

THE STATE OF ALABAMA }
Baldwin County

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

LOIS RICE

COMPLAINANT

VS.

HAROLD F. RICE

RESPONDENT

I, Willa Hobbs,

as Register and Commissioner

have called and caused to come before me Lois V. Rice and Frank W. Walker,

witnesses named in the Requirement for Oral Examination, on the 30th day of August

19 41, at the office of Orvis M. Brown

in Robertsdale, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said Lois Rice and Frank W. Walker,

doth depose and say as follows:

Testimony of Lois V. Rice,

My name is Lois V. Rice and I am the complainant in this cause of action. I, and the respondent Harold F. Rice, were married, at Long Beach, California on the 15th day of July, 1935.

We are both over the age of twenty-one years, and I am a bona fide resident of Foley, Baldwin County, Alabama, and I have been a resident of Baldwin County, Alabama in excess of twelve months next preceeding the filing of this bill of Complaint.

The respondent Harold F. Rice, is a resident of Fresno County, California, and has been for the past twelve months.

Of this marriage there was one child born to us, whose name is Katherine Yvonne Rice, who is five years of age, and resides with me, and has continued to live with me since we were separated. I have no objection to the respondent visiting the child at any time he may desire.

We have been separated since January the 5th, 1940, and we have not lived together as husband and wife since that date. It was not any fault of mine that we separated but was all the fault of the respondent, Harold F. Rice.

I have a good home for the child and she is given the proper supervision, education, and training, and I am in a position to give her this supervision at all times, and being the mother of the child feel that I am the proper person to be responsible for her care and custody.

Lois V. Rice

Testimony of Frank W. Walker

My name is Frank W. Walker. I am a resident of Foley, Baldwin County, Alabama, and over the age of twenty-one years. I have known the complainant, Lois V. Rice for a number of years, and further that she was married to Harold F. Rice, I am told on July 15, 1935, and that they lived together as husband and wife, off and on during the period of time they were married until Jan. 5, 1940, at which time they were separated and have not lived together since. They are both over the age of twenty-one years. There was born to them one child, named Katherine Yvonne Rice, who is at this time about five years of age. This child is with its mother who is the complainant in this cause of action. I know of my own personal knowledge that she is the proper person to have the care and control of this child. The complainant has been a bona fide resident of Baldwin County, Alabama in excess

ORAL EXAMINATION

I, Willa Hobbs, 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— and read over to them and they signed the same in the presence of myself Orvis M. Brown 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—; 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 5th day of September, 1941.
Willa Mae Hobbs (L. S.)

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THE STATE OF ALABAMA	
Baldwin County	
IN CIRCUIT COURT, IN EQUITY	
<u>LOIS V. RICE</u>	Complainant
<u>VS.</u>	
<u>HAROLD F. RICE</u>	Respondent
ORAL DEPOSITION	
Filed <u>September 4,</u>	19 <u>41</u>
<u>R.S. Duvick</u>	Register
RECORDED IN	
Vol. _____	Page _____
_____	Record _____
_____	Register _____

RECORDED

i n bh b

LOIS V. RICE,
Complainant,

vs.

HAROLD F. RICE,
Respondent.

BILL OF COMPLAINT:

*Filed September 4, 1941
R.S. Duch, Register*

ORVIS M. BROWN
ATTORNEY AT LAW
Robertsdale, Alabama

BILL OF COMPLAINT

LOIS V. RICE,)	
)	
Complainant)	IN THE CIRCUIT COURT OF
)	
-vs-)	BALDWIN COUNTY, ALABAMA
)	
HAROLD F. RICE,)	IN EQUITY
)	
Respondent)	

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

Comes your Complainant LOIS V. RICE and presents this her Bill of Complaint against HAROLD F. RICE and shows unto your Honor as follows:

FIRST: Your Complainant and Respondent, HAROLD F. RICE, are both over the age of twenty-one years and your Complainant, LOIS V. RICE, is a bona fide resident of the State of Alabama and County of Baldwin at the time of the separation and has been for a period of two years next prior to the filing of this Bill of Complaint; and Respondent a resident of California.

SECOND: That your Complainant and the said HAROLD F. RICE were lawfully married at Long Beach, California on July 15th, 1935 and lived together as man and wife until on or about the 5th day of January, 1940 and further that there was one child born of this marriage to the Complainant and Respondent, whose name is Katherine Yvonne Rice, age five (5) years, a girl.

THIRD: Your Complainant further shows unto your Honor that during the month of January, namely the 5th, 1940 your Respondent did voluntarily and without any cause or fault on the part of your Complainant desert your Complainant and which offense she has not condoned and she will not condone and that he has never returned to your Complainant nor co-habited with her as husband and wife from this 5th day of January, 1940 to the date of the filing of this Bill, said abandonment by the Respondent continuing for more than two years next preceding the filing of this Bill.

PRAYER FOR PROCESS

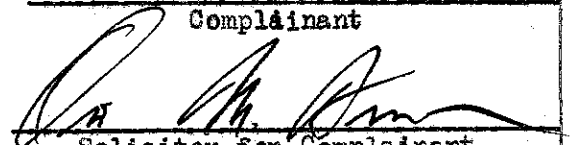
THE PREMISES CONSIDERED, Complainant prays that the said HAROLD F. RICE be made a party to the Bill of Complaint, that he be brought into Court by personal service or any method approved and adopted by this Honorable Court directing him to plead, answer or demur to the allegations as set out against

him in the said Bill of Complaint as filed in this cause in all respects as required under law and rules of this Honorable Court.

