL ENGLISH BRYARS is forever divorced from the said

GASQUE BRYARS

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 IDELL ENGLISH BRYARS be, and SHE is hereby permitted to again contract marraige upon the payment of the cost of this suit.

It is further ordered that IDELL ENGLISH BRYARS, the complainant the pay the cost herein to be taxed, for which execution may issue.

This 9th day of February

19 39

J. M. Hare 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, IN EQUITY

IRLE ENGLISH BRYARS Complainant

VS.

GASQUE BRYARS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on PERSONAL SERVICE 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 IRLE ENGLISH BRYARS is forever divorced from the said

GASQUE BRYARS

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 IRLE ENGLISH BRYARS be, and SHE hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that IRLE ENGLISH BRYARS, the complainant the _____ pay the cost herein to be taxed, for which execution may issue.

This 9th day of February, 19 39

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

I, R. S. DUCK, 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 10th day of February, 19 39

Register of Circuit Court, in Equity.
By: Deputy-Register.

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To OLIVE NELSON

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine IDELL ENGLISH BRYARS, MAY DELL ENGLISH, LIGE CAPERS,

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

IDELL ENGLISH BRYARS,

Complainant

and GASQUE BRYARS,

Defendant,

on oath to be by you administered, upon them to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 28th day of January 19 39

R. S. DUCK

clerk - register

REGISTER

By *[Signature]* Deputy

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

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
GASQUE BRYARS,

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

IDELL ENGLISH BRYARS,

against said GASQUE BRYARS,

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, R. S. Duck, Register of said Circuit Court, this 20th day of December, 1938.

R. S. DUCK

clerk - register

Register

By *[Signature]*

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

IDELL ENGLISH BRYARS, :
COMPLAINANT : IN THE CIRCUIT COURT OF BALDWIN
VS. : COUNTY, ALABAMA.
GASQUE BRYARS? : IN EQUITY.
DEFENDANT. : NO. _____

TO HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY FIRST JUDICIAL
CIRCUIT OF ALABAMA. IN EQUITY SITTING.

Now comes Your Oratrix, Idell English Bryars, humbly
complaining of the defendant, Gasque Bryars, in a matter of
divorce, as will hereinafter appear and represents and shows
unto Your Honor as follows:

FIRST.

That your oratrix is over the age of eighteen years,
and the defendant is over the age of twenty one years, and that
both your oratrix and the defendant are bona fide residents of
the state of Alabama and that the defendant is a resident of
Baldwin County, Alabama.

SECOND.

That Your oratrix and the defendant were married to
each other in Baldwin County, Alabama, on, to-wit, the 6th day
of June, 1936, and lived together as man and wife thereafter.

THIRD.

That a short time after the marriage the defendant
contracted a venereal disease of deadly nature and assaulted
the complainant and attempted to force her to submit to his
attentions and made large blue and inflamed spots about her
face and body. That this cruelty was attended with grave danger
to her life and health and was without any fault on her part,
and that she escaped from him, on, to-wit, the 10th day of
October, 1936 at which time he made an assault on her as set
out above, and has never returned to live with him not condoned
him for his fault.

FOURTH.

That your oratrix is in needy and destitute circum-
stances and unable to procure employment and that the defendant
has lucrative employment and has wages of about fifteen dollars

per week, and is able bodied and strong, and that your oratrix has no visible means of income with which to support herself and to employ counsel.

PRAYER FOR PROCESS.

Wherefore, the premises considered, your oratrix prays that Your Honor will by proper process make the said Gasque Bryars a party defendant 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 rules of this Honorable Court, and that Your Honor will order a reference to determine a reasonable alimony pendente litem to be paid by the defendant to Your oratrix, and also a reasonable attorney or solicitor fee to be paid by the said defendant to the said complainant.

PRAYER FOR RELIEF.

The premises considered, your oratrix prays that on a final hearing of this cause your Honor will make and enter a decree granting to her an absolute divorce from the said Gasque Bryars, and permitting her to marry again should she so desire, and that Your Honor will enter a further order and decree awarding such reasonable permanent alimony to be paid by the defendant to Your Oratrix as to Your Honor seems meet and just. And Your oratrix prays all such other, further and general relief to which she may be entitled, the premises considered, and she will ever pray, etc.

Edell English
COMPLAINANT

Bryars
Solicitors for the Complainant.
Harne & Harne

FOOTNOTE:

The defendant is required to answer each and every paragraph of the foregoing Bill of Complaint, numbered "First", "Second", "Third" and "Fourth", but not under oath, answer under oath thereto being hereby expressly waived.

