

235

LILLIAN LYNCH FRIESS) In the Circuit Court of Baldwin County, Ala.
 VS) 21st. Judicial Circuit, EQUITY SIDE
 D O FRIESS.) ~~COUNTERCLAIM FOR DIVORCE.~~
)

To The Hon. John D Leigh, Judge 21st. Judicial Circuit.

Your Oratrix Lillian Lynch Friess respectfully shews unto Your Honor that she is now and has been for more than three years next immediately preceding the filing of this bill of complaint a resident of Baldwin County Alabama, and is over the age of 21 years.

That D O Friess, the respondent is over the age of 21 years and is a resident of Mobile, Mobile County, State of Alabama, residing at 450 Texas Street.

Oratrix charges

1st.

That she and D O Friess were married in Pittsburg Penn. on Oct. 12th. 1913 and afterwards removed with him to Alabama where she lived with him as his wife until the 29th. Day of July 1918, at which time she was living near Sumnerdale in Baldwin County, Alabama, and on that day the said D O Friess voluntarily deserted and abandoned Your Oratrix and has continuously so deserted and abandoned her since that time., which has been for more than two years next preceding the filing of this complaint.

Prayer for process.

The premises considered Oratrix prays that said D O Friess be made a party respondent to this bill of complaint and be required under the rules of this court to plead answer or demur to this complaint within the time required by law.

Prayer for relief.

Oratrix prays that upon a final hearing of this cause may it please Your Honor to decree and adjudge to her an absolute decree of divorce from the said D O Friess and that she may resume her maiden name of Lillian Lynch and that she may be permitted to again remarry should she so desire, and for such other and further or different relief as to Your Honor may seem just and meet, and as in duty bound she will ever pray.

By _____ Solicitors

Foot Note

The respondent is required to answer each paragraph of the above complaint

but not under oath, as answer under oath is hereby expressly waived.

By _____

Solicitors.

Lillian Lynch Friess,

vs.

D.O. Friess,

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,
answer of Defendant, and testimony of Lillian Lynch Friess and
Claud Peteet.

and in behalf of Defendant upon.....

D. W. Peterson

Register

570 2
No. 285.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Lillian Lynch Friess

vs.

D.O. Friess,

NOTE OF TESTIMONY.

Filed in Open Court this 26th,

day of January, 1921. 191

D. W. Heavner
Register

THE STATE OF ALABAMA,
BALDWIN COUNTY.

No. 285.

CIRCUIT COURT, IN EQUITY.

Lillian Lynch Friess,

Complainant

vs.

D.O. Friess,

Defendant

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

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

Lillian Lynch Friess,

is forever divorced from the said

D.O. Friess,

for and on account of

Abandonment

as alleged in said Bill of Complaint;

It is further ordered, that the said Lillian Lynch Friess,
be, and she 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 Lillian Lynch Friess,
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 D.O. Friess,

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

This 26th day of January 1921.

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

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, _____ Register of said Circuit Court of said County,
Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on
the _____ day of _____ 191____, in the cause of
_____ Complainant

vs

_____ Defendant
as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____ 191____

Register.

No. 285

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

Lillian Lynch Friess,

vs.

D.O. Friess,

DECREE OF DIVORCE.

Filed in office this

for

day of

February 21 1921

J. W. Richardson

Register.

E. O. M.

RECORDED

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Lillian Lynch Friess, Complainant

VS.

D. O. Friess, Defendant

Oral examination before the Register of the following witnesses:

Lillian Lynch Friess, the complainant and

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

on this the 25 day of January, 1921, and there being present

Solicitors for complainant.

witnesses

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

My name is Lillian Lynch Friess; I am over twenty one years of ~~nix~~ age.

I reside in Baldwin County, Alabama, where I have lived for nearly five years continuously. D. O. Friess is over the age of twenty one years and resides at 450 Texas St., Mobile, Alabama.

D. O. Friess and myself became man and wife at Pittsburg, Penn about October 12th, 1913. I lived with him as his wife continuously up until about the 29th day of July, 1918. We were then living in Baldwin county, Alabama. On or about that date the said D. O. Friess voluntarily deserted and abandoned me without just cause or legal excuse. He has continued to dsesert and abandon me since that time. He has lived separate and apart from me under this abandonment for more than two years before I filed my bill in this matter.

This desertion took place in Baldwin County, Alabama, where we had been living about two years. I have been a bona fide resident of this state and county for more than three years next immediately preceeding the filing of

my bill of complaint for divorce in this cause. I am the complainant in this cause.

