Published Every Thursday

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION $2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

NOTICE TO NON-RESIDENT

EDWARD W. WALTHALL, Complainant No. 704, vs. LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN and LUCY WRIGHT, Respondents.

THE STATE OF ALABAMA, BALDWIN COUNTY, CIRCUIT COURT, IN EQUITY. This the 11th day of March, 1941.

In this cause it being made to appear to the Clerk of this Court by the affidavit of H. E. Smith, that the Defendants, Bessie Hayes, 88 Atuck Court, Pensacola, Fla.; Maggie Mincy, 88 Atuck Court, Pensacola, Fla.; Cuff T. Dick, Chester, Penn.; Janie King, address unknown; are non-residents of the state of Alabama; that the address of the said respondent, Janie King, is unknown; and cannot be ascertained after diligent search and inquiry; and further, that, in the belief of said Affiant the Defendants are over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Respondents to answer or demur to the Bill of Complaint in this cause by the 7th day of April, 1941, or after thirty days thereafter a decree Pro Confesso may be taken against them.

R. S. DUCK, Register. 7-4td

H. E. SMITH, Solicitor for Complainant.

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY,

J. H. Faulkner being duly sworn, deposes and says that he is the **PUBLISHER** of **THE BALDWIN TIMES**, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Edward W. Walthal vs. —

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication March 13, 1941 Vol. 52 No. 7

Date of second publication " 20, " Vol. 52 No. 8

Date of third publication " 27, " Vol. 53 No. 9

Date of fourth publication April 3 " Vol. 52 No. 10

Subscribed and sworn before the undersigned this 35 day of April 1941

Mrs. Lucy Doria
Notary Public
Baldwin County

J. H. Faulkner
Publisher

705

Filed April 25, 1941
R. S. Duck, Register

KNOW ALL MEN BY THESE PRESENTS , That, Mrs. M.L.Walthall/, a widow, the grantor, for and in consideration of one dollar and other good and valuable considerations, the receipt whereof is hereby acknowleged, does hereby grant, bargain, sell and convey unto Edward W. Walthall, the grantee, all the real property in Baldwin County, Alabama, described as follows, to-wit :-

An undivided one/seventh (I/7th) interest in the Russell Dick lands in Section Seventeen, Township Five South, Range Two East (S.I7,T5S,R2E), by, under and in accordance with the deed executed by Maggie Mincy and Dan Mincy to said grantor and recorded in Book #46 NS, page 282, of the Baldwin County,Alabama, land records.

Together with all and singular the rights and appurtenances unto said premises belonging or appertaining. To Have and To Hold unto said grantee and his heirs and assigns, forever.

In Witness whereof, said grantor has this the twelvth day of March hereunto set her hand and seal.

Mrs. M. L. Walthall

State of Alabama)
Baldwin County)

I, Kathleen Simon, a notary public in and for said State and County, hereby certify that Mrs. M. L. Walthall, a widow, whose name is signed to the foregoing conveyance, is known to me, and acknowleged before me on this date that being informed of the contents of said conveyance, she executed the same voluntarily on the day same bears date.

Given under my hand and seal this 12 th of March, I937.

Kathleen Simon

Mrs. M. L. Walthall

to

Edward W. Walthall

3-12 —

49
49

State of Alabama, Mobile County. } Mobile County
JUL 22 1938
filed in office this day of
in Deed Book No. 65 N.S. at page 296
and I certify that I collected $50 Deed tax and $ Mortgage tax, by
tax paid $ as shown on receipted bill on file.
M. Roberts
Judge of Probate

E. W. Walthall
Daphne
Ala.

D 50
R 50
100

8550 REQUEST FOR DECREE IN VACATION. Moore Ptg. Co.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 705 MAY, 1941 Term, 193

E. W. WALTHALL, , Complainant

Vs.

LILLIE DICK, ET AL., , Defendant S.

To R.S.Duck, , Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant S, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by H. E. Smith 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.

H.E.SMITH
Solicitor for Complainant.

8571 CERTIFICATE OF PUBLICATION.

E. W. WALTHALL

Complainant.

vs.

LILLIE DICK, HANNAL CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN AND LUCH WRIGHT

Respondents.

THE STATE OF ALABAMA,
Baldwin COUNTY.

CIRCUIT COURT, IN EQUITY.
Term, 19

I, R. S. DUCK Register of the Circuit Court of BALDWIN County, of the State of Alabama, hereby certify that on the affidavit of H. E. SMITH

on the 11th day of March 19 41, an order of publication was made to Bessie Hayes and Maggie Mincy, Cuff T. Dick, Janie King who are non-resident s who reside at Pensacola, Fla; Chester, Penna; State of California and was published in the Baldwin Times a newspaper published in Bay Minette, Alabama once a week, for four consecutive weeks, commencing on the 13th day of March 19 1, requiring the said Respondents to answer or demur to the Bill of Complaint in the cause on the 4th day of April 19 41, or in thirty days therefrom a decree Pro Confesso may be taken against them

And that a copy of said order was forwarded by mail, on the 11th day of March 19 41 addressed to them at

and that one other copy of said order was posted at the Courthouse door of said County for four consecutive weeks, commencing on the 11th day of March 19 41

R S Duck
Register.

705

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

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summon Lillie Dick, Hannah Clinton, Rose Allen & Lucy Wright to appear, and plead, answer or demur within 30 days from the service hereof, to the bill of complaint filed in this court by E. W. Walthall against Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen, and Lucy Wright.

Herein fail not, and make due return as the law directs.

Witness my hand this the 11th day of March, 1941.

R. S. Duck, Register

by Pauline Thompson as Deputy Register.

. . . . . .

E. W. WALTHALL, Complainant,	
vs.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY.
LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN and LUCY WRIGHT, Respondents.	

TO THE HONORABLE F. W. HARE, Judge of said Court, sitting in Equity:

Now comes your complainant, E. W. Walthall, and brings this his bill of complaint against Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen, and Lucy Wright, and shows and alleges unto your Honor and the Court as follows:

1. Complainant is a resident of Baldwin County, Alabama, and is over the age of 21 years. The respondents, Lillie Dick and Hannah Clinton are residents of the state of Alabama, and reside at 956 State Street, Mobile, Alabama; the respondents, Bessie Hayes, and Maggie Mincy are non-residents of the state of Alabama and reside at No. 88, Atuck Court, Pensacola, Florida; the respondent Cuff T. Dick is a non-resident of the state of Alabama, his place of residence and post office address being Chester, Pennsylvania; Janie King is a non-resident of the state of Alabama, her last known place of residence being in California, her post office address being unknown and cannot be ascertained after diligent search and inquiry; the respondents, Rose Allen and Lucy Wright are residents of the state of Alabama and reside in Daphne, Baldwin County, Alabama; all of said respondents being over the age of 21 years.

