

(2632)
DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

JOHN H. MORGAN

vs.

Complainant

MINNIE D. MORGAN

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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 John H. Morgan is forever divorced from the said Minnie D. Morgan for and on account of Insanity.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the Honorable W. C. Beebe, Attorney, be paid the sum of Ten (\$10.00) Dollars for his services as Guardian Ad Litem in this matter.

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 John H. Morgan the Complainant pay the cost herein to be taxed, for which execution may issue.

This 20th day of June, 1951

Jeffrey J. Madaleno Jr.
Judge Circuit Court, In Equity.

I, Alice J. Duck

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 June, 1951

Register of Circuit Court, In Equity.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

JOHN H. MORGAN

Complainant

vs.

MINNIE D. MORGAN

Respondent

DIVORCE DECREE

FILED
JUN 20 1951
ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

JOHN H. MORGAN

Complainant

VS.

MINNIE D. MORGAN

Respondent

I, Lois Paul

as Register and Commissioner

have called and caused to come before me John H. Morgan and Mrs. Ethel Arnette

witnesses named in the Requirement for Oral Examination, on the 11 day of June 1941, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said John H. Morgan and Mrs. Ethel Arnette doth depose and say as follows:

There are present the complainant, J. H. Morgan, witness Mrs. Ethel Arnette and attorney for the complainant C. LeNoir Thompson, who examined the said complainant and witness and W. C. Beebe, guardian ad litem for the respondent who also examined said witnesses.

Complainant, J. H. Morgan states as follows in response to questions by C. LeNoir Thompson, attorney: That my name is J. H. Morgan, I am a resident of Perdido, Baldwin County, Alabama, the respondent is Minnie D. Morgan and she is confined at The Bryce Hospital, Tuscaloosa, Alabama. We are both over the age of 21 years and have been residents of Alabama for more than two years next preceeding.

We were married at Gadsen, Alabama on June 13, 1939 and lived together as husband and wife until our separation which was caused by the committment to Bryce Hospital of the respondent as insane. The respondent was committed on November 15, 1941 to Bryce Hospital by Honorable J. S. Wittmeier, Judge of Probate of Blount County as insane and she has been confined under such orders continually since that date. I believe her to be permanently and incurably insane. We have not lived together as husband and wife since her committment.

In response to questions by Honorable W. C. Beebe guardian ad litem for the respondent, J. H. Morgan stated as follows: My name is J. H. Morgan I am the complainant in this cause, my residence is Baldwin County, the respondent is Minnie D. Morgan and we were married at Gadsen, Alabama by E. L. Hurst Judge of Probate on June 13, 1939. There were no children as fruits of this marriage. There is no property to be divided, we have not lived together as husband wife since the respondent was committed to The Bryce Hospital by the Judge of Probate of Blount County, Alabama where we were at that time.

John H. Morgan

In response to questions by C. LeNoir Thompson, Attorney for the Complainant Mrs. Ethel Arnette stated as follows: That my name is Ethel Arnette, I am a resident of Baldwin County, Alabama, I know the Complainant to this cause and I do not personally know the Respondent to this cause but she is confined at Bryce Hospital and has been according to my information and knowledge since sometime in 1941. They do not have any children so far as I know, they do not have any property to be divided so far as I know. The Complainant and the Respondent have not lived together during the length of time I have personally known the Complainant.

No questions to this witness by Honorable W. C. Beebe guardian ad litem for the Respondent.

Mrs. Ethel Arnette

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

JOHN H. MORGAN

vs. Complainant

MINNIE D. MORGAN

Respondent.

Oral Deposition

Filed 6-14, 1947

Alice J. Harney, Register.

Recorded in

Record

Vol. _____ Page _____

Register.

ORAL EXAMINATION.

I, Lois Paul, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 11th day of June, 1941.

Lois Paul (L. S.)

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Lois Paul

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 John H. Morgan and Mrs. Ethel Arnette

as witnesses in behalf of John H. Morgan in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

John H. Morgan

, Complainant
and Minnie D. Morgan

Respondent

on oath, to be by you administered, upon John H. Morgan and Mrs. Ethel Arnette
to take and certify the deposition s of the witnesses and return the same to our Court, with all
convenient speed, under your hand.

Witness 14th day of June, 1941

Wiley J. Wicks
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

John H. Morgan

Complainant

VS.

Minnie D. Morgan

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Lois Paul

WITNESSES:

John H. Morgan

Mrs. Ethel Arnette

JOHN H. MORGAN

COMPLAINANT

VS

MINNIE D. MORGAN

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY,

Comes the Respondent by guardian ad litem, Attorney, W. C. Beebe,
in the above styled cause and for answer denies each and every allegation
of the complaint and of each count thereof, both separately and severally.

