

LAUMAN LUKER,
Complainant,

VS.

LIZZIE LUKER,
Respondent.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA,

) IN EQUITY.

This cause coming on to be heard was submitted upon the original Bill of Complaint, Pleadings and Proof, as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

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 he is hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said LAUMAN LUKER shall not again marry, except to the said LIZZIE LUKER, until sixty days after this date, and that if an appeal is taken within sixty days, he shall not again marry, except to the said LIZZIE LUKER, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custody and control of the minor children, namely; Willie Mae Luker, James Herbert Luker, and Clara Luker, is hereby awarded to the Complainant, LAUMAN LUKER.

DATED at Monroeville, Monroe County, Alabama, this 4th day of September, 1941.



Judge of the 21st Judicial Circuit of Ala.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Frances Brantley

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 LAUMAN LUKER and MARVIL PROFF

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

LAUMAN LUKER Complainant

and

LIZZIE LUKER Defendant,

on oath to be by you administered, upon

to take and certify the deposition^{es} of the witness^{es} and return the same to our Court, with all Convenient speed, under your hand.

Witness 29th day of August, 19⁴¹.

R. S. Duck

REGISTER

Commissioner's Fee \$ _____

Witness Fees, \$ _____

LAUMAN LUKER,

Complainant,

vs.

LIZZIE LUKER,

Respondent.

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 15th day of July 1941, a copy of the Bill of Complaint filed in this cause was sent to Lizzie Luker

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 21st day of July, 1941, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Defendant.

This the 29th day of August 1941.

R. E. Duck 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 3rd
day of September, 1941. 493

R. S. Duck

REGISTER

RECORDED NO. _____

Complainant—

VS.

Respondent—

Request For Decree In Vacation

Filed September 3, 1941

R. S. [Signature]

Register.

RECORDED

No. _____ Page _____

**State of Alabama,
Baldwin County.**

CIRCUIT COURT, IN EQUITY.

Complainant _____

Vs.

Defendant _____

Motion for Decree Pro Confesso

Served by ~~On Publication~~ *Registered*

August 29

Filed ~~September 3~~, 19*44*

R. S. Dush

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

After Notice by Registered Mail.

8601. Motion for Decree Pro Confesso or Publication.

MOORE PRINTING CO., BAY MINETTE, ALA.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____, Term, 193..

LAUMAN LUKER _____, Complainant..

Vs.

LIZZIE LUKER _____ Defendant..

Motion is hereby made for a Decree Pro Confesso against LIZZIE LUKER _____

Defendant..

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of service by notice by registered mail.

~~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 29th day of August 1941

Beebe & Nace
by purchase

Solicitor.

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____ TERM, 194__.

LAUMAN LUKER
Complainant—.

VS.

LIZZIE LUKER
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 BEEBE & HALL,
Solicitor^S 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.

Beebe & Hall
by [Signature]
Solicitor— for Complainant—.

LAUMON LUKER,

VS.

LIZZIE LUKER,

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 Confess; Decree Pro Confesso after Notice by
Registered Mail; Commission to take deposition; Oral testimony of
Marvin Brown and Layman Luker; Request for Decree;

and in behalf of Defendant upon _____

R. E. Smith

Register.

LAUMAN LUKER,
Complainant,
VS.
LIZZIE LUKER,
Respondent.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint, Pleadings and Proof, as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

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 he is hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said LAUMAN LUKER shall not again marry, except to the said LIZZIE LUKER, until sixty days after this date, and that if an appeal is taken within sixty days, he shall not again marry, except to the said LIZZIE LUKER, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custody and control of the minor children, namely; Willie Mae Luker, James Herbert Luker, and Clara Luker, is hereby awarded to the Complainant, LAUMAN LUKER.

DATED at Monroeville, Monroe County, Alabama, this 14th day of September, 1941.


Judge of the 21st Judicial Circuit of Ala.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Frances Brantley

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 LAUMAN LUKER and MARVIN PROVE

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

LAUMAN LUKER Complainant

and

LIZZIE LUKER Defendant,

on oath to be by you administered, upon

to take and certify the deposition^{es} of the witness^{es} and return the same to our Court, with all Convenient speed, under your hand.

Witness 29th day of August, 19⁴¹.

R. S. Duck

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

LAUMAN LUKER,

Complainant,

vs.

LIZZIE LUKER,

Respondent.

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 15th day of July 1941, a copy of the Bill of Complaint filed in this cause was sent to Lizzie Luker

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 21st day of July, 1941, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Defendant.

This the 29th day of August 1941.