2. Complainant, E. W. Walthall, is in actual and peaceable possession of, and owns in fee simple in his own right and so claims, all that real property in Baldwin County, Alabama, described as follows:

> Commence at the southwest corner of Section 17 in Township 5 South of Range 2 East and run thence north along the section line 419.76 feet to a point for a beginning corner, thence east 660 feet to lands of Ora Blackman, thence north 210 feet to a point, thence west 660 feet to a point in Eastern Shore Boulevard, thence south along said Boulevard 210 feet to the place and point of beginning.

3. The respondents claim, or are reputed to claim, some right, title or interest in or incumbrance upon said lands, and complainant therefore calls upon them to set forth and specify their title, claim, interest or incumbrance and how and by what instrument the same is derived and created.

4. No suit is pending to enforce or test the validity of such title, claim or encumbrance, and complainant brings and maintains this suit in equity to settle the title to such lands, and to clear up all doubts or disputes concerning the same.

PRAYER FOR PROCESS

WHEREFORE, the premises considered the Complainant prays that your Honor will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, respondents to this Bill of Complaint, requiring them 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.

PRAYER

Complainant further prays that upon the hearing of this complaint, this Honorable Court establish the title of Complainant in and to the lands herein described, and further find and decree that the said Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright have no claim, right, title to or interest in, or encumbrance upon the said land herein described, or any part thereof, and grant unto your Complainant such other, further, different of general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

H. E. Smith

Solicitor for Complainant.

STATE OF ALABAMA
COUNTY OF BALDWIN

IN THE CIRCUIT COURT
IN EQUITY.

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summon Rose Allen, Lucy Wright, Lillie Dick, and Hannah Clinton, to appear, and plead, answer or demur within 30 days from the service hereof, to the bill of complaint filed in this court by E. W. Walthall against Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen, and Lucy Wright.

Herein fail not, and make due return as the law directs.

Witness my hand this the 11th day of March, 1941.

R. S. Duck, Register

by Nellie Hooper
as Deputy Register.

. . . . . .

E. W. WALTHALL, Complainant,

vs

LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN AND LUCY WRIGHT, Respondents.

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

TO THE HONORABLE F. W. HARE, JUDGE OF said Court, sitting in Equity:

Now comes your complainant, E. W. Walthall, and brings this his bill of complaint against Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen, and Lucy Wright, and shows and alleges unto your Honor and the Court as follows:

1. Complainant is a resident of Baldwin County, Alabama, and is over the age of 21 years. The respondents, Lillie Dick and Hannah Clinton are residents of the State of Alabama, and reside at 956 State Street, Mobile, Alabama; the respondents, Bessie Hayes, and Maggie Mincy are non-residents of the state of Alabama and reside at No.88, Atuck Court, Pensacola, Florida; the respondent Cuff T. Dick is a non-resident of the state of Alabama, his place of residence and post office address being Chester, Pennsylvania; Janie King is a non-resident of the state of Alabama, her last known place of residence being in California, her post office address being unknown and cannot be ascertained after diligent search and inquiry; the respondents, Rose Allen and Ludy Wright are residents of the state of Alabama and reside in Daphne, Baldwin County, Alabama; all of said respondents being over the age of 21 years.

2. Complainant, E. W. Walthall, is in actual and peaceable possession of, and owns in fee simple in his own right and so claims, all that real property in Baldwin County, Alabama, described as follows:

> Commence at the southwest corner of Section 17 in Township 5 South of Range 2 East and run thence north along the section line 419.76 feet to a point for a beginning corner, thence east 660 feet to lands of Ora Blackman, thence north 210 feet to a point, thence west 660 feet to a point in Eastern Shore Boulevard, thence south along said Boulevard 210 feet to the place and point of beginning.

3. The respondents claim or are reputed to claim, some right, title or interest in or incumbrance upon said lands, and complainant therefore calls upon them to set forth and specify their title, claim, interest or incumbrance and how and by what instrument the same is derived and created.

4. No suit is pending to enforce or test the validity of such title, claim or incumbrance, and complainant brings and maintains this suit in equity to settle the title to such lands, and to clear up all doubts or disputes concerning the same.

PRAYER FOR PROCESS

WHEREFORE, the premises considered the Complainant prays that your Honor will take jurisdiction of the cause made by this Bill of Complaint, and by appropriate process make the said Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, respondents to this Bill of Complaint, requiring them 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.

PRAYER

Complainant further prays that upon the hearing of this complaint, this Honorable Court establish the title of Complainant in and to the lands herein described, and further find and decree that the said Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright have no claim, right, title to or interest in or encumbrance upon the said land herein described, or any part thereof, and grant unto your Complainant such other, further, different of general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

H. E. Smith
Solicitor for Complainant.

E. W. WALTHALL, Complainant,	:	
vs	:	
	:	IN THE CIRCUIT COURT OF BALDWIN
LILLIE DICK, HANNAH CLINTON,	:	
BESSIE HAYES, MAGGIE MINCY,	:	COUNTY, ALABAMA. IN EQUITY.
CUFF T. DICK, JANIE KING,	:	
ROSE ALLEN AND LUCY WRIGHT,	:	
Respondents.	:	

AFFIDAVIT FOR PUBLICATION AGAINST NON-RESIDENTS.

Before me, R. S. Duck, Register in Chancery for the Circuit Court of Baldwin County, Alabama, personally appeared H. E. Smith, who, being first by me duly sworn, says on oath as follows: that he is solicitor in the above entitled cause for E. W. Walthall, the complainant, and that he, the said H. E. Smith, has been informed and believes, and upon such information and belief states as follows: the respondents, Bessie Hayes and Maggie Mincy, are non-residents of the State of Alabama, their places of residence and post office addresses being No. 88 Atuck Court, Pensacola, Florida; the respondent, Cuff T. Dick, is a non-resident of the State of Alabama, his place of residence and postoffice address being Chester, Pennsylvania; and that the respondent, Janie King, is a non-resident of the State of Alabama, her last known place of residence being in the State of California, her postoffice address being unknown and cannot be ascertained after diligent search and inquiry, such diligent search and inquiry including inquiry from members of her family, her relatives, search of public records in Baldwin County, Alabama, members of her family and friends stating that none of them had her address, but when last heard from she was in California, the address having been lost; and that deponent and the said respondents are over the age of twenty-one years.

H. E. Smith

Sworn to and subscribed before me on this the 11th day of March, 1941.

R. S. Duck, Register,

By [signature]
Deputy.

E. W. WALTHALL, Complainant, vs. LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN and LUCY WRIGHT, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY.

REQUEST FOR DECREE PRO CONFESSO.

Now comes the complainant, E. W. Walthall and respectfully moves for and prays the Court to give and grant to him a decree pro confesso against the following respondents, namely: Rose Allen, Lucy Wright, Lillie Dick and Hannah Clinton.

