

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

RUBY BARNES

Complainant

VS

L. B. BARNES

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on Answer and waiver of Respondent 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 Ruby Barnes is forever divorced from the said

L. B. Barnes

for and on account of Cruelty.

It is further ordered, adjudged and decreed by the Court that the Complainant, Ruby Barnes, have the care, custody and control of the minor children, namely Earline Barnes and L. B. Barnes, Jr.

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 Ruby Barnes, and L. B. Barnes be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that L. B. Barnes the Respondent pay the cost herein to be taxed, for which execution may issue.

This 7th day of June, 19 43.

J. W. Hare

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.

Page 11

The State Of Alabamand

Baldwin County

In Circuit Court, In Equity

HUB V. BARNES

vs. Complainant.

L. B. BARNES

Respondent.

DIVORCE DECREE

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____

TERM, 194 3

RUBY BARNES

Complainant—.

VS.

L. B. BARNES

Respondent—.

TO R. S. DUCK, REGISTER:

In the above stated cause an answer and waiver
having been _____ filed by _____ the Respondent—,
and evidence having been taken, and the cause being ready for submission for final decree, and
no defense having been interposed, the complainant—, by Beebe & Hall,
Solicitor—s of record, now files with the Register of this Court this written request to deliver the
papers in this cause to the Judge for final decree in vacation.

Solicitor—s for Complainant—.

MUBY BARNES,

COMPLAINANT

VS.

L. B. BARNES

RESPONDENT

THE STATE OF ALABAMA,
BALDWIN COUNTYIN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

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

ANSWER AND WAIVER OF RESPONDENT, and testimony of complainant's
witnesses

and in behalf of Defendant upon _____

Register.

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA GREETING

WE COMMAND YOU, that you summon L. B. BARNES to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a Bill of Complaint, lately exhibited by RUBY BARNES against the said L. B. Barnes, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this
5 day of June, 1943.


Register.

RUBY BARNES
COMPLAINANT

VS

L. B. BARNES
RESPONDENT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

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

Now comes your Complainant, Ruby Barnes, and humbly complaining against the Respondent, L. B. Barnes, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both over the age of twenty one years, and residents of Baldwin County, Alabama.

2.

That your Complainant and the Respondent were married at Bay Minette, in Baldwin County, Alabama, on October 8th, 1936, and lived together as husband and wife until May 20th, 1943.

3.

That on, to-wit, May 20th, 1943, and at various other times prior thereto, the Respondent cursed, threatened and abused the Complainant and on several occasions did actual violence to her person by striking her, which necessarily

endangered her life and health; that the conduct of the Respondent was such as to give Complainant every reasonable apprehension to believe, and she did actually believe that if she continued to live with him he would carry out his threats and do violence to her person which would necessarily endanger her life and health.

4.

That there was born to said marriage between the Complainant and the Respondent, two children, Earline Barnes and L. B. Barnes, Jr., aged five and four years respectively, both of whom are now and have been all their lives living with the Complainant, who is a fit, suitable and proper person to have the care, custody and control of them; that the Respondent has no home and no place to keep the children, and is not a suitable, fit or proper person to have the care and control of the said children.

PRAYER FOR PROCESS.

Wherefore, the premises considered, Your Complainant prays that your Honor will, by proper process, make the said L. B. Barnes party Respondent to this Bill of Complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing hearof, your Honor will give and grant unto her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent, and that your Honor will give and grant unto her such other, further, different and general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BOEHE & HALL

BY

Solicitors for Complainant.

L. B. BARNES,
RESPONDENT.

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

And now comes the Respondent, L. B. BARNES in his own proper person, and for answer to the Complainant's Bill of Complaint, and to each allegation contained therein, says:

That he denies the same, and demands strict proof thereof.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant, the right to cross-examine the Complainant's witnesses, and agrees that this cause be submitted forthwith without further notice.

The Respondent accepts service of summons and Complaint in
this cause.

L B Bross

WITNESS:

RECORDED

No.

954

The State of Alabama,

BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

RUBY BARNES

COMPLAINANT

VS.

L. B. BARNES

RESPONDENT

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of June 1947

[Signature]

Register.

Moore Printing Co.

RECORDED

RUBY BARNES

Complainant—

VS.

L. B. BARNES

Respondent—

Request For Decree In Vacation

Filed

June 5 194*8*

R. S. Duff
Register.

954
RECORDED

RUBY BARNES,
COMPLAINANT

VS

L. B. BARNES
RESPONDENT

SUMMONS AND COMPLAINT.

Filed

James H. H. H.
Radliff
Clerk Register

954

RECORDED

RUBY BARNES,
COMPLAINANT

VS

L. B. BARNES
RESPONDENT

ANSWER AND WAIVER.

James H. Barnes
Clerk Register

THE STATE OF ALABAMA
Baldwin CountyCircuit Court of Baldwin County, Alabama.
(In Equity)RUBY BARNES

COMPLAINANT

VS.

L. B. BARNES

RESPONDENT

I, Bernice F. Reid

as Register and Commissioner

have called and caused to come before me Ruby Barnes and Lee Nelsonwitnesses named in the Requirement for Oral Examination, on the 5th day of June19 43, at the office of Beebe & Hall

in _____, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said Ruby Barnes,and Lee Nelson

doth depose and say as follows:

My name is Ruby Barnes. I live at Loxley, in Baldwin County, Alabama, and am over twenty one years of age. The Respondent, L. B. Barnes is over twenty one years of age and a resident of Baldwin County, Alabama, living at Loxley.

The Respondent and I were married at Bay Minette, in Baldwin County, Alabama, on October 8th, 1936. We lived together as husband and wife in Baldwin County until on, to-wit, May 20th, 1943.

On May 20th, 1943, and at various other times, the Respondent committed actual violence to me by striking me with his hand. He has also on various occasions threatened and abused me. The conduct of the Respondent is such as to give me every reasonable apprehension to believe, and I do actually believe, that if I continue to live with him he will do further violence to my person which will necessarily endanger my life and health.

I know that it is absolutely impossible for us to live together as husband and wife.

We have two children, Earline Barnes, age five, and L. B. Barnes, Jr. aged four years, who are now and have been all of their lives living with me. I have a home at Loxley, where I am in the position and able to care for the said children. The Respondent has no home, nor any place to care for the children. On account of the immature age of the children they should be left with me, their mother.

Ruby Barnes

Lee Nelson, a witness for the Complainant, being first duly sworn, deposes and says: My name is Lee Nelson. I live at Foley, in Baldwin County, Alabama. I am personally acquainted with the Complainant, Ruby Barnes, and the Respondent, L. B. Barnes. I know that often the Respondent has threatened and abused the Complainant, and on one occasion in particular did actual violence to her person by striking her. I know that the conduct of the Respondent is such as to give

ORAL EXAMINATION

I, Bernice F. Reid, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and of H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of 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 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 5 day of June, 1943.
Bernice F. Reid (L. S.)

Page

THE STATE OF ALABAMA

Baldwin County

IN CIRCUIT COURT, IN EQUITY

Complainant

Vs.

Respondent

ORAL DEPOSITION

Filed

1943

Register

RECORDED IN

Record

Vol.

Page

Register

the Complainant every reasonable apprehension to believe, and she does believe that he will carry out his threats to do further violence to her person which would necessarily endanger her life and health. I know that the Complainant, Ruby Barnes, is a fit, suitable, and proper person to have the care, custody, and control of the two minor children, Earline Barnes and L. B. Barnes, Jr.

Lee Nelson