

(3140)

DIVORCE DECREE

Printed by Moore Printing Co.

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

CHINA C. DAVIS, Complainant

vs.

IDA MAE DAVIS, 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

CHINA C. DAVIS is forever divorced from the said IDA MAE DAVIS 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 CHINA C. DAVIS the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 18<sup>th</sup> day of December, 1953

*Hubert M. Hall*

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

CHINA C. DAVIS

Complainant

vs.

IDA MAE DAVIS

Respondent

**DIVORCE DECREE**

**FILED**

DEC 18 1953

ALICE J. DUCK, Register

CHINA C. DAVIS

vs.

IDA MEE DAVIS

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, decree pro confesso on personal service, and oral testimony of China C. Davis and Sam Davis.

and in behalf of Defendant upon \_\_\_\_\_

*C. L. Davis Thompson*

*Alvin J. ...*

Register.

No. ....

**THE STATE OF ALABAMA**

**Baldwin County**

**IN EQUITY**

**Circuit Court of Baldwin County**

CHINA C. DAVIS

vs.

IDA MAE DAVIS

**NOTE OF TESTIMONY**

**FILED**

Filed in Open Court this 1953

day of ALICE J. DUCK, Register, 194

Register.

Printed by the Baldwin Times

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

CHINA C. DAVIS

Complainant

VS.

IDA MAE DAVIS

Respondent

I, Helen H. Little

as Register and Commissioner

have called and caused to come before me China C. Davis and Sam Davis

witnesses named in the Requirement for Oral Examination, on the 18th day of December

1953, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said Witness to speak the

truth, the whole truth, and nothing but the truth, the said China C. Davis and Sam Davis

doth depose and say as follows:

My name is China C. Davis. I am over the age of 21 and a resident of Alabama, and the respondent is also over the age of 21 and a resident of Baldwin County, Alabama, where we lived together for more than 10 years next preceding. We were married at Bay Minette, Alabama on or about January 6, 1939, and lived together as husband and wife until on or about April 17, 1952, at which time the respondent, Ida Mae Davis, voluntarily abandoned my bed and board without fault on my part, and we have never lived together since that date as husband and wife. There are no children born as fruits of our marriage. Knowing that we will never live together again as husband and wife, I respectfully ask the Court to grant me a divorce.

China C. Davis

My name is Sam Davis. I know both parties to this cause. They were married at Bay Minette, Alabama, as near as I recollect, the early part of 1939 and lived together as husband and wife until about the middle of April, 1952, at which time the respondent abandoned China C. Davis, complainant in this matter, without fault on his part. So far as I know, they have not lived together as husband and wife since that date, and I do not believe they will live together again as husband and wife. They do not have any children as fruits of their marriage.

Sam Davis

ORAL EXAMINATION

I, Helen H. Little, as Register and Commissioner hereby certify that the foregoing deposition son Oral Examination was taken down by me in writing in the words of the witness ss 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 ss or had proom made before me of the identity of said witness ss; 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 18th day of December, 1953

Helen H. Little (L.S.)

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The State of Alabama	
Baldwin County.	
In Circuit Court, In Equity	
CHIMA C. DAVIS	vs. Complainant
IDA MAE DAVIS	Respondent
Oral Deposition	
Filed _____, 19____	Record _____
DEC 20 1953, Register	
Recorded in Clerk	
AUG 1 1954	
Vol. _____	Page _____
Register	

THE STATE OF ALABAMA,  
Baldwin County

No. \_\_\_\_\_ Circuit Court, In Equity.

CHINA C. DAVIS

Complainant---

Vs.

IDA MAE DAVIS

Defendant----

Motion is hereby made for a Decree Pro Confesso against

IDA MAE DAVIS

Defendant-----

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant ----; and that said summons was duly served according to law, and that said Defendant -- has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 14<sup>th</sup> day of December 19 53

  
Solicitor.

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, In Equity

CHINA C. DAVIS

Vs.

IDA MAE DAVIS

Motion for Decree Pro Confesso on  
Personal Service

Filed 12-14 1953

*W. J. H. H. H.*  
Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.



The State of Alabama, { No. .... CIRCUIT COURT IN EQUITY.  
Baldwin County.

CHINA C. DAVIS ..... Complainant  
vs.

IDA MAE DAVIS ..... Defendant

In this cause it appears to the ..... Court  
that a summons requiring the Defendant .....

IDA MAE DAVIS .....

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days  
after the service of said Summons upon IDA MAE DAVIS  
was served upon HER by the Sheriff of BALDWIN County, Alabama, on the  
14th day of Nov 1953

And the said Defendant... having failed to demur, plead to or answer the said Bill of Complaint  
to this date, it is now, therefore, on motion of C. LENOIR THOMPSON, ATTORNEY FOR  
CHINA C. DAVIS, COMPLAINANT

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things  
taken as confessed against the said IDA MAE DAVIS

Defendant aforesaid.

This 14th day of December 1953

Register.

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Ida Mae Davis 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, in Equity, by China C. Davis as complainant and against Ida Mae Davis as respondent.

WITNESS my hand this the 10<sup>th</sup> day of November, 1953.

David L. Warrick  
Register

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CHINA C. DAVIS,	¶	IN THE CIRCUIT COURT OF
Complainant,	¶	BALDWIN COUNTY, ALABAMA
vs.	¶	IN EQUITY.
IDA MAE DAVIS,	¶	
Respondent.	¶	

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA:

Your complainant, China C. Davis, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your complainant is a bona fide resident of Baldwin County, Alabama, and is over the age of twenty-one; that the respondent is a bona fide resident of Baldwin County, Alabama, and over the age of twenty-one.

2.

That your complainant and the respondent married at Bay Minette, Alabama, on January 6, 1939, and lived together as husband and wife until April 17, 1952.


3.

That on April 17, 1952, while your complainant and the respondent were living together, the respondent voluntarily abandoned the bed and board of your complainant, and has remained away voluntarily and continuously since that time.

That no children were born as fruits of the marriage of your complainant and the respondent.

WHEREFORE, the premises considered, the complainant prays that your Honor will by proper process make the said Ida Mae Davis party respondent to this cause of action, 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 your Honor will upon a final hearing hereof award to him a decree of divorce 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.

  
Attorney for Complainant.

Received in Sheriff's Office  
this 10 day of Nov, 1953  
TAYLOR WILKINS, Sheriff

70 3140  
CHINA C. DAVIS,

Complainant,

vs.

IDA MAE DAVIS

RECORDED

Respondent.

COMPLAINT

FILED

NOV 10 1953

Alice J. Duck, Register

From the Law Office of  
C. LeNoir Thompson  
Attorney at Law

Received \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
and on 11 day of Nov 1953  
I served a copy of the within \_\_\_\_\_  
on \_\_\_\_\_

By service on

Ida Mae Davis

TAYLOR WILKINS, Sheriff

By Arthur D. S. D.S.

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Helen M. Little

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 China C. Davis and Sam Davis

as witnesses in behalf of China C. Davis in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

China C. Davis

Complainant

and Ida Mae Davis

Respondent

on oath, to be by you administered, upon to take and certify the deposition<sup>s</sup> of the witness<sup>es</sup> and return the same to our Court, with all convenient speed, under your hand.

Witness 18th day of December, 1953

Register.

Commissioner's Fee, \$

Witness' Fees, \$

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

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

CHINA C. DAVIS

Complainant—

**vs.**

IDA MAE DAVIS

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

WITNESSES:

3146