

816

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JUANITA MOSLEY

Complainant

VS

NEVILLE MOSLEY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on Personal service 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 JUANITA MOSLEY is forever divorced from the said

NEVILLE MOSLEY

for and on account of Cruelty

It is further ordered, adjudged and decreed by the Court the Complainant shall have the right to use her maiden name of "Juanita Barginer."

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

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

This 14th day of September, 1948.

J. M. Hare
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

It is hereby ordered, advised and decreed that the parties to this case shall have...

It is further ordered that the parties to this case shall have...

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BILL OF COMPLAINT:

JUANITA MOSLEY,
COMPLAINANT,

VS.

NEVILLE MOSLEY,
RESPONDENT.

IN THE CIRCUIT COURT OF BALDWIN COUNTY

ALABAMA, IN EQUITY:

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

Comes your Complainant, Juanita Mosley, and humbly complaining against the Respondent, Neville Mosley, respectfully represents and shows unto your Honor and Honorable Court as follows, to-wit:

ONE: That your Complainant and the Respondent are both over the age of twenty one years and Residents of Baldwin County, Alabama.

TWO: That Your Complainant and the Respondent were married in Pensacola, Florida on the 24th day of December 1936 and lived together as husband and wife until on or about the 8th day of March, 1941, and have not lived together since that date.

THREE: That the Respondent is a man of ungovernable temper; that on or about the 8th day of March, 1941, and various times prior thereto the Respondent has cursed, abused and threatened Complainant; and on to-wit; March 8th, 1941, he did actual violence to her person by striking her on the face and on the shoulder; and his conduct is such that your Complainant has every reasonable apprehension to believe and does actually believe that if she continues to live with him he will continue to carry out his threats to do further violence to her person which will necessarily endanger her life and/or health.

FOURTH: There was born to us of this marriage one child, a boy, whose name is Maurice Mosley, and whose age is four years, and who is now in the custody of Mrs. H. M. Barginer, by agreement between the Complainant and Respondent, by the terms of which agreement, she is to have the custody and control of said child until he is sixteen years of age, the Respondent agreeing to support him until that time.

FIFTH: Complainant shows further unto this Honorable Court that the Respondent is an able bodied man, now employed and working full time and is capable of supporting your Complainant and of paying the cost of this procedure.

WHEREFORE THE PREMISES CONSIDERED, the Complainant prays that Your Honor will by Proper process make the said Neville Mosley, party Respondent to this Bill of Complaint requiring him to plead, answer or demur to the same within the time and under the penalty prescribed by law and the practice of this Honorable Court.

Complainant prays that this Honorable Court will order and direct that a reference be held to establish alimony pendente lite for your Complainant and further to establish and determine a reasonable attorneys fee pendente lite for the Solicitor for your Complainant. Your Complainant shows further to this Honorable Court that your Complainant has no means of support or of paying her Solicitor and that the Respondent is working and has funds from which the same can be paid.

Complainant prays that on final hearing of this cause that this Honorable Court will give and grant unto her a Decree of Absolute Divorce forever barring the bonds of matrimony existing between her and the Respondent, Neville Mosley, and that she be given the right to use her maiden name of Juanita Barginer, and that upon the issuing of a final decree that she be given the right to marry again should she so desire, and further upon the final hearing of this cause that your Honor will decree that all cost of this procedure including a reasonable attorneys' fee for the Solicitor of the Complainant, be established and decreed as a part of the cost herein and for such further and other relief as this Honorable Court may deem exquitable and just.

Juanita Mosley.
Complainant.
[Signature]
Solicitor for Complainant.

FOOT NOTE.

The respondent, Neville Mosley, is required to answer each and every allegation of the foregoing complaint numbering paragraph one to five inclusive but not under oath, oath being expressly waived.

Juanita Mosley.
Complainant.
[Signature]
Solicitor for Complainant.

The State Of Alabama }
Baldwin County }

Circuit Court of Baldwin County, In Equity.

To Any Sheriff of the State of Alabama—GREETINGS:

WE COMMAND YOU, That you summon NEVILLE MOSLEY

of Baldwin County, 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 JUANITA MOSLEY

against said NEVILLE MOSLEY

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant 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 23rd day of April, 194 2.

R. S. Duck

, Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

The State of Alabama,
Baldwin County.

No. 816. CIRCUIT COURT IN EQUITY.

JAUNITA MOSLEY. Complainant

vs.

NEVILLE MOSLEY. Defendant

In this cause it appears to the Register.
that a summons requiring the Defendant Neville Mosley.

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days
after the service of said Summons upon Neville Mosley.
was served upon Him by the Sheriff of Baldwin County, Alabama, on the
24th day of April, 1942.

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of Orvis M. Brown.

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things
taken as confessed against the said Neville Mosley.

Defendant aforesaid.

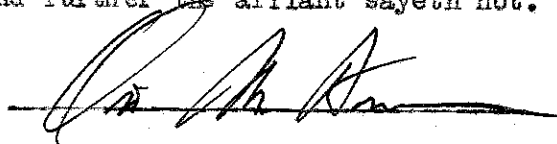
This 27th day of June, 1942.

