

1024

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

Evelyn Hollinger Complainant
VS
Dennie C. Hollinger Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decrees 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 Evelyn Hollinger is forever divorced from the said

Dennie C. Hollinger
for and on account of adultery

It is further ordered, adjudged and decreed that the Complainant, Evelyn Hollinger have the custody the minor child, of/Judith Ann Hollinger, subject to the further orders of this Court.

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 Evelyn Hollinger and Dennie C. Hollinger be, and are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Evelyn Hollinger the Complainant pay the cost herein to be taxed, for which execution may issue.

This 7th day of December, 19 43.

J. M. Hase
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.

RECORDS

No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Miss Mabel Fleming.

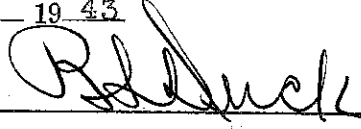
KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Evelyn Hollinger and Eubie Coon

as witnesses in behalf of Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Evelyn Hollinger.

Complainant
and Dennie C Hollinger.

Defendant,
on oath to be by you administered, upon _____
to take and certify the deposition... of the witness... and return the same to our Court, with all convenient speed, under your hand.

Witness 30th day of November. 19 43


REGISTER

COMMISSIONER'S FEE, \$ _____

WITNESS' FEES, \$ _____

Evelyn Hollinger, Complainant,

VS.

Dennie C. Hollinger, Respondent.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
IN EQUITY. NO _____.

Now comes the Respondent, Dennie C. Hollinger, and answers the Complainant's complaint as follows:

1. Respondent admits all of the allegations contained in the first paragraph of the Bill of Complaint as to the ages and residences of the parties.
2. The Respondent admits that he was married to the Complainant as set out in the second paragraph of her bill of complaint.
3. This Respondent neither admits nor denies the other material averments of Complainant's complaint, but demands strict proof of the same.

The Respondent, Dennie C. Hollinger, hereby waives notice of the time and place of filing this cause of action, waives service of a summons and complaint and a copy of the bill of complaint by the Sheriff, waives notice of application for appointment of commissioner to take testimony on oral examination in this cause, waives notice of appointment of commissioner to take testimony, waives notice of the time and place of taking the testimony, waives notice of the submission of the cause, waives any and all other notices to which he might otherwise be entitled in this cause, and consents that cause be submitted on note of testimony to be made by the Register for final hearing decree during vacation.

Dennie C. Hollinger
RESPONDENT

WITNESSES:

J. C. Minns
Oranias Jackson

Evelyn Hollinger, Complainant,
VS.
Dennie C. Hollinger, Respondent.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
IN EQUITY. NO 1024

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY FIRST
JUDICIAL CIRCUIT OF THE STATE OF ALABAMA. SITTING IN EQUITY.

Now comes the Complainant, Evelyn Hollinger, humbly complain-
ing of the Respondent, Dennie C. Hollinger, in a matter of divorce as
will hereinafter appear and represents and shows unto your Honor as
follows:

FIRST: That both the Complainant and Respondent are bona-fide
residents of Baldwin County, Alabama, and have so resided for more
than one year next preceding the date of the filing of this Bill of
Complaint; and the Complainant is approximately seventeen years of
age and the Respondent is over the age of twenty one years.

SECOND: That Complainant and Respondent were married to each other
at Frisco City, Monroe County, Alabama, on, to-wit, the 5th day of
June, 1939, and lived together thereafter as man and wife until on,
to-wit, the 1st day of October, 1943.

THIRD: The Complainant alleges that the Respondent has committed
acts of adultery with various women. The Complainant represents unto
your Honor that the Respondent since marriage with the Complainant,
and on, to-wit, the 30th day of October, 1943, committed adultery with
one Elizabeth Coon and that the place of this adultery at the present
time is unknown to the Complainant. That this act was committed with-
out the connivance or consent of the Complainant and that she has not
forgiven him for his conduct nor received him in conjugal embrace
since it occurred.

Plaintiff further alleges that at divers times during the
year of 1943, the Respondent engaged in acts of adultery with one
Velma Strength at her home in Escambia County, Alabama, and that the
Complainant learned of this conduct on or about the 1st day of October,
1943, and has not forgiven him for his conduct in this matter and has
not lived with him since.

FOURTH: That there was born to the union of the Complainant and Respondent a child, Judith Ann Hollinger, a girl now about two years of age. This child is in the custody of the Complainant and she loves this child with the lasting love of a mother and is a suitable person to be entrusted with the care and custody of the said child; while the Respondent, owing to his dissolute ways is not a fit party to be entrusted with the custody of the said child.

