

1145

SUSIE LEE DAVIS,
By Lottie Gamble, her
next friend,

Complainant,

VS.

JOHNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1145.

NOMINATION BY MINOR OF GUARDIAN AD LITEM

Now comes the Respondent, Johnie Lee Davis, a minor nineteen years of age and does hereby nominate W. H. Hawkins, to be his Guardian Ad Litem in the said cause and requests that he be appointed at once.

Johnie Lee Davis

STATE OF ALABAMA

BALDWIN COUNTY

I, *J. B. Blackburn*, a Notary Public, within and for said County in said State, hereby certify that Johnie Lee Davis, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the ____ day of September, 1944.

J. B. Blackburn

Notary Public, Baldwin County, Alabama.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Ora S. Nelson

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 Susie Lee Davis and Lida Gamble, also known as Lottie Gamble,

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

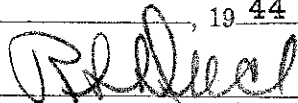
is Complainant
and Johnnie Lee Davis

is Defendant,

on oath to be by you administered, upon then

to take and certify the deposition s of the witness ex and return the same to our Court, with all convenient speed, under your hand.

Witness my hand this 6th day of November, 19 44



REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

TESTIMONY OF SUSIE LEE DAVIS

My name is Susie Lee Davis. I am the Complainant in this case and am seventeen years of age. The Respondent, Johnnie Lee Davis, is nineteen years of age. We are each residents of Baldwin County, Alabama, where we have resided for much more than one year next preceding the filing of this duiy.

I was lawfully married to the Respondent, Johnnie Lee Davis, in Bay Minette, Alabama on December 24, 1943 and we lived together as man and wife until May 6, 1944 when we separated.

At the time of our separation we were living with my mother, Lottie Gamble. On the afternoon of May 6, 1944 my husband, Johnnie Lee Davis, while at my mother's house where we were living, became angry with me, threatened to whip and kill me and at that time he hit me with his fist. Because of the said threats and actions of my said husband, I was put in fear of being severely injured or done great bodily harm if I tried to continue to live with him. I separated from him at that time and have not lived with him since the said date.

My mother, Lottie Gamble, was at the house at the time this happened and saw Johnnie Lee Davis hit me.

Susie Lee Davis

LIDA GAMBLE, ALSO KNOWN AS
TESTIMONY OF/LOTTIE GAMBLE

Lottis Gamble, also known as

My name is ~~Lida~~ Gamble. I am the mother and next friend of Susie Lee Davis, the Complainant named in this suit.

On or about May 6, 1944 my daughter, Susie Lee Davis was living with me. On the afternoon of May 6, 1944, Johnnie Lee Davis was at my house where he and Susie Lee Davis were living. He at that time became angry with Susie Lee and hit her with his fist. I could not hear what was said at that time but I know that he hit Susie Lee Davis.

Lida gamble

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Susie Lee Davis,

Complainant

VS.

Johnie Lee Davis,

Respondent

I, Ora S. Nelson

as ~~Register and~~ Commissioner _____

have called and caused to come before me Susie Lee Davis and Lottie Gamble,
also known as Lida Gamble,

witness^{es} named in the Requirement for Oral Examination, on the 6th day of November
1944, 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 Susie Lee Davis and Lottie
Gamble, also known as Lida Gamble doth depose and say as follows:

SUSIE LEE DAVIS,
By Lottie Gamble
As her next Friend,

Complainant,

V S.

JOHNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1145.

NOTICE OF APPOINTMENT, ACCEPTANCE AND ANSWER
OF GUARDIAN AD LITEM.

TO W. H. HAWKINS, ESQUIRE:

You are hereby notified that you have been appointed
Guardian Ad Litem to represent Johnie Lee Davis, minor, the
Respondent named in this cause.


Dated this 2nd day of November, 1944.

Register.

STATE OF ALABAMA

BALDWIN COUNTY

I, W. H. Hawkins, do hereby accept appointment as Guardian
Ad Litem for the Respondent, Johnie Lee Davis, and for answer to
the Bill of Complaint filed against him in this cause deny each and
all of the allegations of the said Bill of Complaint, and demand
strict proof of same.


Guardian Ad Litem.

SUSIE LEE DAVIS
By Lottie Gamble,
As her next Friend,

Complainant,

VS.

JOHNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1145.

ORDER APPOINTING GUARDIAN AD LITEM

In this cause it being made to appear to the Register that the Respondent is a minor nineteen years of age and that he has, by written instrument filed in this cause, nominated and appointed W. H. Hawkins, of Bay Minette, Alabama, as Guardian Ad Litem to represent him in this cause and it further appearing to the Register that the said W. H. Hawkins is not of kin or counsel to any of the parties to this suit; that he is in no way interested in it and that he is in all respects qualified to act as Guardian Ad Litem for the said Respondent, Johnie Lee Davis. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Register that the said W. H. Hawkins be and he is hereby appointed as Guardian Ad Litem to represent the said minor in this cause.

Dated this 1st day of November, 1944.



Register.

