

(2423)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

STANLEY S. MESSER, Complainant

vs.

RUBY BULLOCK MESSER, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Waiver~~ on Answer and Waiver 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 STANLEY S. MESSER is forever divorced from the said RUBY BULLOCK MESSER 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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that STANLEY S. MESSER the Complainant pay the cost herein to be taxed, for which execution may issue.

This 1st day of February, 1950

Julian J. Madubury
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

STANLEY S. MESSER

Complainant

vs.

RUBY BULLOCK MESSER

Respondent

DIVORCE DECREE

FILED

FEB 1 1950

ALICE J. BUCK, Registrar

RECORDED

RICKARBY & RICKARBY

STANLEY S. MESSER,
Complainant

vs

RUBY BULLOCK MESSER,
Respondent

No.
E Q U I T Y

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Comes RUBY BULLOCK MESSER, Respondent in the above styled cause, and for answer to the Bill of Complaint, says she denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in her own behalf. She further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Registrar.

Mrs Ruby Bullock Messer
Respondent

Before me, the undersigned Notary, personally appeared RUBY BULLOCK MESSER, who is known to me to be the Respondent above named and who acknowledged that she executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 26th day of January, 1950.

R. H. Day

My Commission Expires March 17, 1951

Notary Public, Marion County, Mississippi.

[illegible]

5A

ANSWER AND WAITER

05050

RECORDED

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: EQUITY SIDE

TO:

RUBY BULLOCK MESSER

You are hereby notified to appear and plead, answer or demur within thirty days of the receipt hereof to the Bill of Complaint filed in this Court at Bay Minette, Alabama, against you as Defendant by STANLEY S. MESSER, as Complainant.

WITNESS my hand this the day of January, 1950.

Register, Circuit Court

TO THE

HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA: IN EQUITY:

Comes STANLEY S. MESSER, and by this his Bill of Complaint presented against RUBY BULLOCK MESSER, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; that Defendant is a resident of Columbia, Mississippi, and Complainant is now and has been a bona fide resident of the State of Alabama for more than three years and resides in Fairhope, Alabama.

SECOND: That Complainant and Defendant were married at Columbia, Mississippi, in March, 1942.

THIRD: That Complainant and Defendant lived together as husband and wife only three or four weeks, when she left Complainant/and they ^{voluntarily and without just cause} have lived separate and apart ever since April, 1942.

THE PREMISES CONSIDERED, Complainant prays that RUBY BULLOCK MESSER be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that upon the hearing of this cause, a decree be rendered forever divorcing him from said RUBY BULLOCK MESSER, granting him the right to marry again should he so desire, and to have such other, further or different relief as to equity may seem meet.

Stanley S. Messer

Solicitors for Complainant

STANLEY S. MESSER

vs.

RUBY BULLOCK MESSER

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Testimony of Complainant and Witness

and in behalf of Defendant upon _____ Answer and Waiver

Rickarby & Rickarby

Alice J. Bullock

Register.

No. 2423

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

STANLEY S. MESSER

vs.

RUBY BULLOCK MESSER

NOTE OF TESTIMONY

Filed in Open Court this
day of , 194

Register.

Printed by the Baldwin Times

RECORDED **FILED** **JUN 31 1950**

ALICE I. DUCK Registrar

STANLEY S. MESSER,
Complainant

E Q U I T Y

VS

IN THE CIRCUIT COURT

RUBY BULLOCK MESSER,
Respondent

OF BALDWIN COUNTY, ALABAMA.

DEPOSITIONS OF STANLEY S. MESSER, HOWARD WRIGHT AND
WITNESSES FOR COMPLAINANT.

The above named witnesses appeared before me at the time and place hereinafter stated, and upon examination by counsel for Complainant, after being sworn, testified as follows:

STANLEY S. MESSER

I am the complainant in this case. I am now, and have been for more than three years next prior to this date, a resident of Fairhope, Alabama. In March, 1942, while living in Columbia, Mississippi, I married Ruby Bullock, also a resident of Columbia, Mississippi, but she and I did not live together as husband and wife for but about three or four weeks, at the end of which time she left me without saying anything of her reason, and without legal ground for doing so, and has lived separate and apart from me ever since. Shortly after that time I returned to Alabama where I have since lived. Since our separation, which was from no fault of mine, I have not seen or heard directly from my wife.

Stanley S. Messer

Howard

HOWARD WRIGHT

I am a resident of Fairhope, Alabama, over the age of twenty-one years, and have been well acquainted with Stanley S. Messer for more than two years past. I know of my own knowledge that he has lived separate and apart from his wife, whom I do not know and have never seen, but he has been apart from her all the time of my acquaintance, and my knowledge is sufficiently intimate for me to know, had he and his wife been living together in that time.

Howard Wright

MRS.

I am the wife of Howard Wright and like him I am well acquainted with Stanley S. Messer. Like my husband I know that Mr. Messer has been living separate and apart from his wife for the past two years or more since we have known him, and had they been together in that time our acquaintance is such that I would have known it. He has told us that his wife abandoned him more than eight years ago, and from my knowledge of him I believe that this is the case.

Almettie Wright

CERTIFICATE

I, Helen P. Baughn, acting as commissioner by agreement of parties, hereby certify that in the case of Stanley S. Messer vs Ruby Bullock Messer, pending on the Equity side of the Circuit Court of Baldwin County, I caused STANLEY S. MESSER, HOWARD WRIGHT and MRS. ALMETTIE WRIGHT, witnesses for the Complainant, to appear before me at Fairhope, Alabama, where, after being duly sworn, upon examination by the Solicitors for the Complainant, they testified as is above written and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 28th day of January, 1950.

Helen P. Baughn
Commissioner.

No 2423

FILED

JAN 31 1950

ALICE J. DUCK, Register

ELLIOTT G. RICKARBY

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

January 30, 1950.

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

Dear Mrs. Duck:

MESSER VS MESSER: With this find testimony
and decrees. Please submit pronto, as our fee and
the costs are in the hands of a party here to be
delivered upon production of decree, Messer being
out of town.

Also please send us some more decrees as these
are our last.

Sincerely,

Elliott G. Rickarby
for
RICKARBY & RICKARBY

EGR:HB
Enc - 3
2964

ELLIOTT G. RICKARBY

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

January 27, 1950

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

Dear Mrs. Duck:

MESSER VS MESSER: With this find Bill of Complaint and answer and waiver in this divorce matter.

Testimony and check for costs will follow in the near future.

Yours very truly,

Elliott G. Rickarby
for
RICKARBY & RICKARBY

EGR:HB
Enc - 2
2963