

The State of Alabama,  
Baldwin County.

{ No. 659 .. CIRCUIT COURT IN EQUITY.

*Lillie White*

Complainant

vs.

*Jeff White*

Defendant

Motion is hereby made for a Decree Pro Confesso against

*Jeff White*

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 23 day of September 1940

*J. J. Mallaburns, Jr.* Solicitor.

**RECORDED**

No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

vs.

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

Filed Sept. 23 1940

R. S. Duce  
Register.

Recorded in \_\_\_\_\_ Record,

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

LILLIE WHITE,  
Complainant,  
VS.  
JEFF WHITE,  
Respondent.

EQUITY NO. \_\_\_\_\_  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

Testimony of GEORGE M. LAMBERT for the Complainant.

The said witness, GEORGE M. LAMBERT, being first duly sworn, upon examination by the Solicitor for the Complainant, testified as follows:

"My name is George M. Lambert. I live at Bay Minette, Baldwin County, Alabama, and I am over the age of twenty-one years. Lillie White is my cook.

Lillie White has been a bona fide resident of Alabama for more than twenty years next preceding the filing of the Bill of Complaint in this cause. She has been living at Bay Minette, Alabama.

I know that Lillie White was married to Jeff White at Atmore, Alabama, about the 6th day of July, 1937; that they lived together as husband and wife at Bay Minette, Alabama, until about the 15th day of July, 1938; that Jeff White then left his wife, Lillie White, and has not since that time returned to live with her, but has wholly abandoned her. It is my information and firm belief that his leaving was without cause, fault or consent on the part of Lillie White. It is also my information and firm belief that the said Jeff White has not provided for or supported the said Lillie White since the time he left her some two years ago."

*George M. Lambert*

STATE OF ALABAMA,  
BALDWIN COUNTY.

I, Leslie Hall, Commissioner in the above styled cause, hereby certify that on the 26<sup>th</sup> day of October, 1940, I caused the witness, George M. Lambert, whose name is subscribed to the foregoing noted testimony, to appear before me at my office in Bay Minette, Alabama, where, after being duly and legally sworn, and upon examination by T. J. Mashburn, Jr., Solicitor for the Complainant, he testified as hereinabove set forth; that his testimony was taken down as near as might be in the language of himself, and was read over and signed by him in my presence. I further certify that I am not counsel to either party in said cause, and in no way interested in the result thereof.

Witness my hand and seal this the 26<sup>th</sup> day of October, 1940.

*Leslie Hall*  
\_\_\_\_\_  
Commissioner. (Seal)

LILLIE WHITE,  
Complainant,  
VS.  
JEFF WHITE,  
Respondent.

EQUITY NO. \_\_\_\_\_  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

Testimony of LILLIE WHITE, the Complainant.

The said witness, Lillie White, being first duly and legally sworn, upon examination by the Solicitor for the Complainant, testified as follows:

"My name is Lillie White. I am the Complainant in this cause. I am over the age of twenty-one years. I am a bona fide resident citizen of Baldwin County and have been for more than twenty years next preceding the filing of the Bill of Complaint in this cause. I live at Bay Minette, Alabama. Jeff White, the Respondent in this cause is a resident citizen of Baldwin County, Alabama, residing at Bay Minette, and he is over the age of twenty-one years.

The said Jeff White, the Respondent, and I were married at Atmore, Escambia County, Alabama, on about the 6th day of July, 1937, and we lived together as husband and wife in Bay Minette, Baldwin County, Alabama, until about the 15th day of July, 1938. About the 15th day of July, 1938, the said Jeff White left me and voluntarily abandoned my bed and board and has continued to live separate and apart from me from that date, never having returned to live with me. During all of this time I have received no support from the said Jeff White. During all of this time I have been a bona fide resident of this State. The abandonment and separation were without cause, fault or consent on my part."

*Witnessed by*  
*Geo M. Lambert*  
STATE OF ALABAMA,  
BALDWIN COUNTY.