H. E. Smith
Solicitor for Complainant.

RECORDED

No. _____ Page _____

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

E. W. WALTHALL,

Complainant

Vs.

LILLIE DICK, ET ALS.,

Respondent.

REQUEST FOR DECREE IN VACATION

Filed May 27th, 1941, 193__

R. S. Deck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Ptg. Co. Bay Minette

RECORDED

REQUEST FOR DECREE PRO CONFESSO

E. W. WALTHALL, Complainant,

vs.

LILLIE DICK, HANNAH CLINTON,
BESSIE HAYES, MAGGIE MINCY,
CUFF T. DICK, JANIE KING,
ROSE ALLEN and LUCY WRIGHT,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed April 21, 1941
R.S. Duck, Register

RECORDED

Affidavit

Filed March 11, 1941
R. L. Duck, Register

Received in Sheriff's Office
this 12 day of March, 1941
W. R. STUART, Sheriff

Received 14 Day of March 1941
and on 14 Day of March 1941
I served a Copy of the within Summons & Complaint
on Lillie Dick & Hannah Clinton
by service on
W. H. HOLCOMBE, Sheriff
By M. Ramsdale D.S.

302/314 705

Mobile County

RECORDED

BILL OF COMPLAINT

E. W. WALTHALL, Complainant,

vs.

LILLIE DICK, HANNAH CLINTON,
BESSIE HAYES, MAGGIE MINCY,
CUFF T. DICK, JANIE KING,
ROSE ALLEN AND LUCY WRIGHT,
Respondents.

956 State Street
Mobile
Ala

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

1577
Eugene Morgan
v.s.
Alfred L. Morgan

Filed March 11th, 1941
R. S. Duck, Register.

2/12

State of Alabama,)
Baldwin County.)

I, R. S. Duck, Register of the Circuit Court, in and for said State and County, hereby certify that I have, on the date mentioned below, mailed a copy of the within Bill of Complaint, together with summons to the non-resident respondents, named herein, whose addresses are known to complainant viz: Bessie Hayes, 88 Atuck Court, Pensacola, Fla.; Maggie Mincy, 88 Atuck Court Pensacola, Fla.; Cuff T. Dick, Chester, Penn., by registered mail, with postage prespaid, with return receipt requested, and marked for deliveryto the person to whom addressed, only.

This the 11th day of March, 1941.

R. S. Duck
Register.

Baldwin County

705

BILL OF COMPLAINT

E. W. WALTHALL, Complainant,

vs.

LILLIE DICK, HANNAH CLINTON,
BESSIE HAYES, MAGGIE MINCY,
CUFF T. DICK, JANIE KING,
ROSE ALLEN and LUCY WRIGHT,
Respondents.

Defendants

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

Filed March 11, 1941
R. S. Duck, Register

Received in Sheriff's Office
this 12 day of Mar., 1941
W. R. STUART, Sheriff

Executed this 14th day of March - 1941 by serving a copy of within writ on Rose Allen and Lucy Wright

W. R. Stuart
Sheriff
B. F. Riccia
D.S.

RECORDED

No. 705

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

E. W. Walthall

vs.

Lillie Dick, Hannah Clinton,

Bessie Hayes, Maggie Mincy,

Cuff T. Dick, Janie King,

~~Rose Allen and Lucy Wright.~~

CERTIFICATE OF PUBLICATION.

Filed in office this 4

day of April 19 41

R S Deck

Register.

IN THE PROBATE COURT.

STATE OF ALABAMA, :
BALDWIN COUNTY. :

LIS PENDENS NOTICE.

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that, on the day of the date hereof, E. W. Walthall, as Complainant, has filed and brought his bill of complaint, in the Circuit Court in Equity of said State and County, against Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, as respondents, to quiet title as against all of said respondents to all that real estate in said State and County described as follows:

Commence at the southwest corner of Section 17 in Township 5 South of Range 2 East and run thence north along section line 419.76 feet for a beginning corner, thence east 660 feet to lands of Ora Blackman, thence north 210 feet to a point, thence west 660 feet to a point in Eastern Shore Boulevard, thence south along said Boulevard to the place and point of beginning.

DATED this 11th day of March, 1941.

E. W. WALTHALL,

By H. E. Smith
as his solicitor
of record.

LIS PENDENS NOTICE.

3-11-41

Edward W. Walthall,
as Complainant,

vs

Lillie Dick, Hannah Clinton,
Bessie Hayes, Maggie Mincy,
Cuff T. Dick, Janie King,
Rose Allen and Lucy Wright.
as Respondents.

STATE OF ALABAMA, PERRY COUNTY
MAR 12 1941
Filed 130 P M
Recorded Lis Pendens 1 1943
and I certify that the Mortgage Tax has been paid
Deed Tax
Mortgage Tax
W. O. Roberts
Judge of Probate

By

Rec to R S Dick
Atty

35

Non-residents:

Bessie Hayes	88 Atuck Court	Pensacola, Fla
Maggie Mincy	88 Atuck Court	Pensacola, Fla
Cuff T. Dick		Chester, Pennsylvania
Janie King	Place of residence and postoffice address unknown and cannot be ascertained after diligent search and inquiry.	

Filed March 11, 1941
R. S. Dueck, Register.

E. W. WALTHALL, Complainant, vs. LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN and LUCY WRIGHT, Respondents.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. NUMBER 705.

NON-MILITARY AFFIDAVIT

Before me, J. J. Mashburn, Jr., a Notary Public in and for said State and County, personally appeared H. E. Smith, who, being first by me duly sworn, deposes and says as follows: That he is a regularly licensed and practicing attorney in and of Baldwin County Alabama, and is solicitor of record for the Complainant in the foregoing cause, and as such solicitor is fully authorized to make this affidavit and has personal knowledge of the statements herein contained; that none of the Respondents, Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, are in the military or naval service or any branch thereof of the United States of America, or any state therein.

H. E. Smith

Sworn to and subscribed before me this 27 day of May, 1941.

