

H. T. Wilson,
Complainant.

IN CIRCUIT COURT, BALDWIN COUNTY, ALABAMA.
Equity Side.

vs.

Rosa S. Wilson et al.
Defendants.

Now comes H. T. Wilson, the Complainant in the above stated case in obedience to the Notice issued by the Register of this Court on the 10th. day of November 1922 and served on him on Nov. 14th. 1922, ordering him to appear before the Hon. John D. Leigh, Judge of the 21st. Judicial Circuit of the State of Alabama, at the Court House in Bay Minette Alabama, at 10 o'clock A. M. on the 22nd day of November 1922, then and there to show cause why he should not be adjudged in Contempt of the Court:

The said H. T. Wilson first disclaims all purpose or intention of any contempt of this Court or of disobedience to its orders in any thing that he has done or failed to do.

The Complainant, said H. T. Wilson, basis his showing on the following papers and records in the files of this cause, which he desires to have noted:

The Original Bill.

The Petition of Rosa S. Wilson, filed Oct 12, 1922, and the order made thereon.

The Answer of this Complainant to said petition, verified by his affidavit, filed Oct 18, 1922.

The motion by his Solicitors to vacate said order of Oct 12, 1922 and to dissolve the temporary injunction, together with the affidavit of his physician, Dr T. J. Patton. *Filed Oct 18, 1922*

The Motion of Rosa S. Wilson, filed Oct 20, 1922, asking to commit Complainant for contempt of Court.

The Answer of Complainant to this Motion, filed Oct 27, 1922, verified by his oath and the affidavit of H. L. Haywood.

Also the other affidavits on file in this cause, viz: those of Thad M. Gwin, J. W. Kilgore, Thomas D. Jarrel and E. H. Taylor. Said papers are hereby made a part of his showing.

Complainant shows to the Court, that as soon as he learned that Rosa S. Wilson had obtained the order of Oct. 12, 1922, his solicitors prepared his Answer to her petition, denying the allegations in her petition and supported by affidavits, and his attorneys at the same time prepared a motion to vacate said order and dissolve said injunction. This Answer and Motion were filed in this cause on Oct 18, 1922. And he was advised by his attorneys that they expected to get a hearing by this Court on their Motion.

Complainant further shows to the Court, that as soon as he was advised of the filing of the Motion by Rosa S. Wilson, on Oct 20, 1922, he made his Answer thereto, denying the allegations of facts in said Motion, this Answer was filed on Oct 27, 1922, and was supported by the several affidavits herein before noted, now on file in the papers in the cause.

That he was advised by his attorneys, that he would have a hearing on his said motion to vacate the order of Oct 12, 1922, and dissolve the temporary injunction, and on the Motion of Rosa S. Wilson, filed Oct 20, 1922 and his answer thereto filed Oct 27, 1922.

That he fully believed from the statements of his attorneys, that said matters would be set down by this Court for a hearing, at which his counsel could be heard in his defense on the two matters which were pending before the Court.

Complainant further shows to the Court, that his attorneys informed him that they were waiting to hear from the Judge of this Court as to the time when it would suit the pleasure and convenience of the Court to hear said matters.

Complainant further shows to the Court that the order of Oct. 12, 1922 was made solely on the unsupported statements of Rosa S. Wilson and Complainant had every reason to believe that such order would be vacated on his denials of the facts, supported by the affidavits of reputable witnesses.

Complainant further shows to the Court that the Decree of this Court, dated Nov. 8th. 1922 and filed in Court Nov. 10, 1922, as appears by the ~~terms xxxxxxxxxxxxxxx~~ recitals in said decree, was based solely on the Motion of Rosa S. Wilson, filed Oct 20, 1922, asking that this Complainant be adjudged in contempt of Court. And Complainant submits to the Court with all due respect, that said Decree was improvidently granted by the Court.

Complainant shows to the Court, that he and his said Wife, Rosa S. Wilson, were living in Calhoun County in this State, where said child, Harold Wilson was born; that they were living comfortably and happily in a comfortable house, well furnished, and that he supplied them with all things needful for their happiness and comfort.

That his said wife expressed a wish to make a visit of two weeks to her parents in Baldwin County, that he consented to such visit, and

sometime in the month of May of this year, he bought a ticket for her and put the Child and the mother on the train, kissing them good-bye, and giving his said wife enough money to cover the expenses of the trip and visit;.that when she left he had no thought or knowledge that her going was for anything but a two weeks visit to her parents, and that she would return at the end of that time. He feels that his wife was induced by the influence of her mother to refuse to return to him. That she had no cause for not returning to her home.

Complainant says he loves his wife and his child and wants them to return and live with him. That it was his love for his child,whom he had not seen for five months, that induced him to come to Baldwin County and take the child back home with him to Calhoun County, where he lived.

And he now submits to this Court that as the father, he is entitled to have the care, companionship and custody of his child.

That nothing has been shown to the Court in this case, whereby he has forfeited his right as the father, to have the care and custody of the child. And no good reason has been shown to the Court in the case, why his said wife should not return and live with him and the child in their home in Calhoun County.

All of which is respectfully submitted to the Court.

H T Wilson

State of Alabama)
Baldwin County.)

Before me T. W. Richerson, Clerk and Register of the Circuit Court of Baldwin County, Alabama, personally appeared H. T. Wilson, who after being duly sworn deposes and says, that the facts stated in the foregoing showing as of his own knowledge are true, and those stated on the information of others he believes to be true.

Subscribed and sworn to before me)
this 22nd day of Nov.1922.)

H T Wilson

T W Richerson

Register.



----- X
H. T. WILSON,
Complainant.)
)
)
)
-vs-)
)
ROSA WILSON and CATHER-)
INE STAIMPEL,)
Respondents.)
----- X

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, EQUITY
SIDE, AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, IN EQUITY SITTING:-

Comes Rosa S. Wilson, one of the defendants in this cause, and
files this, her motion that H. T. Wilson, the Complainant, be adjudged
in contempt of this court and for grounds thereof shows:-

FIRST:-

That during the pendency of this cause upon demurrer of both of
the defendants to the original bill, the said Rosa S. Wilson, filed
in this cause a petition~~xx~~ for the custody of the minor child named
in said cause, Harold Wilson, pendente lite, which petition was duly
filed on October 12th., 1922; a copy of said petition is hereto annex-
ed and made a part of this motion and marked "Exhibit A".

SECOND:-

That upon a hearing of said petition for custody and control
pendente lite by said Rosa S. Wilson, this Honorable court did, on
the 12th day of October, 1922, render the following order and decree;

viz:-"This cause coming on to be heard on the petition of Rosa Wil-
son for the temporary custody of the child Harold Wilson, a
child fourteen months of age, pending a final hearing in said
cause, it is ordered, adjudged and decreed that the prayer of
said petition be and the same is hereby granted and the temp-
orary custody and control of said minor Harold Wilson is hereby
placed in its mother, Rosa Wilson, pending the final hearing
in said cause. It is further ordered, adjudged and decreed
by the court that H. T. Wilson be and he is hereby enjoined
and restrained from interfering with the said temporary cus-
tody and control of said Rosa S. Wilson over said Harold
Wilson.

Done this 12th day of October, 1922."

and that said above decree was addressed "To any Sheriff of the State
of Alabama to execute."

THIRD:-

That upon the rendition of said decree the same was duly read to
and served upon the said H. T. Wilson, on to-wit; October 18th., 1922
and he was given and did on that day secure and have actual knowledge

of the order of this Honorable Court. That this court has full and complete and final jurisdiction of the parties to this suit and of the child named therein, the said Harold Wilson; said suit having been originally brought by said H. T. Wilson, process duly served upon both of the defendants and demurrers or pleadings filed by them; that at the time of the filing of the said suit the child was in the custody and control of its mother, this defendant.

FOURTH:-

That the said H. T. Wilson, upon the serving of said decree of this court upon him as above and upon it being read over to him, and in response to the demand for the custody of the child, which is now in his possession, custody, care or control, and was in his custody, care or control at the time of the rendering of the order and the service thereof on him, stated that he was not going to tell where the child was and that he was not going to get it; that he would die and go to Hell before he would give the child up; that he would kill every GOD Damn one of the S---of B-----es before they should get the child; the said H. T. Wilson failed and refused and still fails and refuses to obey the orders, decrees and mandates of this court and of the decree rendered by your Honor; the said H. T. Wilson has secreted the child from the process of this court and deliberately refuses to submit himself or the said child to the authority of this court.

FIFTH:-

~~THAT~~
That the said H. T. Wilson, by reason of these matters, is in contempt of the orders and mandates and authority of this court to enforce its decrees; that he has deliberately and willfully disobeyed the orders and decrees of this court and continues to do so; that he has disregarded the dignity and authority of this court.

WHEREFORE, the said Defendant, Rosa S. Wilson, now moves this Honorable Court that the said H. T. Wilson be adjudged in contempt of this Honorable Court and that he be punished therefor; that he be brought before this court in the manner required by law on a day to be determined and fixed by your Honor forthwith; that upon the hearing of this motion he be adjudged in contempt and punished for contempt of this court and that he be compelled to deliver the custody of said child, Harold Wilson, to Rosa S. Wilson, pending the final hearing of

this cause and that Your Honor will make and render, adjudge and decree that he is in contempt and that the said H. T. Wilson be compelled by this court to abide by the decrees and orders rendered against him by it.

Rosa S Wilson

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. Richerson, Clerk of the Circuit Court and Register of the Equity Side, Circuit Court, Baldwin County, Alabama, personally appeared Rosa S. Wilson, who is known to me and who, being by me first duly sworn, doth deposes and say under oath:-That she is the party whose name is signed to the foregoing motion; that she has read the same over and knows the contents thereof and that the matters alleged therein are true.

Rosa S Wilson

Sworn to and subscribed before me this October 20th., 1922.

T. W. Richerson
Clerk of Circuit Court and Register
in Chancery, 21st Judicial Circuit,
Baldwin County, Alabama.

- - - - - X
 H. T. WILSON,
 Complainant.)
)
 -vs-)
)
 ROSA WILSON, et al.)
)
)
 - - - - - X

"Exhibit A"

IN THE CHANCERY COURT-STATE OF ALABAMA, BALDWIN COUNTY.

Comes Rosa Wilson, one of the defendants in this cause, and exhibits this, her petition for the Custody of the Child Harold, Wilson, pendente lite, and shows unto your Honor and this Court as follows:-

FIRST:-

That on heretofore, to-wit; July 24th., 1922, Complainant, H. T. Wilson, filed his Bill of Complaint against this defendant, Rosa Wilson and her mother, Catherine Staimpel, and that service thereof was had upon this and the other defendant and that both of the defendants, within the time allowed by law, did duly demur to the same. That the demurrers so filed by the defendant have not yet been disposed of, and this cause is now pending in this court.

SECOND.

That the complainant, in and by his said bill, did, among other things, pray that a decree be rendered by the Court granting to complainant the custody of his child, Harold Wilson and that the same be enforced by proper writ and process from this court and that under order of the court and by proper officer, the child be delivered to Orator

THIRD.

That this respondent, Rosa Wilson, is the mother of said child, Harold Wilson, who is a minor child of tender years, and that at the time of the filing of said bill and up to the 12th day of October, 1922, ~~WHEN~~ did have the custody and control of said child; that on October 12th., 1922, without any order or decree of this court, the said H. T. Wilson did, forcibly and by threats, enter into the home of this defendant where she was residing with her father and brother and did forcibly take and carry off and remove said child, Harold Wilson, from the care, custody and control of this defendant, without her consent and against her demands and

entreaties. That the said H. T. Wilson now has the custody of said child which is in his possession or under his control and withholds the same from this petitioner, its mother.

