

944

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Mazie Lou Comalander to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, then and there to demur, plead to or answer the Bill of Complaint of William O. Comalander.

Witness my hand this 18th day of May, 1943.

*Rd. Luck*

Register.

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

Your Orator, William O. Comalander, presents this Bill of Complaint against Mazie Lou Comalander and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator and the said Mazie Lou Comalander are each over twenty-one years of age and each reside in the State of Alabama.
2. Your Orator and the said Mazie Lou Comalander were lawfully married in Flomaton, Alabama on to-wit, May 19, 1934, and lived together as man and wife until on to-wit, May 1, 1941 when the said Mazie Lou Comalander voluntarily abandoned your Orator. Your Orator further alleges that he is a bona fide resident citizen of Baldwin County, Alabama where he has resided continuously for more than one year next preceding the filing of this Bill of Complaint.
3. There was born to the said union three children, namely: Marjorie Comalander, a girl child now eight years of age; Virgil A. Comalander, a male child now six years of age and John Reed Comalander, a male child now three years of age, each and all of whom are now residing with and are in the custody of your Orator.
4. On to-wit, May 1, 1941 the said Mazie Lou Comalander, without fault on the part of your Orator, voluntarily abandoned him and has not lived with him as his wife since the said date.

#### PRAYER FOR PROCESS

Your Orator prays that the court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given to the Respondent, Mazie Lou Comalander, in the form and manner prescribed by law, requiring her to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

#### PRAYER FOR RELIEF

The premises considered, your Orator respectfully prays for the following relief:


1. That the bonds of matrimony now existing between your Orator and the said Mazie Lou Comalander be dissolved and that your Orator be forever divorced from her.

2. That your Orator be granted the right to re-marry.

3. That your Orator be given and granted the permanent custody and control of the said minor children.

4. Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

Respectfully submitted,

  
Solicitor for Orator.

WILLIAM O. COMALANDER,  
Complainant,  
VS.  
MAZIE LOU COMALANDER,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER \_\_\_\_.

ANSWER

Now comes Mazie Lou Comalander, the Respondent in the above entitled cause, and for answer to the Bill of Complaint filed in this cause denies each and all of the allegations of the Complaint and requires strict proof of same. This Respondent consents and agrees that testimony be taken and the cause submitted for final decree without notice to her, all of which is hereby expressly waived.

Mazie Lou Comalander (SEAL)

STATE OF ALABAMA  
BALDWIN COUNTY

I, Ora S. Nelson, a Notary Public, within and for said County in said State, hereby certify that Mazie Lou Comalander, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 16th day of June, 1943.

Ora S. Nelson

Notary Public, Baldwin County, Alabama.

WILLIAM O. COMALANDER,

Complainant,

VS.

MAZIE LOU COMALANDER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 944.

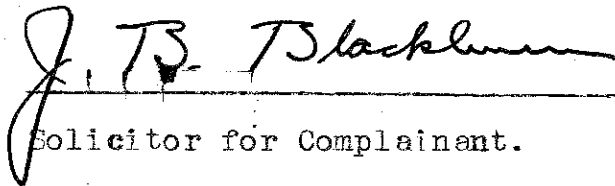
NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the following:

1. Original Bill of Complaint.
2. Answer of the Respondent.
3. Testimony of William O. Comalander taken before Ora S. Nelson, Commissioner.



Register.



Solicitor for Complainant.

THE STATE OF ALABAMA,  
Baldwin County

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CIRCUIT COURT

TO Mrs Ora s Nelson.

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

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

William O Comalander.

Complainant

and Mazie Lou Comalander.

Defendant,

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

Witness 17th day of June, 19 23.

*[Handwritten Signature]*  
REGISTER

Commissioner's Fee \$

Witness' Fees, \$

WILLIAM O. COMALANDER,  
Complainant,

VS

MAZIE LOU COMALANDER,  
Respondent.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 944

DECREE

This cause coming on to be heard on this date is submitted for final decree on behalf of the Complainant upon the original Bill of Complaint, Answer of the Respondent and Testimony as noted by the Register, upon consideration of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in his said Complaint and it is thereupon ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, William O. Comalander, and the Respondent, Mazie Lou Comalander, be and the same are hereby dissolved and the said Complainant is forever divorced from the Respondent on the ground of abandonment.

