

2672

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

HESSIE W. FOLEY

vs.

, Complainant

ANDREW WILLIAM FOLEY

, 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 Hessie W. Foley is forever divorced from the said Andrew William Foley 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 Hessie W. Foley the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8th day of September, 1951

Jefferson P. Maschbauer, 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 end 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

ESSIE W. FOLEY

Complainant

vs.

ANDREW WILLIAM FOLEY

Respondent

DIVORCE DECREE

*Filed
2-8-57
Rec'd Clerk
Baldwin*

The State of Alabama, Baldwin County

Circuit Court, In Equity

BESSIE W. FOLEY, Complainant
vs.

ANDREW WILLIAM FOLEY, 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 BESSIE W. FOLEY is forever divorced from the said ANDREW WILLIAM FOLEY 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 Bessie W. Foley Complainant pay the cost herein to be taxed, for which execution may issue.

This 8th day of September, 1951

Telfair J. Mashburn, 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 28th day of November, 1951

Register of Circuit Court, In Equity.

**LEGAL NOTICE
NOTICE TO NON-RESIDENT**

Bessie W. Foley.

No. 2672

vs.

Andrew William Foley.

The State of Alabama,

Baldwin County.

Circuit Court, in Equity.

This the 19th day of June, 1951.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Bessie W. Foley that the Respondent, Andrew William Foley, is a non-resident

of the State of Alabama, that his address is unknown and cannot be ascertained on inquiry, and further, that, in the belief of said Affiant, the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in The Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Andrew William Foley, the said Respondent, to answer or demur to the Bill of Complaint in this cause by the 19th day of July, 1951, or after thirty days therefrom a decree Pro Confesso may be taken against him.

ALICE J. DUCK,

Register.

C. LENOIR THOMPSON,
Solicitor for Complainant.

6-21-4t

AFFIDAVIT OF PUBLICATION

I, M. S. Lawrence

Editor

_____ of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for Four consecutive weeks, com-
mencing with the issue dated June 21, 1951, and
ending with the issue dated July 12, 1951.

Subscribed and sworn to before me this 16 day

of July, 1951.

MY COMMISSION EXPIRES AUGUST 14, 1951

Notary Public.

THE FOLEY ONLOOKER

BALDWIN NEWS-HERALD

FOLEY, ALA., *July 16* 19*57*

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Alise J. Duck

Bay Minette, Ala.

Brought Forward

June 21
" 28
July 5
" 12

Legal notice
For

Andrew Wm. Foley

\$ 3. 20

THE STATE OF ALABAMA, }
Baldwin County }

No. _____ Circuit Court, In Equity.

BESSIE W. FOLEY

Complainant---

Vs.

ANDREW WILLIAM FOLEY

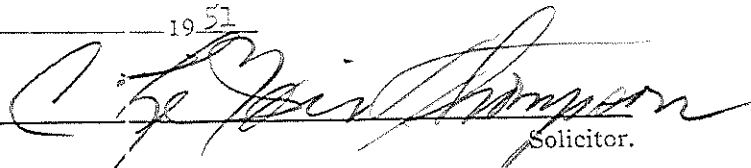
Defendant----

Motion is hereby made for a Decree Pro Confesso against _____

Andrew William Foley

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 7 day of August 1951
Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

JESSIE W. FOLEY

Vs.

ANDREW WILLIAM FOLEY

Motion for Decree Pro Confesso on
Personal Service

Filed _____ 19 _____

Register.

Recorded in _____ Record

Vol. _____

FILED
AUG 7 1951
ALICE J. DUCK, Register

Register.

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 Bessie W. Foley and Vivian Jean Foley

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Bessie W. Foley

and Andrew William Foley, Complainant

Respondent on oath, to be by you administered, upon Bessie W. Foley and Vivian Jean Foley to take and certify the depositions of the witness^{es} and return the same to our Court, with all convenient speed, under your hand.

Witness 2nd day of Sept, 1945

Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

RESSIE W. FOLEY

Complainant

VS.

ANDREW WILLIAM FOLEY

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Lois Paul

WITNESSES:

Bessie W. Foley

Vivian Jean Foley

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

BESSIE W. FOLEY

Complainant

VS.

