

THE STATE OF ALABAMA }  
Baldwin County }

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

J. O. Daniels COMPLAINANT

VS.

Elsie Daniels RESPONDENT

I, Colen McGaha

as Register and Commissioner

have called and caused to come before me J. O. Daniels, and Bert Daniels

witnesses named in the Requirement for Oral Examination, on the 24th day of March

1942, at the office of Orvis M. Brown, Attorney,

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

the whole truth, and nothing but the truth, the said J. O. Daniels, and Bert Daniels

doth depose and say as follows:

TESTIMONY OF J. O. DANIELS:

My name is J. O. Daniels, I am the complainant in the Divorce case entitled J. O. Daniels vs. Elsie Daniels. We are both over the age of twenty one years and residents of Baldwin County, Alabama. We were married at Pensacola, Florida, on the 3rd day of July, 1926 and lived together as husband and wife until on or about the 10th day of July, 1939, at which time the wife did voluntarily leave me without any fault of mine whatsoever, and she has refused to return to me and live with me and still continues to live separate and apart. We have not lived together since the date of our separation. There were no children born to us of this marriage.

J. O. Daniels  
J. O. Daniels.

TESTIMONY OF BERT DANIELS:

My name is Bert Daniels, I am a brother of J.O. Daniels, I am personally acquainted with the wife of J. O. Daniels and know that they are both over the age of twenty one years and residents of Baldwin County, Alabama, and that they were married in Pensacola, Florida, on the 3rd day of July, 1926, and lived together as man and wife until about the 10th day of July 1939, at which time they were separated and that they have not lived together since that date. There were no children born to them of this marriage. I know further that when they were separated that she, Elsie Daniels, left him without any fault of his on his part, and that he was willing to accept her back but that she refused and still refuses to return to him.

Bert Daniels  
Bert Daniels.

ORAL EXAMINATION

I, Colen McGaha, 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 before 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 24th day of March, 1942.

Colen M. Gaha (L. S.)

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

IN CIRCUIT COURT, IN EQUITY

J. O. DANIELS

J. O. DANIELS

Complainant

Vs.

ELSIE DANIELS

Respondent

ORAL DEPOSITION

Filed

March 24, 1942

Register

Colen McGaha

RECORDED IN

Record

Vol. \_\_\_\_\_

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Register

810

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

J. O. DANIELS Complainant

VS

ELSIE DANIELS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on Answer & 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 J. O. DANIELS is forever divorced from the said

ELSIE DANIELS

for and on account of Desertion

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 J. O. Daniels and Elsie Daniels be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that J. O. Daniels the Complainant pay the cost herein to be taxed, for which execution may issue.

This 25th day of March 1942.

J. W. Hurd 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 March, 1942

Register of Circuit Court, in Equity.

The State Of Alabama, Baldwin County

Circuit Court

No. .... Page .....

The State Of Alabama  
Baldwin County

In Circuit Court, In Equity

*J. O. Daniels*

vs. Complainant.

*E. A. Daniels*

Respondent.

DIVORCE DECREE

RECORDED

I, the undersigned, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a true and correct copy of the original record as presented to the Clerk of the Circuit Court in the State of Alabama, and that the same is in the custody of the Clerk of the Circuit Court in Baldwin County, Alabama.

In testimony whereof, I have hereunto set my hand and the seal of the Circuit Court of Baldwin County, Alabama, at Baldwin, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Clerk of the Circuit Court of Baldwin County, Alabama

\_\_\_\_\_  
Notary Public for Baldwin County, Alabama

\_\_\_\_\_  
Judge of the Circuit Court in the State of Alabama

\_\_\_\_\_  
Recorder of Deeds and Clerk of the Tax

\_\_\_\_\_  
Register of Circuit Court in Baldwin

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

TO COLEN MCGAHA

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 ELSIE DANIELS

as witnesses in behalf of J. O DANIELS in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

J. O DANIELS Complainant  
and ELSIE DANIELS

Defendant,

on oath to be by you administered, upon them  
to take and certify the deposition s of the witness \_\_\_\_\_ and return the same to our Court, with all Convenient speed, under your hand.

Witness 24 day of March, 1942

*[Handwritten Signature]*

REGISTER

Commissioner's Fee \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

J. O. Daniels  
 Complainant,  
 Vs. Elsie Daniels  
 Respondent.

In the Circuit Court.  
 In Equity No. \_\_\_\_\_

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent \_\_\_\_\_  
Elsie Daniels

by the Sheriff of Baldwin County, on the \_\_\_\_\_ day of December,  
 1941.

And it further appears to the Register, that the said Elsie Daniels

\_\_\_\_\_, the Respondent—, having to the date hereof,  
 failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,  
 on motion of Orvis M. Brown Solicitors  
 for 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 Elsie Daniels

This 24th day of March, 1942.

\_\_\_\_\_  
 Register.