*(initials)*  
*Lillie White*  
\_\_\_\_\_  
*(marks)*

I, Leslie Hall, Commissioner in the above-styled cause, hereby certify that on the 26<sup>th</sup> day of October, 1940, I caused the witness LILLIE WHITE, whose name is subscribed to the foregoing testimony, to appear before me at my office, in Bay Minette, Alabama, where, after being duly and legally sworn, and upon examination by T. J. Mahburn, Jr., Solicitor for the Complainant, she testified as hereinabove set forth; that her testimony was taken down as near as might be in her language, and that after being written down, was read over to her and signed by her in my presence. I further certify that I am not counsel to either party in said cause, and in no way interested in the result thereof.  
Witness my hand and seal this the 26<sup>th</sup> day of October, 1940.

*Leslie Hall*  
\_\_\_\_\_  
Commissioner, (Seal)

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 659

Term, 193

LILLIE WHITE

, Complainant

Vs.

JEFF WHITE

, Defendant

To R. S. DUCK,

, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by T. J. Mashburn, Jr.

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

*T. J. Mashburn, Jr.*  
Solicitor for Complainant.

STATE OF ALABAMA, }  
BALDWIN COUNTY. }

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO ANY SHERIFF OF THE SAID STATE--GREETING:

You are hereby commanded to summon Jeff White to appear and plead, answer, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in the Circuit Court in Equity for Baldwin County, Alabama, at Bay Minette, against Jeff White by Lillie White, Complainant.

Witness my hand, this 21 day of August, 1940.

R. S. Durb  
Register.

LILLIE WHITE,  
Complainant,  
VS.  
JEFF WHITE,  
Respondent.

EQUITY NO. 659  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your Complainant, LILLIE WHITE, and humbly  
complaining against the Respondent, JEFF WHITE, respectfully  
represents and shows unto your Honor and this Honorable  
Court the following facts as a basis for the relief herein-  
after prayed:

1. That both your Complainant and the Respondent  
are over the age of twenty-one years; that your Complainant  
is a bona fide resident citizen of the State of Alabama and  
of Baldwin County and has been for more than ten years next  
preceding the filing of this bill of complaint, residing at  
Bay Minette; that the Respondent is a resident citizen of  
Baldwin County, Alabama, residing at Bay Minette, and has been  
for more than three years next preceding the filing of this  
bill of complaint.

2. That your Complainant and the Respondent are  
husband and wife, having intermarried at Atmore, Alabama, on,  
to-wit: July 6, 1937; that they lived together as husband and  
wife in Bay Minette, Baldwin County, Alabama, until on, to-wit,  
July 15, 1938.

3. That on to-wit, July 15, 1938, the Respondent,  
Jeff White, voluntarily abandoned the bed and board of your  
Complainant and since that time has not returned to live with  
her; that since July 15, 1938, the Respondent has not con-  
tributed to the support of your Complainant.

4. That said abandonment was without cause, fault  
or consent on the part of your Complainant.

WHEREFORE, the premises considered, Complainant

prays that your Honor will, by proper process, make the said Jeff White, party respondent to this Bill of Complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court;

Complainant further prays that upon a final hearing of this Cause, your Honor will give and grant unto her a decree of divorce forever barring the bonds of matrimony existing between her and the Respondent, JEFF WHITE. Complainant prays such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

J. A. Mass. Burrell  
Solicitor for the Complainant.



ORIGINAL **RECORDED**

659

*Bay Minette  
(Colonel)*

Received in Sheriff's Office  
this 21 day of August, 1940  
W. R. STUART, Sheriff

LILLIE WHITE,  
Complainant,  
VS.  
JEFF WHITE, *(c.m.)*  
Respondent.

Executed 8/21 1940  
serving copy of within 3 hours of  
complaint on

*Jeff White*

*W.R. Stuart*

By *D. B. Harrington* Deputy

BILL OF COMPLAINT.

