897

Commission To Take Depositions.

Printed by The Baldwin Times, Bay Minette.

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

CIRCUIT COURT

TO Edith Howell.

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 PAUL A. RICHARDS and BELLE KORTE

as witnesses in behalf of ~~Complainant.~~ in a cause pending in our Circuit Court of Baldwin County, of said State, wherein PAUL A. RICHARDS IS

Complainant

and FLORA WHITE RICHARDS is

Defendant,

on oath to be by you administered, upon oral interrogatories

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

Witness 23rd day March, 1943.

R S Duck

REGISTER

Commissioner's Fee $

Witness' Fees, $

| | |
|---|---|
| PAUL A. RICHARDS,<br>Complainant,<br><br>vs.<br><br>FLORA WHITE RICHARDS,<br>Respondent. | IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN CHANCERY<br><br>DEPOSITION |

TESTIMONY OF PAUL A. RICHARDS

Paul A. Richards, being first duly sworn, on his oath deposes and says:-

My name is Paul A. Richards and I am the Complainant in the above entitled action for divorce. I live at Foley, Alabama, where I have resided for more than three years.

I was married to the Respondent, Flora White Richards, in Chicago, Illinois, on the 4th day of February, 1932. She never did live with me continuously but would leave and be gone for whatever length of time pleased her and then come back but on the 15th day of October, 1939, she left for the last time and I have never seen her nor lived with her since that time. I always provided for her to the best of my ability and never gave her any cause to leave but she just was not satisfied any place and abandoned me without any cause, more than three years ago.

Paul A Richards

TESTIMONY OF BELLE KORTE

My name is Belle Korte. I am the wife of William Korte and we have resided in Foley for many years.

I have known Paul A. Richards ever since he came to Foley more than three years ago. I know nothing of his wife but do know that she has never been with him and he has not lived with her at anytime during the time my husband and I have been acquainted with him and I understand that she left him several years ago.

Belle Korte.

CERTIFICATE

STATE OF ALABAMA)
)
BALDWIN COUNTY)

I, Edith Howell, by virtue of the attached Commission, the Commissioner to take the testimony of Paul A. Richards and Belle Korte, do hereby certify that I caused said witnesses to come before me, in my office in Foley, Alabama, on the 25th day of March, 1943, and after said witnesses had been duly sworn, their testimony was taken down by me in shorthand and later reduced to typewriting, read and signed by said witnesses.

That I am not of counsel or of kin to any of the parties to this proceeding nor in any manner interested in the result thereof.

IN WITNESS WHEREOF: I have hereunto set my hand this 25th day of March, 1943.

Edith Howell

Commissioner

| | |
|---|---|
| PAUL A. RICHARDS,<br>Complainant,<br><br>vs.<br><br>FLORA WHITE RICHARDS,<br>Respondent. | IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN CHANCERY<br><br>BILL OF COMPLAINT |

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

PART ONE

Your Complainant, Paul A. Richards, respectfully shows that he is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, residing at Foley therein and that he has been such resident for more than three years last past. That the Respondent, Flora White Richards, is also over the age of twenty-one years and a non-resident of the State of Alabama, her present whereabouts and place of residence being unknown to your Complainant.

PART TWO

Your Complainant further avers that he was lawfully married to the Respondent on the 4th day of February, 1932, but said Respondent, disregarding her marital obligations, did, on the 15th day of October, 1939, without good cause, willfully abandon the bed and board of your Complainant and he has not cohabited with her,nor seen her,nor heard from her since that date. Wherefore, he desires a divorce from the Respondent.

PRAYER FOR PROCESS

Your Complainant prays that your Honor will order the Register of this Court to make out and superintend the appropriate order of publication directed to said Respondent, Flora White Richards, requiring her, within thirty days from the date of the last publication of such order, to appear and answer, plead or demur to, this Bill of Complaint and to abide such order and decree as may be made therein. And your Complainant shall ever pray & c.

PRAYER FOR RELIEF

Your Complainant further prays that upon the hearing of this cause, your Honor will grant to him a decree of divorce from the Respondent and that he may have such other and further relief in the premises as may be just and equitable.

Floyd Maguey

Solicitor for Complainant

| | |
|---|---|
| PAUL A. RICHARDS,<br>Complainant,<br>vs.<br>FLORA WHITE RICHARDS,<br>Respondent. | IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN CHANCERY<br><br>AFFIDAVIT |

STATE OF ALABAMA)
BALDWIN COUNTY)

Paul A. Richards, being first duly sworn, on his oath deposes and says:

That he is the above named Complainant and that the Respondent, Flora White Richards is over the age of twenty-one years and a nonresident of the State of Alabama, her present whereabouts, address and place of residence being unknown to this affiant.