FOURTH:

That said child, Harold Wilson, is of very tender age, being only fourteen months of age; that said child is still nursing the breasts of his mother, this petitioner, and could not be sustained by ordinary food; that this defendant and petitioner, the mother of said child, suffers by reason of said child not nursing her breasts; that the life and welfare of said child depends upon its mother's milk; that for these things it is for the best interests of the child and for its very existence that it be returned and restored to its mother, your petitioner so that it can receive the necessary nourishment to which it is used and accustomed. That this petitioner is a fit and proper person to have the custody, care and control of said child and is amply able to care for same; that the said H. T. Wilson is not such proper, fit and suitable person by reason of his inability to furnish the proper care, attention and food for such child of tender years and that he, by reason of his mode of life in a turpentine camp where he lives, cannot give it the necessary and proper care and attention. That the welfare and best interests of the child and its very life demands that it be restored to its mother. That it is necessary by reason of these matters, for the well-being of the said child, that this court, pending the final adjudication of said suit, assume the custody and control of said child and award the custody and control to its mother, your petitioner.

THE PREMISES CONSIDERED: Petitioner prays that your Honor will take jurisdiction of this petition and that the said H. T. Wilson be made party to this petitioner and that upon a hearing hereof that this court will assume the custody and control of the said child and will render, adjudge and decree that the custody and control of said child Harold Wilson be awarded to your petitioner, its mother, pending said suit, and that a decree be granted and entered to that effect and that the same be enforced by proper writ and process from this court and that under order of this court and

by proper officer, the child be delivered to your Petitioner, its mother. And as in duty bound, etc.,

Rosa S. Wilson
Petitioner.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. Richerson, Register in Chancery for the Twenty-first Judicial Circuit, Equity Side, on the 12th day of October, 1922, personally appeared before me, Rosa S. Wilson, known to me, whose name is signed to the above petition, and being sworn by me, stated that she has read the above petition, subscribed by her, and knows the contents thereof, and that the matters alleged therein are true and correct to her own knowledge.

Rosa S. Wilson

Sworn to and subscribed before me
this 12th day of October, 1922.

T. W. Richerson
Clerk of the Circuit Court and
Register in Chancery, 21st Judicial
Circuit, Baldwin County, Alabama.



----- X
H. T. WILSON,
Complainant.)
-vs-)
ROSA WILSON, et al,
Defendants.)
----- X

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

STATE OF ALABAMA.
BALDWIN COUNTY.

Before me, T. W. Richerson, Clerk of the Circuit Court and Register in Chancery for the twenty-first Judicial Circuit, Baldwin County, Alabama, personally appeared Rosa S. Wilson, who is known to me and who, after being by me first duly sworn according to law, doth depose and say under oath:-

That the above entitled cause is now pending in the Court above named and that she is one of the defendants. That the allegations contained in the petition by her this day filed have been read over by her and that the same are true and correct to her own knowledge. That H. T. Wilson, the complainant therein, did, on October 12th., 1922, forcibly and by threats take from her the child Harold Wilson and now withholds the said child from her; that she is the mother of said child and it is now nursing; said child being only fourteen months of age; that said child cannot be properly fed and sustained except by milk from its mothers breasts; that the child will suffer greatly is prevented from securing this food; that she, the mother of said child, now suffers because of the failure of the regular nursing of said child; that the said H. T. Wilson is not able and cannot properly feed and care for said child; that he will be compelled to care for it in a turpentine camp where said Wilson lives; that said Wilson is not a proper and fit person to have the custody and control of said child, especially in view of its very tender age; that this affiant has and can properly care for said child and give to it its proper food and nourishment which is essential to its very life.

Rosa S. Wilson

Sworn to and subscribed before me
this 12th day of October, 1922.

T. W. Richerson
Clerk of Circuit Court and Register
in Chancery, Baldwin County, Alabama.

H. T. Wilson,)	CIRCUIT COURT, BALDWIN COUNTY, ALABAMA.
Complainant,)	
)	IN EQUITY.
vs.)	
)	In Vacation, Before the Register of this
Rosa S. Wilson and)	Court.
Catherine Staimpel,)	
Defendants.)	

Now comes H. T. Wilson, the Complainant in the above stated cause, and makes this his application to the Register of this Court, to dismiss the Bill filed in this cause, and he shows to the Register, that no Answer or cross-bill has been filed by either of the defendants to the Bill.

Said Wilson further shows to the Register of this Court, that the said Rosa S. Wilson, the principal defendant in said cause, departed this life on or about the 28th day of Dec. 1922 and there is no good reason for further prosecuting the suit.

He therefore makes this his application to have the suit dismissed.

Subscribed and sworn to before me
this 9th day of Jany. 1923.

D. W. [Signature]
Register.

H. T. Wilson

[Signature]

Solicitor for Complainant.

H. T. WILSON
Complainant.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

v
ROSA WILSON et al
Defendants.

IN EQUITY.

Comes the Complainant in this cause and for answer to the petition of the defendant Rosa Wilson praying for the custody of the child, Harold Wilson, pending the determination of this suit, filed in the cause on, to-wit, the 12th day of October 1922, says:

1. For answer to the first paragraph thereof, complainant admits the statements therein contained.

2. The complainant admits the statements contained in the second paragraph of said petition.

3. The complainant specifically denies that he did on the 12th day of October, 1922, or at any other time, forcibly and by threats, take and carry off and remove the said child, Harold Wilson; and denies that the taking was without her consent and against the demands and entreaties of said Rosa Wilson; and in lieu thereof that the facts as follows:

That this complainant of his initiative and on account of his love for the child, and his desire to care for him, went to the home of Catherine Staimpel in Baldwin County, where the mother and child have been staying; and on the morning of the 12th day of October, 1922, walked into the room where the family were at breakfast, and without force or threats, and without any words spoken whatever, other than a polite greeting to which they all responded, picked up the child standing on the floor near the table, and walked out without any objection on the part of said Rosa Wilson or any statement from her whatever.

4. For answer to the fourth paragraph of the petition, this complainant specifically denies that it is necessary or for his welfare that the boy should nurse the breasts of his mother, nor that he can not be sustained by ordinary food; nor that he suffers by reason of not nursing her breasts; nor that his life and welfare depends upon his mother's milk; and on the contrary states the facts to be,

That the child is fully developed and above the average of physical development for his age, has almost complete set of teeth, is learning to talk, and walks with ease; is in perfect condition of health, and eating regularly and being sustained on ordinary food, and cows' milk, and food such as children usually eat; and is being carefully attended to, and is being given all necessary and proper care and attention;

And this complainant further says in answer to said petition that the surroundings and conditions in which the child was being kept in the home of said Catherine Staimpel, are wholly incompatible with his proper care and maintenance; the said Rosa Wilson is wholly under domination of her mother Catherine Staimpel, who is a woman of German descent, speaks the German language in the home, and is a woman of high and ungovernable temper, and has made every effort to alienate

the affections of complainant's wife, Rosa Wilson, from him, and inducing her to refuse to return to complainant, and preventing complainant from having the custody of his child.

And now having fully answered said petition, complainant prays to be hence discharged with his reasonable costs in this behalf.

H T Wilson

Complainant.

State of Alabama.
County of Calhoun.

Before the undersigned duly authorized authority in and for said State and County personally appeared H. T. Wilson, who being duly sworn, deposes and says;

That he is the complainant in the above entitled cause and has read over the foregoing answer to the petition of Rosa Wilson, defendant in the original bill; and affiant says that the allegations of fact stated in his answer are true.

H T Wilson

Sworn to and subscribed before me,
this 16th day of October, 1922.

J. P. Whiteside

Notary Public.

H. T. Wilson,) IN THE CIRCUIT COURT, BALDWIN COUNTY,
Complainant)
vs) ALABAMA.
Rosa Wilson et al.,) In Equity.
Defendants.)

By agreement of solicitors for Complainant and Defendants
this cause is submitted to the Court for a decree on the Demurrers
filed to the Bill of Complaint.

October 18th.1922.

Arthurford Lapsley - W. S. Anderson
Solicitors for Complainant.

Thomas Stone
Solicitors for Defenants.

H. T. Wilson,

In the Circuit Court of Baldwin

Complainant.

County, Alabama; In Equity.

v

Rosa Wilson et al

Defendants.

Comes the Complainant and moves the Court to set aside and vacate the order granting the custody, pending suit, of Harold Wilson to the defendant Rosa Wilson, and restraining and enjoining complainant from interfering with said defendant's custody of the child; and moves the Court to dissolve and vacate said restraining order and injunction; and for grounds of motion says;

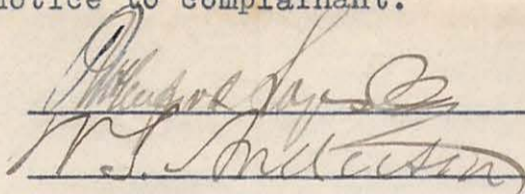
FIRST: Upon the sworn answer of the complainant specifically denying the material allegations of the petition.

SECOND: For that the order was made without notice to the complainant.

THIRD: For that the order was improvidently granted.

FOURTH: For that there is no equity in said petition.

FIFTH: Because there is no showing in the petition for making of decree thereon upon the ex parte affidavit of petitioner without notice to complainant.



W. J. Anderson

Solicitors for Complainant.

----- X
H. T. WILSON,)
Complainant.)
-vs-)
ROSA WILSON, et al,)
Defendants.)
----- X

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. Richerson, Clerk of the Circuit Court and Register in Chancery for the twenty-first Judicial Circuit, Baldwin County, Alabama, personally appeared Rosa S. Wilson, who is known to me and who, after being by me first duly sworn according to law, doth depose and say under oath:-

That the above entitled cause is now pending in the Court above named and that she is one of the defendants. That the allegations contained in the petition by her this day filed have been read over by her and that the same are true and correct to her own knowledge. That H. T. Wilson, the complainant therein, did, on October 12th., 1922, forcibly and by threats take from her the child Harold Wilson and now witholds the said child from her; that she is the mother of said child and it is now nursing; said child being only fourteen months of age; that said child cannot be properly fed and sustained except by milk from its mothers breasts; that the child will suffer greatly is prevented from securing this food; that she, the mother of said child, now suffers because of the failure of the regular nursing of said child; that the said H. T. Wilson is not able and cannot properly feed and care for said child; that he will be compelled to care for it in a turpentine camp where said Wilson lives; that said Wilson is not a proper and fit person to have the custody and control of said child, especially in view of its very tender age; that this affiant has and can properly care for said child and give to it its proper food and nourishment which is essential to its very life.

Rosa S. Wilson

Sworn to and subscribed before me
this 12th day of October, 1922.

T. W. Richerson
Clerk of Circuit Court and Register
in Chancery, Baldwin County, Alabama.

----- X)	
H. T. WILSON,)	
Complainant.)	
)	
- vs -)	
)	IN THE CHANCERY COURT-STATE OF
ROSA WILSON, et al.)	ALABAMA, BALDWIN COUNTY.
Defendants.)	
----- X)	

Comes Rosa Wilson, one of the defendants in this cause, and exhibits this, her petition for the Custody of the Child Harold, Wilson, pendente lite, and shows unto your Honor and this Court as follows:-

FIRST:-

That on heretofore, to-wit; July 24th., 1922, Complainant, H. T. Wilson, filed his Bill of Complaint against this defendant, Rosa Wilson and her mother, Catherine Staimpel, and that service thereof was had upon this and the other defendant and that both of the defendants, within the time allowed by law, did duly demur to the same. That the demurrers so filed by the defendant have not yet been disposed of, and this cause is now pending in this court.

SECOND.

That the complainant, in and by his said bill, did, among other things, pray that a decree be rendered by the Court granting to complainant the custody of his child, Harold Wilson and that the same be enforced by proper writ and process from this court and that under order of the court and by proper officer, the child be delivered to Orator

THIRD.