Guardian Ad Litem.

RESPONDENT

MINNIE D. MORGAN

VS

COMPLAINANT

JOHN H. MORGAN

STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MINNIE D. MORGAN, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, by JOHN H. MORGAN, as Complainant and against MINNIE D. MORGAN, as Respondent.

WITNESS my hand this 26th day of April, 1951.

Reverend. Clerk
Register

JOHN H. MORGAN

Complainant

vs

MINNIE D. MORGAN

Respondent

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

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

Your Complainant, John H. Morgan, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

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

2.

That your Complainant and Respondent married at Gadsden, Alabama, on June 13, 1939; that they lived together, as husband and wife, in Baldwin County, Alabama, until on to-wit, November 15, 1941.

3.

Complainant avers and charges that Minnie D. Morgan, the Respondent herein has been confined in an asylum for a period of five successive years immediately preceding the filing of the bill and is hopelessly and incurably insane at the time of filing the bill. And Respondent attaches

(Faint handwritten notes)

JAMES H. MORGAN
Complainant
VS.
MINNIE D. MORGAN
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. no. 2632

APPOINTMENT OF GUARDIAN AD LITEM:

In this cause, it appearing to the Register, Alice J. Duck, that Minnie D. Morgan, Respondent, is hopelessly and incurably insane at the time of filing the bill, and

In the said proceeding it being made to appear to the Register, Alice J. Duck, that the said Minnie D. Morgan is the respondent in the above styled cause,

It is therefore ordered by the Register that W. C. Beebe be and he is hereby appointed Guardian Ad Litem to represent the said Minnie D. Morgan upon hearing of the said proceedings.

Done the 16th day of May, 1951.

Register.

Consent to Act

I, W. C. Beebe, hereby consent to act as Guardian Ad Litem for Minnie D. Morgan upon hearing of the above cause.

Witness my hand this _____ day of _____, 1951.

Guardian Ad Litem

STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MINNIE D. MORGAN, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, by JOHN H. MORGAN, as Complainant and against MINNIE D. MORGAN, as Respondent.

WITNESS my hand this 26th day of April, 1951.

David H. Henshaw
Register

JOHN H. MORGAN

Complainant

vs

MINNIE D. MORGAN

Respondent

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

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

Your Complainant, John H. Morgan, respectfully represents and shows
unto your Honor and this Honorable Court as follows:

1.

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

2.

That your Complainant and Respondent married at Gadsden, Alabama,
on June 13, 1939; that they lived together, as husband and wife, in
Baldwin County, Alabama, until on to-wit, November 15, 1941.

3.

Complainant avers and charges that Minnie D. Morgan, the Respondent
herein has been confined in an asylum for a period of five successive
years immediately preceding the filing of the bill and is hopelessly and
incurably insane at the time of filing the bill. And Respondent attaches

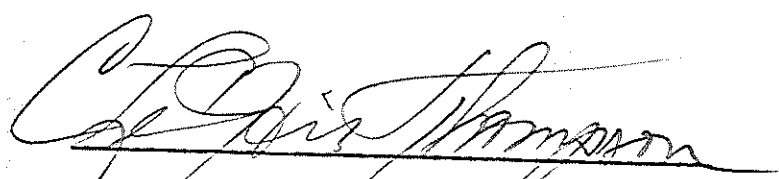
hereto, marked exhibit "A", and makes same a part of his bill, a certified statement under oath by the superintendent of The Alabama State Hospital insane assylum where the Respondent has been confined for the said period of five successive years, that in his opinion and belief, after a complete and full study of Minnie D. Morgan, the Respondent, that said Minnie D. Morgan is hopelessly and incurably insane.

4.

That your Complainant and the Respondent have no children as fruits of their marriage.

WHEREFORE the premises considered your Complainant prays that your Honor will by proper process make the said Minnie D. Morgan, party Respondent to this bill of complaint, requiring her 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 hereof your Honor will make and enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; and that he be granted such other, further, different or general relief as he may be in equity and good conscience entitled to receive.


Solicitor for Complainant.

DEPT. OF JUSTICE
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RECEIVED
JAN 10 1908

Received in Sheriff's Office
this 25 day of April, 1951
TAYLOR WILKINS, Sheriff
Baldwin

no 2632

RECORDED

JOHN H. MORGAN

Complainant

VS

MINNIE D. MORGAN

Respondent

STATE OF ALABAMA
TUSCALOOSA COUNTY

I have served the within
summons on Minnie D. Morgan, a
patient in The Bryce Hospital,
on this the 5th. day of May, 1951.

