

# The State Of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

HENRY LEE SANDERS Complainant

VS

MYRTICE DEVENPORT SANDERS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on PUBLICATION THE SOLICITOR OF RECORD FOR COMPLAINANT. 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 HENRY LEE SANDERS is forever divorced from the said

MYRTICE DEVENPORT SANDERS

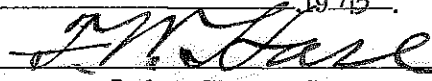
for and on account of HABITUUAL DRUNKENNESS

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 HENRY LEE SANDERS be, and IS hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that HENRY LEE SANDERS the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 26<sup>th</sup> day of July 1913.



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.

(10)

**RECORDED**  
No. .... Page .....

**The State Of Alabama**

Baldwin County

In Circuit Court, In Equity

..... **HENRY LEE SANDERS** .....

vs. Complainant.

..... **MYRTICE DEVENPORT SANDERS** .....

Respondent.

**DIVORCE DECREE**

*[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]*

Henry Lee Sanders, Complainant,

VS.

Myrtice Devenport Sanders,  
Respondent.

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

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

Complainant, Henry Lee Sanders, brings and exhibits ~~this~~ this bill of complaint against respondent, Myrtice Devenport Sanders, and in support thereof respectfully shows and represents unto your Honor the following facts, to-wit:

FIRST.

That complainant, Henry Lee Sanders, is over twenty-one years of age, and a resident of Baldwin County, Alabama; that complainant has been a bona fide resident of the State of Alabama for more than one year next before the filing of this bill of complaint. That respondent, Myrtice Devenport Sanders, is over twenty-one years of age; that respondent's whereabouts or place <sup>of residence</sup> is unknown to complainant, and cannot be ascertained after reasonable effort.

SECOND.

That complainant, Henry Lee Sanders, and respondent, Myrtice Devenport Sanders, were legally married to each other in Opelika, Lee County, Alabama, some time during the month of October, 1941; that there are no children the issue of said marriage.

THIRD.

That complainant, Henry Lee Sanders, and respondent, Myrtice Devenport Sanders, lived together as man and wife until to-wit, July, 1942, at which time and for to-wit, four months prior thereto respondent, Myrtice Devenport Sanders, became addicted to habitual drunkenness; that while drunk or in an intoxicated condition respondent would abuse complainant, find fault with him and become irritable, fussy, nervous and very disagreeable. That due to respondent's addiction to habitual drunkenness since complainant's marriage to her, and in Atlanta,

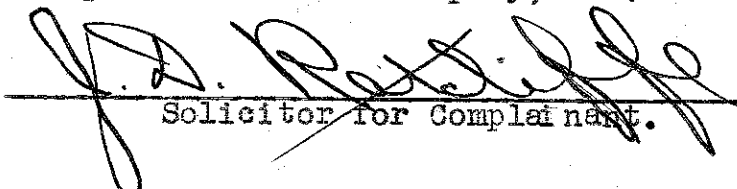
Georgia, and to-wit, during the month of July, 1942, complainant ceased to live with respondent as her husband. Complainant charges respondent with becoming addicted after her marriage to him to habitual drunkenness.

PRAYER FOR PROCESS.

To the end, therefore, that equity may be done in the premises complainant, Henry Lee Sanders, prays that the said Myrtice Devenport Sanders be made a party respondent to this bill of complaint by publication as provided for and authorized by Equity Rule Six, Sub-division "A", ordering and directing her as such respondent to answer, plead to or demur to this bill of complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF.

The premises considered complainant, Henry Lee Sanders, further prays that upon a final hearing of this cause your Honor will grant him a divorce forever dissolving and annulling the bonds of matrimony heretofore subsisting between complainant and said respondent, Myrtice Devenport Sanders, and that complainant be granted and given the right and privilege of marrying again should he desire or elect so to do. And complainant prays for such other, further, different, additional and general relief as in equity and good conscience he may be entitled. And complainant will ever pray, etc.

  
Solicitor for Complainant.

( See affidavit on next page )

AFFIDAVIT THAT RESPONDENT'S PLACE OF RESIDENCE IS UNKNOWN.

