

873

# The State Of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

\_\_\_\_\_ KATIE DUFF. \_\_\_\_\_ Complainant  
 VS  
 \_\_\_\_\_ CARL DUFF. \_\_\_\_\_ Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on \_\_\_\_\_ 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 Katie Duff. is forever divorced from the said

Carl Duff.  
 for and on account of Abandonment.

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 Katie Duff. be, and she hereby permitted to again contract marriage upon the payment of the cost of this suit. And Resume Her Maiden Name of Katie Durant.

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

This 19th day of December., 19 42.

A. W. Hall  
 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.

The State Of Alabama, Baldwin County

CIRCUIT COURT IN EQUITY

DATE FILED

FILED

No. ....

RECORDED

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

Faint, illegible text in the lower portion of the document, likely containing the body of the divorce decree or court proceedings.

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

Katie Duff.

No. 873.  
Carl Duff.

vs.

The State of Alabama,

Baldwin. County.

Circuit Court, in Equity

This the 12th day of

1942

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

that the Defendant Carl Duff,

is a non-resident of the State of Alabama

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 Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Carl Duff.

to answer or demur to the Bill of Complaint in this cause by the 10th day of November, 1942, or after thirty days therefrom a decree Pro Confesso may be taken against Him.

Beebe & Hall,  
Solicitors For Complainant.

Register.

Katie Duff.

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

VS.

Carl Duff.

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

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, \_\_\_\_\_

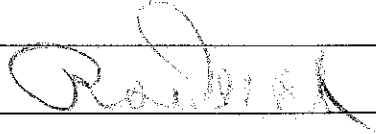
and Testimony of Katie Duff. and N N Durant.

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

and in behalf of Defendant upon \_\_\_\_\_

Decree Pro Confesso.

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



Register.

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

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

Term, 194\_\_\_\_\_

*Katie Sluff*

, Complainant

Vs.

*Carl Sluff*

, Defendant

To *R S Luck*, 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 *Beebe & Hall*

\_\_\_\_\_ 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.

*Beebe & Hall*  
*By W C Beebe*  
Solicitor for Complainant.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No 873. Dec., Term, 1942

Katie Duff. Complainant

Vs.

Carl Duff. Defendant

In this cause it appears to the Register that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 15th day of Oct., 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 12th day of Dec., 1942 and

And it now further appearing to the Register, ~~Carl Duff~~ R S Duck, that the said Carl Duff.

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 Carl Duff.

This 14th day of Dec., 1942

*R S Duck* Register.

KARIE DUFF, COMPLAINANT,

VS.

CARL DUFF, RESPONDENT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Before me, the undersigned authority in and for said County, in said State, personally appeared KATIE DUFF, who is known to me, and who having been by me first duly sworn, deposes and says that the Respondent, CARL DUFF, is over twenty-one years of age and a non-resident of the State of Alabama; that she has made and caused to be made an inquiry as to his present address, however, it is unknown.

Katie Duff

Sworn to and subscribed before me on this the 5th day of  
October, 1942.

Hussace  
Notary Public, Baldwin  
County, Alabama.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 873. Dec., Term, 19 ~~24~~ 42

Katie Duff.

Complainant

Vs.

C arl Duff.

Defendant

Motion is hereby made for a Decree Pro Confesso against

C arl Duff.

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 12th day of Dec. 19 42

746 Code

Beebe & Hall.

Solicitor.



RECORDED

873  
No. \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Katie Duff.

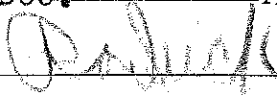
VS.

Carl Duff.

NOTE OF TESTIMONY

Filed in Open Court this 19th

day of Dec. 1942



Register.

No. 823

Page \_\_\_\_\_

**The State of Alabama,**

Baldwin County

**CIRCUIT COURT, IN EQUITY**

Vs.

**REQUEST FOR DECREE IN  
VACATION**

Filed Dec 19, 1942

*R. Adair*

Register.

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

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

Register.

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Katie Duff.

Vs.

Carl Duff.

Decree Pro Confesso of Publication

Issued 12.14 19 42

  
Register.

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

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

Register.

KATIE DUFF, COMPLAINANT,

VS.

CARL DUFF, RESPONDENT.

RECORDED

AFIDAVIT

JLD Oct 12 1942  
R. R. Ruch  
Ry

No. 873.

Page \_\_\_\_\_

**The State of Alabama,**  
BALDWIN COUNTY

**CIRCUIT COURT, IN EQUITY**

Katie Duff.

Complainant \_\_\_\_\_

Vs.

Carl Duff.