R. G. Parker
Sheriff of Tuscaloosa County

By *T. L. Winters*
T. L. Winters
Deputy Sheriff

SUMMONS AND COMPLAINT

FILED

APR 26 1951

ALICE J. DUCK, Register

From the law offices of
C. LeNoir Thompson
Bay Minette, Alabama

THE BRYCE HOSPITAL
TUSCALOOSA, ALA.

THE SEARCY HOSPITAL
MT. VERNON, ALA.

THE PARTLOW STATE SCHOOL
TUSCALOOSA, ALA.

THE ALABAMA STATE HOSPITALS

AND

THE PARTLOW STATE SCHOOL

OFFICE OF THE SUPERINTENDENT
J. S. TARWATER, M. D.

TUSCALOOSA, ALA.


March 30, 1951

STATE OF ALABAMA
TUSCALOOSA COUNTY

Appeared before me, John T. Bradford, a Notary Public in and for said state and county, Doctor J. S. Tarwater, who after being duly sworn by me under oath states as follows:

Mrs. Minnie Davidson Morgan was admitted to The Bryce Hospital on November 15, 1941, and has been continually present in the institution since the date of admission. She was admitted on commitment of Hon. J. S. Wittmeier, Judge of Probate of Blount County Alabama, as insane, as required by law in Alabama. After this long period of observation, and after complete and full study and examination of the said Mrs. Minnie Davidson Morgan, it is my opinion and belief that she is hopelessly and incurably insane. This certificate is given in compliance with the provisions of Paragraph 7 of Section 20, Title 34, Code of Alabama of 1940.

Signed.


J. S. Tarwater
J. S. Tarwater, M. D.
Superintendent

Sworn to and subscribed before me
this the 30th. day of March, 1951.

John T. Bradford
John T. Bradford
Notary Public

JOHN H. MORGAN

COMPLAINANT

VS

MINNIE D. MORGAN

RESPONDENT

IN THE CIRCUIT COURT OF

BALEWIN COUNTY, ALABAMA

IN EQUITY,

Comes the Respondent by guardian ad litem, Attorney, W. C. Beebe,
in the above styled cause and for answer denies each and every allegation
of the complaint and of each count thereof, both separately and severally.


Guardian Ad Litem.

RECORDED

JOHN H. MORGAN

COMPLAINANT

VS

MINNIE D. MORGAN

RESPONDENT

FILED

JUN 14 1951

ALICE J. DUCK, Clerk

JAMES H. MORGAN
Complainant
VS.
MINNIE D. MORGAN
Respondent

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. no. 2632

APPOINTMENT OF GUARDIAN AD LITEM:

In this cause, it appearing to the Register, Alice J. Duck, that Minnie D. Morgan, Respondent, is hopelessly and incurably insane at the time of filing the bill, and

In the said proceeding it being made to appear to the Register, Alice J. Duck, that the said Minnie D. Morgan is the respondent in the above styled cause,

It is therefore ordered by the Register that W. C. Beebe be and he is hereby appointed Guardian Ad Litem to represent the said Minnie D. Morgan upon hearing of the said proceedings.

Done the 16th day of May, 1951.

Alice J. Duck
Register.

Consent to Act

I, W. C. Beebe, hereby consent to act as Guardian Ad Litem for Minnie D. Morgan upon hearing of the above cause.

Witness my hand this 18 day of May, 1951.

W C Beebe
Guardian Ad Litem

3581. NOTE OF TESTIMONY

Printed by The Baldwin Times, Bay Minette.

JOHN H. MORGAN

vs.

MINNIE D. MORGAN

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 John H. Morgan and Mrs. Ethel Arnette, certificate by Dr.
J. S. Tarwater.

and in behalf of Defendant upon Answer

Alvin J. Wessick

Register.

C. B. Thompson, Attorney

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

JOHN H. MORGAN

VS.

MINNIE D. MORGAN

NOTE OF TESTIMONY

Filed in Open Court this 14th

day of June, 1947

W. J. Weller

Register.

Printed by The Baldwin Times, Bay Minette.

2632

Bay Minette, Ala.,

May 1, 1951

To the Sheriff of

County,

Alabama.

I enclose herewith

Ba C for William D. Morgan. He is a patient at Grace Hospital

Please serve and return as early as possible.

Sheriff Baldwin County Alabama.

(If not found in your county please advise promptly giving information as to present location if possible)

Office Of John T. Bradford,
Notary Public.

Tuscaloosa, Alabama March - 30 - 1951

Mr. C Le Roi Thompson atty at Law
Bay Mills Ch.

To certifying to certificate of Dr. J. S. Tarver Sept 2nd 1886
Ordinary of Mrs. Mary Louisa Morgan a pt. in Ry. Hosp. 50