Harne & Harne
SOLICITORS FOR THE COMPLAINANT

The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY.

IDELL ENGLISH BRYARS Complainant
vs.

GASQUE BRYARS Defendant

Oral examination before ^{Commissioner} ~~the Register~~ of the following witnesses:

Idell English Bryars,

May Dell English

Lige Capers

who reside in Alabama, said examination being conducted in Atmore Alabama,

on this the 28th day of January, and there being present

the above witnesses and commissioner

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

My name is Idell English Bryars. I am the complainant in the case wherein I am suing Gasque Bryars in a matter of divorce and Gasque Bryars is the Defendant. I am over the age of eighteen (18) years and the Defendant is over the age of twenty-one (21) years, and both the Defendant and myself are bona fide residents of Baldwin County, Alabama, and have been for more than one year next preceding the filing of this divorce. The Defendant and I were married to each other in Baldwin County, Alabama, about the 6th day of June, 1936 and lived together as man and wife until about the 10th day of October, 1936. A short time after our marriage my husband, the Defendant, contracted a venereal disease and while he was suffering with this disease and infected with it he tried to compel me to submit to his attentions and on occasions he assaulted and beat me and made large blue and inflamed spots about her face and body; that this cruelty was attended with grave danger to my life and health and was without any fault on my

CHANCERY EXECUTION

BILL OF COSTS

No. 512

Idell English Buzars
Complainant

George Buzars
Respondent
PLAINTIFF
DEFENDANT

FEES OF REGISTER		Dollars	Cents	Brought Forward	\$ 5 15
Filing each bill and other papers (2) \$	10		70	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		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof	40		40	Each notice sent by mail to creditor	15
Entering each return thereof	15		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			TOTAL FEES OF REGISTER..	8 15
Docketing each case	1 00	1 00	25	FEES OF SHERIFF	
Entering each appearance	25			Serving and returning subpoena on deft.	\$1 50
Issuing each decree pro confesso on per ser.	1 00			Serving and returning subpoena for witness	65
Issuing each decree pro confesso on publica	1 00			Levying attachment	3 00
Each order appointing guardian	1 00			Entering and returning same	25
Any other order by Register	50			Selling property attached	75
Issuing Commission to take testimony	50			Impaneling Jury	2 50
Receiving and filing	10		50	Executing Writ of possession	1 50
Endorsing each package	10			Collecting execution for costs	65
Entering order submitting cause	50			Serving and returning sci. fa., each	65
Entering any other order of court	25			Serving and returning notice	1 50
Noting all testimony	50			Serving and returning writ of injunction	1 50
Abstract of cause, etc.	1 00	75	15	Serving and returning writ of exeat.	75
Entering each decree	75			Taking and approving bonds, each	2 50
For every 100 words over 500	15			Collecting money on execution	2 50
Taking account, etc.	3 00			Making Deed	1 00
Taking testimony, etc	15			Serving and returning application, etc.	1 50
Each report, 500 words or less	2 50			Serving attachment, contempt of court	1 50
For every 100 words over 500	15			TOTAL FEES OF SHERIFF..	3 00
Amount claimed less than \$500, etc	2 00			RECAPITULATION	
Issuing each subpoena	25			Register's Fees	2 00
Witness certificate, each	25			Sheriff's Fees	5 00
Issuing execution, each	75			Commissioner's Fees. <i>Ohio Talon</i>	5 00
Entering each return	15			Solicitor's Fees	
Taking and approving bond, each	1 00			Witness Fees	
Making copy of bill, etc	15			Guardian Ad Litem	
Each notice not otherwise provided for	50			Printer's Fees	
Each certificate or affidavit, with seal	50			Trial Tax	3 00
Each certificate or affidavit, no seal	25			Recording Decree in Probate Court	
Hearing and passing on application, etc.	3 00			TOTAL	19 15
Each settlement with Receiver, etc.	3 00				
Examining each voucher of Receiver, etc.	10				
Examining each answer, etc.	3 00				
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					

The State of Alabama, } No. 512
 Baldwin County } Circuit Court, In Equity *Spring* Term, 193*9*

To any Sheriff of the State of Alabama—GREETING:
 You are hereby commanded, That of the goods and chattels, lands and tenements of *Idell English Buzars* Defendant
 you cause to be made the sum of *\$ 19.15* Dollars,
 which _____ Plaintiff
 recovered of _____ on the *9* day of *Feb* 193*9*.
 by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,
 costs o' suit, and have the same to render to the said _____
 and make return of this Writ and the execution thereof, according to law.

