

1156

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Virginia Keel

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 A. A. Newman

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

A. A. Newman

Complainant

and

Mary Jane Newman

Defendant,

on oath to be by you administered, upon oral examination

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

Witness 1st day of November, 19 44.

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA ° ° ° GREETING:

WE COMMAND YOU, that you summon MARY JANE NEWMAN to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama exercising chancery jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by A. A. NEWMAN against the said MARY JANE NEWMAN, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of law. And we further command that you return this writ with your execution thereon, to our said Court, immediately upon the execution thereof.

WITNESS, R. S. Duck, Register of said Circuit Court, this
17 day of July, 1944.


Register.

A. A. NEWMAN
Complainant

VS.

MARY JANE NEWMAN
Defendant

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

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

Now comes your Complainant A. A. Newman, and humbly complaining against the Defendant, Mary Jane Newman, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant is over the age of twenty-one years and is a bona fide resident of Baldwin County, Alabama where he has resided for more than twelve months next preceding this date; that the Defendant is over the age of twenty-one years and is a non-resident of the State of Alabama, her particular place of residence and Post Office address being unknown to this Complainant but when she was last heard from she was in New Orleans, Louisiana, a more complete address being unknown to this Complainant.

2

That the Complainant and Defendant are husband and wife having intermarried at Pensacola, Florida, on October 23, 1943.

3.

That since her marriage to this Complainant the Defendant has become a habitual drunkard, that they separated in Baldwin County, Alabama on February 22, 1944, that the cause of their separation was her habitual intemperance, that they have not lived together as husband and wife since the said date; that there were no children born to this marriage.

Wherefore, the premises considered, your Complainant prays that your Honor will, by proper process, make the said Mary Jane Newman, party Defendant to this bill of complaint, 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.

Complainant further prays that upon a final hearing hereof, your Honor will give and grant unto him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the Defendant, and that your Honor will give and grant unto him such other, further or different relief as he may be in equity and good conscience entitled to receive and as in duty bound he will ever pray.

BEEBE & HALL

By



Solicitors for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned Notary Public, in and for said County, in said State, this day personally appeared A. A. Newman, who is known to me, and who being by me first duly sworn doth depose and say that he is the Complainant in that cause pending in the Circuit Court of Baldwin County, Alabama, in Equity, against Mary Jane Newman for divorce, that the said Defendant is a non-resident of the State of Alabama, that her place of residence and post office address is unknown to this Complainant, that when last heard of she was somewhere in New Orleans, Louisiana, a more particular address being unknown to this Complainant and that he has been unable to ascertain the same after diligent inquiry; that the Defendant is not now in the armed services of the United States.

A. A. Newman

Sworn to and subscribed before me on this the 14
day of July, 1944.

W. C. Zerbe
Notary Public, Baldwin County, Ala.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

A. A. Newman

Complainant

Vs.

Mary Jane Newman

Defendant

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 20 day of July, 19 44, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 20th day of July 194 4 and _____

And it now further appearing to the Register R. S. Duck that the said

Mary Jane Newman

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

Mary Jane Newman

This 25th day of September 1944

Register.

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

A. A. Newman Complainant

VS.

Mary Jane Newman Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on ~~XXXXXXXXXXXX~~ 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 A. A. Newman is forever divorced from the said Mary Jane Newman

for and on account of Habitual Drunkenness after marriage

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 A. A. Newman the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8 day of November, 19 44

J. W. Hare

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

..... A. A. Newman
Complainant,
VS.
..... Mary Jane Newman
Respondent.

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

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Minette,, in the County of Baldwin

Alabama, the place of trial of said cause, to-wit:

A. A. Newman
.....
.....
.....
.....

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

Beebe & Hall
By: *W. C. Beebe*
.....
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Virginia Keel,
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Beebe & Hall
By: *W. C. Beebe*
.....
Solicitor for Complainant.

A. A. NEWMAN
Complainant

Vs.

