

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No. 164

Term, 192

Mabel Lee Harris., Complainant

vs.

Herman Harris., Defendant

To Robert S Duck., Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by ~~Herman Harris.~~

~~J. B. Blackburn.~~ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

J. B. Blackburn
.....
Solicitor for Complainant.

Mabel Lee Harris.

vs.

Herman Harris.

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 and waiver of Herman Harris~~

~~Testimony~~ Testimony of Mabel Lee Harris and Nora Richberg.

and in behalf of Defendant upon Answer and Waiver of Herman Harris.

Peter L. Duval

Register.

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MABEL LEE HARRIS,
Complainant,
VS.
HERMAN HARRIS,
Respondent.



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

DECREE OF DIVORCE.

This cause coming on to be heard was submitted upon the Bill of Complaint, Answer 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 her said bill.

It is therefore, Ordered, Adjudged and Decreed by the Court, that the bonds of matrimony heretofore existing between the Complainant and Respondent be, and the same are hereby dissolved and the said Mabel Lee Harris is forever divorced from the said Herman Harris.

It is further ordered, adjudged and decreed by the Court that the said Mabel Lee Harris be, and she is hereby permitted to resume the use of her maiden name of Mabel Lee Richburg.

It is further Ordered that the said Mabel Lee Richburg be, and she is hereby permitted to again contract marriage but shall not again marry except to the said Herman Harris until sixty days after this date, and if an appeal is taken, within sixty days, she shall not marry again except to the said Herman Harris during the pendency of said appeal.

Done at Monroeville, Alabama, on this the 23rd day of December, 1935.

F. W. Hare
Judge of the Circuit Court.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oratrix, Mabel Lee Harris, brings this Bill of Complaint against Herman Harris, and thereupon your Oratrix complains and shows unto the Court as follows:

1. Your Oratrix is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama, where she has resided continuously for more than twelve months next preceding the filing of this Bill, and the said Herman Harris is over twenty-one years of age and a resident of Escambia County, Alabama.

2. Your Oratrix and the said Herman Harris were lawfully married at Pollard, Escambia County, Alabama on to-wit, December 27, 1930, and lived together as man and wife until on to-wit, April 16, 1932, when they separated, at which time they were residing near Dixonville, Escambia County, Alabama.

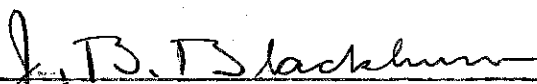
3. Your Oratrix further shows unto the Court and your Honor, that on to-wit, April 16th, 1932, the said Herman Harris, without fault on the part of your Oratrix, voluntarily abandoned her and has lived separate and apart from her since the said date.

PRAYER FOR PROCESS.


Your Oratrix prays that the said Herman Harris be made a party respondent to this Bill of Complaint and that the usual process of this Honorable Court do forthwith issue to him.

PRAYER FOR RELIEF.

Your Oratrix prays that upon a final hearing of this cause your Honor will enter and grant unto her a divorce dissolving the bonds of matrimony now existing between your Oratrix and the said Herman Harris, will grant unto her the right to resume the use of her maiden name and grant unto her the right to marry again, and your Oratrix further prays for such other, further and general relief as she may be equitably entitled to the premises considered.


Solicitor for Oratrix.

FOOT NOTE: The said Herman Harris is required to answer each and every paragraph of the foregoing Bill of Complaint numbered 1 to 3 both inclusive, but not under oath, his oath thereto being hereby expressly waived.


Solicitor for Oratrix.

The State of Alabama }
Baldwin County }

Circuit Court of Baldwin County, Alabama,
(In Equity)

MABEL LEE HARRIS,

COMPLAINANT

VS.