Defendant \_\_\_\_\_

**Motion for Decree Pro Confesso  
on Publication**

Filed 12th Dec. 19 42

Register.

Recorded in *B. D. Duff* Record

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

Register.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon CARL DUFF 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 KATIE DUFF against said CARL DUFF, and further to do and perform what said Judge shall order and direct in that behalf, and this the 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 13  
day of Oct, 1942.

  
Register.

KATIE DUFF, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

CARL DUFF, RESPONDENT.

IN EQUITY.

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

And now comes your Complainant, KATIE DUFF, and humbly complaining against the Respondent, CARL DUFF, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant is over twenty-one years of age and a resident of the State of Alabama; that the Respondent is over twenty-one years of age and a nonresident of the State of Alabama, his address being unknown;

2.

That the Complainant and the Respondent were married at Brewton, Alabama, April 20, 1934, and lived together as husband and wife, until January 5, 1940;

3.

That on January 5, 1940, the Respondent voluntarily abandoned the bed and board of the Complainant, and has remained away voluntarily and continuously since that time.

PRAYER FOR PROCESS

Wherefore, the premises considered, your Complainant prays that your Honor will by proper process, make the said CARL DUFF party respondent to this Bill of Complaint, requiring him to plead, answer or demur to the

# The State Of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

\_\_\_\_\_ **KATIE DUFF** \_\_\_\_\_ Complainant  
 VS  
 \_\_\_\_\_ **CARL DUFF** \_\_\_\_\_ Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on \_\_\_\_\_ 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 Katie Duff

is forever divorced from the said \_\_\_\_\_

Carl Duff  
 for and on account of Abandonment

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 Katie Duff  
 be, and ~~she~~ hereby permitted to again contract marriage upon the payment of the cost of this suit. And Resume her Maiden Name of Katie Durant

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

This 19th day of December, 192

\_\_\_\_\_  
**F. W. Hare**  
 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 22nd day  
 of December, 192

\_\_\_\_\_  
 Register of Circuit Court, in Equity.

CIRCUIT COURT IN EQUITY

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

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREEE

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# The BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

**NOTICE TO NON-RESIDENT**  
CASE NO. 173 vs. CARL DUFF  
THE STATE OF ALABAMA, BALDWIN  
COUNTY, Circuit Court, in Equity.  
This is the 21st day of October, 1942.  
Notice is hereby being made to appear  
to the Circuit Court of this County by the affi-  
davit of J. H. Faulkner, that the Defendant  
Carl Duff is a non-resident of the State

of Alabama and further that the said  
benefit of said Affiant the Defendant is  
over the age of 21 years and therefore  
ordered that publication be made in the  
Baldwin Times, a weekly newspaper published  
in Bay Minette, Baldwin County, Ala-  
bama, once a week for four consecutive  
weeks, beginning the said Carl Duff to  
answer or demur to the Bill of Com-  
plaint in this cause by the 10th day of  
November, 1942, or after thirty days  
therefrom a decree Pro Confesso may  
be taken against him.  
R. S. DUCK, Register.  
BROOK & HALL,  
Solicitors for Complainant. 37-4tc

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

J. H. Faulkner, being duly sworn, deposes and says  
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-  
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Katie Duff

vs

Carl Duff

### COST STATEMENT

156 WORDS @ 4 1/2 cents ..... \$ 7.02

I hereby certify this is correct, due and unpaid (~~paid~~).

J. H. Faulkner

Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Oct. 15, 1942 Vol. 53 No. 37

Date of 2nd publication Oct. 22, 1942 Vol. 53 No. 38

Date of 3rd publication Oct. 29, 1942 Vol. 53 No. 39

Date of 4th publication Nov. 5, 1942 Vol. 53 No. 40

Subscribed and sworn before the undersigned this 5 day of Nov. 1942

R. S. Duck  
Notary Public, Baldwin County.

J. H. Faulkner  
Publisher.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon CARL DUFF 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 KATIE DUFF against said CARL DUFF, and further to do and perform what said Judge shall order and direct in that behalf, and this the 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 13 day of April, 1948.

R. S. Duck  
Register.

KATIE DUFF, COMPLAINANT, IN THE CIRCUIT COURT OF  
VS. BALDWIN COUNTY, ALABAMA,  
CARL DUFF, RESPONDENT. IN EQUITY.

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

And now comes your Complainant, KATIE DUFF, and humbly complaining against the Respondent, CARL DUFF, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant is over twenty-one years of age and a resident of the State of Alabama; that the Respondent is over twenty-one years of age and a nonresident of the State of Alabama, his address being unknown;

2.