Henry Lee Sanders, Complainant,

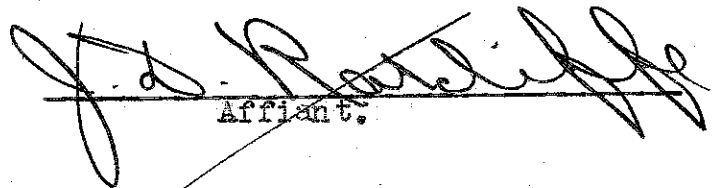
VS.

Myrtice Devenport Sanders,  
Respondent.

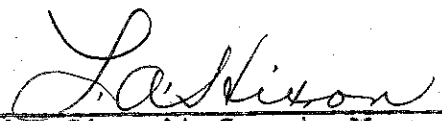
)  
)  
) IN THE CIRCUIT COURT OF BALDWIN  
) COUNTY, ALABAMA. IN EQUITY.  
)

Before me, L. A. Hixon, Clerk of the Circuit Court of Monroe County, Alabama, personally appeared J. D. Ratcliffe, known to me, who, being by me first duly sworn deposes and says:

That he is solicitor of record and agent for Henry Lee Sanders, the complainant in the above and foregoing entitled cause, and, as such solicitor of record and agent, he has full power and authority to make this affidavit; that the whereabouts and place of residence of Myrtice Devenport Sanders, the respondent in the above and foregoing entitled cause, are unknown to affiant and to complainant and the same cannot be ascertained after reasonable effort and diligent inquiry; that in the belief of affiant the said Myrtice Devenport Sanders is over twenty-one years of age.

  
Affiant.

Sworn to and subscribed before me this the 11th  
day of May, 1943.

  
Clerk, Circuit Court, Monroe  
County, Alabama.

Henry Lee Sanders, Complainant,


VS.

Myrtice Devenport Sanders, Respondent.)

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

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, hereby certify that on the affidavit of J. D. Ratcliffe, as solicitor of record and agent of Henry Lee Sanders, complainant in the above and foregoing entitled cause, and on, to-wit, the 12 day of May, 1943, an order of publication was made to Myrtice Devenport Sanders, respondent to said cause, whose whereabouts and place of residence are unknown to affiant and complainant, and cannot be ascertained after reasonable effort and diligent inquiry, a copy of which said order of publication is hereto attached, was duly and regularly made and published in The Baldwin Times, a newspaper published in Baldwin County, Alabama, for four successive weeks as follows, to-wit: May 13th., 1943; May 20th., 1943; May 27th., 1943; and June 3rd., 1943; that a copy of said order of publication was posted up at the court house door of Baldwin County, Alabama, on the 12 day of May, 1943, the day and date said order of publication was made, in all respects as required by law.

Witness my hand, this the 4<sup>th</sup> day of June, 1943.

  
\_\_\_\_\_  
Register, Circuit Court, Baldwin County,  
Alabama.

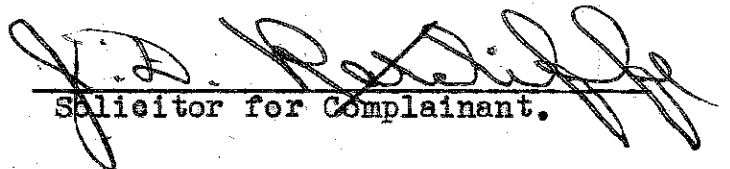


Henry Lee Sanders, Complainant,	)	
	}	
VS.	}	IN THE CIRCUIT COURT OF BALDWIN
	}	COUNTY, ALABAMA. IN EQUITY.
Myrtice Devenport Sanders, Respondent.	)	

Now comes Henry Lee Sanders, complainant in the above and foregoing entitled cause, and shows to the court that service by publication has been perfected on Myrtice Devenport Sanders, respondent to said cause, for more than thirty days prior to this date in all respects as required by law as shown by the certificate of the Register of this court filed in said cause on, to-wit, ~~June 4th~~ <sup>June 4th</sup>, 1943; that said respondent to this date has failed to answer, plead or demur to the bill of complaint filed against her in said cause; that as provided for and authorized by Article Two, Section 200 of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17th., 1940, J. D. Rateliffe, as solicitor of record and agent for complainant has this day filed his affidavit in said cause to the effect that neither complainant nor affiant is able to determine whether or not said respondent is in the military service of the United States; that neither complainant nor affiant knows where the said respondent is.

Complainant, Henry Lee Sanders, the premises considered, respectfully moves the court for an order of the court authorizing and directing the Register of the court to make and enter a decree pro confesso against the said Myrtice Devenport Sanders, the respondent to said cause.

