

986

S. J. IRWIN,  
Complainant,  
VS.  
CARRIE BEATRICE IRWIN,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER \_\_\_\_.

MOTION FOR DECREE PRO CONFESSO

Motion is hereby made for a Decree Pro Confesso against the Respondent on the ground that notice of this proceeding was given to her as will fully appear from the Register's certificate filed in this cause and that she has to this date failed to plead, answer or demur to the Bill of Complaint filed herein.

Dated this 28th day of January, 1944.

*J. B. Blackburn*  
Solicitor for Complainant.

S. J. IRWIN, JR.,  
Complainant,  
VS.  
CARRIE BEATRICE IRWIN,  
Respondent.

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

I, R. S. Duck, Register of the Circuit Court, in Equity,  
Baldwin County, Alabama, do hereby certify that the foregoing  
Order of Publication heretofore made in this cause, to-wit:

"ORDER OF PUBLICATION

S. J. IRWIN, JR.,  
Complainant,  
VS.  
CARRIE BEATRICE IRWIN,  
Respondent.

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

It being made to appear in the above cause from the affi-  
davit of the Complainant that Carrie Beatrice Irwin, the Respondent  
in the said cause, is a non-resident of the State of Alabama, her  
present address being unknown, and that she is over twenty-one years  
of age:

IT IS NOW, THEREFORE, Ordered, Adjudged and Decreed tha the  
said Respondent, Carrie Beatrice Irwin, appear in this court and  
answer or demur to the Bill of Complaint in this cause before the  
27th day of December, 1943, or at the expiration of thirty days from  
the said date a Decree Pro Confesso will be taken against her.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
Register of this Court have this Order published with as little de-  
lay as possible in the Baldwin Times, a newspaper published at  
Bay Minette, in Baldwin County, Alabama, for four consecutive weeks and  
further that within twenty days from the making of this order he post  
a copy hereof at the front door of the Court House of said County.

ORDERED, ADJUDGED AND DECREED this 16th day of November, 1943.  
R. S. Duck, Register

J. B. Blackburn  
Solicitor for Complainant"

was published for four successive weeks commencing on November 18,  
1943, in the Baldwin Times, a newspaper published at Bay Minette, in  
Baldwin County, Alabama, that on the said date a copy of the said  
order was posted at the Court House door of the Court House of Baldwin  
County, Alabama, in Bay Minette, Alabama.

I further certify that the said notice appeared in the issues  
of said paper of November 18, 1943, November 25, 1943, December 2,  
1943 and December 9, 1943.

Witness my hand this 28th day of January, 1944.



Register.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared S. J. Irwin, Jr., who, after being by me first duly and legally sworn, deposes and says: That he is the Complainant in the case now pending in the Circuit Court of Baldwin County, Alabama, in which Carrie Beatrice Irwin is Respondent.

Affiant further deposes and says that the said Carrie Beatrice Irwin is a non-resident of the State of Alabama whose last known place of address was that given in the Bill of Complaint; that since the filing of the said suit he has made a further diligent effort to locate her present residence and post office address but this address is unknown and cannot be ascertained after the exercise of reasonable diligence on his part. The Respondent is over twenty-one years of age.

S. J. Irwin Jr

Sworn to and subscribed before me on this the 13th day of November, 1943.

Ora J. Nelson

Notary Public, Baldwin County, Alabama.

S. J. IRWIN, JR.,  
Complainant,  
VS.  
CARRIE BEATRICE IRWIN,  
Respondent.

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

DECREE PRO CONFESSO ON PUBLICATION

In this cause it appears to the Register that the Order of Publication heretofore made in this cause was published for four weeks commencing on the 18th day of November, 1943, in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, and that on the said date a copy of the said order was posted at the Court House door of Baldwin County, Alabama, and it now further appearing to the Register that the said Respondent, Carrie Beatrice Irwin, has to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause:

IT IS THEREFORE, on motion of the Complainant, ORDERED AND DECREED by the Register that the said Bill of Complaint be and it hereby is in all things taken as confessed against the said Carrie Beatrice Irwin.