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

Your Oratrix, Susie Lee Davis, by Lottie Gamble, as her next friend, presents this Bill of Complaint against Johnie Lee Davis and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix is a minor seventeen years of age and the Respondent, Johnie Lee Davis, is a minor nineteen years of age, each of which said parties resides in Baldwin County, Alabama.

2. Your Oratrix and the said Respondent were lawfully married in Bay Minette, Alabama on December 24, 1943 and lived together as man and wife until May 6, 1944 when they separated.

3. Immediately prior to the time your Oratrix and the said Respondent separated the said Respondent became angry with your Oratrix, struck her with his hand and threatened to kill her, because of which your Oratrix was put in fear of being severely injured or done great bodily harm if she tried to continue to live with the said Respondent. She immediately separated from him and has not lived with him since May 6, 1944.

PRAYER FOR PROCESS

Your Oratrix prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and that due notice thereof be given the Respondent, Johnie Lee Davis, in the form and manner prescribed by law requiring him to plead, answer or demur to the Bill of Complaint within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court. Your Oratrix further prays that a guardian ad litem be appointed to represent the said Respondent.

PRAYER FOR RELIEF

Your Oratrix respectfully prays for the following relief:

1. That the bonds of matrimony now existing between your Oratrix and the said Respondent be dissolved and that your

SUSIE LEE DAVIS,
By Lottie Gamble
As her next Friend,

Complainant,

VS.

JOHNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1145.

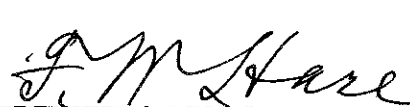
DECREE

This cause coming on to be heard on this date is submitted for Final Decree on behalf of the Complainant, upon the following: Original Bill of Complaint; Nomination by Minor of Guardian Ad Litem; Appointment, Acceptance and Answer of Guardian Ad Litem and the Testimony as noted by the Register, upon consideration of all of which it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, Susie Lee Davis, and the Respondent, Johnie Lee Davis, be and they are hereby dissolved and the said Complainant is forever divorced from the said Respondent on the ground of cruelty.

2. The Complainant and Respondent be and they are hereby permitted to again contract marriage but they shall not marry again except to each other until sixty days after this date and if an appeal is taken in this cause within sixty days, they shall not marry again except to each other during the pendency of said appeal. The costs of this proceeding are hereby taxed against the Respondent, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 8th day of November, 1944.



Judge.

SUSIE LEE DAVIS,
By Lottie Gamble
As her next Friend,

Complainant,

VS.

JOHNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1145.

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the following:

1. Original Bill of Complaint.
2. Nomination by Minor of Guardian Ad Litem.
3. Appointment, Acceptance and Answer of Guardian Ad Litem.
4. Depositions of Susie Lee Davis and Lyda Gamble, also known as Lottie Gamble, taken before Ora S. Nelson, as Commissioner.

Dated this 7th day of November, 1944.

J. B. Blackburn
Solicitor for Complainant.

Bl. Duch
Register.

ORDER APPOINTING GUARDIAN
AD LITEM.

SUSIE LEE DAVIS,
By Lottie Gamble
As her next friend,

Complainant,

VS.

JOHNNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1145.

Dated: 11-1-1944.

NOTICE OF APPOINTMENT, ACCEPTANCE
AND ANSWER OF GUARDIAN AD LITEM.

SUSIE LEE DAVIS,
By Lottie Gamble
As her Next Friend,

Complainant,

VS.

JOHNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1145.

Filed 11-2-44.

Richard

NOTE OF TESTIMONY

SUSIE LEE DAVIS,
By Lottie Gamble,
As her next Friend,

Complainant,

VS.

JOHNIE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1145.

Filed 11-8-1944

(1145)

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SUSIE LEE DAVIS,
By Lottie Gamble
As her Next Friend,

Complainant,

VS.

JOHNEE LEE DAVIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER 1145.

11

1143

Executed September 4 1944

by serving copy of within summons and Complaint on

James Lee Davis

W. P. Stewart

Deputy Sheriff

BILL OF COMPLAINT

SUSIE LEE DAVIS,
By Lottie Gamble, as her next friend,

Complainant,

VS.

JOHNNIE LEE DAVIS,

Respondent.

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

[Signature]

Respectfully submitted,

considered.
Generally stated as one who is entitled to the benefits
and... from other...
other... to be...

*Bay M...
OK*

1364 Maxwell Ave
Mobile, Ala

ORAL EXAMINATION.

I, Ora S. Nelson, 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 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 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 6th day of November, 194 4.

Ora S. Nelson (L. S.)

NO. 1145 PAGE 5

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 8 Nov 1944
W. B. Black, Register.

Recorded in _____ Record

Vol. _____ Page _____, Register.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. 1145

CIRCUIT COURT BALDWIN COUNTY

June. TERM, 1944

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOHNNIE LEE DAVIS.

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

JOHNNIE LEE DAVIS. RESPONDANT
Defendant

by SUSIE LEE DAVIS.

~~COMPLAINT~~

Witness my hand this 24th day of JUNE 1944

R. Duval Register ~~XXXXX~~
Clerk.