

(2478)

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Myrtis B. Harper

Complainant

VS

H. G. Harper

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on 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 Myrtis B. Harper is forever divorced from the said

H. G. Harper

for and on account of Habitual Intemperance Drunkenness.

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

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

This 10th day of July, 1951.

Jefferson J. Mallory, Jr.
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. 2678 Page.....

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

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.....
vs. Complainant.

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.....
Respondent.

DIVORCE DECREE

FILED

JUL 10 1951

ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.Circuit Court of Baldwin County, Alabama
(In Equity)Myrtis B. Harper

Complainant

VS.

H. G. Harper

Respondent

I, Frances G. Crawford,

as Register and Commissioner

have called and caused to come before me

Myrtis B. Harper and Shirley Copas

witness es named in the Requirement for Oral Examination, on the 30th day of June
19~~4~~ 51, at the office of E. A. Cramer, Attorney,
in Fairhope, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Myrtis B. Harper
doth depose and say as follows:

I am 45 years of age and my husband, H. G. Harper, is 62. We were married on September 15th 1943 at West Memphis, Arkansas. We came to live in Fairhope, Alabama, in May, 1948, and have lived in Fairhope ever since. About two years after we were married, my husband, who had not taken anything to drink from our marriage, began to drink alcoholic liquors. I became much worried about this since his tendency toward liquor kept getting stronger in spite of all my pleadings. He would promise to do better and would for a little while and then he would begin drinking again thinking that I did not notice his condition. Recently, he has been keeping a bottle at the business which he runs. That is the Fairhope Bus Station. For many weeks, he has been winding up the day in a sodden condition. I cannot stand it any longer and it does not seem that he will ever do any better. He is mean and vicious toward me and I've gotten so nervous that I feel like I cannot go on. We separated several days ago when I warned him that I would not put up with it any longer. He told me to go to Hell and do whatever I pleased. He said a man was entitled to drink. I cannot believe that. We have made a satisfactory settlement financially and I want nothing more from him but my freedom. We have no children.

Myrtis B. Harper

And the said Shirley Copas doth depose and say:

I work for Mr. Harper at the Bus Station. I have watched his conduct during the day while doing my work. He keeps a bottle of liquor handy and takes a drink out of it every once in a while through the day. Late in the day, for some time past, he has been definitely drunk. I know that Mrs. Harper has been very nervous and upset and i do believe that she has been very patient with Mr. Harper. It looks to me like he does not care anything about how she feels.

Shirley Copas

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 194_____

_____, Register.

FILED
JUL 2 1951
Recorded in

_____, Record

Vol. _____ Page _____

_____, Register.

ORAL EXAMINATION.

I, Frances G. Crawford, as Register and Commissioner hereby certify that the foregoing deposition 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 _____

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 30th day of June, 1951. ~~1951~~

Frances G. Crawford (L. S.)

Myrtis B. Harper
Complainant

vs

H. G. Harper
Respondent

Circuit Court
Baldwin County
Alabama
In Equity

To The Honorable Telfair J. Mashburn, Jr., Judge of said Court,
sitting in Equity;

Comes Myrtis B. Harper and exhibits this, Her Bill of Complaint
against H. G. Harper and shows unto Your Honor as follows:

First: Complainant, whose age is 45 years, and Respondent, whose
age is 62 years, intermarried September 15th 1943 at West Memphis,
Arkansas.

Second: The parties hereto have lived together as husband and wife
in Fairhope, Baldwin County, Alabama, continuously since May, 1948.

Third: Subsequent to the said marriage, Respondent became addicted
to the habitual ~~use of intoxicating liquors~~ ^{DRUNKENNESS}.

The premises considered, Complainant prays that said H. G. Harper
be made party Defendant to this suit by all due and appropriate
process, that he be compelled to plead, demur or answer to the within
Bill of Complaint within the time prescribed by law and that he be
compelled to abide and obey all orders and decrees made in the premises.

Complainant prays, upon a hearing of the within cause, that a decree
be granted forever divorcing her from said H. G. Harper and granting
her such other, further and different relief as, to Your Honor, may
seem meet and proper.

E. A. Cramer

E. A. Cramer
Solicitor for Complainant

Myrtis B. Harper
Myrtis B. Harper

Myrtis B. Harper
Complainant

vs

H. G. Harper
Respondent

Circuit Court

Baldwin County

Alabama

In Equity

Comes, H. G. Harper, Respondent in the above titled cause and, for answer to the Bill of Complaint therein, says that he denies each and every allegation therein contained.

Further, Respondent hereby waives the right to demand for formal commission to take oral testimony, the right to introduce evidence in his own behalf or to cross examine Complainants' witnesses and agrees that the within cause may be submitted for a final decree at any time without further notice to him upon Complainants' pleadings and evidence as noted by the Register.

H. G. Harper

State of Alabama, Baldwin County

Before me, E. Cramer, a Notary Public in and for said County and State, personally appeared H. G. Harper, known to me, and, being full informed of the contents of the foregoing answer and waiver, he acknowledged that he signed same VOLUNTARILY.

Given under my hand and official seal this 29th day of June, 1951.

E. Cramer

W 2678

RECORDED

Myrtle B. Harper
vs.
W. L. Harper

Answer

FILED

JUL 2 1951

ALICE J. DUCK, Register

[Handwritten signature]

MYRTIS B. HARPER

vs.

H. G. HARPER

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

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

Testimony of Complainant and witness

and in behalf of Defendant upon Answer and Waiver

E. A. Cramer

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

MYRTIS G. HARPER

vs.

H. G. HARPER

NOTE OF TESTIMONY

Filed in Open Court this 2nd

day of July, 19451....

W. J. Duck
Register.

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