That this affiant has endeavored to learn and ascertain the residence of said Respondent by writing to persons who have known her in the neighborhood in which she has lived and by making inquiries among persons who have known her and has made all of the effort that he is capable of but has been unable to ascertain the residence of the Respondent. When last heard of, she was somewhere in the State of Colorado.

Paul A Richards

Subscribed in my presence and sworn to before me this 19 day of January, 1943.

Floyd Mahaney
Notary Public

847

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

PAUL A. RICHARDS,

Complainant,

Filed this ..... day ..... 19 .....

vs.

Clerk Register

FLORA WHITE RICHARDS,

Respondent.

AFFIDAVIT

Filed JAN 21 1943

LLOYD A. MAGNEY,
Attorney
Foley, Alabama.

# CHANCERY EXECUTION

## BILL OF COSTS

No. 897. Paul A Richards. Vs. Flora White, Richards. Plaintiff

Defendant

| FEES OF REGISTER | | Dollars | Cents |
|---|---|---|---|
| Filing each bill and other papers | $ 10 | | |
| Issuing each subpoena | 50 | | |
| Issuing each copy thereof | 40 | | |
| Entering each return thereof | 15 | | |
| For each order of publication | 1 00 | | |
| Issuing writ of injunction | 1 50 | | |
| For each copy thereof | 50 | | |
| Entering each return thereof | 15 | | |
| Issuing Writ of Attachment | 1 00 | | |
| Entering each return thereof | 15 | | |
| Docketing each case | 1 00 | | |
| Entering each appearance | 25 | | |
| Issuing each decree pro confesso on per. ser. | 1 00 | | |
| Issuing each decree pro confesso on publication | 1 00 | | |
| Each order appointing guardian | 1 00 | | |
| Any other order by Register | 50 | | |
| Issuing commission to take testimony | 50 | | |
| Receiving and filing | 10 | | |
| Endorsing each package | 10 | | |
| Entering order submitting cause | 50 | | |
| Entering any other order of court | 25 | | |
| Noting all testimony | 50 | | |
| Abstract of cause, etc | 1 00 | | |
| Entering each decree | 75 | | |
| For every 100 words over 500 | 15 | | |
| Taking account, etc | 3 00 | | |
| Taking testimony, etc | 15 | | |
| Each report, 500 words or less | 2 50 | | |
| For every 100 words over 500 | 15 | | |
| Amount claimed less than $500, etc | 2 00 | | |
| Issuing each subpoena | 25 | | |
| Witness certificate, each | 25 | | |
| Issuing execution, each | 75 | | |
| Entering each return | 15 | | |
| Taking and approving bond, each | 1 00 | | |
| Making copy of bill, etc | 15 | | |
| Each notice not otherwise provided for | 50 | | |
| Each certificate or affidavit, with seal | 50 | | |
| Each certificate or affidavit, no seal | 25 | | |
| Hearing and passing on application, etc. | 3 00 | | |
| Each settlement with receiver, etc | 3 00 | | |
| 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. | | | |
| Commission on sales, etc.: 1st $100, 2 per ct.; all over $100 and not exceeding $1,000, 1½ per ct.; all over $1,000, an dnot exceeding $20,000, 1 per ct.; all over $20,000, ¼ of 1 per ct. | | | |
| Sub Total Carried Forward | | | |

| | | $ | |
|---|---|---|---|
| Brought Forward | | | |
| 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%. | | | |
| Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received. | | | |
| Each notice sent by mail to creditor | 15 | | |
| Filing, receipting for and docketing each claim, etc | 25 | | |
| For all entries on subpoena docket, etc. | 50 | | |
| For all entries on commission docket, etc. | 50 | | |
| Making final record, per 100 words | 15 | | |
| Certified copy of decree | 1 00 | | |
| Report of divorce to State Health Office (Acts 1915) | 50 | | |
| Total Fees of Register | | 7 | 00 |
| **FEES OF SHERIFF** | | | |
| Serving and returning subpoena on deft. | $1 50 | | |
| Serving and returning subpoena for witness | 65 | | |
| Levying attachment | 3 00 | | |
| Entering and returning same | 25 | | |
| Selling property attached | | | |
| Impaneling Jury | 75 | | |
| Executing writ of possession | 2 50 | | |
| Collecting execution for costs | 1 50 | | |
| Serving and returning sci. fa., each | 65 | | |
| Serving and returning notice | 65 | | |
| Serving and returning writ of injunction | 1 50 | | |
| Serving and returning writ of exeat | 1 50 | | |
| Taking and approving bonds, each | 75 | | |
| Collecting money on execution | | | |
| Making deed | 2 50 | | |
| Serving and returning application, etc. | 1 00 | | |
| Serving attachment, contempt of court | 1 50 | | |
| Total Fees of Sheriff | | | |
| **RECAPITULATION** | | | |
| Register's Fees | | 7 | 00 |
| Sheriff's Fees | | | |
| Commissioner's Fees ? Pay this | | | |
| Solicitor's Fees Direct if you | | | |
| Witness Fees wish | | | |
| Guardian Ad Litem | | | |
| Printer's Fees Fairhope Courier. | | 7 | 24 |
| Trial Tax | 3 00 | 3 | 00 |
| Recording Decree in Probate Court | | | |
| Total | | 12 | 24 |

**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_____ and make return of this Writ and the execution thereof, according to law.