That this respondent, Rosa Wilson, is the mother of said child, Harold Wilson, who is a minor child of tender years, and that at the time of the filing of said bill and up to the 12th day of October, 1922, ~~WHXX~~ did have the custody and control of said child; that on October 12th., 1922, without any order or decree of this court, the said H. T. Wilson did, forcibly and by threats, enter into the home of this defendant where she was residing with her father and brother and did forcibly take and carry off and remove said child, Harold Wilson, from the care, custody and control of this defendant, without her consent and against her demands and

entreaties. That the said H. T. Wilson now has the custody of said child which is in his possession or under his control and withholds the same from this petitioner, its mother.

FOURTH:

That said child, Harold Wilson, is of very tender age, being only fourteen months of age; that said child is still nursing the breasts of his mother, this petitioner, and could not be sustained by ordinary food; that this defendant and petitioner, the mother of said child, suffers by reason of said child not nursing her breasts; that the life and welfare of said child depends upon its mother's milk; that for these things it is for the best interests of the child and for its very existence that it be returned and restored to its mother, your petitioner so that it can receive the necessary nourishment to which it is used and accustomed. That this petitioner is a fit and proper person to have the custody, care and control of said child and is amply able to care for same; that the said H. T. Wilson is not such proper, fit and suitable person by reason of his inability to furnish the proper care, attention and food for such child of tender years and that he, by reason of his mode of life in a turpentine camp where he lives, cannot give it the necessary and proper care and attention. That the welfare and best interests of the child and its very life demands that it be restored to its mother. That it is necessary by reason of these matters, for the well-being of the said child, that this court, pending the final adjudication of said suit, assume the custody and control of said child and award the custody and control to its mother, your petitioner.

THE PREMISES CONSIDERED: Petitioner prays that your Honor will take jurisdiction of this petition and that the said H. T. Wilson be made party to this petitioner and that upon a hearing hereof that this court will assume the custody and control of the said child and will render, adjudge and decree that the custody and control of said child Harold Wilson be awarded to your petitioner, its mother, pending said suit, and that a decree be granted and entered to that effect and that the same be enforced by proper writ and process from this court and that under order of this court and

by proper officer, the child be delivered to your Petitioner, its mother. And as in duty bound, etc.,

Rosa S. Wilson
Petitioner.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. Richerson, Register in Chancery for the Twenty-first Judicial Circuit, Equity Side, on the 12th day of October, 1922, personally appeared before me, Rosa S. Wilson, known to me, whose name is signed to the above petition, and being sworn by me, stated that she has read the above petition, subscribed by her, and knows the contents thereof, and that the matters alleged therein are true and correct to her own knowledge.

Rosa S. Wilson

Sworn to and subscribed before me

this 12th day of October, 1922.

T. W. Richerson
Clerk of the Circuit Court and
Register in Chancery, 21st Judicial
Circuit, Baldwin County, Alabama.



H. T. WILSON,
Complainant.

-vs-

ROSA WILSON and CATHERINE
STAIMPEL.
Respondents.

CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
Baldwin County.

Affidavit in support of motion.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. Richerson, Clerk of the Circuit Court and Register in Chancery, Baldwin County, Alabama, personally appeared Rosa S. Wilson, who is known to me and who, after being by me first duly sworn, doth depose and say under oath:-

That all of the matters contained in and alleged in the motion of hers to which this is attached are true and correct; that said copy of said motion to which this is attached is made a part of and incorporated in this affidavit.

That the said Child Harold Wilson is still withheld from her by the said H. T. Wilson.

Rosa S. Wilson

Sworn to and subscribed
before me this October 20th., 1922.

T. W. Richerson

Clerk of Circuit Court and Register
in Chancery, Baldwin County, Alabama.



----- X
 H. T. WILSON,
 Complainant.
 -vs-
 ROSA WILSON and CATHER-
 INE STAIMPEL,
 Respondents.
 ----- X

IN THE CIRCUIT COURT-EQUITY SIDE.
 STATE OF ALABAMA.
 BALDWIN COUNTY.

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, EQUITY SIDE, AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, IN EQUITY SITTING:-

Comes Rosa S. Wilson, one of the defendants in this cause, and files this, her motion that H. T. Wilson, the Complainant, be adjudged in contempt of this court and for grounds thereof shows:-

FIRST:-

That during the pendency of this cause upon demurrer of both of the defendants to the original bill, the said Rosa S. Wilson, filed in this cause a petition for the custody of the minor child named in said cause, Harold Wilson, pendente lite, which petition was duly filed on October 12th., 1922; a copy of said petition is hereto annexed and made a part of this motion and marked "Exhibit A".

SECOND:-

That upon a hearing of said petition for custody and control pendente lite by said Rosa S. Wilson, this Honorable court did, on the 12th day of October, 1922, render the following order and decree;

viz:-"This cause coming on to be heard on the petition of Rosa Wilson for the temporary custody of the child Harold Wilson, a child fourteen months of age, pending a final hearing in said cause, it is ordered, adjudged and decreed that the prayer of said petition be and the same is hereby granted and the temporary custody and control of said minor Harold Wilson is hereby placed in its mother, Rosa Wilson, pending the final hearing in said cause. ~~It~~ It is further ordered, adjudged and decreed by the court that H. T. Wilson be and he is hereby enjoined and restrained from interfering with the said temporary custody and control of said Rosa S. Wilson over said Harold Wilson.

Done this 12th day of October, 1922."

and that said above decree was addressed "To any Sheriff of the State of Alabama to execute."

THIRD:-

That upon the rendition of said decree the same was duly read to and served upon the said H. T. Wilson, on to-wit; October 18th., 1922 and he was given and did on that day secure and have actual knowledge

of the order of this Honorable Court. That this court has full and complete and final jurisdiction of the parties to this suit and of the child named therein, the said Harold Wilson; said suit having been originally brought by said H. T. Wilson, process duly served upon both of the defendants and demurrers or pleadings filed by them; that at the time of the filing of the said suit the child was in the custody and control of its mother, this defendant.

FOURTH:-

That the said H. T. Wilson, upon the serving of said decree of this court upon him as above and upon it being read over to him, and in response to the demand for the custody of the child, which is now in his possession, custody, care or control, and was in his custody, care or control at the time of the rendering of the order and the service thereof on him, stated that he was not going to tell where the child was and that he was not going to get it; that he would die and go to Hell before he would give the child up; that he would kill every GOD Damn one of the S---of B-----es before they should get the child; the said H. T. Wilson failed and refused and still fails and refuses to obey the orders, decrees and mandates of this court and of the decree rendered by your Honor; the said H. T. Wilson has secreted the child from the process of this court and deliberately refuses to submit himself or the said child to the authority of this court.

FIFTH:-

~~THAT~~ That the said H. T. Wilson, by reason of these matters, is in contempt of the orders and mandates and authority of this court to enforce its decrees; that he has deliberately and willfully disobeyed the orders and decrees of this court and continues to do so; that he has disregarded the dignity and authority of this court.

WHEREFORE, the said Defendant, Rosa S. Wilson, now moves this Honorable Court that the said H. T. Wilson be adjudged in contempt of this Honorable Court and that he be punished therefor; that he be brought before this court in the manner required by law on a day to be determined and fixed by your Honor forthwith; that upon the hearing of this motion he be adjudged in contempt and punished for contempt of this court and that he be compelled to deliver the custody of said child, Harold Wilson, to Rosa S. Wilson, pending the final hearing of

-page three-

this cause and that Your Honor will make and render, adjudge and decree that he is in contempt and that the said H. T. Wilson be compelled by this court to abide by the decrees and orders rendered against him by it.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, T. W. Richerson, Clerk of the Circuit Court and Register of the Equity Side, Circuit Court, Baldwin County, Alabama, personally appeared Rosa S. Wilson, who is known to me and who, being by me first duly sworn, doth deposes and say under oath: That she is the party whose name is signed to the foregoing motion; that she has read the same over and knows the contents thereof and that the matters alleged therein are true.

Sworn to and subscribed before me this October 20th., 1922.

Clerk of Circuit Court and Register
in Chancery, 21st Judicial Circuit,
Baldwin County, Alabama.

H. T. WILSON,
COMPLAINANT.)
-vs-)
ROSA WILSON and CATHER-)
INE STAIMPEL,)
DEFENDANTS.)

IN THE CIRCUIT COURT-IN EQUITY.

STATE OF ALABAMA.

BALDWIN COUNTY.

THE ANSWERS OF CATHERINE STAIMPEL, ONE OF THE DEFENDANTS, TO THE INTERROGATORIES FILED IN THIS CAUSE BY H. T. WILSON, THE COMPLAINANT:-

1. Answering the "FIRST INTERROGATORY" defendant sayeth:-

I reside at Stapleton, Baldwin County, Alabama; I am fifty-two (52) years of age. Since October, 1912. Defendant objects to that part of the first interrogatory which seeks to elicit information as to what property she owns/upon the grounds that it is not pertinent to the issue or the matter in dispute between the parties and declines to answer the same and prays judgment of the court whether or not she shall be compelled to answersame.

2. Answering the "SECOND INTERROGATORY" defendant sayeth:-

That Rosa Wilson is now and has been since May, 1922, living with her father, Martin Staimpel, Sr., and her brother Martin Staimpel, Jr., and she, the defendant, also lives with them, and is supported by them. The child of Rosa Wilson is with her, *the said Rosa Wilson*

3. Answering the "THIRD INTERROGATORY" defendant sayeth:-

Upon Rosa Wilson's return home about May, 1922 I asked her how long she was going to stay; upon her answering "About two weeks" I asked her what she meant by saying this for she knew she could not come on our place as long as she lived with that man. I stated to her that she looked bad and sick and she replied that she was sick all of the time. I told her to go to the Doctor and went with her to Bay Minette, Alabama, but asked her before going if her husband wanted her to go to the doctor and she replied that he did. Upon hearing the doctor advise her that if she ever hoped to be well again ~~extended her stay~~ she would have to be operated on, I told her to write to her husband to see if he would let her be operated on and find out what he wanted done. It is not true that I persuaded her not to go back to live with her husband.

4. To the FOURTH INTERROGATORY defendant sayeth:-

Yes, I have seen one letter written by H. T. Wilson to my daughter.

er since May 22d., 1922, asking her to return to Calhoun County, this was the letter sent by Mr. Fortenberry of Stapleton, Alabama; it was read to me for I cannot read English. It is not true that I advised my daughter to write to her husband that she would not return to Calhoun County to live with him. It is not true that I have advised my daughter to refuse to let H. T. Wilson have the custody of the child. All that I have said to my daughter since May, 1922 relative to H. T. Wilson having the custody of the child, is, "That the child was no business of mine but hers and Wilson's; that so long as she lived with ~~us~~ that she and the child would be cared for.

5. Answering "FIFTH INTERROGATORY" defendant sayeth:-

I did write some letters to my daughters prior to May 21st., 1922, when she was living in Calhoun County, but only in answer to letters which she wrote me. I don't remember the number; I did not keep any copies. The letters were written in German and I wrote them.

6. Answering the SIXTH INTERROGATORY defendant sayeth:-

It is not true that I wrote any letters to Rosa Wilson prior to May 21st., 1922 advising her to abandon her husband, ~~and~~ I wrote to her what kind of a man I thought he was. I don't remember using any abusive language.

7. Answering the SEVENTH INTERROGATORY defendant sayeth:-

I cannot remember the exact language used or written in my letters and cannot say whether the words set out in this interrogatory were used or not.

8, 9, 10, 11 and 12, Answering the EIGHTH, NINTH, TENTH, ELEVENTH AND TWELFTH INTERROGATORIES defendant sayeth:-

I cannot remember the exact language used or written in my letters and cannot say whether the words or extracts set out in these interrogatories were used or not or whether the translation into English is correct.

Sworn to and subscribed before me this 16 day of September, 1922.

Walter Howe
Notary Public, Baldwin County,
State of Alabama.