PRAYER FOR RELIEF

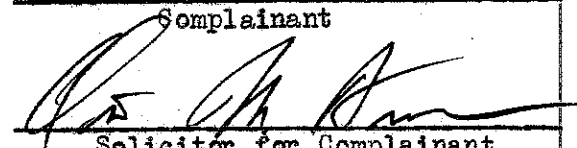
And your Complainant prays that upon the final hearing of this cause that this Honorable Court will grant to her an absolute divorce dissolving forever and entirely the bonds of matrimony now existing between her and the said HAROLD F. RICE and granting unto her the right to marry again should she so desire, and grant unto her the further right of using her maiden name of LOIS V. TROYER, and your Complainant prays upon the final hearing of this cause that your Honor will grant unto the said Complainant the care, custody and control of the child, namely Katherine Yvonne Rice, and your Complainant prays for such other and further relief as in equity and good conscience she may be entitled to in the premises, for which she will ever pray.

Complainant


Solicitor for Complainant

FOOT NOTE: The Respondent is required to answer but not under oath the same being expressly waived, as to each and every paragraph of the foregoing Complainant numbering from One to Three both inclusive.

Complainant


Solicitor for Complainant

LOIS V. RICE,
Complainant

-vs-

HAROLD F. RICE,
Respondent.

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

Comes Harold F. Rice, Respondent in the above styled cause and for answer to the Bill of Complaint says that he admits Paragraph One thereof, he admits Paragraph Two thereof, and he denies Paragraph Three thereof and demands strict proof thereof and he further admits Paragraph Four of the Bill of Complaint.

Respondent hereby waives service and notice of and demand for oral examination of the Complainant's witnesses, of the issue of commission to take testimony, notice of the time and place of the taking of the same and of the right to cross examine or introduce evidence in his own behalf; and he further consents that this cause may be submitted for final decree at any time on the pleadings of the Complainant's evidence as noted by the Register.

The Respondent hereby requests of this Honorable Court that he be given the right to marry again if he so desires upon the issuance of this final decree.

WITNESS:

May P. Steger

Betty Ruth Steger

X Harold F. Rice
Respondent

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO WILLA HOBBS

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 LOIS V. RICE and FRANK W. WALKER

as witnesses in behalf of LOIS V. RICE in a cause pending in our Circuit Court of Baldwin County, of said State, wherein LOIS V. RICE

Complainant
and HAROLD F. RICE

Defendant,

on oath to be by you administered, upon them

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 ~~3rd~~ 4th day of ~~August~~ September, 1941

R. S. Ditch

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

AFFIDAVIT

STATE OF ALABAMA)
COUNTY OF BALDWIN)

Personally appeared before me *Frank W Walker*
a Notary Public in and for said state and county, one Lois V. Rice,
who first being first duly sworn doth state and affirm upon her
oath that she is the complainant in a certain cause of action,
namely a Bill of Divorce against Harold F. Rice.

I, Lois V. Rice hereby certify that the respondent,
Harold F. Rice is not in the Military Service of the United States
of America and further the affiant sayeth not.

Lois V Rice

Sworn to and subscribed to before
me this 3 day of September,
1941.

Frank W Walker
Notary Public, Baldwin County, Ala.
My Commission Expires 11/15/43

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LOIS V. RICE

Complainant

VS.

HAROLD F. RICE

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on answer and waiver 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 LOIS V. RICE is forever divorced from the said

HAROLD F. RICE

for and on account of DESERTION

It is further ordered, adjudged and decreed that the complainant LOIS V. RICE shall have the right of using her maiden name of LOIS V. TROYER.

It is further ordered, adjudged and decreed that the complainant LOIS V. RICE shall have care, custody and control of the child, KATHERINE YVONNE RICE with the right granted to the respondent HAROLD F. RICE of visiting said child as long as he shall continue to contribute to the support of the said child.

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 LOIS V. RICE and HAROLD F. RICE be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Lois V. Rice the complainant pay the cost herein to be taxed, for which execution may issue.

This 5th day of September, 1941

[Signature]

Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for 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. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

LOIS V. RICE

Complainant

VS.

HAROLD F. RICE

Defendant

Commission To Take Deposition

COMMISSIONER:

WILLA HOBBS

Witnesses:

LOIS V. RICE

FRANK W. WALKER

RECORDED

Affidavit

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page]

Filed Sept. 4, 1941
R. G. Dech, Register

RECORDED

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The State Of Alabama
Baldwin County

In Circuit Court, In Equity

LOIS V. RICE,

vs. Complainant.

HAROLD F. RICE,

Respondent.

DIVORCE DECREE

Filed September 5, 1941
R. E. Duck, Register

LOIS V. RICE

Complainant

vs.

HAROLD F. RICE

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,

Testimony of Lois V. Rice and Frank W. Walker

and in behalf of Defendant upon Answer and Waiver

R. S. Smith

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ FALL Term, 1941

LOIS V. RICE, _____, Complainant

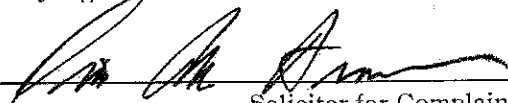
Vs.

HAROLD F. RICE _____, 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 ORVIS M. BROWN _____

_____ 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.


Solicitor for Complainant.

No. _____ Page _____

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

LOIS V. RICE

Complainant

Vs.

HAROLD F. RICE,

Respondent

**REQUEST FOR DECREE IN
VACATION**

Filed Sept 4, 1941

R. S. Duch

Register.

Recorded in _____ Record

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Register.

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No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

LOIS V. RICE

Complainant

vs.

HAROLD F. RICE

Respondent

NOTE OF TESTIMONY

Filed in Open Court this 4

day of Sept - 1951

R. S. Duch

REGISTER