R. E. Duck

Register.

RECORDED

No. _____

CIRCUIT COURT OF BALDWIN
COUNTY, ALA.

In Equity.

vs.

Decree Pro Confesso After
Notice By Registered Mail.

Filed in office this 29 day of

Aug 1941

[Signature] Register

Entered in O. B. _____ Page _____

The State of Alabama }
Baldwin County

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

LAUMAN LUKER

COMPLAINANT

VS.

LIZZIE LUKER

RESPONDENT

I, Frances Brantley

as Register and Commissioner

have called and caused to come before me LAUMAN LUKER and MARVIN BROWN

witnesses named in the Requirement for Oral Examination, on the 29th day of AUGUST

19 41, at the office of BEES & HALL,

in BAY MINETTE, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said MARVIN BROWN and LAUMAN LUKER

doth depose and say as follows:

MARVIN L. BROWN, A WITNESS FOR THE COMPLAINANT BEING BY ME FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Marvin L. Brown. I live at Lottie, in Baldwin County, Alabama. I am personally acquainted with Lauman Luker, who is also a resident of Lottie, in Baldwin County, Alabama, and who is over twenty-one years of age. I lived near, about $\frac{1}{2}$ mile from where Lauman Luker and Lizzie Luker, his wife, lived, for about two years and had occasion to be around and know of them. They lived together as husband and wife until some time about the middle of November, 1940. I know of my own personal knowledge that during the time that I have known Lizzie Luker, about two years, she was going around with one Joe Lynam. Lottie is a small community. I have talked with many of the residents of Lottie and all know that Lizzie, for quite some time, ran around with Joe Lynam, and as a matter of fact it is generally known that she lived with him and committed acts of adultery with him. I have on several occasions heard and it is common knowledge in Lottie that several of Luker's and Lynam's friends, among them Lynam's brother-in-law, Everett Biggs, went to Luker's home one night when he was away and caught Lynam in the house, and in the room with Lizzie. When Lauman Luker found out about the conduct of his wife with Joe Lynam, he got after her about it and she admitted that she committed illegal acts with Joe Lynam, and at the time she went away, the said, Joe Lynam, followed her to Atmore and put her on the bus.

Marvin Brown

LAUMAN LUKER, THE COMPLAINANT, BEING FIRST DULY SWORN DEPOSES AND SAYS:

My name is Lauman Luker. I am a bona-fide resident of Baldwin County, Alabama, and have been for more than three years preceding the filing of the Bill of Complaint in the above cause. I am over twenty-one years of age.

The Respondent, Lizzie Luker, is over twenty-one years of age and a non-resident of the State of Alabama, her address being Keuka, Florida. The Respondent and I were married at Evergreen, in Conecuh County, Alabama, in May, 1930. We lived together as husband and wife until November 20, 1940.

The Respondent Lizzie Luker, on November 20, 1940, and, as I have since learned on several dates prior thereto, committed acts of adultery with one Joe Lynam. I had for some time prior to November 20, 1940, suspicioned that my wife was having secret meetings with the said Lynam. On one occasion, particularly, prior to November 20, 1940, the Respondent, after retiring for the night, believing that I was asleep,

ORAL EXAMINATION

I, Frances Brantley, 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 witnesses and read over to them and they signed the same in the presence of myself and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; 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 29th day of August 1941.

Frances Brantley (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed September 3, 1941

R. S. Luck, Register
RECORDED IN

Record

Vol. _____ Page _____

Register

slipped out to meet the said Lynam and then on another occasion when I was away from home, some of my friends and neighbors went to my house and found the said Lynam in the house with my wife alone. It was at night. I talked with the said Lynam and was told by him that he had been going out with my wife and that he had committed acts of adultery with her. I told my wife of this and she did not and has never denied it. The said acts of adultery on the part of my wife were committed without my consent and approval and I have not condoned them. When my wife left our home, the said Joe Jynam went with her and stayed some time.

I am positive that the Respondent committed the said acts of adultery with the said Lynam.

We have three children: Willie Mae Luker; James Herbert Luker; and Clara Luker, aged ten, eight, and five, respectively. These children are now with me at my home near Lottie. I have a home and am willing and able to take care of and provide for them. The Respondent on account of the acts of adultery committed by her and of her general reputation in the community where she is known, is not a suitable and proper person to have the care and custody of the children.

While I was suspicious of the conduct of my wife I did not accuse her until I was sure, however, since she has been away my neighbors and friends have advised me that the general community knew that she was committed the said acts with Lynam but that they hesitated until I found out myself, and many hesitated until she had actually gone away.