Witness my hand and seal this 28th day of January, 1944.

  
\_\_\_\_\_  
Register.

STATE OF ALABAMA, }  
BALDWIN COUNTY. }

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Carrie Beatrice Irwin to appear within thirty days from the service of this writ in the Circuit Court, Equity Side, to be held for said county at the place of holding same, then and there to demur, plead to or answer the Bill of Complaint of S. J. Irwin, Jr.

Witness my hand this 23rd day of August, 1943.



Register.

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

Your Orator, S. J. Irwin, Jr., presents this Bill of Complaint against Carrie Beatrice Irwin and thereupon your Orator complains and shows unto your Honor as follows:

1. Your Orator is over twenty-one years of age and is a bona fide resident citizen of Baldwin County, Alabama, where he has resided continuously for more than one year next preceding the filing of this Bill of Complaint. The Respondent, Carrie Beatrice Irwin, is over twenty-one years of age and a non-resident of the State of Alabama, whose residence and post office address is C/o J. L. Tucker, 1908 Gonzalez Street, Pensacola, Florida.

2. Your Orator and the said Carrie Beatrice Irwin were lawfully married in Pensacola, Florida on to-wit, May 19, 1925, and lived together as man and wife near Gateswood in Baldwin County, Alabama until on to-wit, June 22, 1941, when the said Carrie Beatrice Irwin voluntarily abandoned your Orator without fault on his part. Your Orator and the said Respondent have not lived together since the said date.

#### PRAYER FOR PROCESS

Your Orator prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given to the Respondent, Carrie Beatrice Irwin, in the form and manner provided by law, requesting her to plead, answer or demur to the said Bill of Complaint within the time and under the pains and penalties provided by law and the practice of this Honorable Court.

#### PRAYER FOR RELIEF

The premises considered, your Orator respectfully prays for the following relief:

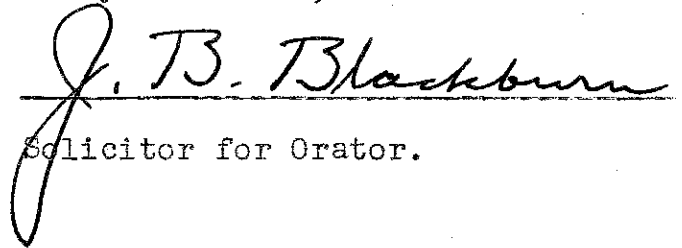
1. That the bonds of matrimony now existing between your Orator and the said Carrie Beatrice Irwin be dissolved and that

your Orator be forever divorced from her.

2. That your Orator be granted the right to remarry.

3. Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

Respectfully submitted,

  
Solicitor for Orator.

S. J. IRWIN, JR  
Complainant,  
VS.  
CARRIE BEATRICE IRWIN,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER 986.

FINAL DECREE

This cause coming on to be heard on this date is submitted on the original Bill of Complaint, Order of Publication, Proof of Publication, Motion for Decree Pro Confesso, Decree Pro Confesso and the Testimony as noted by the Register, upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in his said Bill of Complaint, WHEREUPON, it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant and the Respondent be and the same are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of abandonment.
2. That Complainant be and he is hereby permitted to again contract marriage.
3. The said Complainant shall not marry except to the said Respondent until sixty days after this date and if an appeal is taken in this cause within sixty days he shall not again marry except to the said Respondent during the pendency of the said appeal.
4. The costs of this cause be and they are hereby taxed against the Complainant, for which execution may issue.

Ordered, Adjudged and Decreed this 31st day of January, 1944.



Judge.



S. J. Irwin, Jr.

Complainant

VS.

