

The State of Alabama, }
BALDWIN COUNTY.

No. 734 CIRCUIT COURT IN EQUITY.

JESSE JAMES POSTON, Complainant.

vs.

ANNIE BEE POSTON, Defendant.

Motion is hereby made for a Decree Pro Confesso against

ANNIE BEE POSTON, 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.....ha.S... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 16th day of August 1941

J. J. Mashburn, Jr. Solicitor.

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. 734

September

TERM, 194 1

Jesse James Posten,

Complainant—.

VS.

Annie Bee Posten,

Respondent—.

TO R. S. DUCK, REGISTER:

In the above stated cause a decree pro confesso
having been taken against the Respondent—,
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.
Solicitor— 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—.

Jesse James Poston,

Complainant,

vs.

Annie Bee Poston,

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; Decree Pro Confesso on Personal
Service, Oral Deposition of Jesse James Poston and Georgia Poston;
Request for decree;

and in behalf of Defendant upon

R. S. Duch

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 2nd
day of September 1941

R. E. Murch

REGISTER

RECORDED

NO. _____

Complainant—

VS.

Respondent—

Request For Decree In Vacation

Filed September 2, 1947

A. S. Duest

Register.

RECORDED

No.

Page

**STATE OF ALABAMA,
Baldwin County.**

CIRCUIT COURT, IN EQUITY.

Vs.

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

Filed August 16, 1941 192

R. S. Rush

Register.

Recorded in Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

The State of Alabama,
Baldwin County.

No. 734 CIRCUIT COURT IN EQUITY.

JESSE JAMES POSTON Complainant

vs.

ANNIE BEE POSTON Defendant

In this cause it appears to the Register

that a summons requiring the Defendant

Annie Bee Poston

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon her

was served upon her by the Sheriff of Escambia County, Alabama, on the 15th day of July 1941.

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of T. J. Mashburn, Jr.

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said Annie Bee Poston

Defendant aforesaid.

This 16 day of Aug 1941

T. J. Mashburn, Jr. Register.

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 ANNIE BEE POSTON 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, of said State, at Bay Minette, against ANNIE BEE POSTON by JESSE JAMES POSTON, Complainant.

Witness my hand, this 5th day of July, 1941.

R. S. Dush
Register.

JESSE JAMES POSTON,
Complainant,

vs.

ANNIE BEE POSTON,
Respondent.

IN EQUITY. NO. _____

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

BILL FOR DIVORCE.

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

Comes your Complainant, JESSE JAMES POSTON, and humbly complaining against the Respondent, ANNIE BEE POSTON, respectfully represents and shows unto your Honor and this Honorable Court the following facts as a basis for the relief hereinafter prayed:

1. That your Complainant is and has been a bona fide resident citizen of this State for more than twelve months next preceding the filing of this Bill of Complaint; that he is a resident of Baldwin County, Alabama, residing at Perdido, Alabama; and that he is over the age of twenty-one years;
2. That the Respondent is over the age of twenty-one years; that the Respondent is a resident of Atmore, Escambia County, Alabama;
3. That on or about, to-wit: December 18, 1937, your Complainant was married to the Respondent at Atmore, in Escambia County, Alabama; that Your Complainant and the Respondent lived together as man and wife in Perdido, in Baldwin County, Alabama, until, to-wit: May 2, 1938;
4. That on or about, to-wit: May 2, 1938, the Respondent voluntarily abandoned your Complainant's bed and board, and that since that time the Respondent has lived separate and apart from the bed and board of your Complainant for more than two years, continuously, before, and next preceding, the filing of this Bill of Complaint.

5. That the said abandonment and separation were without cause, fault, or consent on the part of your Complainant.

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED, Your Complainant prays that your Honor will, by proper process, make the said ANNIE BEE POSTON party Respondent to this Bill of Complaint, requiring her 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 FOR RELIEF.

YOUR COMPLAINANT further prays that upon a final hearing of this cause, your Honor will give and grant unto him a decree of divorce forever barring the bonds of matrimony existing between him and the Respondent, ANNIE BEE POSTON; that Your Honor decree to your Complainant the right to re-marry, should he so desire; Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

J. A. Mashburn, Jr.
Solicitor for the Complainant.

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama,
(In Equity)

JESSE JAMES POSTON

COMPLAINANT

vs.