This the 17<sup>th</sup> day of July, 1943.

  
Solicitor for Complainant.



Henry Lee Sanders, Complainant,

VS.

Myrtice Devenport Sanders,  
Respondent.


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

In and above and foregoing entitled cause it appears to the Register that the order of publication made in said cause on, to-wit, the 12<sup>th</sup> day of May, 1943, and directed to Myrtice Devenport Sanders, respondent to said cause, was duly published for four successive weeks in The Baldwin Times, a newspaper published in Baldwin County, Alabama, as follows, to-wit, May 13th., 1943; May 20th., 1943; May 27th., 1943; and June 3rd., 1943; that a copy of said order of publication was posted at the courthouse door of Baldwin County, Alabama, on the 12<sup>th</sup> day of May, 1943, the day and date said order of publication was made, and within twenty days from the making thereof, in all respects as required by law, as shown by the certificate of the Register of this court filed in said cause on, to-wit, the 3<sup>rd</sup> day of June, 1943.

And it further appearing to the Register that the said respondent, Myrtice Devenport Sanders, having to the day of the date hereof failed to answer, plead or demur to the bill of complaint filed against her in said cause.

Now, therefore, on the written motion of complainant, Henry Lee Sanders, and on the order of the Judge of this court dated to-wit, 19<sup>th</sup> day of July, 1943, and filed on the 2<sup>nd</sup> day of July, 1943, and made in conformity with the soldiers' and Sailors' Civil Relief Act of 1940, approved October 17th., 1940, reference to which order is hereby made, it is ordered and decreed by the Register of this court that said bill of complaint in this cause be, and hereby is in all things taken as confessed against respondent, Myrtice Devenport Sanders.

This the 2<sup>nd</sup> day of July, 1943.

  
Register, Circuit Court, Baldwin County,  
Alabama.

Henry Lee Sanders, Complainant,

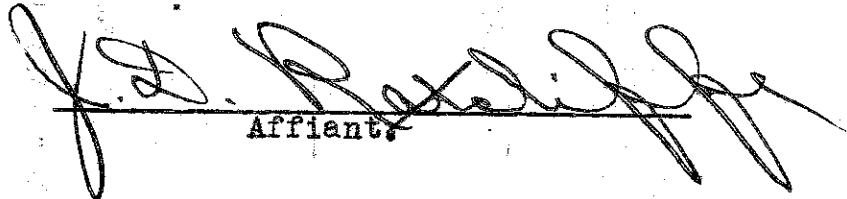
VS.

Myrtice Devenport Sanders,  
Respondent.

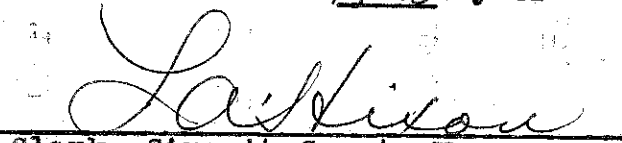
)  
) IN THE CIRCUIT COURT OF BALDWIN  
) COUNTY, ALABAMA. IN EQUITY.  
)

Before me, L. A. Hixon, Clerk of the Circuit Court of Monroe County, Alabama, personally appeared J. D. Ratcliffe, known to me, who, being by me first duly sworn, deposes and says:

My name is J. D. Ratcliffe, I am solicitor of record and agent for Henry Lee Sanders, complainant in the above and foregoing cause, pending in the Circuit Court of Baldwin County, Alabama, in Equity, and, as such solicitor of record and agent, have full power and authority to make this affidavit; that complainant and affiant are not able to determine whether or not Myrtice Devenport Sanders, the respondent to said cause, is in the military service of the United States; that neither complainant nor affiant knows where the said respondent is. This affidavit is made in conformity with the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17th., 1940.

  
Affiant.

Sworn to and subscribed before me this the 17th day of July, 1943.

  
Clerk, Circuit Court, Monroe  
County, Alabama.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

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

HENRY LEE SANDERS

vs.

Complainant

MYRTICE DEVENPORT SANDERS

Respondent

Complainant, being called, offers the following testimony, to-wit:

1st Bill of Complaint and affidavit of Non-resident.

2nd Registers certificate of publication.

3rd Military affidavit.

4th Motion for Decree Pro Confesse

5th Order of Judge to Register to enter Decree Pro Confesse.

6th Decree Pro Confesse.