Interest from _____ 193*9* to date of collection.
 Witness my hand, this *9* day of *May* 193*9*
 _____ *R.S. Dweh* Register

The State of Alabama

COUNTY.

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant,

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of _____

for _____

Tried 28 day of January, 1933

Published by order of the Court, _____

day of _____, 19____

R. S. Dink

Register.

By: William Thompson

25605 MARSHALL & BRUCE CO., NASHVILLE

Opusky

(original)

RECORDED
8-42
42

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 512

Summons

IDELL ENGLISH BRYARS,
Complainant.

VS.

GASQUE BRYARS,
Respondent.

HORNE & HODNETTE
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____
day of _____, 193_____

Sheriff.

Executed this 22nd day of
Dec, 1938

by leaving a copy of the Summons with

Gasque Bryars
Defendant

W. H. Stephens
Sheriff

By *John A. Davis*
Deputy Sheriff

RECORDED

NO.

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Complainant

VS.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

No. 512 Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

.....
IDILL ENGLISH

.....
DIXONS vs. Complainant.

.....
DASQUE DIXONS

.....
Respondent.

DIVORCE DECREE

No. 512 Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

IDELL ENGLISH

BRYARS
vs. Complainant.

BASQUE BRYARS

Respondent.

DIVORCE DECREE

Filed February 10, 1938
R. S. DICK
clerk - register

By *Pauline Thompson*
Deputy

The State of Alabama, Baldwin County

IN THE CIRCUIT COURT IN EQUITY

Idell English Bryars Complainant,

vs.

Gasque Bryars Defendant.

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

Gasque Bryars 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 was served upon him

by the Sheriff of Baldwin County, on the 22 day of December, 1938

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 Horne & Hodnette, Complainant's Solicitor, 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

Gasque Bryars

Defendant aforesaid.

Code 1923 - Section 6539.

R. S. Duch, Register.
By - Justice Thompson, Deputy

Idell English Bryars
 Complainant
 vs.
 GASQUE BRYARS,
 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, —on—
 decree pro confesso on personal service; testimony of Idell English
 Bryars, May Dell English, Lige Capers; request for decree ;

~~XXXXXXXXXXXXXXXXXXXX~~

R. S. Duch Register.
By - Santhel Thompson Deputy

THE STATE OF ALABAMA, BALDWIN County

In the Circuit Court, In Equity.

Idell English Bryars Complainant

vs.

Gasque Bryars Respondent

Now comes the Complainant by her Solicitor of Record and shows the court that on the _____ day of _____, 19____, 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 24th day of January, 1939.

By

Horne & Hodnette

Frank P. Horne
Solicitor for Complainant.

The State of Alabama, Baldwin County.

IN CIRCUIT COURT, IN EQUITY.

Idell English Bryars Complainant

vs.

Gasque Bryars Defendant

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and the evidence having been taken and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant by her Solicitors of Record, now files with the Register of said Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Horne & Hodnette
By Frank E. Horne
Solicitor for Complainant.

The State of Alabama.

_____ COUNTY.

Circuit Court, In Equity.

_____ vs. Complainant.

_____ Defendant.

Request for Decree in Vacation.

Filed 30 day of January, 1929

R. S. Dorch, Register.

By Wandell Thayer, Deputy
Recorded in

_____ Record

Vol. _____ Page _____

_____, Register.

No. _____ Page _____

The State of Alabama

_____ COUNTY

In Circuit Court, in Equity

_____ vs. Complainant,

_____ Respondent.

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

Filed January 25, 1937

R. S. Duch Register

By - Wallace Thompson, Deputy
Recorded in

_____ Record

Vol. _____ Page _____

_____ Register

RECORDED

Duch
2-4/4

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

IDELL ENGLISH BRYARS,
Complainant

vs.

GASQUE BRYARS,
Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 31st

day of January 193 9

R. S. Duch

REGISTER

By - Handrick Thompson,
MOORE PRINTING CO., BAY MINETTE, ALA.
Deputy

Register,

Page

Vol.

Recorded in

Register,

Filed in office

19

Register,

Issued this

27

day of

January

SERVICE

DECREE PRO CONFESSO ON PERSONAL

Defendant,

Complainant,

vs.

IN CIRCUIT COURT, IN EQUITY

COUNTY,

The State of Alabama

Page

No.