Catharina Scimpel

H. T. WILSON,
COMPLAINANT.)

-vs-)

ROSA WILSON and CATHER-)
INE STAIMPEL,)
DEFENDANTS.)

IN THE CIRCUIT COURT-IN EQUITY.

STATE OF ALABAMA.

BALDWIN COUNTY.

THE ANSWERS OF ROSA WILSON, ONE OF THE DEFENDANTS, TO THE INTERROGATORIES FILED IN THIS CAUSE BY H. T. WILSON, COMPLAINANT:-

1. Answering the First Interrogatory defendant sayeth:-

I am twenty-two years of age; I am living at my father's and brother's home near Stapleton, Baldwin County, Alabama, where I have been since May, 1922.

2. Answering Second Interrogatory defendant sayeth:-

I went to Calhoun County in April, 1921 and lived with my husband until May, 1922. It is not true that while we were living in Calhoun County that our relations were cordial and affectionate for that the birth of the child left me in a bad physical condition, lacerated and torn and in no condition for sexual intercourse which he constantly demanded and his repeated insistance against my protest further injured my general health; he threatened me in order to carry out his wishes in this respect and I reluctantly permitted it although it caused me great agony and pain and kept me in a weakened condition. ~~Excessive~~ ~~advised by my physician~~ Upon my return to Baldwin County my physician advised me that my sickness was due to this excessive and continued intercourse with my husband. While in that condition my husband demanded intercourse two and three times a night.

3. Answering the third interrogatory defendant sayeth:-

I first determined not to return to my husband for the ~~time being~~ ^{time being} when I had consulted a physician at Bay Minette, Alabama, and he had advised me that my condition was due to the treatment that I had been accorded at the hands of my husband and that I would never be well until I had an operation performed and my husband refused to have the operation performed: I feared for my condition if I returned before the operation was performed for I knew what he demanded of me.

My mother told me to write my husband and ask him what he wanted done about the operation that I needed. She never did advise me not to return and live with my husband or to abandon him, or to refuse to allow him to have the child, Harold Wilson. The child is about 14

page two-

months old. I have no property but am supported by my father and brother who are willing to take care of me and the child as they have done in the past.

4. Answering Fourth Interrogatory defendant sayeth:- I cannot remember the exact language of the letters to me from my mother and do not know whether the language and extracts set out in the interrogatories to my mother were used in said letters, nor whether the same is correctly translated. I did receive some letters from my mother, do not remember how many and left them in the house when I left. I did not read the letters to my husband but told him about them and what was in them.

Rosa Wilson

Sworn to and subscribed before
me this September 16th., 1922.

Robinson

Notary Public, Baldwin County,
State of Alabama.

HENRY T. WILSON,
COMPLAINANT.

-vs-

ROSA WILSON and CATHER-
INE STAIMPEL,
DEFENDANTS.

IN THE CIRCUIT COURT-IN EQUITY.

STATE OF ALABAMA.

BALDWIN COUNTY.

Demurrer of Catherine, ^{Staimpel} one of the defendants, to the
Bill of Complaint.

And now comes the defendant, Catherine Staimpel and demurs
to the bill of complaint in this cause filed and for grounds of de-
murrer shows that,-

FIRST

That the bill of complaint is without equity.

SECOND

That it appears by said bill that the same improperly unites
distinct matters and causes, so that the bill is altogether multi-
farious.

THIRD

That the bill is multifarious.

FOURTH

That it appears that this bill is exhibited against this
defendant for the custody of a child and against the other defend-
ant, ^{Rosa Wilson} ~~Catherine Staimpel~~, for the custody of the child, but it fails
to allege and aver that the child is now in the custody or under
the control of the defendant Catherine Staimpel.

FIFTH

That said bill seeks to join this defendant with the defend-
ant, ^{Rosa Wilson} ~~Catherine Staimpel~~, for the purpose of securing the custody by
complaint of the child Harold Wilson, but fails to allege or aver
that said child is in the joint custody or control of the defend-
ants.

SIXTH

That it appears from said bill that joint relief is sought
against the defendants but no averments or allegations show that
the defendants are jointly interested in any subject-matter of said
bill.

SEVENTH

That said bill is multifarious for that plaintiff demands
several matters of several defendants which matters are of differ-

ent natures.

EIGHTH

That said bill is multifarious in that Plaintiff seeks to bring this defendant in upon a matter against ^{Rosa Wilson} ~~Catherine Staimpel~~ and with which this defendant has no connection whatever.

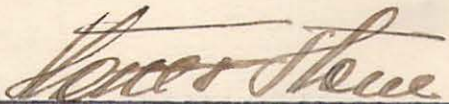
NINTH

That said bill is multifarious in that the defendants are joined but nowhere does said bill set forth any allegations or averments that show defendants jointly interested or connected with any subject matter therein.

TENTH

That this bill is multifarious for that joint relief is sought against this defendant along with the other defendant and the defendants are not shown to be jointly interested in or connected with the subject-matter of the joint relief.

Wherefore, this defendant demurs to said and to all matters and things therein contained and prays the judgment of this Honorable court whether she shall be compelled to make any further or further answers thereto, and prays to be dismissed with her reasonable costs in this behalf sustained.


Howard Stueve
Solicitors for Catherine Staimpel,
a defendant.

HENRY T. WILSON,
COMPLAINANT.)

-vs-)

ROSA WILSON and CATHER-)
INE STAIMPEL,)
DEFENDANTS.)

IN THE CIRCUIT COURT-IN EQUITY.

STATE OF ALABAMA.

BALDWIN COUNTY.

Demurrer by Rosa Wilson to Bill of Complaint.

And now comes the defendant Rosa Wilson and demurs to the bill of complaint in this cause filed and for grounds of demurrer shows that;-

FIRST.

That the bill of complaint is without equity.

SECOND.

That it appears by said bill that the same improperly unites distinct matters and causes, so that the bill is altogether multifarious.

THIRD.

That the said bill is multifarious.

FOURTH.

That it appears that this bill is exhibited against this defendant for the custody of a child and against the other defendant, Catherine Staimpel, for the custody of the child, but it fails to allege and aver that the child is now in the custody or under the control of the defendant Catherine Staimpel.

FIFTH.

That said bill seeks to join this defendant with the defendant, Catherine Staimpel, for the purpose of securing the custody by complainant of the child Harold Wilson, but fails to allege or aver that said child is in the joint custody or control of the defendants.

SIXTH.

That it appears from said bill that joint relief is sought against the defendants but no averments or allegations show that the defendants are jointly interested in any subject-matter of said bill.

SEVENTH.

That said bill is multifarious for that plaintiff demands several matters of several defendants which matters are of different natures.

EIGHTH.

EIGHTH.

That said bill is multifarious in that Plaintiff seeks to bring this defendant in upon a matter against Catherine Staimpel and with which this defendant has no connection whatever.

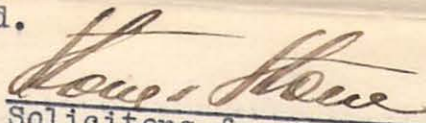
NINTH.

That said bill is multifarious in that the defendants are joined but nowhere does said bill set forth any allegations or averments that show defendants jointly interested or connected with any subject matter therein.

TENTH.

That this bill is multifarious for that joint relief is sought against this defendant along with the other defendant and the defendants are not shown to be jointly interested ⁱⁿ /or connected with the subject-matter of the joint relief.

Wherefore, this defendant demurs to said bill and to all matters and things therein contained and prays the judgment of this Honorable court whether she shall be compelled to make any further or further answers thereto, and prays to be dismissed with her reasonable costs in this behalf sustained.


Solicitors for Rosa Wilson, a
defendant.

H. T. WILSON, Complainant | IN THE CIRCUIT COURT
 VS. | OF BALDWIN COUNTY, ALABAMA,
ROSA WILSON, ET AL, Defendants | IN EQUITY.

Comes the complainant in this cause and desiring the testimony of the defendants, herewith files with the Register of this Court interrogatories to be propounded to them, the said Rosa Wilson and the said Catherine Staimpel, separately and severally; the following interrogatories to be propounded to the said Catherine Staimpel;

FIRST INTERROGATORY:

Where do you reside? What is your age? If you say that you live at Stapleton in Baldwin County, Alabama, state how long you have been living there. State what property you own in your own right; state whether or not you own any real estate or any interest in any real estate. Is it not true that you own an undivided half interest with your husband in certain lands in Baldwin County under a deed from Allie S. Mead and husband; give the number of acres in the tract of land described in such deed. Is the land subject to mortgage or encumbrance; if so, state the amount and to whom the same is due.

SECOND INTERROGATORY:

State whether or not your daughter Rosa Wilson is now living with you; is it not true that she came to live with you sometime in May 1922? Is it not true that she and her child Harold Wilson have been living with you since about the 22nd of May 1922?

THIRD INTERROGATORY:

State in detail as near as you can, word for word, what you have said to her in regard to her coming back to Calhoun County to live with her husband H. T. Wilson, since she came back to Baldwin County in May 1922. Is it not true that you have advised her not to go back to live with her husband? State particularly what you have said to her since May 22, 1922 in regard to going back to live with her husband. Is it not true that you have persuaded her not to go back to Calhoun County to live with her husband?

FOURTH INTERROGATORY:

Have you seen any letters written by H. T. Wilson to your daughter Rosa Wilson since May 22, 1922, asking her to return to Calhoun County? Is it not true that you have advised your daughter to write to her husband that she would not return to Calhoun County to live with him? Is it not true that you have advised your daughter to refuse to let H. T. Wilson have the custody of the child? State particularly what you have said to your daughter Rosa Wilson since May 22, 1922 in regard to H. T. Wilson having the custody of the child.

FIFTH INTERROGATORY:

Is it not true that you wrote numerous letters to your daughter Rosa Wilson prior to May 21, 1922, and within about a year prior to that time, when she was living in Calhoun County? About how many letters did you write to her when she was living in Calhoun County? Did you keep any copy of the letters you wrote to her while she was living in Calhoun County? If you say that you wrote to your daughter Rosa Wilson while she was in Calhoun County, Alabama, in what language were these letters written? Did you write these letters with your own hand?

SIXTH INTERROGATORY:

Is it not true that in certain letters which you wrote to your daughter Rosa Wilson prior to May 21, 1922, you advised and urged your daughter to abandon her husband? Is it not true that you, in such letters, used abusive language of him and urged her to leave him?

SEVENTH INTERROGATORY:

Is it not true that you, in a letter which you wrote to your daughter Rosa Wilson, dated April 26th, stated to her, "I am writing you this letter, so I want to be sure that you get it, and then if you don't want to write any more it will be alright to us, and we will patiently await the time when you will be wanting us"? Is it not true that previous to the writing of that letter you had written to her numerous other letters?

EIGHTH INTERROGATORY:

Is it not true that in a letter which you wrote to Rosa Wilson while she was in Calhoun County you used the

following language: "It must break every thinking man's heart to look at the child, and to think about his and his young mother's fate, who has been lied to and betrayed of this low down man"? Also the following language, "Rose, in case you get into trouble you will never get help from us"? Also the following language, "Rose, your mother will never in all her life be where he is, that man is disgusting to me, we got enough of him"? Also the following language, "If I had been as unjust and low down with you, you would have gone to work, if you had been an honest girl and did not have to take that one, every bonehead can figure that out for himself"? Also the following language, "I would love to take you and your child into my arms, but, ah! it won't be possible as long as the band holds that ties you to that man, as long I won't be able to see you, and the longer that band holds, the farther we get away from each other"?

NINTH INTERROGATORY:

Is it not true that in another letter which was written by you to your daughter while she was in Calhoun County, you used to her the following language? "We did not want you as you were, none of it was good, you were too unhappy in your parents' house, it could not give you what you wanted; betraying and flattering was not done, and that suited you better than the truth"? Also the following language, "Yes, it should not have been that way, for all that, we only suffered humiliation and dishonor, that is our reward for all our trouble. Now live happy and forget, my heart will also forget you then when I breathe my last breath"?

