

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194 _____

Ruby Eugenia Dement _____, Complainant

Vs.

James Hall Dement _____, 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 H. E. Smith

_____ 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.

H. E. Smith
Solicitor for Complainant.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT. IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby com-
manded to summon James Hall Dement to appear, within thirty
days after service hereof, in the Circuit Court, In Equity,
of said State and County, then and there to answer, plead
or demur to, the attached bill of complaint against him by
Ruby Eugenia Dement. And you are further commanded to re-
turn this writ, with your endorsement thereon, to our said
Court immediately upon the execution thereof.

WITNESS my hand this the 16 day of December, 1942.


Register.

Ruby Eugenia Dement,)
Complainant,)
vs)
James Hall Dement,)
Respondent.)

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

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Comes your complainant, Ruby Eugenia Dement, brings
this her bill of complaint against the respondent, James Hall
Dement, and respectfully alleges unto your Honor as follows:

1. She is now, and has been for more than one year
next preceding the filing of the bill of complaint in this
cause, a bona-fide resident citizen of Baldwin County, Ala-
bama. The respondent is a resident of Baldwin County, Ala-
bama, and resides at or near Gateswood in said State and
County. Both complainant and respondent are over the age of
twenty-one years.

2. Complainant and respondent were lawfully married
to each other, by a minister of the gospel, on the 20th day of
September, 1936, at Oak Grove, Florida, and lived together as
man and wife until the 15th day of June, 1939.

3. On said last date of June 15, 1939, the respond-
ent voluntarily abandoned the bed and board of complainant,
and they have not lived together as man and wife or otherwise
since said last date. The complainant therefore charges the
respondent with voluntary abandonment from her bed and board
for more than two years next preceding the filing of the bill
in this cause. Such abandonment was without fault on the part
of complainant as she always acted toward respondent as a du-
tiful wife should. Because of failure of respondent to pro-
vide a home and necessities for complainant, she has worked
and made her own living since said abandonment without help of
any kind from respondent.

4. It was and is necessary for complainant to em-
ploy a solicitor to represent her in the premises and complain-
ant therefore prays that your Honor will ascertain, fix and
allow to her from respondent a reasonable sum of money or fee
for the services of her solicitor herein.

WHEREFORE, the premises considered, complainant prays that the said James Hall Dement be made a party respondent to this her bill of complaint and that proper process issue from this Court for service upon him, the said James Hall Dement.

Complainant further prays that upon the final hearing of this cause your Honor will be pleased to give and grant to her a decree of absolute divorce from the said respondent and will give and grant to complainant permission to remarry if she should see fit so to do, and will further order and decree that the respondent pay to complainant a reasonable sum of money for her solicitor's fee herein. Complainant further prays for such other and different orders, decrees and relief as she may be entitled to, the premises considered.

H. E. Smith
Solicitor for Complainant.

888 RECORDED

BILL OF COMPLAINT

Ruby Eugenia Dement,
Complainant,
vs
James Hall Dement,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

*Butterwood
227 Mason on left other
side of Baconportin School*

Filed Dec 16th 1943
R. D. Noel
Register.

(068)

Executed 12/17 1942
By serving copy of within Summons and
Complaint on

James Hall Dement

W. R. Stuart Sheriff
Peter Morris Deputy Sheriff

RECORDED

No. 888

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The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

Ruby Eugenia Dement

vs.

James Hall Dement.

**REQUEST FOR DECREE IN
VACATION**

Filed Dec 23, 1942

R. Dement

Register.

Recorded in _____ Record

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Register.

880

THE STATE OF ALABAMA
Baldwin County

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

Ruby Eugenia Dement COMPLAINANT

VS.

James Hall Dement RESPONDENT

I, R. S. Duck

as Register and Commissioner

have called and caused to come before me Ruby Eugenia Dement and Annie

Stewart

witnesses named in the Requirement for Oral Examination, on the 23rd day of December

1942, at the office of myself

in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said Ruby Eugenia Dement

doth depose and say as follows:

My name is Ruby Eugenia Dement and I am the complainant in this cause for divorce against the respondent, James Hall Dement. I am now and have been for more than one year next preceding the filing of the bill of complaint in this cause a bona-fide resident citizen of Baldwin County, Alabama. The respondent, James Hall Dement, is a resident of Baldwin County, Alabama, and resides at or near Gateswood in said State and County. Both he and I are over the age of twenty-one years.

The respondent and myself were lawfully married to each other by a minister of the gospel on the 20th day of September, 1936, at Oak Grove, Florida, and lived together as man and wife until the 15th day of June 1939.

On this last date of June 15, 1939, the respondent, James Hall Dement, voluntarily abandoned my bed and board and we have not lived together as man and wife or otherwise since said last date. I therefore charge the respondent with voluntary abandonment from my bed and board for more than two years next preceding the filing of my bill of complaint in this cause. Such abandonment was without fault on my part as I always acted toward him as a dutiful wife should. Because of the failure of the respondent to provide a home and necessities for me, I have worked and made my own living since he abandoned me without help of any kind from him. Before we were separated, he took me to live with his mother and brother and would not work any himself enough to take care of us and would not try to get another home for us to live in. His mother and brother made it so disagreeable for me in every way that it was impossible for me to stay further with them. He, the respondent, would not get us another home to live in so I was forced to leave as I could not stay there any longer. Since then I have worked for my living and am now working. He has refused all along since our separation he help me. I have not lived with him as man and wife or otherwise since June 15, 1939.

Ruby Dement Eugenia Dement

ORAL EXAMINATION

I, R. S. Duck, 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 ~~es~~ and read over to them and they signed the same in the presence of myself and H. E. Smith, Solicitor for Complainant, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ~~es~~ ~~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 23rd day of December, 19 42.

R. S. Duck (L. S.)
Register in Chancery.

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THE STATE OF ALABAMA	
Baldwin County	
IN CIRCUIT COURT, IN EQUITY	
<u>Ruby Eugenia Dement</u>	Complainant
Vs.	
<u>James Hall Dement</u>	Respondent
ORAL DEPOSITION	
Filed <u>December 23</u> , 19 <u>42</u>	Register
<u>R. S. Duck</u> RECORDED IN	
Vol. _____	Page _____
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TESTIMONY OF ANNIE STEWART.

And the said Annie Stewart, after having been first by me duly sworn, testified, as a witness in behalf of the complainant, in substance as follows:

My name is Annie Stewart. I am over the age of twenty-one years and live near Bay Minette, about a mile out of town. I have known the complainant, Ruby Eugenia Dement, all of her life, and have known the respondent, James Hall Dement, ever since he married her in 1936.

I remember and know when they separated in June, 1939, when she came back to Bay Minette, Alabama, to go to work, and she has been working and taking care of herself ever since. When they were living together he would not work and take care of her at all. I believe that the separation was without any fault on her part, as she has always been a hardworking girl, and wants to get ahead. I also know that they have not lived together as man and wife since they separated as she has been working and living in Bay Minette, Alabama, and he has been living with his people in or near Bellefountain in this county.

Annie Stewart