Carrie Beatrice Irwin

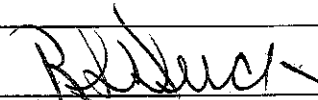
Respondent

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY  
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,  
Affidavit, order of publication, proof of publication, motion for  
decree pro confesso, decree pro confesso and the testimony of the  
complainant taken before Ora S. Nelson as Commissioner

and in behalf of Defendant upon

 Register.

<sup>SW</sup>  
**RECORDED**

No. \_\_\_\_\_

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The State of Alabama,  
BALDWIN COUNTY

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IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

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\_\_\_\_\_

VS.

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**NOTE OF TESTIMONY**

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Filed in Open Court this Jan 3

day of January 1944

[Signature]  
Register.

RECEIPT FOR REGISTERED ARTICLE No. 390

15 fee paid. 1 class postage paid. 8-22, 1943  
(Date)

Declared value, \$ \_\_\_\_\_ Surcharge paid, \$ \_\_\_\_\_

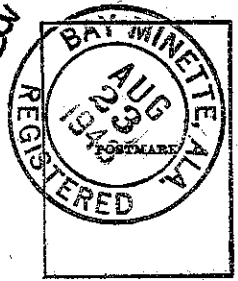
From R. Spurr  
(Sender)

Addressed to Carrie Reine Green  
(Post office and State)

1908 Tompkins St  
(Street and number) Lawrence, Kas  
(Post office and State)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee  in person  Special delivery fee \_\_\_\_\_  
or order \_\_\_\_\_  
Delivery restricted to addressee  Fee paid 10 Postmaster, per WAL



**RECORDED**  
AFFIDAVIT

S. J. IRWIN, JR.

Complainant

VS.

CARRIE BEATRICE IRWIN,

Respondent.

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

NOTICE TO DEFENDANT: YOU ARE HEREBY NOTICED THAT THE ABOVE NAMED PLAINTIFF HAS FILED WITH THE CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, A COMPLAINT AGAINST YOU IN EQUITY. YOU ARE HEREBY NOTICED THAT YOU MUST ANSWER SAID COMPLAINT WITHIN THIRTY (30) DAYS OF THE DATE OF THIS NOTICE. IF YOU FAIL TO DO SO, THE PLAINTIFF MAY BE ENTITLED TO A DECREE IN HIS FAVOR. YOU MAY CONTACT THE CLERK OF THE COURT AT THE FOLLOWING ADDRESS FOR FURTHER INFORMATION: CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, 100 NORTH MOBILE AVENUE, MOBILE, ALABAMA 36682. YOUR ANSWER SHOULD BE FILED WITH THE CLERK OF THE COURT AND SERVED ON THE PLAINTIFF. YOUR ANSWER SHOULD BE SERVED ON THE PLAINTIFF WITHIN THIRTY (30) DAYS OF THE DATE OF THIS NOTICE. IF YOU HAVE ANY QUESTIONS, YOU MAY CONTACT THE CLERK OF THE COURT AT THE FOLLOWING ADDRESS: CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, 100 NORTH MOBILE AVENUE, MOBILE, ALABAMA 36682.

*Carrie Irwin*  
*1943*

STATE OF ALABAMA  
COUNTY OF BALDWIN

CERTIFICATE

S. J. IRWIN, JR.

Complainant,

VS.

CARRIE BEATRICE IRWIN,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

**RECORDED**  
MORTON FOR DECREE PRO CON-  
FESSO.

S. J. IRWIN, JR.,

Complainant,

VS.

CARRIE BEATRICE IRWIN,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed this 28th day of January,  
1944.

CO. DEED RECORDS OF  
BALDWIN COUNTY, ALABAMA

Noted for complaint.

**RECORDED**

DECREE PRO CONFESSO ON PUBLICATION

S. J. IRWIN, JR

Complainant,

VS.

CARRIE BEATRICE IRWIN,

Respondent.

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

986 RECORDED

FINAL DECREE

S. J. IRWIN, JR.,

Complainant,

VS.

CARRIE BEATRICE IRWIN,

Respondent.

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

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