J. J. Mashburn, Jr.
Notary Public,
Baldwin County, Alabama.

CHANCERY EXECUTION

BILL OF COSTS

No. 705 E W Wathal Vs. Lillie Duck et al Plaintiff

Defendant

FEES OF REGISTER		Dollars	Cents
Filing each bill and other papers	$ 10	1	30
Issuing each subpoena	50	1	80
Issuing each copy thereof	40	1	60
Entering each return thereof	15		
For each order of publication	1 00	1	00
Issuing writ of injunction	1 50		
For each copy thereof	50		
Entering each return thereof	15		
Issuing Writ of Attachment	1 00		
Entering each return thereof	15		
Docketing each case	1 00		
Entering each appearance	25		
Issuing each decree pro confesso on per. ser.	1 00	1	00
Issuing each decree pro confesso on publication	1 00	1	00
Each order appointing guardian	1 00		
Any other order by Register	50		50
Issuing commission to take testimony	50		
Receiving and filing	10		
Endorsing each package	10		
Entering order submitting cause	50		50
Entering any other order of court	25		
Noting all testimony	50		50
Abstract of cause, etc.	1 00		
Entering each decree	75		75
For every 100 words over 500	15		
Taking account, etc.	3 00	8	65
Taking testimony, etc.	15		
Each report, 500 words or less	2 50		
For every 100 words over 500	15		
Amount claimed less than $500, etc.	2 00		
Issuing each subpoena	25		
Witness certificate, each	25		
Issuing execution, each	75		
Entering each return	15		
Taking and approving bond, each	1 00		
Making copy of bill, etc.	15		
Each notice not otherwise provided for	50		
Each certificate or affidavit, with seal	50		
Each certificate or affidavit, no seal	25		
Hearing and passing on application, etc.	3 00		
Each settlement with receiver, etc.	3 00		
Exam'ing each voucher of Receiver, etc.	10		
Examining each answer, etc.	3 00		
Recording resignation, etc.	75		
Entering each cert. to Supreme Court	50		
Taking questions and answers, etc.	25		
For all other ser. relating to such proceedings	1 00		
For services in proceeding to relieve minors, etc., same fee as in similar cases.			
Commission on sales, etc.: 1st $100, 2 per ct.; all over $100 and not exceeding $1,000, 1½ per ct.; all over $1,000, an dnot exceeding $20,000, 1 per ct.; all over $20,000, ¼ of 1 per ct.			
Sub Total Carried Forward			

Brought Forward		8 65
For Receiving, keeping and paying out or distributing money, etc.; 1st $1,000, 1%, all over $1,000, and not over $5,000, 3-4 of 1%; all over $5,000 and not exceeding $10,000, 1-2 of 1%, all over $10,000 1-4 of 1%.		
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Each notice sent by mail to creditor	15	
Filing, receipting for and docketing each claim, etc.	25	
For all entries on subpoena docket, etc.	50	
For all entries on commission docket, etc.	50	
Making final record, per 100 words	15	7 50
Certified copy of decree	1 00	1 00
Report of divorce to State Health Office	50	
(Acts 1915)		
Total Fees of Register		17 15
FEES OF SHERIFF		
Serving and returning subpoena on deft.	$1 50	4 00
Serving and returning subpoena for witness	65	
Levying attachment	3 00	
Entering and returning same	25	
Selling property attached		
Impaneling Jury	75	
Executing writ of possession	2 50	
Collecting execution for costs	1 50	
Serving and returning sci. fa., each	65	
Serving and returning notice	65	
Serving and returning writ of injunction	1 50	
Serving and returning writ of exeat	1 50	
Taking and approving bonds, each	75	
Collecting money on execution		
Making deed	2 50	
Serving and returning application, etc.	1 00	
Serving attachment, contempt of court	1 50	
Total Fees of Sheriff		4 00
RECAPITULATION		
Register's Fees		17 15
Sheriff's Fees		4 00
Commissioner's Fees		
Solicitor's Fees		
Witness Fees		
Guardian Ad Litem		
Printer's Fees Baldwin Times		9 76
Trial Tax	3 00	7 00
Recording Decree in Probate Court		7 35
Total		36 86

The State of Alabama, Baldwin County. } No._____ **Circuit Court, In Equity**_____**Term, 194**____

To Any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of_____ Defendant____ you cause to be made the sum of_____ Dollars, which_____ Plaintiff____ recovered of_____ on the_____ day of_____ 194____ by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of_____ Dollars, costs of suit, and have the same to render to the said_____ and make return of this Writ and the execution thereof, according to law. 17 15 30 3716 3686 30

Interest from_____ 194____ to date of collection. 16 85

Witness my hand, this_____ day of_____ 194____.

_____, Register.

E. W. WALTHALL, Complainant,	
vs.	IN THE CIRCUIT COURT OF
LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN and LUCY WRIGHT, Respondents.	BALDWIN COUNTY, ALABAMA. IN EQUITY. NUMBER 705.

FINAL DECREE.

This cause coming on to be heard on this date and being submitted on behalf of the Complainant on the original Bill of Complaint, Decree Pro Confesso on Personal Service against Lillie Dick, Hannah Clinton, Rose Allen and Lucy Wright, Decree Pro Confesso on Publication against Bessie Hayes, Maggie Mincy, Cuff T. Dick and Janie King, Respondents, Affidavit of Complainant that the Respondents are not in military service and the Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in his said Bill of Complaint, and IT IS THEREFORE Ordered, Adjudged and Decreed by the Court as follows:

1. That the Complainant, E. W. Walthall, is, as against the Respondents, Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, the true and lawful owner in his own right of the following described real property situated in Baldwin County, Alabama, to-wit:

> Commence at the southwest corner of Section 17 in Township 5 South of Range 2 East and run thence north along the section line 419.76 feet to a point for a beginning corner, thence east 660 feet to lands of Ora Blackman, thence north 210 feet to a point, thence west 660 feet to a point in Eastern Shore Boulevard, thence south along said Boulevard 210 feet to the place and point of beginning.

2. That title to the said land is in the said E. W. Walthall and title thereto is forever quieted against the Respondents, Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, and the said Respondents, and each of them are without any right, title or interest in the said land or any part thereof and have and hold no lien or encumbrances on the said real property or any part thereof or any interest therein, and they and each of them are hereby perpetually enjoined from asserting or attempting to assert any claim to the said real property or any part thereof or any interest therein, or from claiming any lien or encumbrances on the said real property or any part thereof or any interest therein.

3. The Register shall, within thirty days from the rendition of this Decree, file a certified transcript hereof for record in the Probate Court of Baldwin County, Alabama, and tax the expense thereof in the costs of this cause.

4. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

Done on this the 28th day of May, 1941.

F. W. HARE

Judge of the Circuit Court of
Baldwin County, Alabama,
Sitting in Equity.

REGISTER'S CERTIFICATE.

STATE OF ALABAMA,))
))
BALDWIN COUNTY.))

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, hereby certify that the above and foregoing is a true, and correct copy of the original decree signed in the above case by the Judge of said Circuit Court on the 28th day of May, 1941; said original decree remaining on file and enrolled in this office.

WITNESS my hand and seal of said Court, this the 29th day of May, 1941.

R S Duck
R. S. DUCK, Clerk-Register,
Circuit Court of Baldwin
County, Alabama, in Equity.

E. W. WALTHALL, Complainant, vs. LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN and LUCY WRIGHT, Respondents.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. NUMBER 705.

FINAL DECREE.