BILL OF COMPLAINT

|                |   |                         |
|----------------|---|-------------------------|
| J. O. DANIELS, | ) |                         |
| Complainant.   | ) | IN THE CIRCUIT COURT OF |
| -vs-           | ) | BALDWIN COUNTY, ALABAMA |
| ELSIE DANIELS, | ) | IN EQUITY.              |
| Respondent.    | ) |                         |

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

Comes your Complainant J. O. Daniels and presents this, his Bill of Complaint against Elsie Daniels and shows unto your Honor as follows:

FIRST: Your Complainant and the Respondent, Elsie Daniels, are both over the age of twenty-one years and your Complainant and the Respondent are both bona fide residents of the State of Alabama and County of Baldwin at the time of the separation and have been for a period of two years next prior to the filing of this Bill of Complaint.

SECOND: That your Complainant and the said Elsie Daniels were lawfully married at Pensacola, Florida on July 3rd, 1926, and lived together as man and wife until on or about the 10th day of July, 1939, and further that there were no children born of the said marriage to the Complainant and Respondent.

THIRD: Your Complainant further shows unto your Honor that during the month of July, namely the 10th, 1939, your Respondent did voluntarily and without cause or fault on the part of your Complainant desert your Complainant, and which offense he has not condoned and he will not condone and that she has never returned to your Complainant nor co-habited with him as husband and wife from the 10th day of July, 1939 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 Elsie Daniels be made a party to the Bill of Complaint, that she be brought into Court by personal service or any method approved and adopted by this Honorable Court directing her 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 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 him an absolute divorce dissolving forever and entirely the bonds of matrimony now existing between him and the said Elsie Daniels and granting him the right to marry again should he so desire, and your Complainant prays for such other and further relief as in equity and good conscience he may be entitled to in the premises, for which he will ever pray.

*J. O. Daniels*

Complainant

*Wm. H. Starn*

Solicitor for Complainant.

FOOTNOTE: The Respondent is required to answer but not under oath the same being expressly waived, as to each and every paragraph of the foregoing complaint, numbering from one to three both inclusive.

*J. O. Daniels*

Complainant

*Wm. H. Starn*

Solicitor for Complainant.



ANSWER AND WAIVER:

J. O. Daniels,  
Complainant,  
  
Vs.  
  
Elsie Daniels,  
Respondent.

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0

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

Comes, Elsie Daniels, Respondent in the above styled case and for answer to the Bill of Complaint says that she admits Paragraph One thereof, She admits Paragraph Two thereof, and she denies Paragraph Three thereof and demands strict proof thereof and she further says;

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 further right to cross examine or introduce evidence in her own behalf; and she further consents that his 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 she be given the right to marry again if she so desires upon the issuance of this final decree.

Elsie Daniels  
Respondent.

WITNESS:  
Harvey Langham  
James Pugh

RECORDED

810

J. O. DANIELS,

COMPLAINANT,

V/S.

ELISE DANIELS,

RESPONDENT.

ANSWER AND WAIVER.

Filed Nov 24 1944  
G. Daniel  
Beulah

**RECORDED**

J. O. DANIELS,

COMPLAINANT,

VS.

ELISE DANIELS,

RESPONDENT.

BILL OF COMPLAINT.

*delivered 24 1942  
O. Daniel  
Payor*

No. \_\_\_\_\_

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

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J. O. Daniels

Complainant,

Vs.

Elsie Daniels

Respondent.

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**DECREE PRO CONFESSO ON  
PERSONAL SERVICE.**

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Issued this 24 day of March,  
1942.



Register.

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The State of Alabama,  
Baldwin County.

{ No. \_\_\_\_\_ CIRCUIT COURT IN EQUITY.

J. O. DANIELS

Complainant

vs.

ELSIE DANIELS

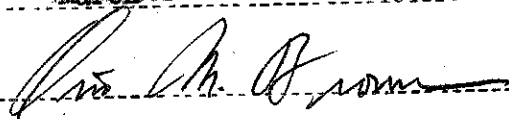
Defendant

Motion is hereby made for a Decree Pro Confesso against Elsie Daniels

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 has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 24th day of March 19 42

 Solicitor.

J. O. Daniels

\_\_\_\_\_

\_\_\_\_\_

vs.

Elsie Daniels

\_\_\_\_\_

\_\_\_\_\_

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 J. O. Daniels and Bert Daniels.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and in behalf of Defendant upon Answer and Waiver

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*R. S. [Signature]*

Register.

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ *6 Spring* Term, 198 ~~41~~

J. O. DANIELS, Complainant

Vs.

ELSIE DANIELS, 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.

*Orvis M. Brown*  
Solicitor for Complainant.

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

**J. O. Daniels**

Vs.

**Elsie Daniels**

**REQUEST FOR DECREE IN  
VACATION**

Filed Mar 24, 1942

*R. Daniel*

Register.

Recorded in \_\_\_\_\_ Record

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Register.

**RECORDED**



**RECORDED**

No. \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**

**IN EQUITY**  
**Circuit Court of Baldwin County**

J. O. Daniels

VS.

Elsie Daniels

**NOTE OF TESTIMONY**

Filed in Open Court this 24<sup>th</sup>

day of March 1935

*R. Duval*

REGISTER

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

J. O. Daniels

vs.

Elsie Daniels

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

Filed \_\_\_\_\_ 19 \_\_\_\_\_

Register.

Recorded in \_\_\_\_\_ Record,

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Register.