Orvis M. Brown

Register.

STATE OF ALABAMA,
COUNTY OF BALDWIN.

Personally appeared before me, R. S. Duck,
Clerk of the Circuit court, in and for said State and
County, one Orvis M. Brown, who first being duly sworn
states and affirms upon his oath, that NEVILLE MOSLEY,
the respondent in a certain Divorce proceeding now
pending in the Circuit Court of Baldwin County, Alabama
in Equity, is not in the Military Service of the United
States of America, and further the affiant sayeth not.



Sworn and subscribed to before me this 23rd,
day of April, 1942.


Clerk of the Circuit Court.

THE STATE OF ALABAMA,
Baldwin County

}

CIRCUIT COURT

TO COLON RACINE

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 Juanita Mosley, and Mrs. H. E. Bargainer

as witnesses in behalf of Juanita Mosley, Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Juanita Mosley, is

Complainant

and Neville Mosley, is

Defendant,

on oath to be by you administered, upon them

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 27 day of June 19 42

[Handwritten Signature]

REGISTER

Commissioner's Fee \$ None

Witness Fees \$ None

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Juanita Mosley,

Complainant

VS.

Neville Mosley,

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

8/6

NO. _____

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

Juanita Mosley,

Complainant

VS.

Neville Mosley,

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

8/16

RECORDED

James O'Brien SS 1945
R. J. O'Brien
R. J. O'Brien

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

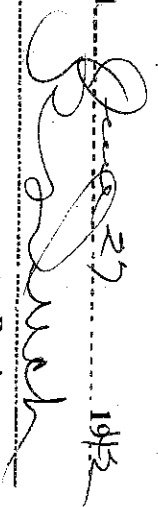
Juanita Mosley, Complainant,

vs.

Neville Mosley, Respondent,

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued 27 1943


Register.

RECORDED

Serve On NEVILLE MOSLEY

John Brown
Circuit Court of Baldwin County

IN EQUITY

No. 816

Summons

JUANITA MOSLEY

VS.

NEVILLE MOSLEY

THE STATE OF ALABAMA,
Baldwin County

Received in office this 28th

day of April, 1942

Sheriff.

Executed this 24th day of

April, 1942

by leaving a copy of the Summons with

Neville Mosley
Moses

Defendant

Sheriff

By W. S. Stevens
Deputy Sheriff

ORVIS M. BROWN

Solicitor for Complainant

Recorded in Vol. _____ Page _____

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Plus Opus 23194
Debut
Reprint

The State of Alabama }
Baldwin County

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

Juanita Mosley

COMPLAINANT

VS.

Neville Mosley

RESPONDENT

I, Allen Racine

as Register and Commissioner

have called and caused to come before me Juanita Mosley and Mrs. N. E. Burdine

witnesses named in the Requirement for Oral Examination, on the 3rd day of July

1942, at the office of Dr. Amos Garrett

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

truth, the whole truth, and nothing but the truth, the said

witnesses doth depose and say as follows:

Testimony of Juanita Mosley,

My name is Juanita Mosley, and I am the complainant in the Divorce Suit, which is styled Juanita Mosley Vs. Neville Mosley, My husbands name is Neville Mosley, Yes, we are both over the age of twenty one years and residents of Baldwin County, Alabama. We were married in Pensacola, Florida, on the 24th day of December, 1936.

Yes there was born to us of this marriage one child, a boy whose name is Maurice Mosley, he is about 4 years of age now, he is staying with my Mother, My husband and I had an agreement whereby the child was to stay with my Mother, and he was to support the boy, with the privilege of visiting the child at any time that he desired.

We lived to-gether as man andwife until on or about the 8th day of March 1941, at which time he did actual violence to my body by striking me on the face and shoulders; and his general conduct is such that I have every reason to believe and do actually believe that If I should continue to live with him that he would carry out threats to do further violence to my body. He is a man with a very ungovernable temper and does not cntroll it.

Juanita Mosley

ORAL EXAMINATION

I, Celen Racine, as Register and Commissioner hereby certify that the foregoing deposition^{'s} on Oral Examination was taken down in writing by me in the words of the witness^{'s} 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^{'s} or had proof made before me of the identity of said witness^{'s}; 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 3rd day of July, 1942.

Celen Racine (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

JUANITA MOSLEY

COMPLAINANT

vs.

NEVILLE MOSLEY

RESPONDENT

ORAL DEPOSITION

Filed Judy R. B., 1945

Celen Racine, Register

RECORDED IN

_____ Record

Vol. _____ Page _____

_____ Register

Testimony of;

Yes, I know the parties to this divorce case, and I have known them for in excess of the past three years, They have told me that they were married in Pensacola, Florida. I know that they lived together as husband and wife until about the 8th day of March, 1941, at which time it was necessary that Juanita leave him as he is a man of ungovernable temper, and on several times has threatened her life and on this particular occasion did actual violence to her body by striking her on the face and shoulders, and she has not lived with him since that time. I do know that they are both over the age of twenty one years of age and residents of Baldwin County, Alabama. She has stated to me that she has not condoned his violence to her and will not do so.

