

1179

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

NICHOLAS C. LATNER Complainant

VS.

EDITH LUCILLE LATNER Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso

on service by publication 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 Nicholas C. Latner
is forever divorced from the said Edith Lucille Latner

for and on account of adultery

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 Nicholas C. Latner

the complainant pay the cost herein to be taxed, for which execution may issue.

This 24th day of October, 1944.

[Handwritten Signature]

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

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Lillian Patterson

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 Nicholas C. Latner, and Katie Latner

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Nicholas C. Latner is

Complainant
and Edith Lucille Latner is

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 16th day of October, 1944

R. R. Ruch

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NICHOLAS C. LATNER,
COMPLAINANT

VS

EDITH LUCILLE LATNER
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA
BALDWIN COUNTY.

Before me, the undersigned authority in and for said County, in said State, personally appeared Nicholas C. Latner who is known to me and who, having been by me first duly sworn, deposes and says that he is the Complainant, in the above styled cause, that the Respondent Edith Lucille Latner is over eighteen years of age, and a non-resident of the State of Alabama, her last known address being Umatilla, Florida; that the Respondent is not in the military or naval services of the United States.

Nicholas C. Latner

Subscribed and sworn to before me on this the 17 day of
August, 1944.

Shirley Lee
Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA-- GREETINGS;

WE COMMAND YOU, that you summon EDITH LUCILLE LATNER to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint lately exhibited by NICHOLAS C. LATNER, against the said EDITH LUCILLE LATNER, 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 the 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. DICK, Register of said Circuit Court, this the 19th day of October, 1944.
R. S. Dick
Register.

NICHOLAS C. LATNER,
COMPLAINANT

VS

EDITH LUCILLE LATNER,
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

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

Now comes your Complainant, Nicholas C. Latner, and humbly complaining against the Respondent, Edith Lucille Latner, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and are over the age of twenty one years; that the Respondent is presently sojourning in Umatilla, Florida;

2.

That they were married in the State of Florida on March 3rd, 1942, and lived together as husband and wife until in February, 1944.

3.

That while they were living together as husband and wife, and while the Complainant was away in the service of the United States, the Respondent committed acts of adultery with a man whose first name is Bob, and whose last name is to the Complainant unknown; that said acts of adultery were without the consent and approval, and have not been condoned by the Complainant.

WHEREFORE, the premises considered, Complainant prays that

Your Honor will, by proper process, make the said Edith Lucille Latner party Respondent to this cause of action, requiring her 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 your Honor will, upon the hearing hereof, enter an order and decree granting to the Complainant an absolute decree of divorce, forever barring the bonds of matrimony existing between him 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, and as in duty bound she will ever pray.

BEEBE & HALL

By *H. H. Beebe*
Solicitors for the Complainant.

NICHOLAS C. LATNER,
COMPLAINANT

VS

EDITH LUCILLE LATNER
RESPONDENT

AFFIDAVIT OF NON-RESIDENCE

1179

NICHOLAS C. LATNER
COMPLAINANT

VS

EDITH LUCILLE LATNER
RESPONDENT

SUMMONS AND COMPLAINT.

Received 19/1944
Prothonotary

ORAL EXAMINATION.

I, Lillian Patterson, 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 them and they signed the same in the presence of myself Hubert M. Hall

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 16 day of October, 1944.

Lillian Patterson (L. S.)

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Nicholas C. Latner Complainant

Vs.

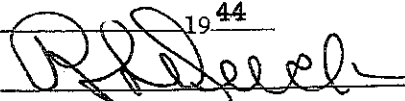
Edith Lucille Latner Defendant

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 _____ day of _____, 19____, in the _____ 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 _____ day of _____ 194____ and _____

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

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 Edith Lucille Latner

This 16th day of October 1944



Register.

No. 1179 Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Vs.

Decree Pro Confesso of Publication

Issued art 16 1944
[Signature]
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Nicholas C. Latner

Complainant

VS.

Edith Lucille Latner

Respondent

THE STATE OF ALABAMA,
BALDWIN COUNTY

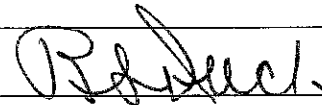
IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
decree pro confesso against the Defendant, depositions of Nicholas C. _____
Latner, and Katie Latner, witnesses for Complainant _____

and in behalf of Defendant upon _____

Beebe & Hall

By: _____



Register.

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____

TERM, 194 _____.

Nicholas C. Latner

Complainant—.

VS.

Edith Lucille Latner

Respondent—.

TO R. S. DUCK, REGISTER:

In the above stated cause a decree pro confesso

having been taken against Edith Lucille Latner the Respondent—,
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,
Solicitor ~~S~~ 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—.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Nicholas C. Latner

Complainant

Vs.

Edith Lucille Latner

Defendant

Motion is hereby made for a Decree Pro Confesso against Edith Lucille Latner

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 16 day of Oct 1944

746 Code

Beckwith

Solicitor.

Form 3141
Rev. 1-2-36

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1
(Signature or name of addressee)

2
(Signature of addressee's agent—Agent should enter addressee's name or firm & address above)

Date of delivery 8-2-36, 1936

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO EXCEEDS AMOUNT OF POSTAGE, \$200



Wm. C. ...
Wm. C. ...
R. A. Duch, ...
NAME OF SENDER

REGISTERED ARTICLE

330

INSURED PARCEL

Post Office

Bay Minette, ALA.

State

PS-2421

RECEIPT FOR REGISTERED ARTICLE No. 330

no fee paid. 1st class postage paid. 8-19, 1914 (Date)

Declare value \$ 10 Surchage paid, \$ 0

From W. O. D. ... Club (Sender)

Addressed to ... (Post office and State)

... (Street and number) (Post office and State)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee 4 Special delivery fee no

Delivery restricted to addressee no Postmaster, per ...