ANDREW WILLIAM FOLEY

Respondent

I, Lois Paul

as Register and Commissioner

have called and caused to come before me Bessie W. Foley and Vivian Jean Foley.

witnesses named in the Requirement for Oral Examination, on the ____ day of ____
194____, at the office of C. LeNoir Thompson
in Bay Minette, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Bessie W. Foley and Vivian
Jean Foley doth depose and say as follows:

That my name is Bessie W. Foley, I am over the age of 21 and a resident of Fairhope, Alabama. The Respondent, Andrew William Foley, whose address was unknown at the beginning of this suit was found in Mobile, Alabama and there served notice of this suit by the Sheriff.

We were married in Rossville, Georgia November 6, 1939 and lived together as husband and wife until about May 27, 1950 at which time I was abandoned through no fault of my own. We have not lived together as husband and wife since then and I know that we could not live together as husband and wife any more. There are not children as fruits of this marriage and no property to be divided. Another cause of this separation was the fact that he would drink to much regularly and frequently which habit he had developed since our marriage. I do not want any maintenance or support from him and he has not supported me since the abandonment. I am a resident of Baldwin County, Alabama and have been more than two years next preceeding.

Bessie W. Foley

That my name is Vivian Jean Foley, I know both parties to this marriage and that they are over the age of 21 and the Complainant, Bessie W. Foley, live in Fairhope, Alabama. They were married in Rossville Georgia in November, 1939 and separated the 27th of May, 1950. I know of no cause the Complainant gave the Respondent for the abandonment. He has not supported her to my knowledge since he left.

Vivian Jean Foley

NO. _____ PAGE _____

THE STATE OF ALABAMA

BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

ESSIE W. FOLEY

vs. Complainant

ANDREW WILLIAM FOLEY

Respondent.

Oral Deposition

Filed 9-8-, 1947

W. C. French 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 5th day of Sept, 1951.

Lois Paul (L. S.)

BESSIE W. FOLEY

vs.

ANDREW WILLIAM FOLEY

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

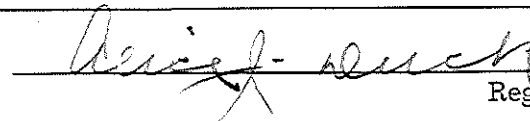
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Decree Pro Confesso on Personal Service and testimony of Bessie

W. Foley and Vivian Jean Foley.

and in behalf of Defendant upon _____



Register.

177

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

RESSIE W. FOLEY

VS.

ANDREW WILLIAM FOLEY

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of Sept, 1945.

Aerie J. Henrich
Register.

Printed By The Baldwin Times

The State of Alabama,
Baldwin County.

No. _____ CIRCUIT COURT IN EQUITY.

BESSIE W. FOLEY

Complainant

vs.

ANDREW WILLIAM FOLEY

Defendant

In this cause it appears to the Register
that a summons requiring the Defendant Andrew William Foley

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 Andrew William Foley
was served upon him by the Sheriff of Baldwin County, Alabama, on the
7th day of July 1957

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 G. LeNoir Thompson

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 Andrew William Foley

Defendant aforesaid.

This 5th day of

Sept

1957

W. C. LeNoir

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. _____ Circuit Court, In Equity.

BESSIE W. FOLEY

Complainant

Vs.

ANDREW WILLIAM FOLEY

Defendant

Motion is hereby made for a Decree Pro Confesso against

ANDREW WILLIAM FOLEY

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

5th

day of

Sept

19

Solicitor.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

BESSIE W. FOLEY

Vs.

ANDREW WILLIAM FOLEY

Motion for Decree Pro Confesso on
Personal Service

Filed _____ 19 _____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

STATE OF ALABAMA 0

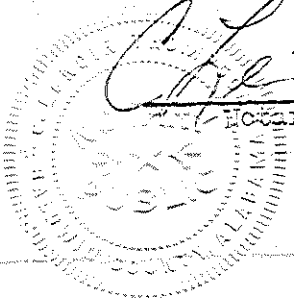
BALDWIN COUNTY 0

Before me, the undersigned authority in and for the State of Alabama, Baldwin County, personally appeared Bessie W. Foley, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that she is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Andrew William Foley, is a non-resident of the State of Alabama and whose residence, after a search having been made with due diligence, is unknown according to the best information and belief of the Complainant and that your Complainant can not ascertain the particular place of residence and Post Office address of the Respondent after expending a reasonable effort, which has been made; that said Respondent is over the age of twenty-one years.