TENTH INTERROGATORY:

Is it not true that in another letter to your daughter while she was in Calhoun County you used the following language: "I ask you as you say with the 20 that were taken from you, that low down dog won't say that we have taken it from you; did he tell you that he got it, you can't trust him"? Also the following language, "What did you say at the departure not longer than two days; I leave the judgment up to you, did you ever keep your word. The warmest heart must grow cold if I think of

TWELFTH INTERROGATORY:

Is it not true that in another letter to your daughter while she was in Calhoun County you used the following language: "Your thoughts are only of him and what he promises you about his money. Rose, you are serving the devil"? Also the following language, "You can't get away from him any how, for if you don't do as he wants to, he rattles with his foot, and if you don't listen he will threaten you with a revolver, and you submit to your fate, for he is rich and promises you his money, and your parents are poor and can't promise you anything"?

The following interrogatories to be propounded to the said Rosa Wilson alone:

FIRST INTERROGATORY:

What is your age? Where are you living and what is your place of residence? With whom are you now living? If you say you are living with your father and mother in Baldwin County, Alabama, state how long you have been living there continuously prior to your answer to these interrogatories.

SECOND INTERROGATORY:

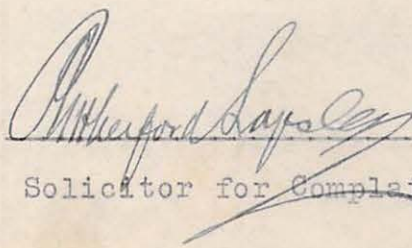
When did you first come to Calhoun County, Alabama? How long did you live in Calhoun County? Is it not true that while you were living with your husband in Calhoun County, the relations existing between you were most cordial and affectionate?

THIRD INTERROGATORY:

When did you first determine not to return to live with your husband in Calhoun County? State in substance what your mother Catherine Staimpel has said to you since you returned to Baldwin County in May 1922, in regard to your coming back to live with your husband? If you have had several conversations with your mother in regard to the same, state in substance what she has said to you. Is it not true that she has advised you not to return to live with your husband? Is it not true that she has persuaded you to abandon your husband? Is it not true that she has advised you not to allow your husband to have the custody of your child Harold Wilson? What is the age of the child? State particularly what property you have; give full description with value of same. Is it not true that you have no property other than your wearing apparel and similar articles?

FOURTH INTERROGATORY:

You will read over the foregoing interrogatories addressed to your mother Catherine Staimpel in which quotations are given of letters which she wrote to you while you were in Calhoun County, Alabama, and state whether or not she wrote to you in substance as stated. Did you not receive numerous letters from your mother while you were living with your husband in Calhoun County within the several months before you left Calhoun County? About how many letters did you receive from her? What did you do with these letters? Where did you leave them? Did you ever read these letters to your husband, or tell him the contents of the same?

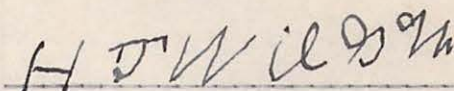


Solicitor for Complainant.

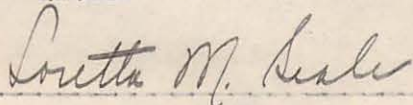
STATE OF ALABAMA ()
 :
COUNTY OF CALHOUN ()

Before the undersigned duly authorized authority in and for said State and County, personally appeared H. T. Wilson, who being duly sworn, deposed and saith:

That the answers to the foregoing interrogatories addressed to Catherine Staimpel and Rosa Wilson will be material testimony for the complainant in this cause.



Sworn to and subscribed before me,
this 22nd day of July 1922.



Notary Public.

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 *Rosa Wilson*

And Catherine Stimpfel

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

H. J. Wilson

against said *Rosa Wilson and Catherine Stimpfel*

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 *24th* day of *July*

192*2*

T. W. Richerson
Register.

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

1st Original

Serve on _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

H. G. Weirson

vs.

*Rosa Wilson
and Catherine Stimpel*

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this *24th*
day of *July* 192*2*

W. R. Stuart
Sheriff

Executed this *17th* day of
August 192*2*
by leaving a copy of the within summons with
Copy of Bill

*Rosa Wilson
Catherine Stimpel*
Defendant

W. R. Stuart
Sheriff

By *B. O. Wiggins*
Deputy Sheriff

RECORDED
RECORDED

Arthurford Lapsay,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

H. T. Wilson In the Circuit Court of Baldwin
Complainant. County, Alabama. In Equity.

v.
Rosa Wilson et al
Defendants.

Comes the complainant, and for answer to the petition of the defendant Rosa Wilson, praying that the Complainant be committed for contempt, filed in the cause on, to-wit the 20th day of October, 1922, says:

1. Complainant admits the statements contained in the first paragraph of the ~~xxxx~~ said petition.
2. The complainant for answer to the second paragraph thereof says, that the order referred to therein was made upon the ex parte petition and affidavit of said defendant; and this complainant has pending in this Court his motion and petition to vacate the said order, supported by oath of this complainant, and affidavits of competent witnesses, specifically denying all material allegations of the petition of October 12th 1922, as to the legal merits of the same, upon which motion complainant has not yet been heard, and desires to be heard by this Court thereon.
3. The complainant admits that he was notified by the Sheriff of Baldwin County of the making of said decree of October 12th 1922, as stated in the third paragraph.
4. For answer to the fourth paragraph of said petition, this complainant specifically denies each and every allegation of said petition's paragraph, other than that he stated to the Sheriff, that he did not know where the child was; and specifically denies that he refused to submit to the jurisdiction, but that he offered to surrender to the sheriff on any proper process therefor; and complainant attaches hereto, as a part of this answer, and as Exhibit A. thereto, his sworn statement of the occurrences, and conversation, had at the time he was notified of the said order, or decree.
5. For answer to the fifth paragraph thereof, this complain

The State of Alabama.

County of Calhoun.

Personally appeared before the undersigned duly authorized authority in and for said State and County, for talking and certifying affidavits, H. T. Wilson, who being duly sworn, deposes and says.;

that the following ~~xxx~~ is the substance of the conversation, and what occurred, when Sheriff Stewart of Baldwin County, and Parker of Calhoun County, served a paper on me, at Haywood's home on October 18th, 1922, at about five o'clock in the afternoon;

" I rode up to the automobile, and got off my horse, and shook hands with Stewart, as he was standing on the ground by the car; and I said, ' You are after me, are you?'; and he said 'No, I am not after you, but I am after that baby.' I said 'I don't really know where the baby is at this time, if I did I wouldn't tell you.' He said ' Well, I will put you in jail.' I said, 'all right, you want me to go right now? And I said, 'I will go to jail, before I will let those two old German people raise my child.' He said 'I will put you in Bay Minette jail.' I said, 'All right, that is ~~where~~ I want to go, my people is all down there, they will bring me something to eat.' Sheriff Stewart then said ' Mr. Wilson, I think you are taking a very wrong view of this.' Sheriff Parker then spoke up, and said ' I think so too Mr. Wilson.' Stewart then said, 'Mr. Wilson you know those people has made up \$2000.00 for that woman, since you got that child.' I said, 'I can't help that Mr. Stewart.' He said, 'You ain't going to tell me where that child is?' I said 'No, it's up to you to find him'. Stewart also said ' he would not take me with the paper he had, he would have to wire Judge Leigh, at Brewton. I said 'All right, Mr. Stewart, just let me know, and I will come on down, you will not have to come after me, if you do I will be right here' He then said "I have served this paper on you', I said 'yes Sir, you Have' ; he then got in the car, and they drove off. This is the substance of al that was said and done,

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and I did not say at that time, nor at any other time or place that 'I would die and go to hell, before I would give the child up': nor that 'I would kill every God Damn one of the S--- of B-----es, before they should get the child,' or any words to that effect. My wife Rosa Wilson was not present and did not hear any of the conversation on that occasion.

F. L. ...
W. N. ...
...

H. J. Nelson

Sworn to and subscribed before me,

this 25 day of October, 1922.

J. A. ...

Notary Public.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority in and for said state and county, personally appeared W. R. Stuart, who is known to me and who, after being by me first duly sworn, doth depose and say under oath:- My name is W. R. Stuart and I am the Sheriff of Baldwin County, State of Alabama, and have been such June 1919 continuously. In the case of H. T. Wilson, Complainant -vs- Rosa S. Wilson and Catherine Staimple, Defendants, No. 349, in the Circuit Court of Baldwin County, Alabama, Equity Side, there came into my hands as Sheriff on October 13th., 1922, the Order issued by Hon. John D. Leigh, Judge of said Court, sitting in Equity, commanding that the child Harold Wilson in said cause be turned over to the defendant Rosa S. Wilson and other things, which was by way or certified copies of said decree, original and duplicate, certified to by the Register in Chancery, Hon T. W. Richerson; also, the the Writ issued under said date by the Register in Chancery commanding me, as Sheriff, to carry out and execute the terms of the decree named, this was received in original and duplicate.

The person to whom these were addressed, the said H. T. Wilson, the complainant, being out of my county and in Calhoun County, I personally carried the same and delivered them in person to W. E. Parker the Sheriff of Calhoun County, Alabama; this was on October 18th., 1922; H. T. Wilson was then at Taylor's Turpentine Camp or place six miles from Oxford in said County of Calhoun; I went with Sheriff Parker in person and to the said H. T. Wilson. I, personally, read to H. T. Wilson the decree issued by the Judge of said court and then both the decree and the order of the Register were served on the said H. T. Wilson by the Sheriff of Calhoun County at that time and in my presence. Demand was made upon the said H. T. Wilson both by me and Sheriff Parker for the delivery of the child to us under the terms of said decree, I first demanded that the child be turned over to me; then Parker, As Sheriff of Calhoun county demanded that it be turned over to him. Wilson refused and stated, X, in response to the question "Now Where is the

child?". "It is up to you to find the child; thats your job." Then Sheriff Parker stated, "Mr. Wilson, my advice to you is to get this child for us now, you ~~xxx~~ will be in contempt of that Judge's court if you don't give up the child and it will mean lots of trouble for you." I tehen told him " If you refuse to give up the child and won't give up the child, that I would return to Anniston and call u p and that there would be a paper~~x~~ issued for him, putting him in jail for being in contempt of court." Wilson then stated to Parker "Now would you, if you was in my place, give up this child?" Parker state that "under the cirsumstances there would be nothing else for me to do; it is not a matter of what we want but it is a matter of obeying the law" Then Wilson stated x, in substance "Those Damn German can't raise my child" to which I replied "If those Germans are good enough to marry, they are good enough to raise their child." He then re-peated "It's your job to find it." He stated that he would die and go to Hell before they should have the child. ^{When I told him he would} be put in Bay Minette jail he stated "That is just the jail I want to be put in."

W.R. Stewart

Sworn to and subscribed before me this November 22d., 1922.

W. J. Hawkins
 Notary Public, Baldwin County,
 State of Alabama.



The State of Alabama.

County of Calhoun

Before the undersigned duly authorized authority in and for said State and County, for taking and certifying affidavits, personally appeared E. H. Taylor, who being duly sworn, deposes and saith:

That affiant is well acquainted with H. T. Wilson, resident of Calhoun County, Alabama, and affiant has seen within the last few days his child, Harold Wilson, and states that the child is unusually well developed for his age, apparently about a year and a half old, and walking with ease and learning to talk, and eating ordinary food such as small children usually eat; from affiant's observation and knowledge of the child, affiant would say that the child is not dependent upon his mother's care and attention, and there is no reason why the father should not properly care for and maintain his child;

Affiant further states that having been intimately acquainted with the said H. T. Wilson for several years, affiant is of the opinion, and in affiant's judgment, the said H. T. Wilson is a suitable and proper person to have the care, maintenance and custody of the child, and from affiant's observation said H. T. Wilson is capable of giving his child every necessary and proper care, and treats the child with the best fatherly affection and attention.