I know of no cause the said D. O. Friess had for voluntarily deserting and abandoning me as he did; as above stated, he has never returned to live with me since that time.

Lillian Lynch Friess

CLAUDE PETEET, a witness for the complainant testified as follows:-

My name is Claude Peteet. I am over the age of twenty one years and reside in Baldwin County, Alabama. I am personally acquainted with both Lillian Lynch Friess, the complainant in this suit, and D. O. Friess, the defendant. I have known them both for about four years. I live at Foley, Alabama, not far from where they lived while D. O. Friess and the complainant lived to-gether and ~~where the complainant~~ about 8 miles from where ~~the~~ complainant now lives in this county.

They are both over twenty one years of age. Mrs. Friess has lived in this county continuously for more than four years to my knowledge. I do not know where D. O. Friess now lives but understand that he lives in Mobile, Alabama.

I was not present at the time they were married but met them as Mr. & Mrs. Friess, as man and wife; they were introduced by each other to different parties as man and wife and so lived to-gether while ^{he was a} they were residents of this county.

I know that D. O. Friess voluntarily deserted and abandoned Lillian Lynch Friess about the month of July, 1918. I know of no cause he had for leaving her. He has never returned to live with her since that time. He left her more than two years before January 4th, 1921.

They were living near Summerdale in this county when he left her. She is still a resident of this county and still lives nears Summerdale but on a different place from the one she lived on when he left her. He left her while they were living to-gether in this county where she now continues to live.

Claude Peteet

I, J. W. Rice, as Register

hereby certify that the foregoing deposition..... on oral examination taken down by me in writing in the words of the witness us and read over to them and they signed the same in the presence of myself, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the said witness....., or had proof made before me of the identity of said witness.....; 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.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the 25th day of January, 1921
J. W. Rice (L. S.)
Register

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

- days' attendance at \$1.50 per day \$
- days' attendance at \$1.50 per day \$
- days' attendance at \$1.50 per day \$
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REGISTER'S FEES.

- days at \$1.50 per day \$
- words at 20 cents per hundred

The State of Alabama,

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Lillian Lynch Friess,

vs. Complainant,

D. O. Friess.

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of Witness

for Complainant

Filed 25 day of Jan, 1921

Published by order of the Court, _____

day of _____, 19____

D. M. [Signature]
Register.

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 D.O. Freiss

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

Lillian Lynch Freiss,

against said

D.O. Freiss,

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 4th, day of January 1921,

T. W. Richerson

Register.

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

2nd Copy 107

Serve on _____

Circuit Court of Baldwin County
In Equity

No. 285.

SUMMONS

Lillian Lynch Freiss,

vs.

D.O. Freiss,

450 Texas St. Mobile,

Alabama,

Stone and Stone,

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this _____

day of _____ 192__

Sheriff

Executed this 8 day of

1921

by leaving a copy of the within summons with

D. O. Freiss

Defendant

W. H. Hlemke

Sheriff

By J. H. Stewart

Deputy Sheriff

THE STATE OF ALABAMA,
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 285..... Vacation..... Term, 1921.....

Lillian Lynch Friess,

Complainant.....

vs.

D.O. Friess,

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 Stone and Stone

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.

Stone and Stone

Solicitor for Complainant.

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

Lillian Lynch Friess,

vs.

D.O. Friess,

REQUEST FOR DECREE IN
VACATION.

Filed Jan 26th, 191²¹

D. W. Milleson

Register

Recorded in Record

Vol. Page

Register

LILLIAN LYNCH FRIESS,

CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

-VS-

BALDWIN COUNTY

D. O. FREISS

Comes the defendant and denies each and every allegation contained in the bill of the complainant and demands strict proof thereof. Defendant further waives all notice to him of taking testimony and submission of this cause.

D. O. Freiss
Defendant.

LILLIAN LYNCH FRIESS) In the Circuit Court of Baldwin County. Ala.
 VS) 21st. Judicial Circuit. EQUITY SIDE
 D O FRIESS.) COMPLAINT FOR DIVORCE.
)

To The Hon. John D Leigh. Judge 21st. Judicial Circuit.

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Prayer for process.

The premises considered Oratrix prays that said D O Friess be made a party respondent to this bill of complaint and be required under the rules of this court to plead answer or demur to this complaint within the time required by law.

Prayer for Relief.

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Lillian Lynch Friess
 BY *Stoue & Stoue* Solicitors

Foot Note

The respondent is required to answer each paragraph of the above complaint

but not under oath, as answer under oath is hereby expressly waived.

- William Lynch Fries
By Stone & Stone

Solicitors.

HAMMERMILL
BOND