DIVORCE DECREE

Printed by Moore Ptg. Co

-, Complainant

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

NELLIE DANA BOHANON

FRANKLIN MADISON BOHANON , Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on <u>Publication</u> 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 <u>NELLIE DANA BOHANON</u> is forever diversed from the

said ______ FRANKLIN MADISON BOHANON ______ for and on account of ______

ABANDONMENT

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Complainant have the sole care and custody of Sylvia Marie; Maryin Edward; Robert Harold and Mary Jane Bohanon, the four living children of the marriage. The Court reserves control of this cause for such further orders and decrees as may from time to time become necessary in the interests of Complainant and the four children of the marriage.

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....

day of _

of_

FRANKLIN MADISON BOHANON

.....

the-

Defendant pay the cost herein to be taxed, for which execution may issue.

This

July -, 19_50__

Judge Circuit Court, In Equite

-Register of the Circuit

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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 ____

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Register of Circuit Court, In Equity.



COMMISSION TO TAKE DEPOSITIONS

C14-

	THE STATE OF ALABAMA, Baldwin County.
	TO: Helen E. Baugh
	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 Nellie Dana Bohann@n, W. E. Henries, and Mrs. Mae Pose
• • • •	as witnesses in behalf of <u>Complainant</u> in a cause pending in our
	Circuit Court in Baldwin County, of said State, wherein
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	, Complainant
	and FRANKLIN MADISON BOHANNON
	Respondent
	on oath, to be by you administered, upon them
	to take and certify the depositions. of the witness and return the same to our Court, with all convenient speed, under your hand.
	Witness 26th day ofJuly, 195_0
	Alice f. Much Register.
	Commissioner's Fee, \$ <u>3000</u>
	Witness' Fees, \$
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Mrs. Helen E. Baugh				:	· ·	• • •		- 	:						a and a second		
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LAW OFFICES

RICKARBY & RICKARBY FAIRHOPE, ALABAMA

E.G. RICKARBY, JR.

July 26, 1950

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

Dear Mrs. Duck:

ELLIOTT & RICKARBY

BOHANON VS BOHANON: In the rush of matters in this office, I failed to prepare and send to you the decrees in this cause, which you find herewith.

Bohanon is living in Mobile and has been seen frequently there by Complainant and her relatives, and we even know where he lives, but letters to him are returned undelivered, indicating that he is going under another name. For that reason, we were unable to get personal service, but intend to make him do something for the support of his children, and have therefore provided in the decree that the Court retain control of the cause for such further orders for the children's benefit as we hope to make possible in the near future.

Sincerely, Bleiste G. Rin Carly.

for RICKARBY & RICKARBY

EGR:HB Encs - 3 2979 LAW OFFICES

RICKARBY & RICKARBY FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

April 3, 1950

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

Dear Mrs. Duck:

ELLIOTT & RICKARBY

BOHANON VS BOHANON: With this we hand you Bill of Complaint in duplicate, together with check for \$12.00 costs.

You will note that this defendant cannot be served personally as while he lives in Mobile, he has probably changed his name and his wife has been unable to get his address and letters sent to him by mail are returned, though her brother sees him in Mobile not infrequently. We therefore ask that you make the order of publication and sign and send down the enclosed notice that we may insert it in this week's Courier.

Sincerely, Balinte G. Render

for RICKARBY & RICKARBY

On receipt of this, telephone 2531 ad one ex-pense to send a copy of the oran to the "courie" to be inserted and thus same a day's time and ensure publication this were, rather the wais for a copy of the ad by mail. EGR:HB Enc - 2 2979

NELLIE DANA BOHANON, Complainant

VS

FRANKLIN MADISON BOHANON, Defendant

EQUITY

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABMMA:

It being made to appear in the above cause from the affidavit of Complainant that FRANKLIN MADISON BOHANON, a Defendant to the Bill of Complaint in said cause, is at present in the City of Mobile, Alabama, but that he conceals himself so that process cannot be served upon him and that he is over the age of twenty-one years; IT IS NOW ORDERED, ADJUDGED AND DECREED that the said Franklin Madison Bohanon appear in this cause and answer or demur to the Bill of Complaint in this cause on or before the day of May, 1950, or upon the expiration of thirty days from said date the same will be taken as confessed against him.

IT IS FURTHER ORDERED that notice of this order be published once a week for four consecutive weeks in the "Fairhope Courier", a newspaper published in the City of Fairhope, State of Alabama.

alic french Register

Rickarby & Rickarby, Solicitors for Complainant CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: EQUITY SIDE

TO

FRANKLIN MADISON BOHANON

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

Witness my hand this the day of April, 1950.