E. H. Taylor

Sworn to and subscribed before me,
this 21 day of October 1922.

J. M. Campbell
Notary Public.



The State of Alabama.

County of Calhoun

Before the undersigned duly authorized authority in and for said State and County, for taking and certifying affidavits, personally appeared Thomas D. Jewell, who being duly sworn, deposes and saith:

That affiant is well acquainted with H. T. Wilson, resident of Calhoun County, Alabama, and affiant has seen within the last few days his child, Harold Wilson, and states that the child is unusually well developed for his age, apparently about a year and a half old, and walking with ease and learning to talk, and eating ordinary food such as small children usually eat; from affiant's observation and knowledge of the child, affiant would say that the child is not dependent upon his mother's care and attention, and there is no reason why the father should not properly care for and maintain his child;

Affiant further states that having been intimately acquainted with the said H. T. Wilson for several years, affiant is of the opinion, and in affiant's judgment, the said H. T. Wilson is a suitable and proper person to have the care, maintenance and custody of the child, and from affiant's observation said H. T. Wilson is capable of giving his child every necessary and proper care, and treats the child with the best fatherly affection and attention.

Thomas D. Jewell

Sworn to and subscribed before me,

this 21 day of October 1922.

J. M. Campbell

Notary Public.



The State of Alabama.

County of Calhoun.

Before the undersigned duly authorized authority for taking and certifying affidavits, in and for said State and County, personally appeared J.W. Kilgore, who, being duly sworn deposed and saith:

That affiant was present on the morning of the 12th of October, 1922, at the home of Mr. and Mrs. Staimpel, in Baldwin County, Alabama, when H. T. Wilson came from Calhoun County and carried his child, Harold Wilson, from the Staimpel home back to Calhoun County;

Affiant says that Wilson entered the room where the family was at breakfast, about the hour of seven o'clock in the morning, and spoke to them, saying in substance, "Good morning to you all," walked over to where his child was standing near the table, picked up the child, saying nothing else whatever, and walked out with the child in his arms; nothing else was said to him, except as he went out of the door, the old lady, Mrs. Staimpel, said "Give here that child," or something of that kind; there was no threat or force used by Mr. Wilson, and no objection or entreaty on the part of Wilson's wife, or any one else than as above stated.

J. W. Kilgore

Sworn to and subscribed before me
this 19th day of October, 1922.

Louella M. Beale

Notary Public.

The State of Alabama.

County of Calhoun

Before the undersigned duly authorized authority in and for said State and County, for taking and certifying affidavits, personally appeared Thad M. Swain, who being duly sworn, deposeseth and saith:

That affiant is well acquainted with H. T. Wilson, resident of Calhoun County, Alabama, and affiant has seen within the last few days his child, Harold Wilson, and states that the child is unusually well developed for his age, apparently about a year and a half old, and walking with ease and learning to talk, and eating ordinary food such as small children usually eat; from affiant's observation and knowledge of the child, affiant would say that the child is not dependent upon his mother's care and attention, and there is no reason why the father should not properly care for and maintain his child,

Affiant further states that having been intimately acquainted with the said H. T. Wilson for several years, affiant is of the opinion, and in affiant's judgment, the said H. T. Wilson is a suitable and proper person to have the care, maintenance and custody of the child, and from affiant's observation said H. T. Wilson is capable of giving his child every necessary and proper care, and treats the child with the best fatherly affection and attention.

Thad M. Swain

Sworn to and subscribed before me,
this 20th day of October 1922.

A. M. Humphries

Notary Public.



The State of Alabama.

County of Calhoun.

Before the undersigned duly authorized authority in and for said State and County personally appeared T. J. Patton, who, being duly sworn, deposes and saith:

That affiant is and has been for some years a practicing physician in said State and County, residing at Oxford, Alabama, and is and has been for some years the family physician of H. T. Wilson, and his wife, Rosa Wilson, and has been many times called upon to attend them as such physician;

And further that affiant was the physician in attendance when a child was born to them about the month of July 1921, now known as Harold Wilson, and now about fourteen months of age; and that the child is a boy of fine physical development, and in good condition of health, and was seen and carefully examined by affiant within three or four days prior to the making of this statement;

And further that the child is not dependant on mother's milk for sustenance, and is better off without it; is capable of eating and digesting ordinary food and cows' milk such as children usually eat; and affiant so advised the mother several months prior to this time when she was living with her husband in this county; and in the opinion of affiant as a physician and acquainted with the facts, it is not true that the welfare and life of the child demand that he be restored to the custody of his mother; and further it is the opinion of affiant that the said H. T. Wilson is a suitable and proper person to have the custody of the boy, and that he is giving the boy proper care and attention and nourishment.

T. J. Patton

Sworn to and subscribed before me,
this 16 day of October, 1922.

J. P. Whiteside

Notary Public.

STATE OF ALABAMA.
BALDWIN COUNTY.

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:-

You are hereby commanded and directed to serve H. T. Wilson with this notice, and the copy of the ~~copy~~ decreethereto attached, of the hearing to be had by and before the Hon. John D. Leigh, Judge of the Circuit Court, Equity Side, State of Alabama, Baldwin County, Sitting in Equity, at the Court House at Bay Minette, Alabama, at ten o'clock, A. M., November 22d., 1922, directing and notifying the said H. T. Wilson to appear, then and there, and show cause why he should not be adjudged in contempt of this court; and shall have you, then and there, this writ and notice with an endorsement and return thereon in what manner you have executed the same.

Witness my hand this 10th., day of November, 1922.

J. W. Beckwith REGISTER.

N O T I C E .

H. T. WILSON,
Complainant.

No. 349.

IN THE CIRCUIT COURT-IN EQUITY.

-vs-

STATE OF ALABAMA.

ROSA WILSON, et al.,
Defendants.

BALDWIN COUNTY.

TO H. T. WILSON,

WHEREAS, on motion and petition of Rosa Wilson, one of the defendants, an order and decree was, on the 8th., day of November, 1922, rendered and issued by Hon. John D. Leigh, Judge of said Court, Sitting in Equity, ordering, among other things, as follows:-

".....It is therefore,
ORDERED, ADJUDGED AND DECREED that the said H. T. Wilson do appear before me at the Court House in Bay Minette, Alabama, at ten o'clock, A. M., on the 22d day of November, 1922, then and there to show cause why he should not be adjudged in contempt of this court. It is further
ORDERED, ADJUDGED AND DECREED by the Court that the Register of this Court do issue notice directed to any Sheriff of the State of Alabama, directing that the said H. T. Wilson be served with a notice of the hearing hereinbefore set out and that a copy of this decree be attached to said notice."

NOW THEREFORE, under the terms of said decree and order you are hereby directed and notified to comply with the terms of the said decree and order, a copy of which is hereto attached and made a part of this notice, and you are notified and directed to appear before the Hon. John D. Leigh, Judge of said Court, Sitting in Equity, at the Court House in Bay Minette, Alabama, at ten o'clock, A. M., on the 22d day of November, 1922, then and there to show cause why you should not be adjudged in contempt of this court.

Witness my hand this 10th day of November, 1922.

J. W. Beckwith REGISTER.

H. T. WILSON,
Complainant.
-vs-
ROSA S. WILSON and
CATHERINE STAIMPEL,
Respondents.

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

This cause coming on to be heard is submitted for consideration and decree of the Court upon the Motion of the Respondent, Rosa S. Wilson, asking H. T. Wilson, Complainant in the cause, be adjudged in contempt of Court. It is made to appear to the Court that the Complainant, H. T. Wilson, filed his Bill of Complaint in this Court, asking for the custody and control of the minor child named in said bill, Harold Wilson, the said Rosa Wilson at the time of the filing of said bill having the custody and control of said minor child, Harold Wilson and that subsequent to the filing of said bill, H. T. Wilson, without any order of this court and before any action had been taken by this court as to the custody and control of the said minor child, Harold Wilson, did take and remove the said minor child, Harold Wilson from the custody and control of the said Rosa S. Wilson and removed the said child from the County of Baldwin, State of Alabama, to the County of Calhoun, State of Alabama, and that subsequent to the removal of said minor child by the said H. T. Wilson, the said Rosa S. Wilson did file in this cause a petition for the custody and control of the said ~~child~~ minor child, Harold Wilson, pendente lite, which petition was duly filed on October 12th., 1922. It is further made to appear to the court that before the filing of said petition by said Rosa S. Wilson, the same came on to be heard by this Honorable Court and said Court did, on the 12th day of October, 1922, pending a final hearing of the original Bill in this cause, order adjudge and decree that the prayer of said petition be and the same was granted and the temporary custody and control of the said Harold Wilson was placed in his Mother, Rosa S. Wilson, and that the said H. T. Wilson was enjoined and restrained from interfering with the said temporary custody and control of the said Rosa S. Wilson over the said Harold Wilson.

It is further made to appear to the Court that a copy of said decree was served upon the said H. T. Wilson and that the Hon. T. W. Richerson, as Register in Chancery of this Court, did issue an order to the Sheriff to forthwith restore the custody of the said Harold Wilson to his Mother, Rosa S. Wilson, and that the Sheriff did endeavor to execute the said writ and restore the possession of the said child to the said Rosa S. Wilson and the said H. T. Wilson did refuse and decline to surrender the possession of the said child or the custody thereof and refused to deliver the custody and control of the said Harold Wilson pending the hearing of this cause, and that, notwithstanding the orders and decrees of this Court, the said H. T. Wilson still declines and refuses to surrender the custody and control of the said Harold Wilson and continues to interfere with the custody and control of the said Rosa S. Wilson over the said Harold Wilson. It is therefore,

ORDERED, ADJUDGED AND DECREED that the said H. T. Wilson do appear before me at the court House in Bay Minette, Alabama at 10 o'clock, A. M., on the 22 day of November, 1922, then and there to show cause why he should not be adjudged in contempt of this Court. It is further,

ORDERED, ADJUDGED AND DECREED by the Court that the Register of this Court do issue notice directed to any Sheriff of the State of Alabama, directing that the said H. T. Wilson be served with a notice of the hearing hereinabove set out and that a copy of this decree be attached to said notice.

Dated this 8th day of November, 1922.

(Signed.) John D. Leigh,
Judge of the 21st Judicial Circuit
of Alabama, Sitting in Equity.

State of Alabama.

Baldwin County. Circuit Court, In Equity.

I, T. W. Richerson, Register of said Court in and for said county and state, do hereby certify that the above is a full, true and correct copy of the decree rendered by said court on the 8th day of November, 1922, in the cause of H. T. Wilson, Complainant -vs- Rosa S. Wilson, et al, Defendants, being numbered 349, as appears of record in said Court.

Dated this November 10th., 1922 and given under my hand and the seal of said court.

T. W. Richerson REGISTER.

H T Wilson

Circuit Court Equity Side.

Vs

Rosa S Wilson Et. Als.

Baldwin County Alabama.

TO ANY SHERIFF OF THE STATE OF ALABAMA.

GREETINGS:-

Under and by directions of an order of Hon. John D Leigh Judge of the 21st Judicial Circuit of Alabama had and made 12th Day of October 1922 , wherein Rosa S Wilson is the Petitioner and defendant in a certain cause pending in the Chancery Court of Baldwin County Alabama brought by H T Wilson for the custody of the minor child Harold Wilson You are hereby commanded to forthwith restore the custody of the said Harold Wilson a child 14 months of age to its Mother Rosa S Wilson , and that she shall retain temporary custody and control of the said Harold Wilson pending the final hearing of the original cause of action now pending in the Chancery Court of said Baldwin County . and you are further commanded to make return upon this writ of your action in the premises.

Dated Oct. 12th. 1922

T. W. Beckwith

~~Clerk of the Circuit Court~~
Register in Chancery.