2. The Complainant and the Respondent be and they are each hereby permitted to again contract marriage.

3. That the said Complainant and the Respondent shall not again marry except to each other until sixty days after this date, and if an appeal is taken in this cause, within sixty days they shall not remarry except to each other during the pendency of said appeal.

4. The Complainant is hereby granted the permanent custody and control of his said minor children, namely: Marjorie Comalander, Virgil A. Comalander and John Reed Comalander.

5. The costs of this cause are hereby taxed against Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 26th. day of June, 1943.

J.W. Hare /s/  
Judge

I, Alice J. 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 state cause, which said decree is on file and enrolled in my office.  
Witness my hand and seal this the 21st. day of November, 1956.

Register of Circuit Court in Equity

WILLIAM O. COMALANDER,  
Complainant,  
VS.  
MAZIE LOU COMALANDER,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER 944.

DECREE

This cause coming on to be heard on this date is submitted for final decree on behalf of the Complainant upon the original Bill of Complaint, Answer of the Respondent and Testimony as noted by the Register, upon consideration of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in his said Complaint and it is thereupon ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, William O. Comalander, and the Respondent, Mazie Lou Comalander, be and the same are hereby dissolved and the said Complainant is forever divorced from the Respondent on the ground of abandonment.


2. The Complainant and the Respondent be and they are each hereby permitted to again contract marriage.

3. That the said Complainant and the Respondent shall not again marry except to each other until sixty days after this date, and if an appeal is taken in this cause within sixty days they shall not remarry except to each other during the pendency of said appeal.

4. The Complainant is hereby granted the permanent custody and control of his said minor children, namely: Marjorie Comalander, Virgil A. Comalander and John Reed Comalander.

5. The costs of this cause are hereby taxed against Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 26<sup>th</sup> day of June, 1943.

  
\_\_\_\_\_  
Judge.



**RECORDED**

NOTE OF TESTIMONY

WILLIAM O. COMALANDER,

Complainant,

VS.

MAZIE LOO COMALANDER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER \_\_\_\_\_.

**RECORDED**

**ANSWER**

**WILLIAM O. COMALANDER,**

**Complaintant,**

**VS.**

**MAZIE LOU COMALANDER,**

**Respondent.**

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER \_\_\_\_\_

*Julius Jones 161943*

**THE STATE OF ALABAMA  
Baldwin County**

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

WILLIAM O. COMALANDER, COMPLAINANT

VS.

MAZIE LOU COMALANDER, RESPONDENT

I, Ora S. Nelson

as ~~Register and~~ Commissioner

have called and caused to come before me William O. Comalander

witness— named in the Requirement for Oral Examination, on the 18th day of June

19 43, at the office of J. B. Blackburn

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

the whole truth, and nothing but the truth, the said William O. Comalander

doth depose and say as follows:

My name is William O. Comalander. I am over twenty-one years of age and a resident of Baldwin County, Alabama. The Respondent, Mazie Lou Comalander, is over twenty-one years of age and a resident of the State of Alabama.

I was married to the Respondent, Mazie Lou Comalander in Flomaton, Alabama on May 19, 1934 and the two of us lived together as man and wife until about May 1, 1941 when the said Mazie Lou Comalander voluntarily abandoned me. I am a bona fide resident citizen of Baldwin County, Alabama where I have resided continuously for much more than one year next preceding the filing of this Bill of Complaint.

There was born to me and Mazie Lou Comalander three children, namely, Marjorie Comalander, a girl, now eight years of age, Virgil A. Comalander, a boy, now six years of age and John Reed Comalander, a boy, now three years of age, each and all of which reside with me and are in my custody. I am in all respects a fit and proper person to have the custody and control of the said children.

I have read over the Bill of Complaint which was filed by me in this cause and all of the allegations and statements contained therein are true.

William O Comalander

ORAL EXAMINATION

I, Ora S. Nelson, 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— and read over to him and he signed the same in the presence of myself and J. B. Blackburn at the time and place herein mentioned; that I have personal knowledge of personal identity of 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 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 18th day of June, 1943

Ora S. Nelson (L. S.)

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

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

**IN CIRCUIT COURT, IN EQUITY**

WILLIAM O. COMALANDER,

Complainant

Vs.

MAZIE LOU COMALANDER,

Respondent

**ORAL DEPOSITION**

Filed June 24, 1943  
J. B. Blackburn, Register

RECORDED IN \_\_\_\_\_  
Record \_\_\_\_\_

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Register \_\_\_\_\_

hhb