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

*Filed August 21, 1940*  
*R. S. Pugh, Register*

T. J. MASHBURN, JR.  
LAWYER  
BAY MINETTE, ALABAMA

\_\_\_\_\_  
 LILLIE WHITE,  
 \_\_\_\_\_  
 Complainant,  
 \_\_\_\_\_  
 vs.  
 \_\_\_\_\_  
 JEFF WHITE,  
 \_\_\_\_\_  
 Respondent.  
 \_\_\_\_\_

THE STATE OF ALABAMA  
 Baldwin County

IN EQUITY  
 Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, \_\_\_\_\_  
 Motion for Decree Pro Confesso on Personal Service; Decree Pro Confesso  
 on Personal Service; Testimony of Lillie White, and Geo. M. Lambert;  
 Request for Decree;

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

and in behalf of Defendant upon \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
*R. S. Durr*  
 \_\_\_\_\_  
 Register.

THE STATE OF ALABAMA,  
Baldwin County

}

CIRCUIT COURT

TO LESLIE HALL:-

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Lillie White and Geo. M. Lambert

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

LILLIE WHITE,

Complainant

and JEFF WHITE,

Defendant,

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

Witness 23rd day of September, 1940.

R. S. Duch

REGISTER

Commissioner's Fee \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

LILLIE WHITE, Complainant,  
Vs. JEFF WHITE Respondent.

In the Circuit Court.  
In Equity No. 659.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent  
Jeff White

by the Sheriff of Baldwin County, on the 21st day of August, 1940.

And it further appears to the Register, that the said Jeff White

the Respondent, having to the date hereof, failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore, on motion of T. J. Mashburn, Jr. Solicitors for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be, and it hereby is, in all things taken as confessed against the said

Jeff White

This 23rd day of September, 1940.

A. S. Duch

Register.

THE STATE OF ALABAMA, }  
Baldwin County.

No. 659

Circuit Court, In Equity

LILLIE WHITE,

Complainant

vs.

JEFF WHITE,

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of opinion that the Complainant is entitled to the relief prayed for in said bill.

IT IS THEREFORE Ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and the Complainant is forever divorced from the Defendant.

It is further ordered that the said Lillie White and Jeff White, they are be, and ~~the same~~ hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Lillie White, the Complainant, pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may be issued against the said Jeff White

It is further ordered, adjudged and decreed that said Lillie White shall not again marry except to said Jeff White until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Jeff White during the said pendency of appeal

This 28<sup>th</sup> day of October 1930

*J. W. Hare*  
Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }  
Baldwin County.

Circuit Court, In Equity.

I, \_\_\_\_\_ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the \_\_\_\_\_ day of \_\_\_\_\_ 1930 in the cause of \_\_\_\_\_

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the \_\_\_\_\_ day of \_\_\_\_\_ 1930

Register

RECORDED

No. \_\_\_\_\_

CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.  
IN EQUITY

LILLIE WHITE

Complainant,

Vs.

JEFF WHITE

Respondent.

DECREE PRO CONFESSO ON  
PERSONAL SERVICE.

Issued this 23 day of September,  
1940.

*R. S. Duck*  
Register.

**RECORDED**

No. 659

**THE STATE OF ALABAMA,  
BALDWIN COUNTY**

**CIRCUIT COURT, IN EQUITY**  
Baldwin County, Ala.

LILLIE WHITE,  
Complainant,

vs.  
JEFF WHITE,  
Respondent.

**DECREE OF DIVORCE**

Filed in office this 28<sup>th</sup>

day of October 1942.

A. S. Dicks  
REGISTER

F. O. M.

MOORE PRINTING CO., BAY MINETTE, ALA.

**THE STATE OF ALABAMA**  
**Baldwin County**  
**CIRCUIT COURT**

Complainant \_\_\_\_\_

VS.

Defendant \_\_\_\_\_

**Commission To Take Deposition**

COMMISSIONER:

Witnesses: