

760

THE STATE OF ALABAMA }
Baldwin County }

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

ELLENDER FERRY

COMPLAINANT

vs.

ALFRED FERRY

RESPONDENT

I, Mina Lee Whitley

as Register and Commissioner

have called and caused to come before me Ellender Ferry and Juanita Paul

witness es named in the requirement for Oral Examination, on the 7th day of November
1941, at the office of Orvis M. Brown

in Robertsdale, Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said Ellender Ferry and Juanita Paul

doth depose and say as follows:

My name is Ellender Ferry. I am the Complainant in that certain cause
of action in the Circuit Court of Baldwin County, Alabama, whereby Alfred Ferry
is the Respondent. The Respondent, Alfred Ferry, is a resident of New York City,
New York, and I reside in Summerdale, Baldwin County, Alabama. We are both over
the age of twenty-one years.

The Respondent and myself were married in Pensacola, Florida, on
September 5th, 1935, and we lived together as man and wife until on or about the
September 21st, 1935, at which time, at no fault or cause on my part, the respon-
dent, Alfred Ferry, abandoned me and has not returned to live with me or cohabited
with me since that date. During the continuance of our separation, which has
been more than two years since next preceding the filing of this Bill of Complaint,
he has not contributed to my support. The respondent, Alfred Ferry, is not in the
Military Services of the United States in any way.

Ellender Ferry

I, Mina Lee Whitley 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 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 7 day of November 1941.

Mina Lee Whitley (L. S.)

No. 760 Page _____
THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ALLENDR FERRY
COMPLAINANT

ALFRED FERRY
VS.
RESPONDENT

ORAL DEPOSITION

Filed Nov 14, 1941

[Signature]
RECORDED IN _____
Register.

Record

Vol. _____ Page _____

Register

My name is Juanita Paul. I am the daughter of Ellender Ferry. I know of my own personal knowledge that my mother and the respondent, Alfred Ferry, my stepfather, are both over the age of twenty-one years, he residing in New York City and my mother in Summerdale, Baldwin County, Alabama. I know of my own personal knowledge that they were married at Pensacola, Florida on or about the 5th of September, 1935, and lived together as man and wife until on or about the 21st of September, 1935, and further, that they have not lived together as man and wife since that time. I know of my own personal knowledge that the respondent, Alfred Ferry, voluntarily left my mother without cause or fault on her part, and has not returned to live with her and has not lived with her since the time of their separation, which has been more than two years next, preceding the filing of this Bill of Complaint.

Juanita Paul

THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

FAIRHOPE, ALABAMA

This is to certify that the attached legal notice appeared in the following issues of the Fairhope Courier, a paper published weekly in the Town of Fairhope, October 2, 9, 16 and 24.



Frances G. Crawford, Ed.
Fairhope Courier.

Subscribed and sworn to before me this 3th. day of November 1941.



Notary Public

Legal Notice

Allender Ferry, Complainant, vs. Alfred Ferry, Respondent.

In the Circuit Court of Baldwin County, Alabama In Equity:

Dated This 21st Day of August, 1941.

This cause it being made to appear to the Clerk of this Court by the Affidavit of Allender Ferry, Complainant, that the Respondent, Alfred Ferry is a non-resident of the State of Alabama and further that if summon cannot be had in the State of Alabama and further that in the belief of the said Affiant the Respondent is over the age of twenty-one years it is therefore ordered that publication in Baldwin County Alabama be made in "The Fairhope Courier" a newspaper published in said County for four consecutive weeks requiring Alfred Ferry said Respondent to answer, plead or demur to the Bill of Complaint in this cause by September 1941, or thirty days therefrom a decree pro-confesso may be taken against the said Alfred Ferry.

R. S. Duck, Register of the Circuit Court.

Orvis M. Brown,
Attorney for Complainant. 8-4t

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____ Fall _____, Term, 1941

ALLENDER FERRY _____ Complainant

Vs.

ALFRED FERRY _____ Defendant

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 2 day of Oct, 1941, in the Fairhope Courier newspaper published in Baldwin, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 19 day of Sept 1941 and _____

And it now further appearing to the Register R. S. Duck, that the said Alfred Ferry

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 Alfred Ferry

This 14 day of Nov 1941
R. S. Duck Register.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

ALLENDER FERRY

Vs.

ALFRED FERRY

Decree Pro Confesso of Publication

Issued

11 / 14 19 11

R. S. Duval

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

BILL OF COMPLAINT

ALLENDER FERRY,)
Complainant) IN THE CIRCUIT COURT OF
vs) BALDWIN COUNTY, ALABAMA
ALFRED FERRY,) IN EQUITY:
Respondent.)

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF ALABAMA:

IN EQUITY

Your Complainant Allender Ferry exhibits this her Bill of Complaint against Alfred Ferry and respectfully shows unto your Honor as follows:

FIRST: That your Complainant has been a bona fide resident of the State of Alabama, Baldwin County for more than three years next preceding the filing of this Bill of Complaint; that both the Respondent and Complainant are over the age of twenty one years; that the Complainant married the Respondent on or about September 5th, 1935 in the City of Pensacola, Florida, and further shows unto your Honor that there are no children born to your Complainant and the Respondent of this marriage.

SECOND: Complainant alleges and avers that the Respondent lived with her as husband and wife from September 5th, 1935 to September 21st, 1935 at which time the Respondent voluntarily left your Complainant without any cause or fault on her part and has never returned to your Complainant nor co-habited with her as husband and wife from the 21st day of September 1935 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 Alfred Ferry be made a party of this 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 her in the said Bill of Complaint as filed in this cause in all respects as required by law and under the 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 entirely the bonds of matrimony now existing between her and Alfred Ferry and granting her the right to marry again, and granting unto your Complainant the right of using her maiden name of Allender Amos, and your Complainant prays for other and further relief as in equity and good conscience may be entitled in the premises for which she will ever pray.

Allender Ferry
Complainant

Chas. H. Amos
Solicitor for Complainant

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

Allender Ferry
Complainant

Chas. H. Amos
Solicitor for Complainant

 ALLENDER FERRY

 VS.

 ALFRED FERRY

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, _____

Decree Pro Confesso on Publication

and in behalf of Defendant upon Decree Pro Confesso

Register

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

ALLENDER FERRY

vs.

ALFRED FERRY

NOTE OF TESTIMONY

Filed in Open Court this 14th

day of May 1934

REGISTER

AFFIDAVIT

STATE OF ALABAMA)
COUNTY OF BALDWIN)

Before me personally appeared Allender Ferry, Complainant, who being duly sworn deposes and says that she is the Complainant in the case of Allender Ferry vs Alfred Ferry; that the Respondent Alfred Ferry's residence is not known; that on or about September 5th, 1935 the said Alfred Ferry deserted your Complainant and she has not since seen or heard from him; that Complainant, Allender Ferry and the Respondent, Alfred Ferry are both over the age of twenty one years and that they were married at Pensacola, Florida September 5th, 1935 and that Allender Ferry is a resident of Summerdale, Alabama, Baldwin County.

Allender Ferry
Affiant

Sworn to and subscribed before me this 21st day of August, 1941.

[Signature]
Notary Public, Baldwin County, Ala.
My Commission Expires April 2, 1943

Applicant

RECORDED

[Handwritten signature]

APPLICANT'S NAME

ADDRESS

CITY AND STATE

DATE OF BIRTH

EDUCATION

EMPLOYMENT HISTORY

REFERENCES

ADDITIONAL INFORMATION

APPLICANT'S SIGNATURE

(DATE)
(TIME)

APPLICANT

Filed September 29, 1941
R. S. Duch, Register

BILL OF COMPLAINT

ALLENDER FERRY,

Complainant

vs

ALFRED FERRY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY:

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF ALABAMA:

IN EQUITY

Your Complainant Allender Ferry exhibits this her Bill of Complaint against Alfred Ferry and respectfully shows unto your Honor as follows:

FIRST: That your Complainant has been a bona fide resident of the State of Alabama, Baldwin County for more than three years next preceding the filing of this Bill of Complaint; that both the Respondent and Complainant are over the age of twenty one years; that the Complainant married the Respondent on or about September 5th, 1935 in the City of Pensacola, Florida, and further shows unto your Honor that there are no children born to your Complainant and the Respondent of this marriage.

SECOND: Complainant alleges and avers that the Respondent lived with her as husband and wife from September 5th, 1935 to September 21st, 1935 at which time the Respondent voluntarily left your Complainant without any

And your Complainant prays that upon the final hearing of this cause that this Honorable Court will grant to her an absolute divorce dissolving entirely the bonds of matrimony now existing between her and Alfred Ferry and granting her the right to marry again, and granting unto your Complainant the right of using her maiden name of Allender Amos, and your Complainant prays for other and further relief as in equity and good conscience may be entitled in the premises for which she will ever pray.

red

Complainant
[Signature]
Solicitor for Complainant

Handwritten notes:
6.
19.
10.
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13.
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17.
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19.
20.

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

Complainant
[Signature]
Solicitor for Complainant

and your complaint that upon the final hearing of this
 cause that this Honorable Court will have to have an absolute divorce dissolving
 the bond of matrimony and existing between her and third party and
 granting her the right to marry again, and granting also, and retaining the
 right of raising her children in case of illness, death, and your complaint herein
 for alimony and further relief as in equity and good conscience may be entitled
 to the proceeds of which she will ever have.

Filed September 23, 1941
R. S. Dwork, Register

Complaint

Defendant

FOR INFO: The Respondent is required to answer, but on oath, and being hereby expressly advised as to each and every paragraph of the foregoing bill of complaint understanding that one is for both inclusive.

Complaint

copy

AFFIDAVIT

STATE OF ALABAMA)
COUNTY OF BALDWIN)

Personally appeared before me, Orvis M. Brown, a Notary Public, in and for said state and county, One Ellander F. Ferry, who first being 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 Alfred F. Ferry.

I, Ellander F. Ferry hereby certify that the Respondant Alfred F. Ferry is not in the Military Service of the United States of America and is not subject to call to the Military Service, and further the affiant sayeth not.

Sworn to and subscribed to
before me this 15th day of
September, 1941

Ellander Ferry

Orvis M. Brown
Notary Public, Baldwin County, Alabama.
My Commission Expires April 2, 1943.

Affidavit

RECORDED

I, the undersigned, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of the County of [] State of []

29

[Handwritten signature]

Subscribed and sworn to before me on this 29th day of September, 1941, at []

Filed September 29, 1941
R. S. Hunt, Registrar

ALLENDER FERRY,

Complainant

vs

ALFRED FERRY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY:

DATED THIS 21st DAY OF AUGUST 1941.

This cause it being made to appear to the Clerk of this Court by the affidavit of Allender Ferry, Complainant, that the Respondent Alfred Ferry is a non-resident of the State of Alabama and that service of summon cannot be had in the State of Alabama and further that in the belief of the said affiant the Respondent is over the age of twenty one years, it is therefore ordered that publication in Baldwin County, Alabama be made in "THE FAIRHOPE COURIER", a newspaper published in said County for four consecutive weeks requiring Alfred Ferry, said Respondent to answer, plead or demur to the Bill of Complaint in this cause by September , 1941 or thirty days therefrom a decree pro confesso may be taken against the said Alfred Ferry.

R. S. Duch

Register of the Circuit Court

[Handwritten signature]

[Vertical handwritten notes on the left margin]

RECORDED

Notice of Publication

to Savings Currier

9-29-41

THE STATE OF MICHIGAN, County of ...
 ss. the Clerk of the Circuit Court, do hereby certify that the within and foregoing was filed in the office of the Clerk of the Circuit Court of the County of ... Michigan, on the 29th day of September, A.D. 1941, for publication in the ...
 Pursuant to the provisions of the ...
 this notice is being made for publication in the Clerk of the Court.
 DATED THIS 29th DAY OF SEPTEMBER 1941.

Prothonotary.

Prothonotary.

At

Circuit Court

Prothonotary

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court at ... Michigan, this 29th day of September, 1941.

BY THE CLERK OF THE COURT:

Ferry

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Fall Term, 19341

ALLENDER FERRY, Complainant

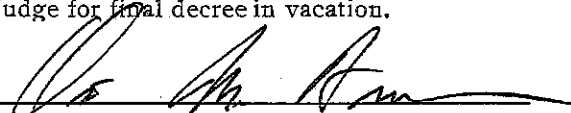
Vs.

ALFRED FERRY, 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

ALLENDER FERRY

Vs.

ALFRED FERRY

**REQUEST FOR DECREE IN
VACATION**

Filed May 14, 1934

R. S. [Signature]
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ALLENDER FERRY

Complainant

VS

ALFRED FERRY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on publication 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 Allender Ferry is forever divorced from the said

Alfred Ferry

for and on account of Desertion

It is further ORDERED, ADJUDGED AND DECREED that the Complainant is hereby granted the right to use her maiden name of Allender Amos.

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 Allender Ferry

be, and she is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Allender Ferry

the Complainant pay the cost herein to be taxed, for which execution may issue.

This 19th day of November, 1941.

[Signature] Judge Circuit Court, in Equity.

I, R. S. Duck, 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 November, 1941

Register of Circuit Court, in Equity.

No. 760 December 10 1941

RECEIVED FROM Orris M. Brown

Five + no. 100 DOLLARS

Commissioner's fee - 7 mos to 7 mos

Amount Paid \$ 5.00

Balance Due \$ _____ By Mina L. Whitley

FORM 46 ADVANCE PRINTING SPECIALTY - BIRMINGHAM

Fairhope, Ala., Oct-31 1941

M. Orris Brown

Robertsdale

IN ACCOUNT WITH

The Fairhope Courier

E. B. GASTON ESTATE
Publisher

Advertising and Commercial Printing
Rates on Application

Oct 2 Legal notice of 169
words Re Alexander
Ferry vs - Alfred Ferry
in issue of October
2-9-16-24-

#17.60

RECORDED

ALLENDER FERRY,

Complainant.

vs.

ALFRED FERRY,

Respondent.

BILL OF COMPLAINT

*Filed September 29, 1941
R. S. Duck, Registrar*

ORVIS M. BROWN
ATTORNEY-AT-LAW
ROBERTSDALE, ALABAMA