

2414

ALICE THOMAS, COMPLAINANT X IN THE CIRCUIT COURT OF
VS. X BALDWIN COUNTY, ALABAMA.
GEORGE THOMAS, RESPONDENT X IN EQUITY. NO. _____.

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso 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 Alice Thomas is forever divorced from the said George Thomas for and on account of Statutory Cruelty.

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 Alice Thomas the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8th day of May, 1950.

J. Fair J. Mashburn, Jr.
Judge Circuit Court, In Equity

Filed 5-8-50
Alice French
Register

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

ALICE THOMAS
Complainant,
Vs. GEORGE THOMAS
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

~~Jan 16 1950~~ GEORGE THOMAS

by the Sheriff of Jefferson County, on the 16TH day of January,
1945.

And it further appears to the Register, that the said GEORGE THOMAS

_____, the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
on motion of Frank G. Horne Solicitors
for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,
and it hereby is, in all things taken as confessed against the said GEORGE THOMAS

This 13th day of April, 1950.

Alfred J. Horne
Register.

No. ~~RECORDED~~

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.
IN EQUITY

ALICE THOMAS

Complainant,

Vs.

GEORGE THOMAS

Respondent.

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued this 13th day of April,
194 .


Register.

The State of Alabama, Escambia County

IN CIRCUIT COURT, IN EQUITY

Alice Thomas

Complainant

vs.

George Thomas

Defendant

Commissioner

Oral examination before the Register of the following witnesses:

Alice Thomas and Rose Latham

who reside in Alabama, said examination being conducted in Atmore Alabama,

on this the 14 day of April, and there being present

said witnesses and commissioner

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

TESTIMONY OF ALICE THOMAS: My name is Alice Thomas, I am the Complainant and George Thomas is the Respondent in the above styled cause. We are both bona fide resident citizens of the State of Alabama, Baldwin County, and have so resided for one year immediately preceding the date of the filing of the bill of complaint in this cause. I am over the age of eighteen years and the Respondent is over the age of twenty-one years. The Respondent and I were married to each other at Douglasville, Georgia on the 24th day of November, 1948, and lived together thereafter as man and wife until on the 1st day of January, 1950. The Respondent has committed actual violence upon my person, attended with danger to my life or health, or from his conduct there is reasonable apprehension of such violence; that prior to the date of separation on the 10th day of June, 1949, the Respondent struck me in the face with his fist and knocked her down; that on many occasions prior to the date of separation the Respondent abused and mistreated me; that he has threatened to come to the place

where the complaint is and kill her with sledge hammer, which he owns and that I am afraid that he will do the same and from his conduct I have reasonable apprehension to fear bodily harm.

Alvin C Thomas

TESTIMONY OF ROSE LATHAM: My name is Rose Latham. I know the Complainant and Respondent in the above styled cause. I know that they are both bona fide resident citizens of Baldwin County, Alabama, and have so resided for more than one year immediately preceding the date of the filing of the bill of complaint in this cause. I know that the Complainant is over the age of eighteen years and that the Respondent is over the age of twenty-one years. I know that the Complainant and Respondent were married to each other at Douglasville, Georgia, on the 24th day of November, 1948, and lived together thereafter as man and wife until on the 1st day of January, 1950. I know that the Respondent has committed actual violence upon the person of Complainant, attended with danger to her life or health, or from his conduct there is reasonable apprehension of such violence; that prior to the date of separation, on the 10th day of June, 1949, the Respondent struck the Complainant in the face with his fist and knocked her down; that on many occasions prior to the date of separation the Respondent abused and mistreated the Complainant; that the Respondent has threatened to come to the place where the Complainant is and kill her with sledge hammer, which he owns and that she is afraid that he will do the same and from his conduct she has reasonable apprehension to fear bodily injury or death at his hands.

Rose Latham

I, Mary Jackson, as commissioner
hereby certify that the foregoing deposition S on oral examination were taken down by me in
writing in the words of the witness es and read over to them and they signed the same in the
presence of commissioner, at the time and place herein mentioned; that I
have personal knowledge of the personal identity of the said witness es, or had proof made before me
of the identity of said witness es; 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 14 day of April, 19 50.

Mary Jackson (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	_____ \$

No. _____ Page _____

The State of Alabama,

_____ COUNTY

IN CIRCUIT COURT, IN EQUITY

_____ vs. _____ Complainant,

_____ Defendant.

**DEPOSITION TAKEN BEFORE REGISTER
ON ORAL EXAMINATION**

Deposition of _____

for _____

Filed 29th day of April, 1950

Published by order of the Court, _____

day of _____, 19____

Amie A. French
Register.

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2-414

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon GEORGE THOMAS

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

GEORGE THOMAS

, Defendant.---

by

ALICE THOMAS

, Plaintiff.---

Witness my hand this 17th day of January 1920

Alice Thomas, Clerk

BILL OF COMPLAINT

ALICE THOMAS, COMPLAINANT X IN THE CIRCUIT COURT OF
VS. X BALDWIN COUNTY, ALABAMA.
GEORGE THOMAS, RESPONDENT X IN EQUITY. NO. ____.

TO HONORABLE TELFAIR MASHBURN, JUDGE OF THE TWENTY-FIRST JUDICIAL
CIRCUIT OF THE STATE OF ALABAMA. SITTING IN EQUITY.

Now comes the Complainant, Alice Thomas, humbly
complaining of the Respondent, George Thomas, in a matter as will
hereinafter appear and represents and shows unto Your Honor as
follows:

FIRST: That both the Complainant and Respondent are
bona fide resident citizens of Baldwin County, Alabama, and have
so resided for more than one year immediately preceding the date
of the filing of this Bill of Complaint. That the Complainant is
over the age of eighteen years and the Respondent is over the age
of twenty-one years.

SECOND: That the Complainant and Respondent were
married to each other at Douglasville, Georgia, on, to-wit, the 24th
day of November, 1948, and lived together thereafter as man and
wife until on, to-wit, the 1st day of January, 1950.

THIRD: That Respondent has committed actual violence
upon the person of Complainant, attended with danger to her life or
health, or from his conduct there is reasonable apprehension of such
violence; That prior to the date of separation, on, to-wit, the 10th
day of June, 1949, the Respondent struck the Complainant in the
face with fist and knocked her down; that on many occasions prior
to the date of separation the Respondent abused and mistreated the
Complainant; that the Respondent has threatened to come to the place
where the Complainant is and kill her with sledge hammer, which he
owns and that she is afraid that he will do the same and from his
conduct she has reasonable apprehension to fear bodily injury or

death at his hands.

PRAYER FOR PROCESS

To the end that equity may be had in the premises Complainant prays that George Thomas be made party Respondent to this Bill of Complaint, and that service be perfected upon him as provided by law; and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Premises considered, the Complainant prays that on the final hearing of this cause Your Honor will make and enter a decree dissolving the bonds of matrimony heretofore existing between the parties heretofore and will grant the Complainant a full and absolute divorce from the Respondent. Complainant prays that in and by virtue of the decree, she will be granted the right to again contract marriage.

Complainant prays all other further and general relief to which she may be entitled, and the premises considered, and she will ever pray, etc., etc.


SOLICITOR FOR COMPLAINANT

THE STATE OF ALABAMA, Baldwin County

In the Circuit Court, In Equity.

Alice Thomas

Complainant

vs.

George Thomas

Respondent

Now comes the Complainant... by her Solicitor of Record and shows the court that on the 17th day of January 1950, she filed her Bill of Complaint in the above stated cause, and a summons issued in said cause and was served by the Sheriff of Jefferson County on the Defendant..... more than thirty days prior to this date, and said Defendant..... has to this date failed to appear and demur, plead to, or otherwise answer the allegations of said Bill of Complaint as required by law, the Complainant..... by her Solicitor of Record now moves the Register of this Court to enter up or render a Decree Pro Confesso in this cause against said Defendant.

This 11th day of April 1950

J. M. R. Kame
Solicitor for Complainant.

RECORDED

No. Page

The State of Alabama

..... COUNTY

In Circuit Court, In Equity

VS. Complainant.

Respondent.

MOTION FOR DECREE PRO CONFESSO
ON PERSONAL SERVICE.

Filed 4-13, 19 40

Deice J. ... Register

Recorded in

Record

Vol. Page

Register

Baldwin
THE STATE OF ALABAMA, ESCAMBA COUNTY

CIRCUIT COURT, IN EQUITY

No.

Alice Thomas

Complainant

vs.

George Thomas

Respondent

IN THIS CAUSE comes the _____ complainant
by _____ her _____ Solicitor and submits the same for final
decree upon the Original Bill and exhibits thereto _____ decree pro confesso on personal service
and upon the following testimony, to wit: _____ Alice Thomas and Rose Latham

Frank B. Horne

Solicitor for Complainant.

I Hereby certify that the above note of testimony is correct:

This _____ 8th day of _____ May _____, 1957

Alice L. Horne, Register

No. **RECORDED** Page _____

The State of Alabama
ESCAMBIA COUNTY

Circuit Court, In Equity

Complainant

vs.

Respondent

NOTE OF TESTIMONY

Filed 8-8, 19 50

David J. Smith, Register.

Recorded in _____ Record

Vol. _____ Page _____

_____, Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Mary Jackson

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 Alice Thomas and Rose Latham

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

ALICE THOMAS

, Complainant
and GEORGE THOMAS

Respondent

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

Witness 13th day of April, 1950

Alfred J. Leuck

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2414

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ALICE THOMAS

Complainant

vs.

GEORGE THOMAS

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Mary Jackson

WITNESSES:

Alice Thomas

Rose Latham

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Mary Jackson

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 Alice Thomas and Rose Latham

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

ALICE THOMAS

and GEORGE THOMAS, Complainant

Respondent

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

Witness 13th day of April, 1940

Alice J. Welch
Register.

Commissioner's Fee, \$

Witness' Fees, \$

Frank G. Horne

Attorney at Law

Atmore, Ala.

April 14, 1950

Mrs. Alice J. Duck,
Register in Chancery,
Bay Minette, Alabama.

Re: Thomas vs. Thomas

Dear Mrs. Duck:

Enclosed you will find the commission and
testimony in the above styled divorce matter.

Very truly yours,

FRANK G HORNE

FGH:mj
Encls. (2)

Make
photostat
copies.

equity

3022

Free
vs.

Jaylen