Register, Circuit Court

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

Comes MELLIE DAWA BOHANON, and by this her Bill of Complaint, presented against FRANKLIN MADISON BOHANON, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twentyone years; that both are now and have been for more than the five years prior to this date bona fide residents of Baldwin County, Alabama. SECOND: That Complainant and Defendant were married in Baldwin County on August 9, 1939, but have not lived together since the month of August, 1946.

THIRD: That there were born of this marriage four children, all of whom still live with Complainant at the home of her father, Edward Dana below Point Clear and, with Complainant, are in large part supported by him.

FOURTH: That in the month of August 1946, the Defendant, Franklin M. Bohanon, abandoned the bed and board of Complainant, moving to the City of Mobile from which place he has sent no support for his wife and children since the month of October, 1946. Since said abandonment, Complainant and her children have been living with her parents by whom they are entirely supported except for a monthly pittance from the County Welfare Eureau. That the names and ages of the four children of the marriage are:

> Sylvia Marie Bohanon, aged ten years Marvin Edward Bohanon, aged eight years Robert Harold Bohanon, aged five years Mary Jane Bohanon, aged three years

FIFTH: That Defendant's abandonment and non-support of his wife and family has been absolute for more than two and a half years.

SIXTH: That while relatives of Complainant have seen Defendant on the streets of Mobile on several occasions since he left her, she herself has not seen him nor has she been able to find out his present residence or address and though she has made diligent search and inquiry, she does not know and is unable to find out Defendant's address. Letters addressed to him in Mobile are returned undelivered; wherefore she now charges that he conceals himself so that process in this cause cannot be served upon him and now prays that an order of publication issue that notice of the filing of this Bill be given Defendant as required by law.

THE PREMISES CONSIDERED, Complainant prays that Franklin Madison Bohanon be made party defendant to this Bill; that an order of publication be made notifying said Defendant to answer same and abide by such orders and decrees as may be made in the premises.

Complainant further prays that upon the hearing of this cause an order of reference be made to ascertain and report proper sums to be allowed Complainant as both temporary and permanent alimony for her support and that of their four children. Also as a suitable sum to be allowed her as counsel fee for her solicitors in this cause. That upon the report of the Register on such reference that an order be made requiring the payment of such sums out of the estate of the Defendant and that she may have such other, further or different relief as to which in equity she may be entitled.

Richarby & Richarby

Solicitors for Complainant

Fairhope, Ala., April 29 1950. <u>sub</u> <u>Bayminette ala</u> In Account With MAS. alice Duck The Fairhope Courier E. B. GASTON ESTATE, PUBLISHER Advertising And Commercial Printing Rates on Application Legal notice 179 words. Dinectic 2. Bahanan vo. m. Bahanan -Opr. 6-13-20 + 27 \$ 05

LAW OFFICES

ELLIOTT & RICKARBY

RICKARBY & RICKARBY FAIRHOPE, ALABAMA

E.G. RICKARBY, JR.

July 26, 1950

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

Dear Mrs. Duck:

BOHANON VS BOHANON: By this mail find depositions in this case, sent in accordance with our telephone conversation of this morning.

We are counting on you to put in a duplicate commission to justify Mrs. Baugh in acting.

Thanks.

Sincerely, El Rin L

for RICKARBY & RICKARBY

EGR:HB 2979

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NELLIE DANA BOHANON, Complainant

vs

FRANKLIN MADISON BOHANON, Defendant

EQUITY

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA:

It being made to appear in the above cause from the affidavit of Complainant that FRANKLIN MADISON BOHANON, a Defendant to the Bill of Complaint in said cause, is at present in the City of Mobile, Alabama, but that he conceals himself so that process cannot be served upon him and that he is over the age of twenty-one years;

IT IS NOW ORDERED, ADJUDGED AND DECREED that the said Franklin Madison Bohanon appear in this cause and answer or demur to the Bill of Complaint in this cause on or before the **29th** day of May, 1950, or upon the expiration of thirty days from said date the same will be taken as confessed against him.

IT IS FURTHER ORDERED that notice of this order be published once a week for four consecutive weeks in the "Fairhope Courier", a newspaper published in the City of Fairhope, State of Alabama.

Alice f. Duck Register

Rickarby & Rickarby, Solicitors for Complainant

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	NELLIE DANA BOHANON, Complainant	- 1979 - January C. 1997 - 199
	VS PRANKIIN MADISON ROHANON	
	FRAMKLIN MADISON BOHANON, Defendant	
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CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: EQUITY SIDE

FRANKLIN MADISON BOHANON

TO

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

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Witness my hand this the

Aire A. Much Register, Circ Court

day of April, 1950.