HERMAN HARRIS,

RESPONDENT

I, Ora Sirmon,

as ~~Register and~~ Commissioner

have called and caused to come before me Mabel Lee Harris and Nora Richburg

witness^{es} named in the requirement for Oral Examination, on the 17th day of October
1935, at the office of J. B. Blackburn,

in Bay Minette, Alabama, and having first sworn said witness^{es} to speak the

truth, the whole truth, and nothing but the truth, the said Mabel Lee Harris and Nora

Richburg, doth depose and say as follows:

TESTIMONY OF MABEL LEE HARRIS.

My name is Mabel Lee Harris. I am over twenty-one years of age and am a bona fide resident of Baldwin County, Alabama, where I have resided continuously for more than twelve months next preceding the filing of my suit for divorce against Herman Harris. My husband, Herman Harris, is over twenty-one years of age and is a resident of Escambia County, Alabama.

I was lawfully married to Herman Harris, at Pollard, in Escambia County, Alabama, on December 27th, 1930, and lived with him as his wife until about April 16th, 1932, when we separated. At the time of the separation we were living in Escambia County, Alabama.

On April 16th, 1932, Herman Harris voluntarily abandoned me without any fault on my part and has continuously lived separate and apart from me since the said date.

My maiden name was Mabel Lee Richburg.

Mabel Lee Harris

TESTIMONY OF NORA RICHBURG.

My name is Nora Richburg. I am the mother of Mabel Lee Harris.

Her husband, Herman Harris, voluntarily abandoned her on April 16th, 1932. He has lived separate and apart from her continuously since the said date.

Nora Richburg

MABEL LEE HARRIS,
Complainant,
VS.
HERMAN HARRIS,
Respondent.

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

ANSWER.

Comes the Respondent in the above entitled cause and for answer to the Bill of Complaint and to each and every count thereof, and denies each and all allegations thereof and requires strict proof of same.

Respondent waives any and all other and further notice that is or may be required by law in the said proceeding.

Herman Harris

WITNESS:

Alton Armstrong

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To Ora Sirmon,

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

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

Mable Lee Harris

Complainant

and Herman Harris

Defendant,

on oath to be by you administered, upon them to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all convenient speed, under your hand.

Witness RS day of October 19 35

Robert S. Quack

REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

**CIRCUIT COURT, BALDWIN COUNTY, ALA.,
IN EQUITY.**

No. *164*

Mabel Lee Harris

VS.

