

Filed 3-2-1942

R. S. Duck

Alma. Mann Roberts.

VS.

A Lamar. Roberts.

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. Testamony, of, Alma Mann Roberts. and

Mrs Rufus Mann,

and in behalf of Defendant upon _____



Register.

RECORDED

No. 784

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Alma Jean Roberts

VS.

Lamar Roberts

NOTE OF TESTIMONY

Filed in Open Court this 7

day of March 1942

Desuet

Register.

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 789 Term, 1942

ALMA MANN ROBERTS

Complainants

vs.

A. LAMAR ROBERTS

Defendants

Motion is hereby made for a Decree Pro Confesso against

A. LAMAR ROBERTS

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of 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 3rd day of March 1942

746 Code.

E. Cramer

Solicitor.

RECORDED

No. _____ Page _____

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Complainants.

Vs.

Defendants.

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION.

Filed 3-2 1942

R. S. Duch
Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

THE FAIRHOPE COURIER

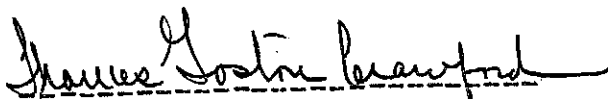
E. B. GASTON ESTATE, PUBLISHER

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 Baldwin County: January 7, 8, 15, 22 and 29



Frances Gaston Crawford
Editor Fairhope, Courier.
Fairhope Ala.,

Subscribed and sworn to before me this 2th. day of February 1942.



Notary Public

Legal Notice

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Circuit Court in Equity.

This the 1st day of January 1942.

ALMA MANN, ROBERTS.

No. 789.

VS.

A. LAMAR ROBERTS.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Alma Mann Roberts that the Defendant, A. Lamar Roberts is a non-resident of the State of Alabama, that the present whereabouts of defendant are unknown and further that, in the belief of said Affiant—the Defendant is over the age of 21 years it is, therefore ordered that publication be made in the Fairhope Courier a newspaper published in Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring A. Lamar Roberts the said Defendant, to answer or demur to the Bill of Complaint in this cause by the 30th day of January, 1942, or after thirty days therefrom a decree Pro Confesso may be taken against Him.

R. S. DUCK, Register
E. CRAMER, Solicitor for Complainant. 22-4t

RECORDED

RECORDED

Filed 3-2-1942

R. S. Dush

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO

Frances J. Crawford

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 *Alma Mann Roberts and Mrs. Rufus Mann*

as witnesses in behalf of *Alma Mann Roberts* in a cause pending in our Circuit Court of Baldwin County, of said State, wherein *Alma Mann Roberts is*

Complainant

and *A. Lamas Roberts is*

Defendant,

on oath to be by you administered, upon *Alma Mann Roberts and Mrs. Rufus Mann* to take and certify the deposition *1* of the witness*s* and return the same to our Court, with all convenient speed, under your hand.

Witness *3rd* day of *March*, 19*42*

[Signature]

REGISTER

~~Commissioner's Fee \$~~ *paid*

~~Witness Fees \$~~

789

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Alma Mann Roberts Complainant

VS

A. Lemar Roberts Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on March 3rd 1942 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 Alma Mann Roberts is forever divorced from the said

A. Lemar Roberts

for and on account of voluntary abandonment on or about June 26th 1931 which said (abandonment) has continued to the date hereof

~~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 said Alma Mann Roberts be, and is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that _____ the _____ pay the cost herein to be taxed, for which execution may issue.

This 7th day of MARCH, A. D. 1942.

[Signature]
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. Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

.....
.....
vs. Complainant.

.....
.....
Respondent.

DIVORCE DECREE

Filed 3-9-42
R.S. Duch

The State Of Alabama, Baldwin County
Circuit Court in Equity

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

The State of Alabama, }
Baldwin County

Alma Mann Roberts

Complainant.....

vs.

A. Lamar Roberts

Defendant.....

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

The *Complainant*

requests the oral examination of the following named witnesses, on behalf of the

Complainant

- viz:

Alma Mann Roberts
Mrs. Rufus Mann

said witnesses reside in the County of

Baldwin

State of Alabama.

..... who resides at

..... or, The Register of this Court is suggested as a suitable person
to be appointed Commissioner to take the deposition of said witness on such oral examination.