MARY JANE NEWMAN
Defendant

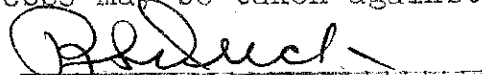
The State of Alabama

Baldwin County

Circuit Court, in Equity

This the 42 day of July, 1944.

In this cause it being made to appear to the Clerk of this Court by the affidavit of A. A. Newman, complainant that the Defendant Mary Jane Newman is a non-resident of the State of Alabama and her place of residence and post office address is unknown 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 Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring her the said Mary Jane Newman to answer or demur to the Bill of Complaint in this cause by the 20th day of August, 1944, or after thirty days therefrom a decree Pro Confesso may be taken against her.


Register.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

A. A. Newman

Complainant

VS.

Mary Jane Newman

Respondent

I, Virginius Kuel

as ~~Register and~~ Commissioner

have called and caused to come before me A. A. Newman

witness named in the Requirement for Oral Examination, on the 5th day of November
1944, at the office of Babe O'Hall
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said A. A. Newman
doth depose and say as follows:

My name is A. A. Newman. I am over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, and have been for more than twelve months next preceeding the filing of the bill of complaint in this cause.

The Defendant, Mary Jane Newman is over the age of twenty-one years and a non-resident of the State of Alabama. I have made and caused to be made a diligent search and inquiry to ascertain her post office address but the only information is that she is in New Orleans, Louisiana, her street address being unknown.

The Defendant is not in the military service or naval service of the United States.

The Defendant and I married at Pensacola, Florida on October 23rd, 1943.

The Defendant soon after our marriage began drinking heavily and continued until she left me; she became addicted to habitual drinking which condition grew worse from time to time until it was absolutely impossible for us to live together. When I reprimanded her for drinking she only seemed to get worse until finally she got made and left and I have not heard from her since directly. We have no children. Soon after the Defendant and I married my health was bad and I was threatened with a nervous breakdown and upon the recommendation of my doctor abandoned all work and retired to my farm place to recuperate. The condition of the Defendant's drinking as she did was most detrimental to my health. I know that the Defendant and I can never again live together as husband and wife.

A. A. Newman

1156

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 194 _____

Recorded in _____, Register.

Recorded in

Vol. _____ Page _____

Recorded in _____, Register.

(L.S.)

I, Virginia Keel, 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—and read over to him and he signed the same in the presence of myself and W. C. Beebe
at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom made before me of the identity of said witness—; 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 ~~15th~~ day of November, 1947.

Notice of Time and Place of
Taking Testimony.

A. A. Newman
Complainant

vs.

Mary Jane Newman
Defendant

Filed Nov 11, 1944

Regester

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Vs.

Decree Pro Confesso of Publication

Issued _____ 19____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Printing Co., Bay Minette, Ala.

Register

Filed Sept 18, 1911

1156

Receipt

Amount

2

Number

Dr. J. B. [unclear]
17944

DEMAND FOR ORAL EXAMINATION.

.....

Complainant,

Vs.

.....

Respondent.

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

Filed this 28 day of Sept.....

194.....

.....

Register.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194_____

Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

A. A. Newman _____ Complainant

Vs.

Mary Jane Newman _____ Defendant

Motion is hereby made for a Decree Pro Confesso against _____

Mary Jane Newman _____ Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 25 day of Sept 1922

Beebe & Hall

By: T. C. Beebe Solicitor.

746 Code

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Mumma

Complainant _____

Vs.

Mumma

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed *Sept 25* 19*46*

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194 _____

A. A. Newman _____, Complainant

Vs.

Mary Jane Newman _____, Defendant

To R. 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 _____

Beebe & Hall _____ 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.

Beebe & Hall

By: *[Signature]* _____

Solicitor for Complainant.

No. _____ Page _____

The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed Mar 6, 1942

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

A. A. Newman

VS.

Mary Jane Newman

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, _____

Decree Pro Confesso, Testimony of the Complainant

and in behalf of Defendant upon _____

Bebe Hall
By _____

Register.

No. _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this 6
day of November 1947

Register.

