

(3560)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

REBECCA PIERCE

Complainant

vs.

JAMES L. PIERCE

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

REBECCA PIERCE

is forever divorced from the

said JAMES L. PIERCE

for and on account of

voluntary abandonment

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 payment of the cost of this suit.

It is further ordered that REBECCA PIERCE

the Complainant

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

This 8th day of July, 1955

J. Hubert M. Steele

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. 3560 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

REBECCA PIERCE

Complainant

vs.

JAMES L. PIERCE

Respondent

**DIVORCE DECREE**

FILED

JUL 8 1955

A. DUCK, Register

I, FLORA S. MATTHEWS, Commissioner acting under stipulation of parties in the divorce suit of REBECCA PIERCE vs. JAMES L. PIERCE, pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have caused the witnesses in this cause, namely, REBECCA PIERCE and HOWARD DAVIS, who were made known to me and known to be the identical witnesses called by the parties, to come to my office in the Bank Building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. Rickarby, Jr., Esquire, Solicitor for the Complainant, did testify as shown by the attached testimony, and that their testimony was, by me, reduced to writing as given by them as near as might be in their identical language and, after being reduced to writing, was read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to this cause, nor any wise interested in the results thereof.

IN WITNESS, I herunto set my hand as Commissioner on this the 1<sup>st</sup> day of July, 1955.

Flora S. Matthews  
COMMISSIONER

STATE OF ALABAMA

BALDWIN COUNTY

TESTIMONY OF REBECCA PIERCE

I am the Complainant in this cause and am suing my husband, JAMES L. PIERCE, for a divorce. We are both over the age of twenty-one years and are now living in Fairhope, Baldwin County, Alabama, and have lived here practically all our lives.

We were married on the 25th day of April, 1939, but for the last seven years we have not gotten along together well and about the 3rd of January, 1954, my husband, JAMES L. PIERCE, and I separated and he abandoned me and since that time we have lived separate and apart and are now living separate and apart.

There are no children to this marriage.

I am asking for a divorce from my husband, JAMES L. PIERCE. We have divided up our property in a way that is satisfactory to both of us.

Rebecca Pierce

Subscribed and sworn to before me on this the 29<sup>th</sup> day of June, 1955.

Helen S. Matthews  
COMMISSIONER

STATE OF ALABAMA

BALDWIN COUNTY

T E S T I M O N Y

My name is HOWARD DAVIS and I have known JAMES L. PIERCE for three or four years. I also know his wife, REBECCA PIERCE. PIERCE has worked for me for the last three years and I know that he and his wife have not gotten along together and have separated. I don't know exactly when they separated, but they have separated. They are both over the age of twenty-one years and are now, and have been, residents of Baldwin County practically all their lives. I know that they have been having matrimonial difficulties.

Howard Davis

Subscribed and sworn to before me this the 1<sup>st</sup> day of July, 1955.

Glenn S. Matthews  
COMMISSIONER

3560

FILED

JUL 8 1955

ALICE L. DUCK, Register

REBECCA PIERCE

COMPLAINANT

VS

JAMES L. PIERCE

RESPONDENT

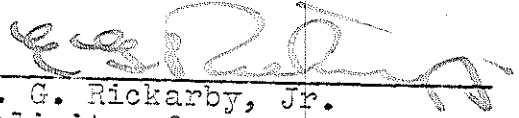
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
INEQUITY

NOTE OF EVIDENCE

This cause is submitted on final decree on  
Complainant's bill, answering waiver filed by Respondent,  
depositions of Complainant and Howard Davis.

RICKARBY AND RICKARBY

BY

  
E. G. Rickarby, Jr.  
Solicitor for Complainant

*Deice J. Whuck*  
*Register*

3560

REBECCA PIERCE

COMPLAINANT

-VS-

JAMES L. PIERCE

RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

NOTE OF EVIDENCE

FILED  
JUL 8 1955

RICKARBY AND RICKARBY  
Attorney for Complainant



TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY ALABAMA, IN EQUITY:

Gomes REBECCA PIERCE and, by this her bill of complaint presented against JAMES L. PIERCE, respectfully shows:

FIRST: That the Complainant and Defendant are both over the age of twenty-one years and both are now and have been for over three years next preceding the filing of this bill bona fide residents of Baldwin County, Alabama, residing in Fairhope.

SECOND: Complainant and Defendant were married on, to-wit, the 25th day of April, 1939, and have lived together as husband and wife until about January, 1954, when Defendant voluntarily abandoned the Complainant as hereinafter alleged.

THIRD: That on or about the 3rd of January, 1954, the Defendant voluntarily abandoned the bed and board of this Complainant, without just cause or legal excuse, and said abandonment has been continuous and the parties have not lived together as husband and wife from said date.


FOURTH: There are no children born of this marriage.

THE PREMISES CONSIDERED, Complainant prays that JAMES L. PIERCE be made party defendant to this cause, and by proper process required to plead, answer or demur within the time prescribed by law.

Complainant further prays that, on a hearing of this cause, a decree of divorce from the bonds of matrimony be rendered forever divorcing her from the said JAMES L. PIERCE, and granting her the right to resume her maiden name, if she so desires, and to have such other different and further relief as to equity may seem meet.

RICKARBY AND RICKARBY

BY

  
E. G. RICKARBY, JR.  
Solicitor for Complainant

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY ALABAMA, IN EQUITY:

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FILED

July 8 1955

ALICE L. HUCK, Clerk

RICKARBY AND RICKARBY

BY

E. G. RICKARBY, JR.

Solicitor for Complainant

RECORDED  
3560

REBECCA PIERCE

COMPLAINANT

-VS-

JAMES L. PIERCE

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

BILL OF COMPLAINT

FILED  
JUL 8 1955  
ALICE L. BUCK, RECIPIENT

RICKARBY AND RICKARBY  
Attorney for Complainant

REBECCA PIERCE,  
Complainant  
VS  
JAMES L. PIERCE,  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

WAIVER

Comes JAMES L. PIERCE, Respondent in the above styled cause,  
and for answer to the bill of complaint says he denies each allegation  
of same.

Respondent hereby waives notice of demand for oral examination  
of Complainant's witnesses; of the issue of commission to take testimony;  
of the time and place set for taking same, and of the right to introduce  
evidence in his own behalf.

Respondent further agrees that this cause may be submitted for  
final decree at any time on the pleading and Complainant's evidence as  
noted by the Register.

*James L. Pierce*  
JAMES L. PIERCE, Respondent

STATE OF ALABAMA

BALDWIN COUNTY

I, J. E. Gooden, a Notary Public for said  
County in said State, hereby certify that JAMES L. PIERCE, whose name is  
signed to the foregoing instrument and who is known to me to be the  
Respondent above named, acknowledged before me on this date that he  
executed the foregoing answer voluntarily with knowledge of its contents.

WITNESS my hand and official seal this the 29 day of June,  
1955.

*JE Gooden*  
Notary Public, Baldwin County, Alabama

RECORDED

3560

REBECCA PIERCE

Complainant

-VS-

JAMES L. PIERCE

Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

W A I V E R

FILED

JUL 8 1955

ALICE J. DUCK, Register