This cause coming on to be heard on this date and being submitted on behalf of the Complainant on the original Bill of Complaint, Decree Pro Confesso on Personal Service against Lillie Dick, Hannah Clinton, Rose Allen and Lucy Wright, Decree Pro Confesso on Publication against Bessie Hayes, Maggie Mincy, Cuff T. Dick and Janie King, Respondents, Affidavit of Complainant that the Respondents are not in military service and the Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in his said Bill of Complaint, and IT IS THEREFORE Ordered, Adjudged and Decreed by the Court as follows:

1. That the Complainant, E. W. Walthall, is, as against the Respondents, Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, the true and lawful owner in his own right of the following described real property situated in Baldwin County, Alabama, to-wit:

> Commence at the southwest corner of Section 17 in Township 5 South of Range 2 East and run thence north along the section line 419.76 feet to a point for a beginning corner, thence east 660 feet to lands of Ora Blackman, thence north 210 feet to a point, thence west 660 feet to a point in Eastern Shore Boulevard, thence south along said Boulevard 210 feet to the place and point of beginning.

2. That title to the said land is in the said E. W. Walthall and title thereto is forever quieted against the Respondents, Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincy, Cuff T. Dick, Janie King, Rose Allen and Lucy Wright, and the said Respondents, and each of them are without any right, title or interest in the said land or any part thereof and have and hold no lien or encumbrances on the said real property or any part thereof or any interest therein, and they and each of them are hereby perpetually enjoined from asserting or attempting to assert any claim to the said real property or any part thereof or any interest therein, or from claiming any lien or encumbrances on the said real property or any part thereof or any interest therein.

3. The Register shall, within thirty days from the rendition of this Decree, file a certified transcript hereof for record in the Probate Court of Baldwin County, Alabama, and tax the expense thereof in the costs of this cause.

4. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

Done on this the 28th day of May, 1941.

E. W. Hare

Judge of the Circuit Court of
Baldwin County, Alabama,
Sitting in Equity.

CHANCERY EXECUTION

BILL OF COST

No. 705½ Mary Louise Bush, Complainant Vs. Calvin Bush, Respondent ~~Plaintiff~~ ~~Defendant~~

FEES OF REGISTER		Dollars	Cents
Filing each bill and other papers	$ 10		70
Issuing each subpoena	50		
Issuing each copy thereof	40		
Entering each return thereof	15		
For each order of publication	1.00		
Issuing writ of injunction	1.50		
For each copy thereof	50		
Entering each return thereof	15		
Issuing writ of attachment	1.00		
Entering each return thereof	50		
Docketing each case	1.00	1	00
Entering each apperance	25		
Issuing each decree pro confesso on per. ser.	1.00		
Issuing each decree pro confesso on publication	1.00		
Each order appointing guardian	1.00		
Any other order by Register	50		50
Issuing commission to take testimony	50		10
Receving and filing	10		10
Endorsing each package	10		
Entering order submitting cause	50		50
Entering any other order of court	25		
Noting all testimony	50		
Abstract of cause, etc.	1.00		
Entering each decree	75		75
For every 100 words over 500	15		
Taking account, etc.	3.00		
Taking testimony, etc.	15		
Each report, 500 words or less	2.50		
For every 100 words over 500	15		
Amount claimed less than $500, etc.	2.00		
Issuing each subpoena	25		
Witness certificate, each	25		
Issuing execution, each	75		75
Entering each return	15		15
Taking and approving bond, each	1.00		
Making copy of bill, etc.	15		
Each notice not otherwise provided for	50		
Each certificate or affidavit, with seal	50		
Each certificate or affidavit, no seal	25		
Hearing and passing on application, etc.	3.00		
Each settlement with receiver, etc.	3.00		
Examing each voucher of receiver, etc.	10		
Examing each answer, etc.	3.00		
Recording resignation, etc.	75		
Entering each certificate to Supreme Court	50		
Taking questions and answers, etc.	25		
For all other ser. relating to such proceedings	1. 00		
For services in proceeding to relieve minors, etc., same fees as in similar cases.			
Commission on sales, etc.: 1st $100, 2 per ct.; all over $100 and not exceeding $1,000, 1 1-2 per ct; all over $1,000, and not exceeding $20,000, 1 per ct.; all all over $20,000, 1-4 of 1 per ct..			
Sub Total Carried Forward		4	55

		Dollars	
Brought Forward		4	55
For Receiving, keeping and paying out or distributing money, etc.; 1st $1,000, 1%, all over $1,000, and not over $5,000, 3-4 of 1%; all over $5,000 and not exceeding $10,000, 1-2 of 1%, all over $10,000 1-4 of 1%.			
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.			
Each notice sent by mail to creditor	15		
Filing, receipting for and docketing each claim, etc.	25		
For all entries on subpoena docket, etc.	50		
For all entries on commission docket, etc.	50		
Making final record, per 100 words	15	2	00
Certified copy of decree	1 00	1	00
Report of divorce to State Health Office (Acts 1915)	50		50
Total Fees of Register		8	05
FEES OF SHERIFF			
Serving and returning subpoena on deft	$1 50		
Serving and returning subpoena for witness	65		
Levying attachment	3 00		
Entering and returning same	25		
Selling property attached			
Impaneling Jury	75		
Executing writ of possession	2 50		
Collecting execution for costs	1 50	1	50
Serving and returning sci. fa., each	65		
Serving and returning notice	65		
Serving and returning writ of injunction	1 50		
Serving and returning writ of exeat	1 50		
Taking and approving bonds, each	75		
Collecting money on execution			
Making deed	2 50		
Serving and returning application, etc.	1 00		
Serving attachment, contempt of court	1 50	1	50
Total Fees of Sheriff			
RECAPITULATION			
Register's Fees		8	05
Sheriff's Fees		1	50
Commissioner's Fees Perkins		3	00
Solicitor's Fees			
Witness Fees			
Guardian Ad Litem			
Printer's Fees			
Trial Tax	3 00	3	00
Recording Decree in Probate Court			
Total		$17	55

THE STATE OF ALABAMA, Baldwin County. } No. 705½ CIRCUIT COURT, IN EQUITY May TERM, 1941

To any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of Mary Louise Bush Defendant

you cause to be made the sum of $17.55 Dollars,

which _____ Plaintiff

recovered of _____ on the 22 day of March 1941

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,

costs of suit, and have the same to render to the said _____

and make return of this Writ and the execution thereof, according to law.

Interest from _____ 194__ to date of collection.

Witness my hand, this 21 day of May 1941.

R. S. Duck, Register.

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

Comes Mary Louise Bush, and by this her Bill of Complaint, presented against Joseph Calvin Bush, respectfully shows:

First: That complainant is over the age of eighteen and defendant over the age of twenty-one years; that both are now and have been all of their lives bona fide residents of the State of Alabama, and for the past three years of Baldwin County.