Bessie W. Foley
Complainant.

Sworn to and subscribed before me
this 19 day of June, 1951.

C. L. Davis Thompson
Notary Public.



NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

BESSIE W. FOLEY

COMPLAINANT

No. 2672

The State of Alabama,

County.

vs.

ANDREW WILLIAM FOLEY

Circuit Court, in Equity

This the 19th day of

June, 1951

In this cause it being made to appear to the Clerk of this Court by the affidavit of

BESSIE W. FOLEY

that the Defendant ANDREW WILLIAM FOLEY

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant over the age of 21 years; it is, therefore, ordered that publication be made in the ^{on last} ~~Baldwin Times~~, a newspaper published in ^{Bay Minette} ~~Bay Minette~~, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

ANDREW WILLIAM FOLEY the said RESPONDENT

to answer or demur to the Bill of Complaint in this cause by the 19th day of July 1951 or after thirty days therefrom a decree Pro Confesso may be taken against Him.

Alise K. Ketch

Register.

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times. Bay Minette, Alabama.

BESSIE W. FOLEY
Complainant,
Vs. ANDREW WILLIAM FOLEY
Respondent.

In the Circuit Court.
In Equity No. _____

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____
Andrew William Foley

by the Sheriff of Baldwin County, on the 7th day of July,
1945.

And it further appears to the Register, that that the said _____

Andrew William Foley

_____ the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
on motion of C. LeNoir Thompson Solicitors
for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,
and it hereby is, in all things taken as confessed against the said _____

Andrew William Foley

This 7th day of August, 1945.

Alex J. Wrench
Register.

No. _____

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

BESSIE W. FOLEY

Complainant,

Vs.

ANDREW WILLIAM FOLEY

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this _____ day of _____
194_____.

Register.

THE BALDWIN TIMES

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons ANDREW WILLIAM FOLEY 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 BESSIE W. FOLEY as Complainant and against ANDREW WILLIAM FOLEY as Respondent.

WITNESS my hand this the ____ day of ____, 1951.

Register.

BESSIE W. FOLEY
COMPLAINANT
VS
ANDREW WILLIAM FOLEY
RESPONDENT

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

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

Your Complainant, Bessie W. Foley, 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 over the age of twenty-one; that the Respondent is over
twenty-one years of age and a non-resident of the State of Alabama;
that his post office cannot be ascertained after a diligent search and
inquiry.

2.

That your Complainant and the Respondent married at Rossville,
Georgia, on November 6, 1939, and lived together as husband and wife
until May 27, 1950.

3.

That on May 27, 1950, 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 your Respondent has failed to support
your Complainant since their separation.

4.

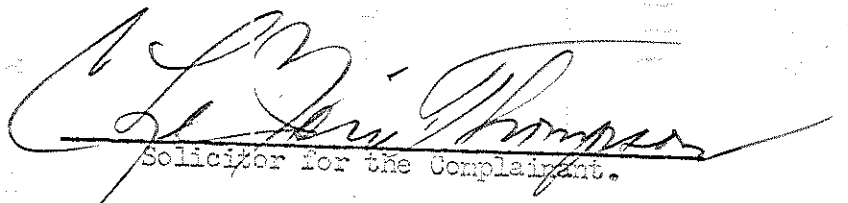
Your Complainant further avers and alleges that the said Respondent has, since her said marriage with him, become addicted to habitual drunkenness, and that said habit has continued to the filing of this bill.

5.

That your Complainant and the Respondent have no children as fruits of this marriage, and there is no property to be divided.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Andrew William Foley party Respondent to this cause of action, requiring him 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.

Your Complainant prays that upon a hearing hereof, Your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant.

Received in Sheriff's Office
this 3 day of July, 1951
TAYLOR WILKINS, Sheriff

Received 6 Day of July 1951
and on 7 Day of July 1951
I served a copy of the within C.P.
on Andrew William Foley
by service on _____

W. H. HOLCOMBE, Sheriff

By M. B. Buntin D.S.

cd 37
no 2672 103
BESSIE W. FOLEY,

RECORDED

COMPLAINANT

VS

ANDREW WILLIAM FOLEY

RESPONDENT

address:
Room 430 Canton Hotel
Mobile, Ala -

SUMMONS AND COMPLAINT

FILED

JUN 19 1951

ALICE J. DUCK, Register

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