Hermon Harris

PLAINTIFF

DEFENDANT

Bill of Costs

Fees of Register		Dollars	Cts.	Brought Forward	
Filing each bill and other papers.....	7	\$ 10			
Issuing each subpoena.....		50	70	For receiving, keeping and paying out or distributing money, etc.; 1st \$1,000 1 per ct.; all over \$1,000, and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000, and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.	
Issuing each copy thereof.....		40		Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received,	
Entering each return thereof.....		15		Each Notice sent by mail to creditors.....	15
For each order of publication.....		1 00		Filing, Receipting for and docketing each claim, etc.....	25
Issuing writ of injunction.....		1 50		For all entries on subpoena docket, etc.....	50
For each copy thereof.....		50		For all entries on commission docket, etc.....	50
Entering each return thereof.....		15		Making final record, per 100 words.....	15
Issuing writ of attachment.....		1 00		Certified copy of decree.....	1 00
Entering each return thereof.....		15		Report of divorce to State Health office.....	50
Docketing each case.....		1 00	100	Acts 1915	
Entering each appearance.....		25	25		
Issuing each decree pro confesso on persl ser.....		1 00		Total Fees of Register	840
Issuing each decree pro confesso on publication.....		1 00			
Each order appointing guardian.....		1 00			
Any other order by Register.....		50			
Issuing commission to take testimony.....		50	50		
Receiving and filing.....		10	10		
Endorsing each package.....		10	50	Fees of Sheriff	
Entering order submitting cause.....		50	50	Serving and returning subpoena on deft.....	\$ 1 50
Entering any other order of Court.....		25		Serving and returning subpoena for witness.....	65
Noting all testimony.....		50	50	Levyng attachment.....	1 50
Abstract of cause, etc.....		1 00	75	Entering and returning same.....	25
Entering each decree.....		75		Selling property attached.....	
For every 100 words over 500.....		15		Impaneling Jury.....	75
Taking account, etc.....		3 00		Executing writ of possession.....	2 50
Taking testimony, etc.....		15		Collecting execution for costs.....	1 50
Each report, 500 words or less.....		2 50		Serving and returning sci. fa., each.....	65
For every 100 words over 500.....		15		Serving and returning notice.....	65
Amount claimed less than \$500, etc.....		2 00		Serving and returning writ of injunction.....	1 50
Issuing each subpoena.....		25		Serving and returning writ of exeat.....	1 50
Witness certificate, each.....		25		Taking and approving bonds, each.....	75
Issuing execution, each.....		75		Collecting money on execution.....	
Entering each return.....		15		Making deed.....	2 50
Taking and approving bond, each.....		1 00		Serving and returning application, etc.....	1 00
Making copy of bill, etc.....		15		Serving attachment, contempt of court.....	1 50
Each notice not otherwise provided for.....		50			
Each certificate or affidavit, with seal.....		50		Total Fees of Sheriff	
Each certificate or affidavit, no seal.....		25			
Hearing and passing on application, etc.....		3 00			
Each settlement with receiver, etc.....		3 00		Recapitulation	
Examining each voucher of receiver, etc.....		10		Register's Fees.....	840
Examining each answer, etc.....		3 00		Sheriff's Fees.....	500
Recording resignation, etc.....		75		Commissioner's Fees.....	
Entering each certificate to Supreme Court.....		50		Solicitor's Fees.....	
Taking questions and answers, etc.....		25		Witness Fees.....	
For all other service relating to such proceedings.....		1 00		Guardian Ad Litem.....	
For services in proceeding to relieve minors, etc., same fees as in similar cases.....				Printer's Fees.....	
Commission on sales, etc.: 1st \$100, 2 per cent.; all over \$100, and not exceeding 1,000, 1 1-2 per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.				Trial Tax.....	3 00
				Recording Decree in Probate Court.....	
				TOTAL	1640
Sub Total Carried Forward.....			440		

Received payment this _____ day of _____ 193_____

Register.

164

No. 164 _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Mabel Lee Harris.

vs.

Herman Harris.

NOTE OF TESTIMONY

Filed in Open Court this 18th

day of December, 1935

Robert L. Duck
REGISTER

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Mabel Lee Harris

VS.

Therman Harris

REQUEST FOR DECREE IN
VACATION

FILED Dec 18 1930
Reuben [Signature]
Register

RECORDED IN RECORD

VOL. PAGE

Register

ORAL EXAMINATION

I, Ora Sirmon, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition S on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and J. B. Blackburn, 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 17th day of October 1935.

Ora Sirmon (L. S.)

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No. 164 Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Mabel Lee Harris.

vs.

COMPLAINANT

vs.

Herman Harris.

vs.

RESPONDENT

ORAL DEPOSITION

Filed Dec 18th, 1935

Robert S. Deas, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

164

RECORDED
such
6-216

ANSWER

MABEL LEE HARRIS,

Complainant,

VS.

HERMAN HARRIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. ~~164~~

W. Lee Harris

164

Circuit Court, Baldwin County, Ala.
In Equity.

No. _____

vs.

Cost Bill

Paid _____ 193 _____

Register.

Moore Printing Co. Bay Minette

NO. 16 RECORDED
4-1-28

164

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Complainant
vs.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILE OF COMPLAINT

2-11-66

WALTER LEE EARRIS,

Complainant,

vs.

Respondent:

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN REPLY: NO. *1124*

Filed on this the 4 day of Oct-
ober, 1966.

Robert G. Bouda
Prothonotary

J. B. BLAKEBURN
ATTORNEY AT LAW
BAY MINISTE, ALABAMA