Second: That complainant and defendant were married in the said Baldwin County in the month of May, 1940, where they lived together as husband and wife up to the first of August, 1940, but since that time they have lived separate and apart, with no relations other than an occasional casual conversation.

Third: That since their said separation the defendant has been guilty of acts of adultery, of the details of which complainant knows nothing of her own knowledge, but charges that the same occurred near the town of Fairhope during the month of August, 1940, and at other times subsequent thereto.

THE PREMISES CONSIDERED, complainant prays that Joseph C. Bush be made party defendant to this cause, and by proper process required to answer this Bill within the time required by law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said Joseph C. Bush, granting her the right to marry again should she so desire, to resume her maiden name of Hall, and such other further or different relief as to equity may seem meet.

Ellwee G. Pinkerly.
Solicitor for Complainant.

Mar No P. 7

No. 705½

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Mary Louise Bush
Complainant

vs.

Joseph Calvin Bush
Respondent

CHANCERY EXECUTION
Fi. Fa.

$ 17.55

Total ..... $ 17.55

Fee Book Cons'd Page 705½

Execution Docket " Page "

Elliott G. Richarby
Complainant's Solicitor.

THE STATE OF ALABAMA,
Baldwin County.

ha ——— duly waived ——— right to the exemption of personal property as to the collection of the debt for which this execution is issued.

Register.

Received in office this 21 day of May 1941.

Sheriff.

Execution Docket ——— Page ———

Returned this 26th day of June 1941 no property of the complainant found in Baldwin County
W. R. Stuart Sheriff
By M. B. Hamilton D.S.

Baldwin Times—12-40-500

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution I have levied

RECORDED

Decree

Filed May 29, 1941
R. S. Duck, Register

CERTIFIED COPY OF DECREE.

E. W. WALTHALL,
Complainant,

Vs.

LILLIE DICK, ET ALS.,
Respondents.

EQUITY NUMBER 705

STATE OF ALABAMA, BALDWIN COUNTY

Filed MAY 29 1941 3 o'clock P M

Recorded Deed book 75 page 183-84
and I certify that the following Privilege Tax has been paid.

Deed Tax .....

Mortgage Tax .....

E W Robuts
Judge of Probate

By .....

LS Dick 1.00

Affidavit

Filed May 27, 1941
R. S. Dunlap, Register

8601. Motion for Decree Pro Confesso on Publication.

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 705 May, Term, 1941

EDWARD W. WALTHALL, Complainant

Vs.

LILLIE DICK, ET ABS., Defendants

Motion is hereby made for a Decree Pro Confesso against Bessie Hayes, Maggie Mincey, Cuff T. Dick, Janie King Defendants in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 23rd day of May 1941

D E Smith
Solicitor.

746 Code

8581. NOTE OF TESTIMONY

MOORE PRINTING CO., BAY MINETTE, ALA.

E. W. WALTHALL,
Complainant,
vs.
LILLIE DICK, ET AL.,
Respondents.

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; Order of Publication; Motion for Decree pro confesso on personal service; Decree Pro Confesso on Personal Service against Lillie Dick, Hannah Clinton, Rose Allen, and Lucy Wright; Motion for decree pro confesso on Publication; Decree Pro Confesso on publication against Bessie Hayes, Maggie Mincy, Cuff T. Dick and Jamie King;

and in behalf of Defendant upon

K. S. Duck
Register.

Bay Minette, Ala., 5/29 1941

RS Duck

In Account With

G. W. ROBERTSON

Judge of Probate, Baldwin County

Please Return Bill With Remittance

Recording		from	to	Privilege Tax	Rec. Fee	Total
Mem		E W Weathall	Lilie Duck			1 00
			Paid 5/29/41 DOR			

Decree Pro Confesso of Publication. ✓ MPCO

THE STATE OF ALABAMA, } **CIRCUIT COURT, IN EQUITY**
BALDWIN COUNTY

No. 705 May, Term, 19 41

EDWARD W. WALTHALL, Complainant

Vs.

Lillie Dick, Hannah Clinton, Bessie Hayes, Maggie Mincey, Cuff T. Dick, Janie King, Rose Allen, Lucy Wright. Defendant s

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 13th day of March, 19 41, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 13th day of March 194 1 and

And it now further appearing to the Register , that the said Bessie Hayes, Maggie Mincey, Cuff T. Dick, Janie King

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of 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 Bessie Hayes, Maggie Mincey, Cuff T. Dick & Janie King.

This 23rd day of May 19 41

R. S. Duck Register.

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

E. W. WALTHALL,
Complainant,
Vs.
LILLIE DICK, HANNAH CLINTON,
ET ALS.,
Respondent.

In the Circuit Court.

In Equity No. 704.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondents, Rose Allen and Lucy Wright, by the Sheriff of Baldwin County, Alabama, on the 17th day of March, 1941; and that service was had on the Respondents, Lillie Dick and Hannah Clinton,

by the Sheriff of Mobile County, on the 14th day of March, 1941.

And it further appears to the Register, that the said Rose Allen, Lucy Wright, Lillie Dick and Hannah Clinton

, the Respondents, 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 H. E. Smith 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 Rose Allen, Lucy Wright, Lillie Dick and Hannah Clinton.

This 21st day of April, 1941.

R. S. Duck
Register.

By: Mattie Thompson
Deputy Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

E. W. WALTHALL,

Complainant,

VS.

LILLIE DICK, ET ALS.,

Respondents

NOTE OF TESTIMONY

Filed in Open Court this 27th

day of May 1941

REGISTER

MOORE PRINTING CO., BAY MINETTE, ALA.

RECORDED

No. ..... Page .....

State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

.....

.....

Complainant ...

Vs.

.....

.....

Defendant ...

Motion for Decree Pro Confesso On Publication.

Filed May 23rd, 1941, 1934

R. S. Duck

Register.

Recorded in ..... Record,

Vol. ..... Page .....

.....

Register.

MOORE PRINTING CO., BAY MINETTE, ALA.

RECORDED

No. 706

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

E. W. WALTHALL,
Complainant,

Vs.

LILLIE DICK, ET ALS.,

Respondent.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

Issued this 21 day of April, 1941.

R. S. Duck
Register.

Baldwin Times Print

RECORDED

No. 705 Page

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Edward W. Walthall,

Complainant,

Vs.

Lillie Dick, et als.,

Respondents.

Decree Pro Confesso of Publication

Issued May 23rd, 1941. 19

R. S. Church

Register.

Recorded in Record

Vol. Page

Register.

Moore Printing Co., Bay Minette, Ala.

RECORDED

MARY LOUISE BUSH
Complainant

versus

JOSEPH CALVIN BUSH.
Defendant.

BILL OF COMPLAINT.