Lawrence Luker

STATE OF ALABAMA,
BAIDWIN COUNTY

I, R. S. Duck, Register of the Circuit Court in Equity, do hereby certify that I have mailed a copy of the within summons together with a copy of the bill of complaint filed in this cause to the Respondent Lizzie Luker at Keuka, Fla., by registered mail, postage prepaid, with return receipt requested, and marked for delivery only to the person to whom addressed.

WITNESS my hand and Seal of said Court this the 15th day of July 1941.

R. S. Duck

Register.

RECORDED

LAUDMAN LUKER, Complainant,

VS.

LIZZIE LUKER, Respondent.

BILL OF COMPLAINT

*Filed July 15, 1941
R. S. Duck, Register*

BEEBE & HALL

LAWYERS

BAY MINETTE, ALABAMA

735

STATE OF ALABAMA, }
BALDWIN COUNTY. }

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU, That you summon LIZZIE LUKER, 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 LAUMAN LUKER against said LIZZIE LUKER, and further to do and perform what said Judge shall order and direct in that behalf. And this the said 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 15th day of July, 1941.

R. S. Duck
Register.

LAUMAN LUKER, Complainant,)
VS.) IN THE CIRCUIT COURT OF
LIZZIE LUKER, Respondent.) BALDWIN COUNTY, ALABAMA
IN EQUITY.

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

And now comes your Complainant, LAUMAN LUKER, and complaining against the Respondent, LIZZIE LUKER, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age and a bona-fide resident of Baldwin County, Alabama, and has been for more than three years preceding the filing of this bill of Complaint; that the Respondent is over twenty-one years of age and a non-resident of the State of Alabama, her address being Keuka, Florida;

2.

That the Complainant and Respondent are husband and wife, having intermarried at Evergreen in Conecuh County, Alabama, on to-wit, May, 1930;

3.

That on to-wit November 20th, 1940, and at various times prior thereto, the Respondent committed acts of adultery with one Joe Lyman; that said acts of adultery on the part of the Respondent were without the consent or approval of the Complainant, he has not condoned said acts;

That there were born to the marriage between your Complainant and the Respondent, three children: Willie Mae Luker, age ten; James Herbert Luker, age eight, and Clara Luker, age five; that said children are now with the Complainant; that the Complainant is ready, able, and capable of caring and providing for said minor children and that the Respondent is not a suitable, fit, or proper person to have the care and control of the said minor children.

WHEREFORE the premises considered the Complainant prays that your Honor will by proper process make the said LIZZIE LUKER party Respondent to this bill of Complaint, compelling 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.

The Complainant ^{prays} that upon a final hearing of this cause a decree be made and entered awarding to him a decree of divorce forever barring the bonds of matrimony existing between him and the said LIZZIE LUKER; that a decree be made and entered awarding the care, custody and control of said minor children, Willie Mae Luker, James Herbert Luker, and Clara Luker, to him; that your Honor will give and grant unto him such other, further, different or special relief as he may in equity and good conscience entitled to receive and as in duty bound he will ever pray.

BROWN & HALL

By:

H. H. Hall

Solicitors for Complainant.

Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 29

INSURED PARCEL

No. _____

REVENUE FOR POSTAGE AND PAYMENT OF POSTAGE 1941



POSTMARK OF DELIVERING OFFICE

Return to R. S. Duck Co. Clark
NAME OF SENDER

Street and Number,
or Post Office Box,
Post Office at Bay Minette
State Ala.

Rev. 3-24

13-5116

RECEIPT FOR REGISTERED ARTICLE No. _____

15 fee paid, 1 class postage paid, _____, 1941

Declared value, \$ (100.00) Insurance paid, \$ _____

From R. S. Duck - Co. - Clark
(Sender)

Addressed to Bay Minette, Ala.
(Street and number) (Post office and State)

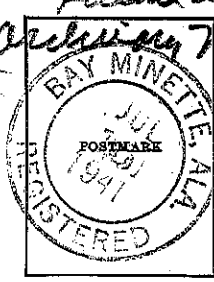
Blount, Ala.
(Street and number) (Post office and State)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee 03 (in person _____) Special delivery fee _____
or order _____

Delivery restricted to addressee (Fee paid 10) Postmaster, per 17

13-12638



Forwarded
checked by mail

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Lizzie Baker
(Signature of name of addressee)

(Signature of addressee's agent)

Date of delivery _____, 19____
Form 3511

*Delivered by
P. S. Baker*

U. S. GOVERNMENT PRINTING OFFICE

© 1918