7th Testimony of HENRY LEE SANDERS, THE COMPLAINANT.

*J. D. Ruffin*

Solicitor for Complainant.

Defendant, being called, offers the following to-wit:

1st

2nd

3rd

4th

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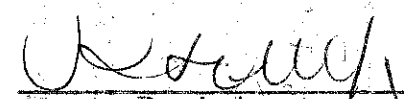
Henry Lee Sanders

VS.

Myrtice Devenport Sanders.

Register's certificate of  
publication of order of  
publication.

Filed June 14, 1943.

  
Register.

RECORDED

Henry Lee Sanders

VS.

Myrtice Devenport Sanders.

Order of Judge to Register to  
enter Decree Pro Confesso  
afainst Respondent.

Filed July 26 1943.

*R. J. ...*

Register.

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RECORDED

Henry Lee Sanders

VS.

Myrtice Devenport Sanders.

Motion for Decree Pro Confesso.

Filed July 19, 1943.

R. Luck  
Register.

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RECORDED

Henry Lee Sanders

VS.

Myrtice Devenport Sanders.

Decree Pro Confesso.

Filed July 21st 1943.

*R. R. [Signature]*

Register.

Henry Lee Sanders

VS.

Myrtice Devenport Sanders.

Military Affidavit under the  
Soldiers' and Sailors' Civil  
Relief Act.

Filed July 19, 1943.



Register, Circuit Court,  
Baldwin County, Alabama.



5th

6th

Solicitor for Defendant.

I hereby certify that the above note of testimony is correct.

This 23rd day of July, 19 13.

*R. H. Hines*, Register.

RECORDED &  
No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama

BALDWIN COUNTY

CIRCUIT COURT  
IN EQUITY

HENRY LEE SANDERS

vs. Complainant.

MYRTICE DEVENPORT SANDERS

Respondent.

Note of Testimony for Submission

Filed July the 23rd, 19 13

*R. H. Hines*, Register.

Recorded in

Record

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

Register.

The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY

HENRY LEE SANDERS Complainant

vs.

MYRTICE DEVENPORT SANDERS Defendant

Oral examination before the Register of the following witnesses:

Of Henry Lee Sanders, the Complainant

who reside in Alabama, said examination being conducted in Bay Minette, Alabama,

on this the 23rd day of July 1943, and there being present

R. S. DUCK, the Register and J. D. Ratcliffe Solicitor of Record for  
Complainant.

The said Witness being first sworn to speak the truth, the whole truth and nothing but the truth,  
testified as follows:

My name is Henry Lee Sanders, I am 28 years of Age. I am a resident of Baldwin

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

**The State of Alabama,**

\_\_\_\_\_ **BAIDWIN** \_\_\_\_\_ **COUNTY**

**IN CIRCUIT COURT, IN EQUITY**

\_\_\_\_\_ **HENRY LEE SANDERS** \_\_\_\_\_

vs. Complainant,

\_\_\_\_\_ **MYRTICE DEVENPORT SANDERS** \_\_\_\_\_

Defendant.

**Deposition Taken Before Register on Oral Examination**

Deposition of **HENRY LEE SANDERS**

for **COMPLAINANT**

Filed 23 day of July, 1943

Published by order of the Court 23

day of July, 1943

Robert  
Register.

my wife was highly nervous irritable and fussy and very disagreeable to live with  
She would become physically unable to keep house, cook, and do the other usual things  
expected of a wife in keeping up the home. As stated this was her <sup>and I had</sup> general condition  
for several months before I ceased to live with her as her husband. I left my wife  
sometimes during the month of July, 1942, While we were living in Atlanta Ga.

During the time Myrtice Devenport Sanders and I lived together as man and wife, I  
treated her kindly and provided for her as best I could. I exercised Great patience  
with her and did everything within my power to help <sup>her</sup> ever come her weakness, of using  
in ~~intoxicants~~ to excess..

Myrtice Sanders

Sworn to and subscribed before me this 23rd day of July, 1943.

R. L. Beck

I, R. S. Duck, as Register

hereby certify that the foregoing deposition on oral examination taken down by me in writing in the words of the witness and read over to him and he signed the same in the presence of My self R. S. Duck, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the 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 in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the 25rd day of July, 19 43

(L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$
- ..... days' attendance at \$1.50 per day ..... \$

REGISTER'S FEES

- ..... days at \$1.50 per day ..... \$
- ..... words at 20 cents per hundred ..... \$

THE STATE OF ALABAMA, )  
COUNTY OF BALDWIN. ) IN THE CIRCUIT COURT OF SAID COUNTY, IN EQUITY.