E. G. G. G. G.
Solicitor for *Complainant*

CHANCERY EXECUTION

BILL OF COSTS

No. *789* *Alma* *Roberts* Vs. *A. Lamar Roberts* Plaintiff
 Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward.....	\$
Filing each bill and other papers.....	\$	10	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	455
Issuing each subpoena.....		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof.....		40	Each notice sent by mail to creditor.....	15
Entering each return thereof.....		15	Filing, receipting for and docketing each claim, etc.....	25
For each order of publication.....	1	00	For all entries on subpoena docket, etc.....	50
Issuing writ of injunction.....		1 50	For all entries on commission docket, etc.....	50
For each copy thereof.....		50	Making final record, per 100 words	15
Entering each return thereof.....		15	Certified copy of decree.....	1 00
Issuing Writ of Attachment.....		1 00	Report of divorce to State Health Office.....	50
Entering each return thereof.....		15	(Acts 1915)	
Docketing each case.....		1 00	Total Fees of Register.....	7055
Entering each appearance.....		25	FEES OF SHERIFF	
Issuing each decree pro confesso on per. ser.....		1 00	Serving and returning subpoena on deft.....	\$1 50
Issuing each decree pro confesso on publication.....		1 00	Serving and returning subpoena for witness.....	65
Each order appointing guardian.....		1 00	Levying attachment.....	3 00
Any other order by Register.....		50	Entering and returning same.....	25
Issuing commission to take testimony.....		50	Selling property attached.....	75
Receiving and filing.....		10	Impaneling Jury.....	75
Endorsing each package.....		10	Executing writ of possession.....	2 50
Entering order submitting cause.....		50	Collecting execution for costs.....	1 50
Entering any other order of court.....		25	Serving and returning sci. fa., each.....	65
Noting all testimony.....		50	Serving and returning notice.....	65
Abstract of cause, etc.....		1 00	Serving and returning writ of injunction.....	1 50
Entering each decree.....		75	Serving and returning writ of exeat.....	1 50
For every 100 words over 500.....		15	Taking and approving bonds, each.....	75
Taking account, etc.....		3 00	Collecting money on execution.....	2 50
Taking testimony, etc.....		15	Making deed.....	2 50
Each report, 500 words or less.....		2 50	Serving and returning application, etc.....	1 00
For every 100 words over 500.....		15	Serving attachment, contempt of court.....	1 50
Amount claimed less than \$500, etc.....		2 00	Total Fees of Sheriff.....	1055
Issuing each subpoena.....		25	RECAPITULATION	
Witness certificate, each.....		25	Register's Fees.....	1055
Issuing execution, each.....		75	Sheriff's Fees.....	
Entering each return.....		15	Commissioner's Fees <i>3 (no charge)</i>	
Taking and approving bond, each.....		1 00	Solicitor's Fees.....	
Making copy of bill, etc.....		15	Witness Fees.....	
Each notice not otherwise provided for.....		50	Guardian Ad Litem.....	
Each certificate or affidavit, with seal.....		50	Printer's Fees.....	3 00
Each certificate or affidavit, no seal.....		25	Trial Tax.....	3 00
Hearing and passing on application, etc.....		3 00	Recording Decree in Probate Court.....	3 00
Each settlement with receiver, etc.....		3 00	Total.....	1355
Exam'ing each voucher of Receiver, etc.....		10		
Examining each answer, etc.....		3 00		
Recording resignation, etc.....		75		
Entering each cert. to Supreme Court.....		50		
Taking questions and answers, etc.....		25		
For all other ser. relating to such proceedings.....		1 00		
For services in proceeding to relieve minors, etc., same fee as in similar cases.....		1 00		
Commission on sales, etc.: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1½ per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, ¼ of 1 per ct.....		455		
Sub Total Carried Forward.....		455		

The State of Alabama, } No. _____
 Baldwin County. } Circuit Court, In Equity _____ Term, 194 _____

To Any Sheriff of the State of Alabama—GREETINGS:
 You are hereby commanded, That of the goods and chattels, lands and tenements of _____
 _____ Defendant.....
 you cause to be made the sum of _____ Dollars,
 which _____ Plaintiff.....
 recovered of _____ on the _____ day of _____ 194 _____
 by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,
 costs of suit, and have the same to render to the said _____ Dollars, *3-23-42*
 and make return of this Writ and the execution thereof, according to law. *Ret 770 683*
 Interest from _____ 194 _____ to date of collection.
 Witness my hand, this _____ day of _____ 194 _____

Register.