Filed March 20, 1941
R S Dick Register

ELLIOTT G. RICKARBY
LAWYER
FAIRHOPE, ALABAMA

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

Comes Mary Louise Bush, and by this her Bill of Complaint, presented against Joseph Calvin Bush, respectfully shows:

First: That complainant is over the age of eighteen and defendant over the age of twenty-one years; that both are now and have been all of their lives bona fide residents of the State of Alabama, and for the past three years of Baldwin County.

Second: That complainant and defendant were married in the said Baldwin County in the month of May, 1940, where they lived together as husband and wife up to the first of August, 1940, but since that time they have lived separate and apart, with no relations other than an occasional casual conversation.

Third: That since their said separation the defendant has been guilty of acts of adultery, of the details of which complainant knows nothing of her own knowledge, but charges that the same occurred near the town of Fairhope during the month of August, 1940, and at other times subsequent thereto.

THE PREMISES CONSIDERED, complainant prays that Joseph C. Bush be made party defendant to this cause, and by proper process required to answer this Bill within the time required by law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said Joseph C. Bush, granting her the right to marry again should she so desire, to resume her maiden name of Hall, and such other further or different relief as to equity may seem meet.

Elliott G. Rickarby
Solicitor for Complainant.

DECREE OF DIVORCE.

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA, Baldwin County. } No. 705 **Circuit Court, In Equity**

MARY LOUISE BUSH, Complainant

vs.

JOSEPH CALVIN BUSH, 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, ADJUDGED AND DECREED by the Court that the Complainant be permitted to resume her maiden name, viz: Mary Louise Hall;

It is further ordered that the said MARY LOUISE BUSH and JOSEPH CALVIN BUSH, be, and they are ~~he is~~ hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said MARY LOUISE BUSH, 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 JOSEPH CALVIN BUSH, Respondent.

It is further ordered, adjudged and decreed that said MARY LOUISE BUSH, shall not again marry except to said JOSEPH CALVIN BUSH, until sixty days after this date, and that if an appeal is taken within sixty days ~~s~~ he shall not marry again except to said JOSEPH CALVIN BUSH, during the said pendency of appeal.

This 22nd day of March, 1941. ~~#18~~

F. M. 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 193 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 193

Register

E Q U I T Y .

MARY LOUISE BUSH,
Complainant,

versus

JOSEPH CALVIN BUSH,
Respondent.

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

Comes the Respondent in the above styled cause and for answer to the bill of complaint says that he denies each and every allegation of same.

Respondent further waives notice of demand for oral examination of Complainant's witnesses, the issue of formal commission to take such testimony, notice of the time and place set for taking same and the right to cross-examine or to introduce witnesses in his behalf, and agrees that this case may be submitted for final decree at any time without further notice to him on the pleadings and Complainant's evidence as noted by the Register.

Calvin Joseph, Bush
Respondent.

STATE OF ALABAMA:
Baldwin County:

Before me, the undersigned authority personally appeared this day Joseph Calvin Bush who acknowledged that he voluntarily executed the foregoing answer with knowledge of its contents.

GIVEN under my hand and official seal this the 20th day of March, 1941.

G E Peckinc
Notary Public, Baldwin County, Alabama.

E Q U I T Y

MARY LOUISE BUSH)
)
vs) CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
)
JOSEPH CALVIN BUSH)

DEPOSITIONS OF MARY LOUISE BUSH AND CURRIE GODWIN,
WITNESSES FOR COMPLAINANT.

The said witnesses appeared before me, at the times and places hereinafter stated, and being first duly sworn by me to testify truly in this cause, deposed and said as follows:

MARY LOUISE BUSH: I am the complainant in this cause and am over the age of eighteen years. I am a native of Alabama and have resided here in Baldwin County all of my life. In May, 1940, I married Joseph Calvin Bush, who also is a native of Alabama and a resident of Baldwin County, and we lived together as husband and wife until the month of August of last year, when we separated. Since that time I have lived separate and apart from my said husband, and beyond meeting him occasionally for a few minutes conversation have had no further relations with him. As to his conduct and behavior since we separated I know nothing, of my own knowledge.

Mary Louise Bush

CURRIE GODWIN.

I am a resident of Baldwin County, thirty-two years of age and live about two miles east of Fairhope. I have been well acquainted with Joseph Bush for the past three years and have gone with him quite a good deal. Since he and his wife parted he has gone with other women and to my knowledge has had sexual intercourse with at least two. He has admitted this in conversation but I know of this of my personal knowledge. The two occasions I speak of happened in August of last year when he and I were at a dance hall and beer joint near Fairhope called the "Panic". On two different nights I saw him go into the bushes not far from this place with a girl whom

I knew was "putting out" a different girl each time, and they would stay there in the dark and away from every one for about twenty minutes and then come back together and go back into the dance hall. I did not make it any effort to spy on them, but knowing the girls and what this meant I do not hesitate to say that they had intercourse. Both of the girls had been drinking before they went out with him and they went out with his arm around one of the girls. I do not recall his doing this with the other. Other men have told me of having intercourse with these girls and I know that Joe did too. We were all having a good time for that was a lively place and nobody asked any questions about what you did either in the hall or outside. He was not living with his wife then, she had left him and he did not seem to care what he did with other women. I have reason to think that he has had intercourse with other women since but these two instances are the only ones of which I have personal knowledge.

Currie Godwin

I, G. E. Perkins, acting as Commissioner by agreement of the parties in a cause pending on the Equity Side of the Circuit Court of Baldwin County, Alabama, wherein Mary Louise Bush is Complainant and Joseph C. Bush is Respondent, hereby certify that I caused Mary Louise Bush and Currie Godwin, witnesses for Complainant to come before me this day at my office in Fairhope, where, after being duly sworn to tell the truth, upon examination by Complainant's counsel they testified as is above written, that their testimony, after being reduced to writing was read over by them in my presence and signed by them before me.

I further certify that I am not of counsel or of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand as Commissioner this the nineteenth day of March 1941.

G. E. Perkins
Commissioner.

MARY LOUISE BUSH,
Complainant.

vs

JOSEPH C. BUSH,
Respondent.

COMPLAINAT'S DEPOSITIONS.

Commissions fee $3.00
not paid.

E Q U I T Y .

MARY LOUISE BUSH,
Complainant,

versus

JOSEPH CALVIN BUSH,
Respondent.

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

Comes the Respondent in the above styled cause and for answer to the bill of complaint says that he denies each and every allegation of same.

Respondent further waives notice of demand for oral examination of Complainant's witnesses, the issue of formal commission to take such testimony, notice of the time and place set for taking same and the right to cross-examine or to introduce witnesses in his behalf, and agrees that this case may be submitted for final decree at any time without further notice to him on the pleadings and Complainant's evidence as noted by the Register.

Calvin Joseph, Bush
Respondent.

STATE OF ALABAMA:
Baldwin County:

Before me, the undersigned authority personally appeared this day Joseph Calvin Bush who acknowledged that he voluntarily executed the foregoing answer with knowledge of its contents.

