

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon BRUCE UPCHURCH 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 FLORIS OMBRA UPCHURCH against said BRUCE UPCHURCH, and further to do and perform what said Judge shall order, and direct in that behalf, and this the Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this 11 day of June, 1941.

R. S. Duck
Register.

FLORIS OMBRA UPCHURCH,)
Complainant,)
VS.)
BRUCE UPCHURCH,)
Respondent.)
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

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

And now comes your Complainant, FLORIS OMBRA UPCHURCH, and humbly complainaing against the Respondent, BRUCE UPCHURCH, respectfully represents and shows unto your Honor and this Honorable Court as follows:

FIRST:

That the Respondent and the Complainant are both residents of the state of Alabama and over twenty-one years of age.

SECOND:

That your Complainant and Respondent are husband and wife having married at Pascagoula, Mississippi, on June 25th, 1939, and lived together as husband and wife in the state of Alabama, until, to-wit, July 16th, 1939.

THIRD:

That the Respondent is a man who uses strong drink to excess; that while under the influence of liquor, he has a vile and uncontrollable temper; that on, to-wit, July 16th, 1939, and various times prior thereto, the Respondent threatened and abused the Complainant, and threatened to do violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to cause the Complainant to have every reasonable apprehension to believe, and she did acutally believe, that if she continued to live with the Respondent he would continue to abuse her and do violence to her person, which would necessarily endanger her life and health.

WHEREFORE, the premises considered, the Complainant prays that this Honorable Court will by proper process make the said BRUCE UPCHURCH party respondent to this Bill of Complaint and by appropriate orders, require 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 absolute divorce, forever barring the bonds of matrimony exist-
int between her and the Respondent; that she be granted 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.

BEEBE & HALL,

By: *W. S. Lee*
Solicitors for Complainant.

STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

Before me, the undersigned authority in and for said County, in said State, personally appeared Floris Omera Upchurch, who is personally acquainted with Bruce Upchurch, and who having been by me first duly sworn, deposes and says:

That Bruce Upchurch is not now and was not at the time of the filing of the suit in the Circuit Court of Baldwin County, Alabama, styled Floris Omera Upchurch Vs. Bruce Upchurch, in the Military or Naval Services of the United States.

Floris Omera Upchurch

Sworn to and subscribed before me on this 25th day of July, 1941.

Thos Lee
Notary Public, Baldwin County, Alabama.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Francis Beantley

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 Ira Omer Yurchuck & L. W. Ferguson

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

Ira Omer Yurchuck

is Complainant

and Bruce Yurchuck

is Defendant,

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

Witness 25 day of July, 1941.

R. S. Rust

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

FLORIS OMEGA UPCHURCH
 Complainant,
 Vs. BRUCE UPCHURCH
 Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

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

BRUCE UPCHURCH

by the Sheriff of BALDWIN County, on the 25th day of July,

194 ¹_____.

And it further appears to the Register, that the said _____

BRUCE UPCHURCH

_____, 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 BEEBE & HALL 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 _____

BRUCE UPCHURCH

This 25th day of JULY, 194 ¹_____.

B.S. Duch

Register.

FLORIS OMBRA UPCHURCH,
Complainant,
VS.
BRUCE UPCHURCH,
Respondent.

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

This cause coming on to be heard is submitted upon the original Bill of Complaint, Decree pro confesso, and Testimony, as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said Bill;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent, be, and the same are hereby dissolved and the Complainant is forever divorced from the Respondent.

IT IS FURTHER ORDERED that the Complainant be, and she is hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that the Complainant, FLORIS OMBRA UPCHURCH, pay the costs of this cause, for which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said FLORIS OMBRA UPCHURCH shall not again marry, except to the said BRUCE UPCHURCH, until sixty (60) days after this date, and if an appeal is taken within sixty (60) days, she shall not again marry, except to the said BRUCE UPCHURCH, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant be and she is hereby given the right to assume her maiden name: FLORIS OMBRA RICHMOND.

Dated at Monroeville, Monroe County, Alabama, on this 2nd day of August 1941.

J. W. Hare
Judge of Circuit Court of Baldwin County,
Alabama.

RECORDED

Applicant

Filed July 29 1941
R. L. Durb, Register

730

RECORDED

Received in Sheriff's Office
this 6 day of June, 1941
W. R. STUART, Sheriff

Executed June 16 1941
by serving copy of within Subpoena
Complaint on

FLORIS OMEGA UPCHURCH,
Complainant,

Bruce Upchurch

VS.

BRUCE UPCHURCH,
Respondent.

W. R. Stuart Sheriff
by Leah W. Kelley Deputy Sheriff

BILL OF COMPLAINT

Filed June 11, 1941
R. S. Duke, Register

Respondents address
Camp Spurgeon
Spurgeon Ala

RECORDED

No. _____

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

Complainant,

Vs.

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this 25 day of July,
1944.

R. S. Ruel

Register.

RECORDED

FLORIS OMBERA UPCHURCH,

Complainant,

VS.

BRUCE UPCHURCH,

Respondent.

FINAL DECREE

Filed August 5, 1941
R. S. Deak, Registrar

The State of Alabama,
Baldwin County.

{ No. _____ CIRCUIT COURT IN EQUITY.

FLORIS OMBRA UPCHURCH Complainant

VS.

BRUCE UPCHURCH Defendant

Motion is hereby made for a Decree Pro Confesso against

BRUCE UPCHURCH 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 25th day of July 19 41

Bieber
by *Bieber* Solicitor.

Flois Omura Uychurch

VS.

Bruce Uychurch

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; Decree Pro Confesso; Commission
to Take Testimony; Testimony of Flois Omura Uychurch & L. W.
Jungerson; Request for Decree; Affidavit -*

and in behalf of Defendant upon

R.S. Pugh

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

FLORES OMBRA UPCHURCH _____, Complainant

Vs.

BRUCE UPCHURCH _____, 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 _____

BERRE & HALL

_____ 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.

*Berre & Hall
by [Signature]*

Solicitor for Complainant.

RECORDED

No. _____ Page _____

The State of Alabama,
Baldwin County
CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed July 25, 1942

R. E. Duch

Register.

Recorded in _____ **Record**

Vol. _____ Page _____

Register.

RECORDED FOR DECRETES IN VACATION

ALABAMA COUNTY
OF BALDWIN

CIRCUIT COURT IN EQUITY

Entered by the Clerk of the Court

July 25 1942

Comptroller

Deputy

In the above styled cause a Decree has been made and the Plaintiff and the Defendant are directed to appear and show cause why the same should not be affirmed and the Plaintiff is directed to file a bill of costs with the Register of the Court.

Witness my hand and seal of the Court at Baldwin, Alabama, this 25th day of July, 1942.

Judge of the Circuit Court for Baldwin County, Alabama

Clerk of the Circuit Court for Baldwin County, Alabama

RECORDED FOR DECRETES IN VACATION

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 29

day of July 1931

R. S. Ruch

REGISTER

RECORDED

No.

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

.....

.....

VS.

.....

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

Filed *July 25* 19 *41*

R. E. Dush

Register.

Recorded in Record,

Vol. Page

.....

Register.