Fairhope, Ala., March 1942

M

IN ACCOUNT WITH

The Fairhope Courier

E. B. GASTON ESTATE
Publisher

Advertising and Commercial Printing
Rates on Application

Legal notice of 168
words Re. Almas Mann
Roberts vs. A. Lamar
Roberts in issue of
Jan. 8-15-22-1-29-

\$ 7.56

Paid March 4th
J. L. Crawford

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

ALMA MANN. ROBERTS,

No. 789.

vs.

A. LAMAR. ROBERTS.

The State of Alabama,

BALDWIN, County.

Circuit Court, in Equity

This the 1st. day of

Jan, 1924.

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Alma Mann Roberts,

that the Defendant A Lamar Roberts,

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant ~~is~~ ^{Fairhope Courier} over the age of 21

years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ ^{Fairhope}, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

A Lamar Roberts, the said Defendant.

to answer or demur to the Bill of Complaint in this cause by the 30th. day of

January.

1924,

taken against

Him,

E Cramer, Solicitor, for Complainant.

Register.

To the Honorable Francis W. Hare, Judge of the Circuit Court of Baldwin County
Sitting in Equity:

Comes ALMA MANN ROBERTS and by this her bill of complaint presented against
A. LAMAR ROBERTS, respectfully shows:

First: The complainant is and has been for more than three years past a bona
fide resident of the State of Alabama, living in Baldwin County in the Town
of Fairhope and that the defendant, A. Lamar Roberts is past the age of twenty
one years and is gone to parts unknown.

Second: That the plaintiff and the defendant were legally married at Brewton,
Alabama, on May 4th 1928, and thereafter lived together as husband and wife
at Atmore, Alabama, until about June 26th 1931 at which time the defendant
voluntarily deserted and abandoned complainant and has ever since continued
said desertion and abandonment to the present date and that plaintiff and
defendant have lived apart from bed and board and separate from said date to
the present date.

Third: That complainant has made diligent search and inquiry concerning the
present whereabouts of defendant but without result and the residence of the
defendant is unknown, hence notice of the pendency of this action ought to
be made by publication.

THE PREMISES CONSIDERED, Complainant prays that A. Lamar Roberts be made def-
endant to this bill and by appropriate process be required to answer the same
within the time required and prescribed by law and to obey such other orders
and decrees as may be made in the premises.

The Complainant further prays upon the hearing of this cause that a decree be
rendered forever divorcing her from said A. Lamar Roberts, granting her the
right to remarry again should she so desire and such further or different
relief as may be or appear proper in the premises.

E. Craver

Solicitor for Complainant.

State of Alabama)
Baldwin County) ss,

Personally appeared Alma Mann Roberts, who, being duly sworn according to the
law, deposes and says; that she is complainant in the foregoing cause; that the
defendant, A. Lamar Roberts, is now a non resident of the State of Alabama to
the best of her knowledge and belief; that he removed to Pensacola, Florida,
from Alabama during the year of 1929; that she has made diligent search
and inquiry in said city of Pensacola concerning his whereabouts from friends
and neighbors at his former address but without result; that said defendant is
a non resident of the State of Alabama and his present whereabouts unknown
for which reasons service of notice of the pendency of the foregoing action
is hereby prayed for in the form of a publication thereof.

Alma Mann Roberts

Subscribed and sworn to this 30th day of December 1941, before me.

E. E. Perkins

Notary Public.

(Seal)

DECREE PRO CONFESSO OF PUBLICATION

THE STATE OF ALABAMA,)
Baldwin County)

CIRCUIT COURT, IN EQUITY

NO. 789

ALMA MANN ROBERTS-----, Complainant

VS

A. LAMAR ROBERTS-----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 8th day of January, 1942 in the Baldwin Times, a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 30th day of January, 1942.

And it now further appearing to the Register R. S. Duck, that the said A. Lamar Roberts, 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, R. S. Duck, that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said A. LAMAR ROBERTS.

This 3 day of June 1942.

R. S. Duck
Register

CIRCUIT COURT OF
Baldwin County, Alabama

IN EQUITY

Alma Mow Roberts

..... Complainant..

vs.

A L Anna Roberts

..... Defendant..

DEMAND FOR ORAL EXAMINATION

Filed *3 - 2* 19*44* *2*

R. S. Duck Register.

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ALMA MANN ROBERTS

Complainant

VS.