GIVEN under my hand and official seal this the 20th day of March, 1941.

G. E. Pickens
Notary Public, Baldwin County, Alabama.

E Q U I T Y

MARY LOUISE BUSH)
)
vs) CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
)
JOSEPH CALVIN BUSH)

DEPOSITIONS OF MARY LOUISE BUSH AND CURRIE GODWIN,
WITNESSES FOR COMPLAINANT.

The said witnesses appeared before me, at the times and places hereinafter stated, and being first duly sworn by me to testify truly in this cause, deposed and said as follows:

MARY LOUISE BUSH: I am the complainant in this cause and am over the age of eighteen years. I am a native of Alabama and have resided here in Baldwin County all of my life. In May, 1940, I married Joseph Calvin Bush, who also is a native of Alabama and a resident of Baldwin County, and we lived together as husband and wife until the month of August of last year, when we separated. Since that time I have lived separate and apart from my said husband, and beyond meeting him occasionally for a few minutes conversation have had no further relations with him. As to his conduct and behavior since we separated I know nothing, of my own knowledge.

Mary Louise Bush

CURRIE GODWIN.

I am a resident of Baldwin County, thirty-two years of age and live about two miles east of Fairhope. I have been well acquainted with Joseph Bush for the past three years and have gone with him quite a good deal. Since he and his wife parted he has gone with other women and to my knowledge has had sexual intercourse with at least two. He has admitted this in conversation but I know of this of my personal knowledge. The two occasions I speak of happened in August of last year when he and I were at a dance hall and beer joint near Fairhope called the "Panic". On two different nights I saw him go into the bushes not far from this place with a girl whom

DECREE OF DIVORCE. MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA, Baldwin County. } No. 705 Circuit Court, In Equity

MARY LOUISE BUSH, Complainant

vs.

JOSEPH CALVIN BUSH, 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, ADJUDGED AND DECREED by the Court that the Complainant be permitted to resume her maiden name, viz: Mary Louise Hall;

It is further ordered that the said MARY LOUISE BUSH and JOSEPH CALVIN BUSH, be, and they are ~~he is~~ hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said MARY LOUISE BUSH, 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 JOSEPH CALVIN BUSH, Respondent.

It is further ordered, adjudged and decreed that said MARY LOUISE BUSH, shall not again marry except to said JOSEPH CALVIN BUSH, until sixty days after this date, and that if an appeal is taken within sixty days ~~s~~ he shall not marry again except to said JOSEPH CALVIN BUSH, during the said pendency of appeal.

This 22nd day of March, 1941.

F. M. 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 193 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 193

Register

No.

E Q U I T Y.

RECORDED

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.

MARY LOUISE BUSH,
COMPLAINANT

versus

JOHN CALVIN BUSH,
Respondent.

ANSWER AND WAIVER.

Filed March 20, 1941
R.S. Duck, Register

original

RECORDED

No. 705

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY
Baldwin County, Ala.

MARY LOUISE BUSH,
Complainant,

vs.

JOSEPH CALVIN BUSH,
Respondent.

DECREE OF DIVORCE

Filed in office this 22nd day of March, 1941. 193

R. S. Dick
REGISTER

E. O. M.

MOORE PRINTING CO., BAY MINETTE, ALA.

Published Every Thursday

THE BALDWIN TIMES

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NOTICE TO NON-RESIDENT

EDWARD W. WALTHALL, Complainant No. 704, vs. LILLIE DICK, HANNAH CLINTON, BESSIE HAYES, MAGGIE MINCY, CUFF T. DICK, JANIE KING, ROSE ALLEN and LUCY WRIGHT, Respondents.

THE STATE OF ALABAMA. BALDWIN COUNTY. CIRCUIT COURT, IN EQUITY. This the 11th day of March, 1941.

In this cause it being made to appear to the Clerk of this Court by the affidavit of H. E. Smith, that the Defendants, Bessie Hayes, 88 Atuck Court, Pensacola, Fla.; Maggie Mincy, 88 Atuck Court, Pensacola, Fla.; Cuff T. Dick, Chester, Penn.; Janie King, address unknown; are non-residents of the state of Alabama; that the address of the said respondent, Janie King, is unknown; and cannot be ascertained after diligent search and inquiry; and further, that, in the belief of said Affiant the Defendants are over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Respondents to answer or demur to the Bill of Complaint in this cause by the 7th day of April, 1941, or after thirty days therefrom a decree Pro Confesso may be taken against them.

R. S. DUCK, Register. 7-4tc

H. E. SMITH, Solicitor for Complainant.

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY,

J. H. Faulkner being duly sworn, deposes and says that he is the **PUBLISHER** of **THE BALDWIN TIMES**, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Edward W. Walthal vs. —

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication March 13, 1941 Vol. 52 No. 7

Date of second publication " 20, " Vol. 52 No. 8

Date of third publication " 27, " Vol. 53 No. 9

Date of fourth publication April 3 " Vol. 52 No. 10

Subscribed and sworn before the undersigned this 25 day of April 1941

Mrs. Nunnie Stone
Notary Public
Baldwin County

J. H. Faulkner
Publisher

8550 REQUEST FOR DECREE IN VACATION. Moore Ptg. Co.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 705 March Term, 1941

MARY LOUISE BUSH, , Complainant

Vs.

JOSEPH CALVIN BUSH, , Defendant

To R. S. Duck, , Register :

In the above stated cause an ~~Decree-Pro-Confesso~~ Answer & Waiver filed by 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 Elliott G. Rickarby, 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.

ELLIOTT G. RICKARBY
Solicitor for Complainant.

8581. NOTE OF TESTIMONY

MOORE PRINTING CO., BAY MINETTE, ALA.

MARY LOUISE BUSH,

Complainant,

vs.

JOSEPH CALVIN BUSH,

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, Answer & Waiver of Respondent; Testimony of Mary L. Bush, and Currie Godwin, witnesses for Complainant; Request for Decree;

and in behalf of Defendant upon Answer and Waiver.

R. S. Rush
Register.

No. 705 RECORDED

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

MARY LOUISE BUSH,

Complainant,

vs.

JOSEPH CALVIN BUSH,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 20th

day of March 1981

R. S. Deuch

REGISTER

MOORE PRINTING CO., BAY MINETTE, ALA.

RECORDED

No. 705 Page

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

MARY LOUISE BUSH,

Complainant,

Vs.

JOHN CALVIN BUSH,

Respondent.

REQUEST FOR DECREE IN VACATION

Filed March 20, 1941

R. S. Duck

Register.

Recorded in Record

Vol. Page

Register.

Moore Ptg. Co. Bay Minette

Statement

The Baldwin Times

Bay Minette, Alabama

4-25, 1941

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