PRAYER FOR PROCESS

To the end that equity may be had in the premises, Complainant prays that Dennie C. Hollinger, be made party Respondent to this Bill of Complaint, and that a summons be issued, and together with a copy of this Bill of Complaint, be served upon him, and that he be required to plead, answer or demur to the within complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

The premises considered, the Complainant prays that upon a final hearing of this cause your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and the Respondent and will grant to the Complainant a full and absolute divorce from the said Respondent. Complainant prays that in and by virtue of the terms of this decree she will be granted the right to again contract marriage. Complainant prays that your Honor will grant to her the full and absolute custody of the minor child, Judith Ann Hollinger, a girl now about two years of age, subject to the further orders of this Honorable Court.

Complainant prays all other, different and general relief to which she may be entitled, the premises considered and she will ever pray, etc. etc..

Harriet A. D. Nettie
By *Frank A. Payne*
SOLICITORS FOR COMPLAINANT

RECORDED

Filed 10 30 1945
R. A. [unclear]
[unclear]

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

Evelyn Hollinger Complainant

vs.

Dennie C. Hollinger Defendant
Commissioner

Oral examination before the Register of the following witnesses:

Evelyn Hollinger and Eubie Coon

who reside in Alabama, said examination being conducted in Atmore, Alabama,

on this the 2nd day of December, 1943, and there being present

the witnesses and commissioner

The said witnesses being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

Testimony of Evelyn Hollinger.

My name is Evelyn Hollinger. I am the Complainant and Dennie C. Hollinger is the Respondent. I am over the age of sixteen years and the Respondent is over the age of twenty-one years and we are both bona-fide residents of Baldwin County, Alabama, and have so resided for more than one year immediately preceding the filing of this Bill of Complaint. We were married to each other at Frisco City, Monroe County, Alabama, on, to-wit, the 5th day of June, 1939 and lived together thereafter as man and wife until on or about the 1st day of October, 1943. That on or about the 1st day of October, 1943, I learned that the Respondent was committing acts of adultery with Velma Strength in Escambia County, Alabama, at her home and I immediately ceased to live with the Respondent since that time and on the 30th day of October, 1943, the Respondent committed adultery with one Elizabeth Coon. That since I learned of his infidelity I have not lived with him nor received him in conjugal embrace. That there was born to the union of the Respondent a child, Judith Ann Hollinger a girl now about two years of age. I have this child and love her with the lasting love of a mother and I am a suitable person to be entrusted with this child, while the Respondent owing to his dissolute ways is not a fit person to be entrusted with this child.

Evelyn Hollinger

Testimony of Eubie Coon.

My name is Eubie Coon. I know the Complainant and the Respondent in this cause. The Complainant, Evelyn Hollinger is somewhere about seventeen years of age and the Respondent, Dennie C. Hollinger, over the age of twenty-one years. They are both bona-fide residents of Baldwin County, Alabama, and have so resided for more than one year next preceding the time she filed her bill of complaint in this cause. They were married to each other at Frisco City, Monroe County, Alabama, on the 5th day of June, 1939. They lived together thereafter as man and wife until about the 1st day of October, 1943; On or about the 30th day of October, 1943, I saw the Respondent in company with one Elizabeth Coon engaged in an act of adultery on the side of a public highway near McCullough, Escambia County, Alabama. I told the Complainant about his conduct and I know that she has not lived with him since nor forgiven him for his infidelity. I know that she is a fit person to be entrusted with the care of their minor child and I do believe that the Respondent is not a fit person to be entrusted with the care and custody of this child. I know they have a child named Judith Ann Hollinger who is about two years of age.

Eubie L. Coon

No. 1024

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The State of Alabama,

Baldwin COUNTY

IN CIRCUIT COURT, IN EQUITY

Wallace

vs. Complainant,

Defendant.

Deposition Taken Before Register on Oral Examination

Deposition of.....

for.....

Filed *2* day of *Dec*, 19*40*

Published by order of the Court,

day of....., 19.....

Roduch
Register.

~~Evelyn Hollinger.~~

VS.

~~Dennie C Hollinger.~~

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, _____

~~Answer & Waiver. and Testimony. of and Evelyn Hollinger~~
~~and Elizabeth Coon.~~

and in behalf of Defendant upon _____

R. Black _____ Register.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY } No. 1024.

CIRCUIT COURT BALDWIN COUNTY

TERM, 194

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You are hereby commanded to summon ~~XXXX~~ DENNIE C HOLLINGER.

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

DENNIE C HOLLINGER, Defendant

by EVELYN HOLLINGER.

Plaintiff

Witness my hand this 17th day of Nov, 194 43

R. Duck

Clerk.

RECORDED

No. 024,

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Hollinger,

VS.

Hollinger.

NOTE OF TESTIMONY

Filed in Open Court this 3rd.

day of Dec, 194 3

R. Luck

Register.