21 Original

Received in office October 18th, 1922. The child, Harold Wilson, named within, not found by me, being secreted by H. T. Wilson.

This 18th day of October, 1922.

W E Porter

Sheriff of Calhoun,
County, State of Alabama.

*Harold Wilson
Rosa Wilson
Et Alz*

*Filed Oct 18th 1922
W E Porter
Right*

RECORDED
RECORDED



Deputy Sheriff, Calhoun County, Ala. 1922

Notary Public for Calhoun County, Ala.

2.

and I did not say at that time, nor at any other time of place that 'I would die and go to hell, before I would give the child up': not that 'I would kill every God Damn one of the S--- of B-----es, before they should get the child,' or any words to that effect. My wife Rosa Wilson was not present and did not hear any of the conversation on that occasion.

H J Wilson

Sworn to and subscribed before me,
this 25th day of October, 1922.



L A Stanley

Notary Public.

" EXHIBIT A. "

The State of Alabama.

County of Calhoun.

Personally appeared before the undersigned duly authorized authority in and for said State and County, for talking and certifying affidavits, H. T. Wilson, who being duly sworn, deposes and says.;

that the following ~~was~~ is the substance of the conversation, and what occurred, when Sheriff Stewart of Baldwin County, and Parker of Calhoun County, served a paper on me, at Haywood's home on October 18th, 1922, at about five o'clock in the afternoon;

" I rode up to the automobile, and got off my horse, and shook hands with Stewart, as he was standing on the ground by the car; and I said, ' You are after me, are you? '; and he said ' No, I am not after you, but I am after that baby. ' I said ' I don't really know where the baby is at this time, if I did I wouldn't tell you. ' He said ' Well, I will put you in jail. ' I said, ' all right, you want me to go right now ? And I said, ' I will go to jail, before I will let those two old German people raise my child. ' He said ' I will put you in Bay Minette jail. ' I said, ' All right, that is ~~where~~ where I want to go, my people is all down there, they will bring me something to eat. ' Sheriff Stewart then said ' Mr. Wilson, I think you are taking a very wrong view of this. ' Sheriff Parker then spoke up, and said ' I think so too Mr. Wilson. ' Stewart then said, ' Mr. Wilson you know those people has made up \$2000.00 for that woman, since you got that child. ' I said, ' I can't help that Mr. Stewart. ' He said, ' You ain't going to tell me where that child is ? ' I said ' No, it's up to you to find him'. Stewart also said ' he would not take me with the paper he had, he would have to wire Judge Leigh, at Brewton. I said ' All right, Mr. Stewart, just let me know, and I will come on down, you will not have to come after me, if you do I will be right here' He then said " I have served this paper on you', I said ' yes Sir, you Have' ; he then got in the car, and they drove off. This is the substance of al that was said and done,

ant disclaims any intention or ~~desire~~ to disobey the orders,
and authority, and expressly submits himself to any legal
process that may served upon him; and desires to be heard upon
his answer to the said petition, and upon his motion to vacate
the former order of this Court, of the 12th day of October, 1922.

And now having fully answered said petition, this complain-
ant prays to be heard before this Honorable Court upon his
answer, and to be hence discharged.

H J Wilson

Sworn to and subscribed before me,
this 25 day of October, 1922.

S. Stanley
Notary Public



The State of Alabama.

County of Calhoun.

Personally appeared before the undersigned authority for taking and certifying affidavits in and for said State and County H. L. Haywood, who being duly sworn, deposes and says that affiant was present on Wednesday the 18th day of October, 1922 at my home in Calhoun County, Alabama, about five miles southwest of DeArmnville, when Sheriff Stewart, and Sheriff Parker came to affiant's house, to see H. T. Wilson;

This was about five o'clock in the afternoon, when they had the conversation with Wilson, as he came in from his work; the two sheriffs came up in a car about twenty minutes before Wilson came in, and Jno. B. Fitzgerald was in the car with them, and was present at the conversation.

The substance of the conversation was, Mr. Wilson asked sheriff Stewart if he was after him, and the sheriff replied, "no but I am after the baby". Wilson replied, "well, I don't know ^I as know where it is, but if I did, I wouldn't tell you." Stewart then read the paper he had, and Wilson told him it was up to him to find the baby. Sheriff Stewart then told him he was taking a mighty wrong view of it. Wilson then said he could not help that, he was not going to let those people down there raise his child. Sheriff Parker then said, "Wilson I think myself you are taking a wrong view of it". Wilson then ^{said} you all take this to yourself, and see if you think I am in the wrong;"and then told them how he ^{had} gone down there and spoke to them all, and picked up his child, and his wife did not resist, and that he had no words with them except spoke good morning to them. Stewart then said, "The thing I want you to do, is to deliver to me the custody of the child, or refuse" Wilson then said he did not know ~~where~~ it was. Stewart then asked again if Wilson would tell where the child was, and Wilson said he would not. Stewart then said "I will put you in jail." Wilson said "all right, you want me to go now? " Stewart then told him he could not take him with the paper he had, that he would have to go and call up Judge Leigh, and get a warrant for him. Wilson then told him all right, he was ready any time. Sheriff Stewart then said

he would take him to the Bay Minette jail. Wilson replied that was where he wanted to go. Wilson also said "I will be right here at any time, just call me up, and I will be right there at any time." Stewart said something about what he was doing with that big gun when he took the child; Wilson said "I did not see any gun." Stewart then said "I have served the paper on you, haven't I?" Wilson replied, "Yes, sir." That was all that was said; they got in the car, without passing any more words and drove off.

I was present during the whole conversation, was standing right by them, and heard it all, and the above is the substance of all that was said; Wilson did not say, that he would die and go to hel before he would give the child up; and he did not say that he would kill every God Damm one of the S--- of B-----es before they should get the child.

J. L. Hayward

Sworn to and subscribed before me this

25 day of October, 1922.

J. P. Whiteside

Notary Public.

TO THE HONORABLE JOHN D. LEIGH,

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

EXERCISING CHANCERY JURISDICTION:

Humbly complaining, showeth unto your Honor your orator H. T. Wilson, who is of full age and resident of the County of Calhoun, State of Alabama, the following state of facts:

FIRST: Orator states, charges and avers that he was legally married in Baldwin County, Alabama, on, to wit, the 10th day of December 1920, to Rosa Staimpel, the daughter of Mr. and Mrs. Martin Staimpel, at that time resident of Stapleton, Baldwin County, Alabama; and that they lived together as husband and wife since that time, in the most cordial and affectionate relations, until within the last thirty days she abandoned him, without any fault on the part of orator, or any reason for her abandonment of him.

SECOND: Orator further states, charges and avers that on or about the 21st day of May 1922, his said wife Rosa Wilson, at that time living with him in Calhoun County, Alabama, and immediately prior to that time and for about one year, having been living with him in the most cordial and affectionate relations, left him ostensibly for a visit to her parents in Baldwin County, Alabama, taking with her the only child of the marriage, namely, Harold Wilson, a boy of about twelve months of age, and promising to return in about two or three weeks; and orator further states and charges that though he has, since that time, repeatedly requested her to return and bring the child with her, she refuses to return and live with him, and refuses to comply with his demand that the child be returned to him, and that the care and custody of the child be committed to him.

THIRD: Orator further states, charges and avers that he is at this time living in Calhoun County, Alabama, and as the father of the child, has the legal right to the custody, control, training and education of the child; and that he has a position paying him sufficient money to take care of and maintain both his wife and the child in reasonable comfort, and has accumulated and saved in cash a thousand dollars or more from previous

employment; and has given to his wife during the time of the marriage, and the time that they were living together, every reasonable care and comfort, and that their relations during such time have been most cordial and affectionate; and further that orator is a suitable person, and so situated, and in every way fitted and competent to have the care, custody, training and maintenance of the child; and has repeatedly requested of his wife that she return and bring the child with her, or consent to and permit the return of the child to orator's care and custody, offering to furnish every reasonable comfort and all the necessaries of life to them, which she still refuses to do.

FOURTH: Orator further states, charges and avers that his said wife has no means of her own and no property, and no means of livelihood, and is not in position to care for or maintain the child; and that she is now living apart from her husband without his consent; and further charges that the surroundings and environment in which the child is being kept, are not such as would tend to his proper education, training and good morals.

FIFTH: Orator further states, charges and avers that since his marriage with Rosa Staimpel, her mother Catherine Staimpel has shown bitter opposition to orator, frequently giving way to unrestrained bursts of anger and rough language, being a woman of high temper, and has in every way sought to alienate orator's wife's affection from him, using false statements derogatory to his character, and bitter denunciations of orator to his said wife; and orator charges as he verily believes to be true, and states and charges as true, that Catherine Staimpel, the mother of orator's wife, has, by means of such false and bitter denunciation of orator, and wrongfully, and with bitter malice towards orator, alienated his wife's affections from him, and has prevented her coming back to live with orator, and has persuaded her not to return to him, and not to deliver to orator the custody of his child.

X SIXTH: Orator further states, charges and avers that said Catherine Staimpel has wrongfully and maliciously, as stated in the preceding paragraph, alienated orator's wife's affections from him, which he previously enjoyed; and such

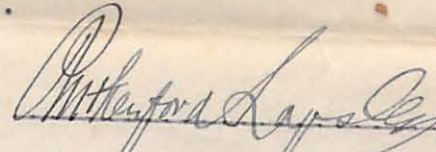
alienation was consummated in the separation of orator's wife from him after her leaving him in May 1922, for her visit to her mother, and was caused by the means used by said Catherine Staimpel, outlined in the fifth paragraph herein; and further states and charges that the said Catherine Staimpel is of German decent, and is a woman of high and ungovernable temper; and for some months prior to the 21st day of May 1922, has written numerous letters to orator's wife in the German language, which he discovered after his wife left him, and the contents of which he did not know until he had them translated into English; in which said letters by false statements derogatory to orator's character, and by false and bitter denunciation of orator, she was seeking, wilfully and maliciously and wrongfully, to alienate the affections of his wife from him; and further states and charges that the said Catherine Staimpel has now succeeded in alienating his wife's affections and separating her from him, and has induced her to refuse to come back to live with him, and has induced her to refuse to deliver to orator the custody of his child.

SEVENTH: Orator further states, charges and avers that, by the means stated and charged against the said Catherine Staimpel in the fifth and sixth paragraphs herein, orator has been deprived of the conjugal society, affection and companionship and services of his wife, and has suffered, and is suffering, great mental anguish, disgrace and humiliation, caused by the wilful and malicious and wrongful acts of said Catherine Staimpel; and orator has been thereby damaged in the sum of, towit, five thousand dollars.

EIGHTH: Orator further states and charges that the said Rosa Wilson and Catherine Staimpel are of full age, and are residents of the County of Baldwin, State of Alabama.

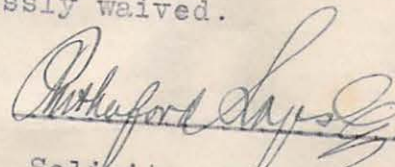
THE PREMISES CONSIDERED, orator prays that your Honor will take jurisdiction of this bill of complaint, and that the said Rosa Wilson and Catherine Staimpel be made parties defendant hereto by proper writ and process from this Court; and that upon final hearing a decree be rendered by the Court granting to orator the custody of his child Harold Wilson, and that the same

be enforced by proper writ and process from this Court; and that under order of the Court, and by proper officer, the child be delivered to orator; and that the said Rosa Wilson and Catherine Staimpel, and any and all persons whomsoever, be forever enjoined and restrained, by decree of this Court, from interfering, or attempting to interfere, with orator's possession, custody and control of his child; and that pending final hearing of the cause a reference be ordered to the Register of this Court to take the testimony and ascertain the amount of damages which have been sustained by the alienation of his wife's affections, caused by the wrongful and malicious acts to this end of the said Catherine Staimpel; and that upon the coming in of the report a judgment be rendered against the said Catherine Staimpel for the amount of such damages, in favor of orator, for which execution may issue; and if in anything orator is mistaken in the relief herein prayed, he prays for such other and further relief, general or special, as may be just and equitable in the premises, and will ever pray, etc.