Henry Lee Sanders, Complainant,

VS.

Myrtice Devenport Sanders,  
Respondent.

SW

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In this cause it being made to appear to the Register by affidavit of J. D. Hateliffe, solicitor of record and agent for Henry Lee Sanders, complainant in the above entitled cause, that the place of residence of of Myrtice Devenport, respondent to said cause, is unknown to affiant and complainant and same cannot be ascertained after reasonable effort; that in the belief of affiant the respondent is over twentyone years of age; it is therefore ordered by the Register that publication be made in the Baldwin County Times, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring respondent, Myrtice Devenport Sanders, to plead, answer or demur to the bill of complaint in this cause by the 15th day of June, 1943, or in thirty days thereafter a decree Pro Confesso may be taken against her.

Done at Bay Minette, Alabama, this the 17th day of May,

1943.

R. S. Luck  
Register, Circuit Court, Baldwin County,  
Alabama.

Pleas publiug four successive weeks.

Baldwin  
**THE STATE OF ALABAMA, MONROE COUNTY**

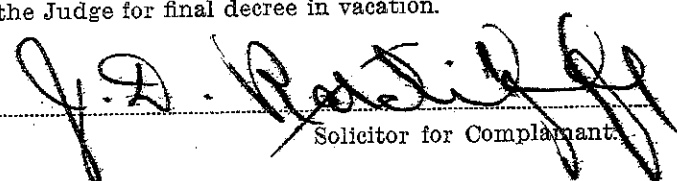
IN THE CIRCUIT COURT, IN EQUITY.

..... HENRY LEE SANDERS ..... Complainant

vs.

..... MYRTICE DEVENPORT SANDERS ..... Defendant

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and the evidence having been taken and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant by his Solicitors of Record, now files with the Register of said Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

  
..... Solicitor for Complainant.

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RECORDED

No. ....

Page .....

THE STATE OF ALABAMA

Monroe County  
Baldwin

CIRCUIT COURT,  
IN EQUITY.

HENRY LEE SANDERS

vs. Complainant,

Myrtice DEVENPORT SANDERS

Defendant.

Request for Decree in Vacation.

Filed 23rd day of July, 1943.

*Rashick* Register.

Recorded in

Record

Vol. ....

Page .....

Register.



# The BALDWIN Times

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER

BAY MINETTE, ALABAMA

NOTICE  
THE STATE OF ALABAMA,  
COUNTY OF BALDWIN,  
IN THE CIRCUIT COURT OF  
SAID COUNTY IN EQUITY.  
Henry Lee Sanders, Complainant,  
VS.  
Myrtice Devenport Sanders,  
Respondent.

In this cause it being made to appear to the Register by affidavit of J. D. Ratcliffe, solicitor of record and agent for Henry Lee Sanders, complainant in the above entitled cause, that the place of residence of of Myrtice Devenport, respondent to said cause, is unknown to affiant and complainant and same cannot be ascertained after reasonable effort; that in the belief of affiant the respondent is over twenty-one years of age; it is therefore ordered by the Register that publication be made in the Baldwin County Times, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring respondent, Myrtice Devenport Sanders, to plead, answer or demur to the bill of complaint in this cause by the 31st day of June, 1943, or in thirty days thereafter a decree Pro Confesso may be taken against her.

Done at Bay Minette, Alabama, this 12th day of May, 1943.  
R. S. DUCK,  
Register, Circuit Court,  
Baldwin County Alabama.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

Evelyn I. Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Henry Lee Sanders

Myrtice Devenport Sanders

### COST STATEMENT

190 WORDS @ 4 1/2 cents ..... \$ 8.55

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

Evelyn I. Faulkner  
Publisher.

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

Date of 1st publication May 13, 1943 Vol. 54 No. 15

Date of 2nd publication May 20, 1943 Vol. 54 No. 16

Date of 3rd publication May 27, 1943 Vol. 54 No. 17

Date of 4th publication June 3, 1943 Vol. 54 No. 18

Subscribed and sworn before the undersigned this 4 day of June, 1943.

[Signature]  
Notary Public, Baldwin County.

Evelyn I. Faulkner  
Publisher.