Mr H E Barginer :

The State of Alabama, }
BALDWIN COUNTY.

No. 816 CIRCUIT COURT IN EQUITY.

Juanita Mosley, Complainant.....

vs.

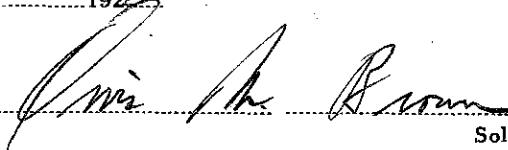
Neville Mosley, Defendant.....

Motion is hereby made for a Decree Pro Confesso against

Neville Mosley 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..... ha^s..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 27th ~~25th~~ day of June, ~~1921~~ 1922


..... Solicitor.

Juanita Mosley, Complainant,

VS.

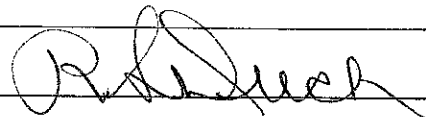
Neville Mosley, Respondent,

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, _____
Motion for Decree Pro Confesso on Personal Service, ~~Decree~~ Pro Confesso,
and Testimony of Complainants witnesses.

and in behalf of Defendant upon _____ Personal service.



Register.

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. 816

Fall

TERM, 1942.

Jaunita Mosley,

Complainant—.

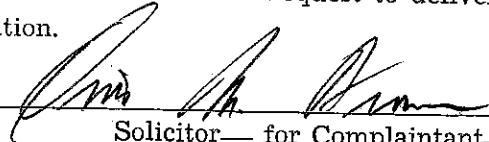
VS.

Neville Mosley,

Respondent—.

TO R. S. DUCK, REGISTER:

In the above stated cause a Decree Pro Confesso on Personal service,
having been taken against Neville Mosley, 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 Orvis M. Brown,
Solicitor— 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. 816

Juanita Mosley,

Complainant—

VS.

Neville Mosley,

Respondent—

Request For Decree In Vacation

Filed

July 3rd, 1942
D. Deek

Register.

RECORDED

No. _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Juanita Mosley, Complainant

VS.

Neville Mosley, Respondent

NOTE OF TESTIMONY

Filed in Open Court this 2

day of July 1942

R. Mosley
Register.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Juanita Mosley, Complainant,

Vs.

Neville Mosley, Respondent

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed *July 3* 19*42*

[Signature]
Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

Baldwin Times Print, Bay Minette.

AGREEMENT AS TO THE CUSTODY AND CONTROLL AND SUPPORT OF CHILD:

JUANITA MOSLEY,
COMPLAINANT,

VS.

NEVILLE MOSLEY,
RESPONDENT.

The Complainant, Juanita Mosley, and the Respondent, Neville Mosley, having agreed that it is to the mutual interest of their child, and to both the parties that some arrangement be made concerning the Custody and Support of their minor child; MAURICE MOSLEY, age four (4), and in order that the child will not be brought into court, we have agreed as follows to-wit:

FIRST: This agreement shall be filed with the Court and made a part of the Decree and referred to in the body of the Court Decree the same as incorporated therein.

SECOND: The Complainant and the Respondent hereby actually agree that the child : MAURICE MOSLEY, age 4 a boy, shall remain in the Custody and Controll of MRS. H. E. BARGINER as he now is, but that the said Complainant and Respondent shall have the right to visit the child at any time they desire which is reasonable, and further that neither party shall have the right to remove the said child from the custody and controll of Mrs. H. E. BARGINER, whose address is Robertsdale, Alabama, in Baldwin County, but it is mutually agreed that she shall remain in the custody and controll of the said child until he becomes of legal age.

THIRD: The Respondent hereby agrees that he will Mail by Postal Money Order, each week to Mrs. H. E. BARGINER, of Robertsdale, Alabama, a Postal Money Order in the amount of Five (\$5.00) Dollars, xix which is to be used by the said MRS. H. E. BARGINER, for the support and maintainance of the said child; MAURICE MOSLEY, and as to how it is used is left entirely up to her as she will best know the needs and requirements of said child. The Respondent further agrees that in case of illness of a major nature requiring the services of a Doctor and/or Hospital that he will pay all of the said expenses in addition to the above agreed weekly payment.

Both parties to this agreement hereby bind themselves to be governed by the terms of the same, and to have the same incorporated in the Court Decree as a part of the same, and further that this agreement shall be and remain subject to the further Orders and Decrees of the Honorable Court of Baldwin County, Alabama, In Equity, and this shall be placed in the file of the Above Styled Case and recorded with the other papers thereof.

IN WITNESS WHEREOF, we have hereunto set our hands this the 10th day of April, 1942.

WITNESS:

Complainant.

Respondent.