Interest from_____ 194____ to date of collection.

Witness my hand, this_____ day of_____ 194____.

_____, Register.

 Printed by The Baldwin Times, Bay Minette, Ala.

# The State Of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

PAUL A. RICHARDS Complainant

VS

FLORA WHITE RICHARDS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on Service on Publication 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, disolved, and that the said Paul A. Richards is forever divorced from the said Flora White Richards 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 Paul A. Richards be, and he is hereby permitted to again contract marriage upon the payment of the cost of this suit.

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

This 27th day of March, 1943.

E. W. 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

PAUL A. RICHARDS

vs. Complainant.

FLORA WHITE RICHARDS,

Respondent.

DIVORCE DECREE

# 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 newspaper published in Fairhope, County of Baldwin, Ala., January 28, Feb., 4 and 18. 1943

Frances Gaston Crawford

Frances Gaston Crawford,
Editor Fairhope Courier

State of Alabama
Baldwin County

Subscribed and sworn to this 1st day of March, 1943, before me.

E. Crawford

Notary Public, Baldwin County, Alabama.

## Notice to Non-Resident

The State of Alabama,
Baldwin County.
Circuit Court, in Equity.
This the 21st day of January, 1943.

**Paul A. Richards,**
**No. 897. vs.**
**Flora White Richards**

In this cause it being made to appear to the Clerk of this Court by the affidavit of Paul A. Richards that the Defendant, Flora White Richards, is a non-resident of the State of Alabama and further, that, in the belief of said Affiant that 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 the said Flora White Richards to answer or demur to the Bill of Complaint in this cause by the 20th day of February, 1943, or after thirty days therefrom a decree Pro Confesso may be taken against Her.

R. S. Duck, Register

Lloyd A. Magney,
Solicitor for Complainant. 25-4t

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

PAUL A RICHARDS.

No. 897.

vs.

FLORA WHITE RICHARDS.

The State of Alabama,

County.

Circuit Court, in Equity

This the 21st day of January, 1943

In this cause it being made to appear to the Clerk of this Court by the affidavit of Paul A Richards.

that the Defendant Flora White Richards.

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant that the Defendant over the age of 21 years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ Fairhope Courier, a newspaper published in ~~Bay Minette,~~ Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Flora White Richards.

to answer or demur to the Bill of Complaint in this cause by the 20th day of February, 1943, or after thirty days therefrom a decree Pro Confesso may be taken against Her.

Register.

Lloyd A Magney.
Solicitor For Complainant.

8581. NOTE OF TESTIMONY

Moore Printing Co.

Paul A. Richards

VS.

Floria White Richards

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,

Service by publication

And testimony of Paul A. Richards and Bell Korte

and in behalf of Defendant upon

R. Duck Register.

Decree Pro Confesso of Publication. MPCO

**THE STATE OF ALABAMA,** BALDWIN COUNTY

**CIRCUIT COURT, IN EQUITY**

No. 897. Mar., Term, 19 43

Paul A Richards. Complainant

Vs.

Flora White Richards. 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 4th day of February., 1943, in the Fairhope Courier. a newspaper published in Fairhpoe., Alabama, that a copy of said order was posted at the Court House door in Baldwin. County, on the 21st day of Jan 1943 and

And it now further appearing to the Register R S Duck. that the said Flora White Richards.

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 Flora White Richards.

This 23 day of March. 1943

R S Duck Register.

Fairhope, Alabama Feb 27 1943

M R. L. Dunk
Bay Minette

IN ACCOUNT WITH

# The Fairhope Courier

E. B. GASTON ESTATE
Publisher

*Advertising and Commercial Printing*
Rates on application

| | | | | | |
|---|---|---|---|---|---|
| Jan 28 | Legal notice of 161 words Re-Paul A. Richards vs Alma White Richards in issues of January 28-Feb-4-11 & 18 | | | | 7.24 |

No. 897

# The State of Alabama,

BALDWIN COUNTY

## IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

## NOTE OF TESTIMONY

Filed in Open Court this 25th day of March 1943

Register.

Moore Printing Co.

No 897. Page

# The State of Alabama,
BALDWIN COUNTY

## CIRCUIT COURT, IN EQUITY

Paul A Richards.

Vs.

Flora White Richards.

## Decree Pro Confesso of Publication

Issued Mar. 23 1943

Register.

Recorded in Record

Vol. Page

Register.

Moore Printing Co., Bay Minette, Ala.