A. LAMAR ROBERTS

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

To the Honorable Francis W. Hare, Judge of the Circuit Court of Baldwin County
Sitting in Equity:

Come ALMA MANN ROBERTS and by this her bill of complaint presented against
A. LAMAR ROBERTS, respectfully shows:

First: The complainant is and has been for more than three years past a bona
fide resident of the State of Alabama, living in Baldwin County in the Town
of Fairhope and that the defendant, A. Lamar Roberts is past the age of twenty
one years and is gone to parts unknown.

Second: That the plaintiff and the defendant were legally married at Brewton,
Alabama, on May 4th 1928, and thereafter lived together as husband and wife
at Atmore, Alabama, until about June 26th 1931 at which time the defendant
voluntarily deserted and abandoned complainant and has ever since continued
said deserting and abandonment to the present date and that plaintiff and
defendant have lived apart from bed and board and separate from said date to
the present date.

Third: That complainant has made diligent search and inquiry concerning the
present whereabouts of defendant but without result and the residence of the
defendant is unknown, hence notice of the pendency of this action ought to
be made by publication.

THE PRINCIPAL PARTIES, Complainant prays that A. Lamar Roberts be made def-
endant in this bill and by appropriate process be required to answer the same
within the time required and prescribed by law and to obey such other orders
and decrees as may be made in the premises.

The Complainant further prays upon the hearing of this cause that a decree be
rendered forever divorcing her from said A. Lamar Roberts, granting her the
right to remarry again should she so desire and such further or different
relief as may be or appear proper in the premises.


Solicitor for Complainant.

State of Alabama)
Baldwin County) ss,

Personally appeared Alma Mann Roberts, who, being duly sworn according to the
law, deposes and says; that she is complainant in the foregoing cause; that the
defendant, A. Lamar Roberts, is now a non resident of the State of Alabama to
the best of her knowledge and belief; that he removed to Pensacola, Florida,
from Alabama during the year of 1939; that she has made diligent search
and inquiry in said city of Pensacola concerning his whereabouts from friends
and neighbors at his former address but without result; that said defendant is
a non resident of the State of Alabama and his present whereabouts unknown
for which reasons service of notice of the pendency of the foregoing action
is hereby prayed for in the form of a publication thereof.



Subscribed and sworn to this 30th day of December 1941, before me.


Notary Public.

(Seal)

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The State of Alabama,
Baldwin County.

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

ALMA MANN ROBERTS

Complainant.

VS.

A. LAMAR ROBERTS

Respondent.

I, Frances G. Crawford

as Register and Commissioner

have called and caused to come before me Alma Mann Roberts and Mrs. Rufus Mann

witnesses named in the Requirement for Oral Examination, on the 4th day of March, 1942
192, at the office of W. Gramer, Attorney

in Fairhope, Alabama, and having first sworn said witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Alma Mann Roberts

doth depose and say as follows:

I am over the age of twenty one years. I married A. Lamar Roberts, the defendant,
at Brewton, Alabama, on May 4th 1928. A. Lamar Roberts is past the age of twenty
one (21) years. After our marriage, we lived together at Atmore, Alabama, until
about June 28th 1931 at which time, my husband left me. Since said date, he has
never lived with me nor supported me. I have lived in Baldwin County for approximately
ten (10) years up to the present date and am still a resident of said County.

I have made diligent inquiry and searched for him but cannot discover his present
whereabouts. I learned that he had been in Pensacola, Florida, during a part of
1939 but is no longer located in that city. He has never made an effort to communicate
with me since the date when he abandoned me at Atmore.

Alma Mann Roberts

And the said Mrs. Rufus Mann, doth depose and say as follows:

I am a resident of Fairhope, Baldwin County, having lived in said County for
more than ten years. I am the Mother of Alma Mann Roberts, the plaintiff in this
suit. I know that her husband, A. Lamar Roberts, abandoned her in 1931 while they
were living at Atmore, Alabama. I know that her husband has not lived with her nor
contributed to her support since 1931. My daughter has lived with me in Baldwin
County since a short time after her husband left her. I know that she has made

ORAL EXAMINATION.

I, Frances G. Crawford, 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 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 4th day of March, 1942

Frances G. Crawford (L. S.)

NO. 789 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

ALMA MANN ROBERTS

vs. Complainant

A. LAMAR ROBERTS

Respondent.

Oral Deposition

Filed Mar 2, 1942

Frances G. Crawford Register.

Recorded in

Record

Vol. Page

Register