

DIVORCE DECREE

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

HENRY FEARN, JR., Complainant

vs.

DORA FEARN, 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

HENRY FEARN, JR. is forever divorced from the said DORA FEARN 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 the payment of the cost of this suit.

It is further ordered that HENRY FEARN, JR. the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 1st day of July, 1924

Hubert M. Hall
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. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

HENRY FEARN, JR.

Complainant

vs.

DORA FEARN

Respondent

DIVORCE DECREE

FILED
JUL 1 1955
ALICE L. OWEN, CLERK

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

Comes HENRY FEARN, JR., by this his bill of complaint presented against DORA FEARN, 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 more than three years next preceding the filing of this bill residents of the State of Alabama, and the Complainant has been and is a bona fide resident of Baldwin County, Alabama, and the Defendant is a resident of Madison County, Meridianville, Alabama, and has been for three years next preceding the filing of this bill of complaint.

SECOND: Complainant and Defendant were married on or about February 16, 1933, in Madison County, Alabama, and separated on or about October or November, 1941, and have not lived together since that time.

THIRD: In June, 1953, Defendant voluntarily abandoned the bed and board of this Complainant and said abandonment has continued and parties have lived separate and apart up until the date of the filing of this bill.

THE PREMISES CONSIDERED, Complainant prays that Dora Fearn be made party defendant to this cause, and by proper process required to answer this bill within the time prescribed by law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing him from said Dora Fearn, granting him the right to marry again should he so desire, and to have such other, further or different relief as to equity may seem meet.

FILED

June 15 - 1955

ALICE J. DUCK, Clerk

RICKARBY AND RICKARBY

BY:

E. G. Rickarby, Jr.
Solicitor for Complainant

RECORDED

35-49

Bill of Complaint

FILED
JUN 15 - 1953
ALICE J. BARKER, Registrar

HENRY FEARN, JR.,

Complainant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

-vs-

IN EQUITY

DORA FEARN,

Respondent

WAIVER

Comes DORA FEARN, Respondent in the above styled cause, and for answer to the bill of complaint says she 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 her 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.

Dora Fearn
Dora Fearn, Respondent.

STATE OF ALABAMA:
COUNTY OF MADISON:

I, Junie F. Bramm, a Notary Public in and for said State and County, hereby certify that Dora Fearn, whose name is signed to the foregoing instrument and who is known to me to be the Respondent above named, acknowledged that she executed the foregoing answer voluntarily with knowledge of its contents.

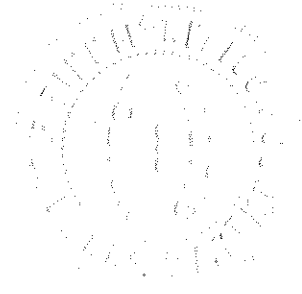
WITNESS my hand and official seal this the 30 day of May, 1955.

Junie F. Bramm
Notary Public, Madison County, Alabama.

My Com expires
July 31, 1955

RECORDED

Ans. T. Wawic



FILED

JUN 15 1955

ALICE J. DUCK, Register

ELLIOTT G. RICKARBY

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

June 28, 1955

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Fearn vs. Fearn
Our File: 1938

With this we are handing you testimony and note
of testimony in the above styled cause.

Please let me have decree as soon as possible,
and oblige.

Yours very truly,



EGR/fm
Encl.
7-15-55

cc: Henry Fearn, Jr.

I, FLORA S. MATTHEWS, Commissioner acting under stipulation of parties in the divorce suit of Henry Fearn, Jr. vs. Dora Fearn, 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, HENRY FEARN, JR. and SYBEAL JONES, 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 so 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 the cause, nor any wise interested in the results thereof.

IN WITNESS, I hereunto set my hand as Commissioner on this the 27th day of June, 1955.

Flora S. Matthews
Commissioner

STATE OF ALABAMA,
COUNTY OF BALDWIN.

T E S T I M O N Y

My name is HENRY FEARN, JR., and I am suing my wife, Dora Fearn for a divorce. We are both over twenty-one years of age and we have both lived all of our lives in Alabama and are still living here in Alabama. I have lived in Baldwin County since June 1953 and have established my residence here and am living here in Baldwin County at Daphne, Alabama. My wife lives in Madison County, Alabama up in Meridianville and has been living there for over three years. My wife and I were married on the 16th of February 1933 in Madison County, Alabama and lived together until January 1939 when I was sent off. I got out in June 1953 and got in touch with my wife and ask her to come with me and she refused. I went back to see her in August 1953 and personally ask her to come with me and she refused to have anything to do with me and abandoned me and we have lived separate and apart since 1939 when I went off and she told me she didn't want to come back to me after I got out in June 1953 and she has lived up in Madison County and I have lived down here in Baldwin County and there is no chance of her coming down here to live with me, so I am putting in for my divorce.

Henry Fearn Jr.

Subscribed and sworn to before me on this the 25th day of
June, 1955.

Gloria S. Matthews

Commissioner

STATE OF ALABAMA,
COUNTY OF BALDWIN

T E S T I M O N Y

My name is SYBEAL JONES, and I know Henry Fearn, Jr., and have known him for about two years. He is a resident and he is living here in Baldwin County, Alabama and has been living here in Baldwin County, Alabama ever since June 1953. I do not know anything about his wife, except what I had been told but I do know that he and she have not been living together since June 1953. I see Henry Fearn, Jr. very frequently and would know if he and his wife Dora Fearn were living together and I understand she lives up in Madison County.

Sybeal Jones.

Subscribed and sworn to before me on this the 27th day of

June, 1955

Flora S. Matthews

Commissioner

HENRY FEARN, JR.

COMPLAINANT

VS

DORA FEARN

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NOTE OF EVIDENCE

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

RICKARBY AND RICKARBY

W. J. Fearn
Register

BY

E. G. Rickarby, Jr.
E. G. Rickarby, Jr.
Solicitor for Complainant

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

June 14th, 1955

Mrs. Alice Duck
Clerk of the Circuit Court
Court House
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Henry Fearn, Jr.
vs
Dora Fearn
Our File: 1938

With this we are handing you bill of divorce in the case of Fearn vs. Fearn. Also, you will find enclosed waiver of defendant. Hope to get the testimony completed shortly.

Am enclosing check for \$15.00 costs in this matter.

Yours very truly,



EGR/fm
Encl.

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

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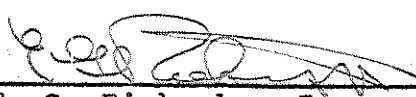
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RICKARBY AND RICKARBY

BY:


E. G. Rickarby, Jr.
Solicitor for Complainant