Solicitor for Complainant.

FOOT NOTE:

The defendants and each of them are required to answer the allegations of the foregoing bill separately, as contained in paragraphs first to eighth both inclusive, without oath; answer under oath is hereby expressly waived.


Solicitor for Complainant.

H. T. Wilson,
Complainant .)
vs
Rosa Wilson et als.)
Defendants.)

In the Circuit Court of Baldwin
County, Alabama, Equity Side.

This cause coming on to be heard on the petition of Rosa Wilson, for the temporary custody of the child Harold Wilson, a child fourteen months of age, pending a final hearing in said cause, it is ordered, adjudged and decreed that the prayer of said petition be, and the same is hereby granted and the temporary custody and control of said minor Harold Wilson is hereby placed in ~~its~~ mother, Rosa Wilson, pending and final hearing in said cause. It is further ordered, adjudged and decreed by the Court that H. T. Wilson be, and he is hereby enjoined and restrained from interfering with the said temporary custody and control of said Rosa Wilson over the said Harold Wilson.

Done this 12th day of October, 1922.

John D Leigh,

Judge of the 21st Judicial
Circuit of Alabama.

To any Sheriff of the State of Alabama to execute.

John D Leigh

Judge of the 21st Judicial Circuit
of Alabama.

The State of Alabama,
Baldwin County.

Circuit Court in Equity.

I, T. W. Richerson, Register of said 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 12th day of October, 1922, in the cause of H. T. Wilson Complainant vs Rosa Wilson, et als, Defendants. as appears of record in said Court.

T. W. Richerson Register.

Received in office Oct 18, 1922

and executed on same date

by serving copy of the within

decree on H. T. Wilson.

Sheriff of Calhoun County.

W. E. Drake

In the Circuit Court of Baldwin
County, Alabama, D. W. T. Side.

This case, this coming on to be heard on the petition of
H. T. Wilson, for the temporary custody of the child herein

Wilson, a child between months of age, certain a final
hearing in said cause, it is ordered, adjudged and decreed

that the prayer of said petition be, and the same is hereby
granted, the temporary custody and control of said minor
child herein is hereby placed in the hands of the mother, H. T. Wilson,
pending and final hearing in this cause. It is further or-
dered, adjudged and decreed that H. T. Wilson
be, and he is hereby enjoined and restrained from
interfering with the said temporary custody and control of
said child over the said H. T. Wilson.

*Filed Oct 18/1922
W. E. Drake*

ORIGINAL.

John D. Bate,
Judge of the First Judicial
Circuit of Alabama.

To my Sheriff of the State of Alabama to execute.

John D. Bate,
Judge of the First Judicial Circuit
of Alabama.

The State of Alabama,
Baldwin County.

I, T. W. Richardson, Sheriff of Baldwin County, Alabama, do hereby certify that the above is a true and correct
copy of the decree rendered by said Court on the 18th day of
October, 1922, in the case of H. T. Wilson Complainant vs
H. T. Wilson, et al, Defendant, as appears of record in
said Court.

T. W. Richardson
Sheriff



H. T. Wilson,
Complainant.

vs.

Rosa Wilson, et-als.
Defendants.

In the Circuit Court of Baldwin
County, Alabama. Equity Side.

This cause coming on to be heard on the petition of Rosa Wilson for the temporary custody of the child Harold Wilson, a child fourteen months of age, pending a final hearing in said cause, it is ordered, adjudged and decreed that the prayer of said petition be, and the same is hereby granted and the temporary custody and control of said minor Harold Wilson is hereby placed in its mother, Rosa Wilson, pending and final hearing in said cause. It is further ordered, adjudged and decreed by the court that H. T. Wilson be, and he is hereby enjoined and restrained from interfering with the said temporary custody and control of said Rosa S. Wilson over the said Harold Wilson.

Done this the ~~12th~~^{12th} day of October, 1922.

John D. Leigh
Judge of the 21st Judicial
Circuit of Alabama.

To any Sheriff of the State of Alabama to execute.

John D. Leigh
Judge of the 21st Judicial
Circuit of Alabama.

H.T. Wilson,)
 Complainant.)
 Vs.)
 Rosa S. Wilson and Catherine)
 Stampel,)
 Respondents.)

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

This cause coming on to be heard is submitted for consideration and decree of the Court upon the Motion of the Respondent, Rosa S. Wilson, asking H.T. Wilson, Complainant in the cause, be adjudged in contempt of Court. It is made to appear to the Court that the Complainant, H.T. Wilson filed his Bill of Complaint in this Court, asking for the custody and control of the minor child named in said Bill, Harold Wilson, the said Rosa Wilson at the time of the filing of said Bill still having the custody and control of said minor child, Harold Wilson, and that subsequent to the filing of said Bill the H.T. Wilson without any order of this Court and before any action had been taken by this Court as to the custody and control of the said minor child, Harold Wilson, did take and remove the said minor child, Harold Wilson from the custody and control of the said Rosa S. Wilson and removed the said child from the County of Baldwin, State of Alabama, to the County of Calhoun, State of Alabama, and that subsequent to the removal of the said minor child by the said H.T. Wilson, the said Rosa S. Wilson did file in this cause a Petition for the custody and control of the said minor child, Harold Wilson, pendente lite, which Petition was duly filed on October 12, 1922. It is further made to appear to the Court that before the filing of said Petition by the said Rosa S. Wilson the same came on to be heard by this honorable Court and said Court did on the 12th day of October, 1922, pending a final hearing of the Original Bill in this cause, order, adjudge and decree that the prayer of said Petition be, and the same was, granted and the temporary custody and control of the said Harold Wilson was placed in his Mother, Rosa S. Wilson, and that the said H.T. Wilson was enjoined and restrained from interfering with the said temporary custody and control of the said Rosa S. Wilson over the said Harold Wilson.

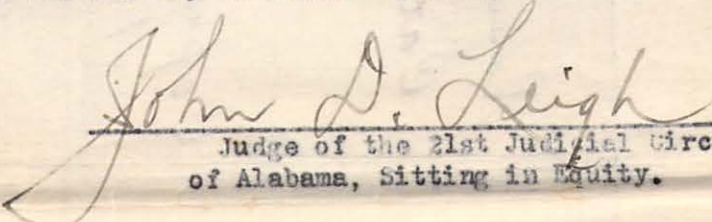
It is further made to appear to the Court that a copy

of said decree was served upon the said H.T. Wilson and that the Hon. T.W. Richardson, as Register in Chancery of this Court, did issue an order to the Sheriff to forthwith ~~restore~~ the custody of the said Harold Wilson to his mother, Rosa S. Wilson, and that the said Sheriff did endeavor to execute the said writ and restore the possession of the said child to the said Rosa S. Wilson, and the said H.T. Wilson did refuse and decline to surrender the possession of the said child or the custody thereof and refused to deliver the custody and control of the said Harold Wilson pending the hearing of this cause, and that, notwithstanding the orders and decrees of this Court, the said H.T. Wilson still declines and refuses to surrender the custody and control of the said Harold Wilson and continues to interfere with the custody and control of the said Rosa S. Wilson over the said Harold Wilson. It is, therefore,

ORDERED, ADJUDGED AND DECREED that the said H.T. Wilson do appear before me at the Court House in Day Minette, Alabama, at 10 o'clock A.M. on the 22 day of November, 1922, then and there to show cause why he should not be adjudged in contempt of this Court. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Register of this Court do issue notice directed to any Sheriff of the State of Alabama, directing that the said H.T. Wilson be served with a notice of the hearing hereinabove set out, and that a copy of this decree be attached to said notice.

Dated, this the 8th day of November, 1922.


Judge of the 21st Judicial Circuit
of Alabama, Sitting in Equity.

H.T. Wilson,)
)
 Complainant.)
)
 Vs.)
)
 Rosa S. Wilson and Catherine)
 Staimpel,)
)
 Respondents.)

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

This cause coming on to be heard is submitted for consideration and decree of the court upon the Motion of the Respondent, Rosa S. Wilson, asking H.T. Wilson, Complainant in the cause, be adjudged in contempt of court. It is made to appear to the Court that the Complainant, H.T. Wilson filed his Bill of Complaint in this Court, asking for the custody and control of the minor child named in said Bill, Harold Wilson, the said Rosa Wilson at the time of the filing of said Bill still having the custody and control of said minor child, Harold Wilson, and that subsequent to the filing of said Bill the H.T. Wilson without any order of this Court and before any action had been taken by this Court as to the custody and control of the said minor child, Harold Wilson, did take and remove the said minor child, Harold Wilson from the custody and control of the said Rosa S. Wilson and removed the said child from the county of Baldwin, State of Alabama, to the county of Calhoun, State of Alabama, and that subsequent to the removal of the said minor child by the said H.T. Wilson, the said Rosa S. Wilson did file in this cause a Petition for the custody and control of the said minor child, Harold Wilson, pendente lite, which Petition was duly filed on October 12, 1922. It is further made to appear to the Court that before the filing of said Petition by the said Rosa S. Wilson the same came on to be heard by this honorable Court and said Court did on the 12th day of October, 1922, pending a final hearing of the Original Bill in this cause, order, adjudge and decree that the prayer of said Petition be, and the same was, granted and the temporary custody and control of the said Harold Wilson was placed in his Mother, Rosa S. Wilson, and that the said H.T. Wilson was enjoined and restrained from interfering with the said temporary custody and control of the said Rosa S. Wilson over the said Harold Wilson.

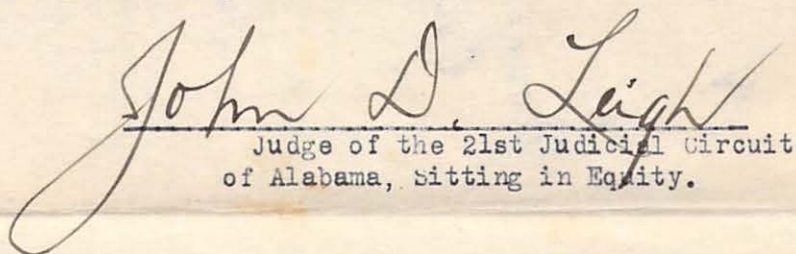
It is further made to appear to the Court that a copy

of said decree was served upon the said H.T.Wilson and that the Hon. T.W. Richardson, as Register in Chancery of this Court, did issue an order to the Sheriff to forthwith restore the custody of the said Harold Wilson to his Mother, Rosa S. Wilson, and that the said Sheriff did endeavor to execute the said writ and restore the possession of the said child to the said Rosa S. Wilson, and the said H.T.Wilson did refuse and decline to surrender the possession of the said child or the custody thereof and refused to deliver the custody and control of the said Harold Wilson pending the hearing of this cause, and that, notwithstanding the orders and decrees of this Court, the said H.T.Wilson still declines and refuses to surrender the custody and control of the said Harold Wilson and continues to interfere with the custody and control of the said Rosa S. Wilson over the said Harold Wilson. It is, therefore,

ORDERED, ADJUDGED AND DECREED that the said H.T.Wilson do appear before me at the Court House in Bay Minette, Alabama, at ~~10~~ o'clock A.M. on the 22 day of November, 1922, then and there to show cause why he should ~~not~~ be adjudged in contempt of this Court. It is further

ORDERED, ADJUDGED AND DECREED by the Court that the Register of this Court do issue notice directed to any Sheriff of the State of Alabama, directing that the said H.T.Wilson be served with a notice of the hearing hereinabove set out, and that a copy of this decree be attached to said notice.

Dated, this the 8th day of November, 1922.


Judge of the 21st Judicial Circuit
of Alabama, sitting in Equity.