2414

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

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confessó 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 8 day of May, 1950.

Julge Circuit Court.

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Complainant, In the Circuit Court. OSCORE TECHAS In Equity No. Respondent. In Equity No. DECREE PRO CONFESSO ON PERSONAL SERVICE. In this cause, it appears to the Register, that service was had on the Respondent JARIVIÉORIPÉÓR GECRET THOMAS e the Sheriff ofLeffarsonCounty, on theLÓTE_day ofJanuary \$\$\vec{e}0\$ And it further appears to the Register, that the saidGECRET_THOMAS \$\$\vec{e}0\$ And it further appears to the Register, that the saidGECRET_THOMAS \$\$\vec{e}0\$ And it further appears to the Register, that the saidGECRET_THOMAS \$\$\vec{e}0\$ the Respondent having to the date hereof, illed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore, u motion of	ALICE THOMAS	
Respondent. DECREE PRO CONFESSO ON PERSONAL SERVICE. In this cause, it appears to the Register, that service was had on the Respondent	· · · · · · · · · · · · · · · · · · ·	In the Circuit Court.
Respondent. DECREE PRO CONFESSO ON PERSONAL SERVICE. In this cause, it appears to the Register, that service was had on the Respondent		In Equity No.
In this cause, it appears to the Register, that service was had on the Respondent	Respondent.	
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In this cause, it appears to the Register, that service was had on the Respondent	DECREE DRO CONFESSO	ON DEDCONAL CEDUICE
Jamen Láth day of April 1050		
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the Sheriff of January, 50	Januxióxxi950x GEORGE	THOMAS
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the Sheriff of January, 50		
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And it further appears to the Register, that the said <u>GEORGE THOMAS</u> 	the Sheriff of Jefferson Co	ounty, on the <u>LOTH</u> day of <u>January</u> ,
And it further appears to the Register, that the said <u>GEORGE THOMAS</u> 	, ₅ о .	
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motion of Frank G. Horne Solicitors Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be, d it hereby is, in all things taken as confessed against the said <u>GEORGE THOMAS</u> This <u>13th</u> day of April 1050		~
motion of Frank G. Horne Solicitors Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be, I it hereby is, in all things taken as confessed against the said <u>GEORGE THOMAS</u> This 13th day of April 1950		the Respondent-, having to the date hereof,
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Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be, d it hereby is, in all things taken as confessed against the said <u>GEORGE THOMAS</u>		
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	No. RECORDED
	CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY
	ALICE THOMAS Complainant,
	Complainant, Vs. <u>GEORGE THOMAS</u>
	Respondent. DECREE PRO CONFESSO ON PERSONAL SERVICE.
	Issued this 13th day of <u>upui</u> ,
	194 <u>Allice Labucke</u> Register.
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Alice Thomas vs.	Complainant
George Thomas Commissioner	Defendant
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Alice Thomas and Rose Latham	*
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on this the <u>14</u> day of <u>April</u>	, and there being present
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where the complaintnt 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.

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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 narried 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.

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	, as <u>commissioner</u>
hereby certify that the foregoing deposition	n_Son oral examinationWeretaken down by me in
writing in the words of the witness_Sand	read over to them and they signed the same in the
	, at the time and place herein mentioned; that I
	dentity of the said witness $\underline{es}$ , or had proof made before me
	am not of counsel or of kin to any of the parties to said cause;
or in any manner interested in the result the	reof.
I enclose the said Oral Examination in	an envelope to the Register of said Court, and placed the same
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	Circuit Court of Baldwin County, State of		, agăinst
the (	Circuit Court of Baldwin County, State of GECRGE THOMAS		, agăinst, Defendant
the (	Circuit Court of Baldwin County, State of		, agăinst
the (	Circuit Court of Baldwin County, State of GECRGE THOMAS ALICE THOMAS	Alabama, at Bay Minette	e, agăinst, Defendant , Defendant 
the (	Circuit Court of Baldwin County, State of GECRGE THOMAS		, agăinst, Defendant

## BILL OF COMPLAINT

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

mn COMPLAINANT

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RECORDED No..... The State of Alabama COUNTY In Circuit Court, In Equity Complainant. vs. Respondent. MOTION FOR DECREE PRO CONFESSO ON PERSONAL SERVICE. Filed _____4 __ / 3 _____ 19 4 0 Deice f. 10 auch Register Recorded in -Record Vol. Page..... .....Register

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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

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