ANNIE BEE POSTON

RESPONDENT

P. E. TETER

I,

as Register and Commissioner

have called and caused to come before me JESSE JAMES POSTON AND GEORGIA POSTON

witness es named in the requirement for Oral Examination, on the 2nd day of September
194 1, at the office of T. J. Mashburn, Jr.

in Bay Minette, Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said JESSE JAMES POSTON

doth depose and say as follows:

"My name is Jesse James Poston. I am the Complainant in this cause, and I am over the age of twenty-one years. For more than three years next preceding the filing of the Bill of Complaint in this cause, I have been a bona fide resident citizen of the State of Alabama, residing in Perdido, Baldwin County, Alabama.

Annie Bee Poston, the Respondent in this Cause, is resident of the State of Alabama, residing at Atmore, Escambia County, Alabama. Annie Bee Poston is over the age of twenty-one years.

The said Annie Bee Poston, the Respondent, and I were married at Atmore, Escambia County, Alabama, on December 18, 1937, and we lived together as husband and wife at Perdido, Baldwin County, Alabama, until May 2, 1938, when the said Annie Bee Poston, my wife, 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 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."

Jesse James Poston
Complainant.

The said GEORGIA POSTON doth depose and say as follows:

"My name is Georgia Poston and I am the Mother of the Complainant in this cause. I am over the age of twenty-one years. I live at Perdido in Baldwin County, Alabama.

Jesse James Poston is over the age of twenty-one years and he has been a resident of the State of Alabama, residing at Perdido, Baldwin County, Alabama, for more than three years next preceding the filing of the Bill of Complaint in this Cause.

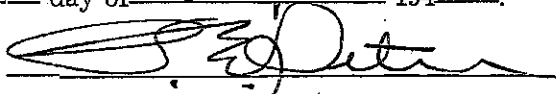
I know that Jesse James Poston was married to Annie Bee Poston at Atmore, Escambia County, Alabama, on December 18, 1937. I know that they lived together as husband and wife at Perdido, Baldwin County, Alabama, until

(over)

I, P. E. Teter as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and T. J. Mashburn, Jr. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 2nd day of September 194 1.

 (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

JESSE JAMES POSTON

COMPLAINANT

vs.

ANNIE BEB POSTON

RESPONDENT

ORAL DEPOSITION

Filed Sept 5, 194 1

P. S. Duck, Register.

RECORDED IN

_____ Record

Vol. _____ Page _____

_____, Register

May 2, 1938. I know that on May 2, 1938 Annie Bee Poston left Jesse James Poston's house at Perdido, Alabama, and that since that time she has not returned to live with him as his wife. It is my information and firm belief that she voluntarily abandoned his bed and board on May 2, 1938, and that she has continued to live separate and apart from him until this time. It is my information and firm belief that Annie Bee Poston's leaving and abandoning him was without cause or fault on the part of Jesse James Poston."

Georgia Poston
Witness.

THE STATE OF ALABAMA,
Baldwin County



CIRCUIT COURT

TO P. E. TETER

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 JESSE JAMES POSTON and GEORGIA POSTON

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

Complainant
and ANNIE BEE POSTON

Defendant,

on oath to be by you administered, upon JESSE JAMES POSTON and GEORGIA POSTON to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all Convenient speed, under your hand.

Witness 2nd day of September, 19 41

Resnick

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JESSE JAMES POSTON, Complainant

VS

ANNIE BEE POSTON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on Personal Service, 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 Defendant be, and the same are hereby, dissolved, and that the said Jessie James Poston,

is forever divorced from the said Annie Bee Poston,

for and on account of Voluntary Abandonment;

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that Jesse James Poston be, and he is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Jesse James Poston the Complainant, pay the cost herein to be taxed, for which execution may issue.

This 4th day of September, 1941.

F. W. Hare

Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, in Equity.

No. 734 Page.....

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

JESSE JAMES POSTON,

vs. Complainant.

ANNIE BEE POSTON,

Respondent.

DIVORCE DECREE

Filed September 5, 1941
H. S. Arch, Register

[Faint, illegible text from the reverse side of the document, including what appears to be a signature and possibly a date.]