

REBECCA C. PIERCE,
Complainant,

EQUITY.

vs

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

JAMES LEON PIERCE,
Respondent.

DEPOSITIONS OF REBECCA C. PIERCE AND WOODIE SANDERS, WITNESSES
FOR COMPLAINANT.

The above named witnesses, being first duly sworn, upon examination by the Solicitor for Complainant, testified as follows:

REBECCA C. PIERCE,

I am the Complainant in this cause and am over the age of twenty-one years and a lifelong resident of Baldwin County. My husband is also over twenty-one and has been living in this County for the past ten or twelve years.

We were married in Fairhope on April 25, 1939 and lived in this town of Fairhope as husband and wife since our marriage and up to two days before Christmas last, the 23rd of December. We parted then and have not been together since. We have no children.

I am asking for this divorce on the grounds of my husband's unfaithfulness of which I am assured but do not know of my own knowledge any of the details of this. But I know enough to make me determined to leave him and that is why I am seeking this divorce.

Rebecca C. Pierce
.....

WOODIE SANDERS.

I am a resident of Baldwin County, living in Fairhope and am well acquainted with James Pierce. I know of my personal knowledge that he has been committing adultery with a woman here in Fairhope. The reason I know this is that several times in the last few weeks he and I have met by appointment a couple of girls of loose character and gone off in the woods with them at night. We would meet these girls on the outskirts of town and go off to some quiet place where we would separate and each couple go off apart from the other and do what we went there to do. Of course I did not see James in the act, I would have other things to do, but in a little while we would get back together and I would know from the way they both talked that they had been enjoying themselves in a way that he did not want his wife to know. I know what I wanted my girl to do and I know he expected the same of his and that he was not disappointed. I cannot now recall just the exact dates when this occurred but it has been several times since the first of this month of December. The place was in a place grown up with underbrush in the outer part of town.

James wife left him a short while before Christmas and has not been back to him since. She suspected him of being intimate with some other woman and when she felt sure of this she left him though I do not think she knows anything but what she suspects. But it is a fact that he has had intercourse with another woman and that in the last few weeks.

Woodie Sanders

I, Helen P. Baugh, acting as Commissioner by agreement of the parties in a cause pending in the Equity Side of the Circuit Court of Baldwin County, Alabama wherein REBECCA C. PIERCE is Complainant and JAMES LEON PIERCE is Respondent, hereby certify that I caused REBECCA C. PIERCE and WOODIE SANDERS, witnesses for Complainant who are known to me to come before me in the Town of Fairhope where, after being duly sworn by me to tell the truth, upon examination by E. G. Rickarby, Esq., Solicitor for Complainant, they testified as is hereinbefore written; that their testimony after being reduced to writing was read over and signed by them in my presence.

I further certify that I am not of counsel or of kin to either party to this cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as Commissioner on this the thirty-first day of December, 1943.

Helen P. Baugh
Commissioner.

REBECCA C. PIERCE,
Complainant,

versus

JAMES LEON PIERCE,
Respondent.

E Q U I T Y .
CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.

Comes James L. Pierce, Respondent in the above entitled cause and for answer to the bill of complaint says that he denies each and every allegation of same.

Respondent hereby waives service and notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony, of the time and place for taking same and the right to introduce evidence in his own behalf.

He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

James L. Pierce

Respondent.

Before me, the undersigned Notary personally appeared James L. Pierce who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 31st day of January, 1943.

E. E. Perkins

Notary Public, Baldwin County, Ala.

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

REBECCA C. PIERCE Complainant

VS

JAMES LEON PIERCE Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Declaratory Judgment~~
~~Answer and Waiver~~ 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 REBECCA C. PIERCE is forever divorced from the said

JAMES LEON PIERCE

for and on account of adultery.

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 both parties

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

It is further ordered that James Leon Pierce,
the Respondent pay the cost herein to be taxed, for which execution may issue.

This 4th day of January, 1944.

A. W. Hull
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.

RECORDED

No. 1039 Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

REBECCA C. PIERCE

vs. Complainant.

JAMES LEON PIERCE,

Respondent.

DIVORCE DECREE

To the

HONORABLE F. W. HARE,
JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY;
IN EQUITY;

Comes REBECCA C. PIERCE, and by this her Bill of Complaint presented against JAMES LEON PIERCE, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years and for more than ten years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married in Fairhope on April 25th, 1939 and lived there as husband and wife up to December 23rd last when they separated for the reason set out later and have since lived apart.

THIRD: Complainant charges the Defendant with acts of adultery committed with some woman or women unknown to her and at times and places also unknown, but particularly with adultery committed since the beginning of the month of December now ending. That since her suspicions as to the unfaithfulness of her husband have been confirmed, she left him and has resided apart from him ever since. She has been reliably informed as to the misconduct of her husband but knows nothing of her personal knowledge as to specific acts.

THE PREMISES CONSIDERED, Complainant prays that James Leon Pierce be made party defendant to this bill and by proper process required to answer same within the time prescribed by law.

COMPLAINANT FURTHER PRAYS that upon the hearing of this cause a decree be rendered forever divorcing her from said James L. Pierce, granting her the right to marry again should she so desire and to such other, further or different relief as to equity may seem meet.

Beattie S. Rinehart
Solicitor for Complainant.

1039

RECORD

REBECCA C. PIERCE,
Complainant.

VS

JAMES LEON PIERCE,
Respondent.

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ANSWER AND WAIVER.

* * * * *

Jan 3 1943
Rebecca
Pierce

REBECCA C. PIERCE, Complainant

1035 versus

JAMES LEON PIERCE, Respondent

CERTIFICATE

for
DEPOSITIONS OF REBECCA PIERCE
and WOODIE SANDERS, witnesses
for Complainant.

Filed June 3 / 1944

By Special
Agent

REBECCA C. PIERCE,
Complainant

versus

JAMES LEON PIERCE,
Respondent

DEPOSITIONS OF REBECCA PIERCE
and WOODIE SANDERS, Witnesses
for Complainant

No. 1039.

RECORDED

The State of Alabama,

BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Rebecca C. Pierce.

VS.

James Leon Pierce.

NOTE OF TESTIMONY

Filed in Open Court this 3rd,

day of Jan, 1944



Register.