That the Complainant and the Respondent were married at Brewton, Alabama, April 20, 1934, and lived together as husband and wife, until January 5, 1940;

3.

That on January 5, 1940, the Respondent voluntarily abandoned the bed and board of the Complainant, and has remained away voluntarily and continuously since that time.

PRAYER FOR PROCESS

Wherefore, the premises considered, your Complainant prays that your Honor will by proper process, make the said CARL DUFF party respondent to this Bill of Complaint, requiring him 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.

Complainant further prays that upon a final hearing hereof, your Honor will give and grant unto her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; and that your Honor will give and grant unto her such other, further, different and general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BREWER & HALL

By: *M. Wallace*  
Solicitors for Complainant,

BREWER & HALL

DEPARTMENT OF JUSTICE

DEPARTMENT OF JUSTICE

DEPARTMENT OF JUSTICE

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

TO Virginia Keel

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

Katie Duff and N. N. Durant

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

Katie Duff Complainant

and

Carl Duff Defendant,

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

Witness 16th day of December, 19 42.

R. S. Duck  
Alice J. Duck Deputy Clerk. REGISTER

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

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

NO. \_\_\_\_\_

**THE STATE OF ALABAMA**  
**Baldwin County**

CIRCUIT COURT

Complainant \_\_\_\_\_

VS.

Defendant \_\_\_\_\_

**Commission To Take Deposition**

COMMISSIONER:

Witnesses:

873

THE STATE OF ALABAMA }  
Baldwin County }

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

Katie Duff COMPLAINANT

VS.

Carl Duff RESPONDENT

I, Virginia Keel

as

~~Notary Public~~ Commissioner

have called and caused to come before me

Katie Duff and N. N. Durant

witnesses named in the Requirement for Oral Examination, on the 16 day of December

1942, at the office of Beebe & Hall

in Bay Minette, Alabama, and having first sworn said witness ~~es~~ to speak the truth,

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

doth depose and say as follows:

My name is Katie Duff. I am the Complainant in the case of Katie Duff against Carl Duff pending in Circuit Court in Baldwin County, Alabama in equity for divorce. I am over the age of 21 years and am a resident of Baldwin County, Alabama. I have continued to reside in Baldwin County for more then three years next preceeding the filing of the bill of complaint in the said cause. The defendant Carl Duff is over the age of 21 years and is a non-resident of the State of Alabama. I do not know now where he lives. I have tried to find out but have been unable to do so. Carl Duff and I were married on April 20, 1934. We were living in Baldwin County at the time of our marriage and we immediately set up our home at Bay Minette in Baldwin County and continued to reside here as husband and wife until January 5, 1940 when and where he voluntarily abandoned me without just casue or excuse. We have not lived together as husband and wife since nor has he contributed to my support during the said time. He immediately left Bay Minette and I have not seen him or heard from him since. We have no children.

Katie Duff

N. N. Durant, being duly sworn, testified as follows:

My name is N. N. Durant. Katie Duff is my daughter. She was born and reared in Bay Minette in Baldwin County, Alabama. She is over the age of 21 years and she has lived all of her life here. On April 20, 1934 she and Carl Duff were married at Brewton, Alabama. They lived here in Bay Minette until he abandoned here on January 5, 1940. Since then she has lived in my home. She has not seen him or heard from him since. He has not contributed to her support. Carl Duff is over the age of 21 years.

N N Durant

ORAL EXAMINATION

I, Virginia Keel, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition<sup>s</sup> on Oral Examination was taken down in writing by me in the words of the witness<sup>es</sup> and read over to them and they signed the same in the presence of myself and W. C. Beebe at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness<sup>es</sup> or had proof made before me of the identity of said witness<sup>es</sup>; 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 16 day of December, 19 42.

Virginia Keel (L. S.)

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

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN CIRCUIT COURT, IN EQUITY**

Complainant

Vs.

Respondent

**ORAL DEPOSITION**

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

\_\_\_\_\_, Register

RECORDED IN

\_\_\_\_\_, Record

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

\_\_\_\_\_, Register

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

Katie Duff.

No. 873.  
Carl Duff.

vs.

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 12th day of

Sept. October, 1942

In this cause, it being made to appear to the Clerk of this Court by the affidavit of  
Katie Duff.

that the Defendant Carl Duff,

is a non-resident of the State of Alabama

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 Baldwin Times, a newspaper pub-  
lished in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring  
the said Carl Duff.

to answer or demur to the Bill of Complaint in this cause by the 10th day of  
November, 1942, or after thirty days therefrom a decree Pro Confesso may be  
taken against him.

Beebe & Hall,  
Solicitors For Complainant.

Register.