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

Comes NELLIE DANA BOHANON, and by this her Bill of Complaint, presented against FRANKLIN MADISON BOHANON, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twentyone years; that both are now and have been for more than the five years prior to this date bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married in Baldwin County on August 9, 1939, but have not lived together since the month of August, 1946.

THIRD: That there were born of this marriage four children, all of whom still live with Complainant at the home of her father, Edward Dana below Point Clear and, with Complainant, are in large part supported by him.

FOURTH: That in the month of August 1946, the Defendant, Franklin M. Bohanon, abandoned the bed and board of Complainant, moving to the City of Mobile from which place he has sent no support for his wife and shildren since the month of October, 1946. Since said abandonment, Complainant and her children have been living with her parents by whom they are entirely supported except for a monthly pittance from the County Welfare Bureau. That the names and ages of the four children of the marriage are:

Sylvia Marie Bohanon, aged ten years Marvin Edward Bohanon, aged eight years Robert Harold Bohanon, aged five years Mary Jane Bohanon, aged three years

FIFTH: That Defendant's abandonment and non-support of his wife and family has been absolute for more than two and a half years.

SIXTH: That while relatives of Complainant have seen Defendant on the streets of Mobile on several occasions since he left her, she herself has not seen him nor has she been able to find out his present residence or address and though she has made diligent search and inquiry, she does not know and is unable to find out Defendant's address. Letters addressed to him in Mobile are returned undelivered; wherefore she now charges that he conceals himself so that process in this cause cannot be served upon him and now prays that an order of publication issue that notice of the filing of this Bill be given Defendant as required by law.

THE PREMISES CONSIDERED, Complainant prays that Franklin Madison Bohanon be made party defendant to this Bill; that an order of publication be made notifying said Defendant to answer same and abide by such orders and decrees as may be made in the premises.

Complainant further prays that upon the hearing of this cause an order of reference be made to ascertain and report proper sums to be allowed Complainant as both temporary and permanent alimony for her support and that of their four children. Also as a suitable sum to be allowed her as counsel fee for her solicitors in this cause. That upon the report of the Register on such reference, that an order be made requiring the payment of such sums out of the estate of the Defendant and that she may have such other, further or different relief as to which in equity she may be entitled.

Rincary - Rincary -Solicitors for Complainant

- 2 -

STATE OF ALABSMA:

COUNTY OF BALDWIN:

Before me, the undersigned Notary, personally appeared this day, NELLIE DANA BOHANON, who, being sworn, says that she is the Complainant in the foregoing Bill; that Franklin Madison Bohanon, formerly a resident of Point Clear, Alabama, abandoned Affiant and their four children in the month of August, 1946 and removed to the City of Mobile, where she has reason to believe he still resides, having seen him on the streets of that City on several occasions but without opportunity to confer with him and she has at no time since the departure been able to learn his present address in said City where letters addressed to him have been returned undelivered. She further xxxx that the said Bohanon is concealing his address and whereabouts from her to avoid liability to and support of his family and for this reason personal service cannot be had upon him and she has therefore prayed an order of service by publication.

<u>hellie Dana Bohanon</u> Affiant

Subscribed and sworn to before me on this the 3rd day of April, 1950.

Beliott & Rin Caly.

Notary Public, Baldwin County, Alabama.

no 2449 RECORDED NELLIE DANA BOHANON, Complainant vs FRANKLIN MADISON BOHANON, Defendant 0 0 õ 0 0 0 0 0 0 0 0 0 BILL 0 0 0 0 0 Hiled H-5-5-0 ancef-houch RICKARBY & RICKARBY, Solicitors

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Vol Page Register.				
The Baldwin Times, Bay Minette, Ala.				
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THE STATE OF ALABAMA, CIRCUIT COURT, IN EQUITY _____, Term, 19_____ Baldwin County No. hellie Dana Bohanon Complainant____ Vs. Franklin Madison Bohanon Defendant Motion is hereby made for a Decree Pro Confesso against Franklin headison Bohanon ___ Defendant in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer. plead or demur to the Bill in this cause, to the date hereof. This _2.9Th day of _____ ______ 1950 andy a Rin Can 746 Code Solicitor,S

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NELLIE DANA BOHANON, Complainant

vs

FRANKLIN MADISON BOHANON, Defendant

DEPOSITIONS OF NELLIE DANA BOHANON, W. E. HENRIES AND MRS. MAE POSE, 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:

NELLIE. DANA. BOHANON

I am the Complainant in this cause and, like the Defendant, am over the age of twenty-one years. I was born and raised in Baldwin County, where I still live, but my husband was born in Monroe County and came to Baldwin about 1935, and lived here until August, 1946 when he left me and his family three months before the birth of my youngest child and went to Mobile where he is now living, presumably under an assumed name, as while he has been seen, no one knows him by name in that locality. We lived together as husband and wife from the date of our marriage in August, 1939 to August, 1946. In that time there were born to us five children, one of whom died and the other four still live with me at the home of my father, Edward Dana, below Point Clear. These children are: Sylvia Marie, aged ten years; Marvin Ed-ward, aged eight years; Robert Harold, aged five years and Mary Jane, aged three years. Since my husband left me, I have not seen him nor has he done anything for me or for the children, though I understand that he is living in Mobile where he is employed. As stated, I have port that I get from my father and the Welfare people, we would be destitute.

Vellie Dana Brhanon

W. E. HENRIES

I am a resident of Point Clear, Alabama, where I have lived since my early childhood and live about a mile and a quarter from the residence of Mr. Edward Dana, the father of Mrs. Bohanon. Mrs. Bohanon and her four children live with her father and I know that Bohanon abandoned her about four years ago and since that time has never, to the best of my knowledge, been near her. Had this happened, I would in all probability have known it. I am pretty sure I would have seen him had he come around. The four children Mrs. Bohanon has listed above.

Mrs Hound

MRS. MAE POSE

de.

I live at Point Clear, where I have lived since my marriage twenty-three years ago. I am well acquainted with Mrs. Bohanon and her family and also know her husband. My relations with the family are very close and friendly and I know that Bohanon left his wife and family about four years ago and have been living separate and apart ever since. She and her four children are living with and supported by her father.

Mar E. Pose.

EQUITY

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA:



CERTIFICATE

I. HEIEN P. BAUGH, acting as commissioner, hereby certify that in the case of NELLIE DANA BOHANON vs FRANKLIN MADISON BOHANON, pending on the $E_{\rm Gu}$ ity side of the Circuit Court of Baldwin County, I caused NELLIE DANA BOHANON, W. E. HENRIES and MRS. MAE POSE, witnesses for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn, upon examination by the solicitor 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 26th day of July, 1950.

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No. EQUITY NELLIE DANA BOHANON, Complainant vs FRANKLIN MADISON BOHANON, Defendant DEPOSITIONS OF NELLIE DANA BOHANON, W. E. HENRIES AND MRS. MAE POSE, WITNESSES FOR COMPLAINANT -6 (# JUL 28 1950 JUL 28 1950 ALIEE J. DIEK, Register Commessioners Jee - 3 00 Paid by Complainant

THE FAIRHOPE COURIER

E. B. Gaston Estate, Publishers

A Progressive Paper for Progressive People

FAIRHOPE, ALABAMA "On Beautiful Mobile Bay"

This is to certify that the attached legal notice appeared in the Fairhope Courier, a newspaper published in Fairhope, Baldwin County on the dates of April 6, 13, 20 and 27, 1950

Editor

State of Alabama Baldwin County

Subscribed and sworn to this 29th

day of April, A. D. 1950, before me.

amer

Notary Public, Baldwin County, Ala.



TELEPHONE 5201

ESTABLISHED 1894

Legal Notice Nellie Dana Bohanan Complainant Vs. Franklin Madison Bohanon, Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA It being made to appear in the above cause from the affidavit of Complainant that Franklin Madi-son Bohanon, a Defendant to the Bill of Complaint in said same in son Bonanon, a Defendant to the Bill of Complaint in said cause, is at present in the City of Mobile, Alabama, but that he conceals him. self so that process cannot be serv-ed upon him and that he is over the age of twenty-one years: IT IS NOW OPDERED

age of twenty-one years: IT IS NOW ORDERED, AD-JUDGED AND DECREED that the said Franklin Madison Bohanon appear in this cause and answer or demur to the Bill of Complaint in this cause on or before the 20th or demur to the Bin of Complaint in this cause on or before the 29th day of May 1950, or upon the ex-piration of thirty days from said date the same will be taken as con-fessed against him.

It is further ordered that notice of this order be published once a of this order be published once a week for four consecutive weeks in the "Fairhope Courier", a news-paper published in the City of Fair-hope, State of Alabama. Alice Duck Register

Rickarby and Rickarby 37-4t Solicitors for Complainant



Fairhope, Ala., April 29 1950 .. Bayminette ala. In Account With The Fairhope Courier E. B. GASTON ESTATE, PUBLISHER Advertising And Commercial Printing **Rates on Application** Legal hatile 179 words Bahanan vo.m Buhanan apr. 6-13-20+27 05