2696

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

JAMES HOWARD WILSON VIVIANS, JR., Complainant

vs.

DORIS CURRY VIVIANS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Doris Currie Vivians 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 James Howard Wilson Vivians, Jr. is forever divorced from the said Doris Currie Vivians 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 James Howard Wilson Vivians, Jr. the Complainant pay the cost herein to be taxed, for which execution may issue.

This 11th day of February, 1952

Telfair J. Washburn Jr.
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 end 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

~~James Howard Wilson~~

Vivians, Jr.
Complainant

vs.

Doris Currie Vivians

Respondent

DIVORCE DECREE

Filed 2-11-52
[illegible]
Register

2696

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

JAMES HOWARD WILSON VIVIANS, JR., Complainant

vs.

DORIS CURRY VIVIANS, Respondent

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This 11th day of February, 1952

Telfair J. Washburn Jr.
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 end enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

_____
Register of Circuit Court, In Equity.

JAMES H. VIVIANS,

Complainant

- vs -

DORIS CURRIE VIVIANS,

Defendant

CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA

I, the commissioner hereinafter named, certify that by virtue of the attached commission, I caused MARY BROOKS and CURLEY BROOKS, witnesses for complainant, to appear in my office in the Bank of Fairhope Building, Fairhope, Alabama, where, having been first duly sworn to tell the truth upon examination by counsel for complainant, they testified as follows:

MARY BROOKS

I am the grandmother of JAMES VIVIANS and raised him from boyhood. I live in Daphne, which is the town from which he was drafted and know of my personal knowledge that he has been all his life a resident of Baldwin County, Alabama. He was married on December 9, 1947 to DORIS CURRIE and lived with her as husband and wife up to the middle of December, 1949, when he left and went to Jasper, Texas, where he could get work. In the following February, 1950, after he had gotten settled in a place to live, he sent his wife a bus ticket for a fare to come there, but instead of her using this to go there as was agreed, she tried to cash the ticket and since then has refused to go back to live with him. For a while she has been working in Mobile and it has been reliably reported to me that she is living with another man over there. At any rate she has not come back to her husband, and they have lived separate and apart since December, 1949, without any resumption of married life together. Had they gone back together, my relations with her family are such that I would have known it at once. Both James Vivians and his wife are over the age of twenty-one years. She has relatives in Baldwin County and still regards this county as her home.

Mary Brooks

CURLEY BROOKS

I am the step-grandfather of James Vivians and have known him all of his life. Mary Brooks, who has just testified, is my wife, and I know that all she has said is true. James Vivians has been badly treated by his wife and is doing well to get rid of her.

Curley Brooks

JAMES H. W. VIVIANS,
Complainant

vs

I, Florence Copeland, the commissioner named in the attached commission issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in a case pending in the Equity side of said Court, wherein James Vivians is Complainant and Doris Currie is Defendant, under and by virtue of the power conferred upon me by said commission, I caused the witnesses named in the commission, namely Mary Brooks and Curley Brooks, who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in the Bank Building in the city of Fairhope, Alabama, where the said witnesses after being first duly sworn by me, upon examination by Elliott G. Rickarby, Esquire, of counsel for Complainant, testified as is hereinbefore written. 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 of kin to either of the parties to the cause, or anywise interested in the result thereof.

In Witness Whereof, I hereunto set my hand and seal as Commissioner, this the 29th day of October, 1951.

Florence Copeland
Commissioner

Commissioner's fee $ 3.00
To be Paid by Complainant

JAMES H. W. VIVIANS,
Complainant

-vs-

DORIS CURRIE VIVIANS,
Defendant

- - - - - - - - - - - - - - - - - -

DEPOSITIONS OF:

CURLEY BROOKS and
MARY BROOKS,
Witnesses for Complainant

Filed
11-7-57
Alice Henck
Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Florence Copeland

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 Curley Brooks and Mary Brooks

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

JAMES H. W. VIVIANS

, Complainant

and

DORIS CURRIE VIVIANS, Defendant

~~Respondent~~

on oath, to be by you administered, upon oral examination to take and certify the deposition~~s~~ of the witness~~es~~ and return the same to our Court, with all convenient speed, under your hand.

~~Witness~~ 27th day of October, 1951.

Alice Juerich
Register.

Commissioner's Fee, $3.00

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

JAMES H. W. VIVIANS

Complainant—

vs.

DORIS CURRIE VIVIANS

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Florence Copeland

WITNESSES:

JAMES H. W. VIVIANS, Complainant, VS. DORIS CURRIE VIVIANS, 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: Curley Brooks and Mary Brooks, Witnesses for Complainant;

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

Rinkley & Rinkley
Solicitors for Complainant.

NOTE:

Complainant suggests the name of Florence Copeland as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Rinkley & Rinkley
Solicitors for Complainant.

BT-2-47-100

DEMAND FOR ORAL EXAMINATION.

JAMES H. W. VIVIANS
Complainant,

Vs.

DORIS CURRIE VIVIANS
Respondent.

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

Filed this 7th day of Nov, 1947.

Register.

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

ELLIOTT G. RICKARBY

E. G. RICKARBY, JR.

8 October 1951

Mrs. Alice J. Duck
Register
Bay Minette, Alabama

Dear Mrs. Duck:

VIVIANS VS VIVIANS: With this find Interrogatories to be propounded to Complainant as a witness for himself in this cause and for which please issue commission addressed to:

Captain Henry C. DeJarnette
Office of Staff Judge Advocate
Fort Eustis, Virginia.

We will send Captain DeJarnette the necessary form for taking depositions in this case.

Sincerely,

Elliott G. Rickarby

for
RICKARBY & RICKARBY

EGR:fc
3072

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

7 August 1951

Mrs. Alice J. Duck
Register
Bay Minette, Alabama

Dear Mrs. Duck:

VIVIANS VS VIVIANS: With this please find Bill in duplicate for the case on which I paid you $12.00 costs when at Bay Minette last Thursday.

We have just located the Defendant and it may be she will sign an answer and waiver, so do not put the papers in the Sheriff's hands until you hear from me further.

Sincerely,

Elliott G. Rickarby

for
RICKARBY & RICKARBY

EGR:fc
3072
Enc: 2

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY

FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

5 November 1951

Mrs. Alice J. Duck
Register
Bay Minette, Alabama

Dear Mrs. Duck:

VIVIANS VS VIVIANS: By this mail we are sending you depositions of the two local witnesses in this case taken last Monday, October 29th but without the issue of commission for which we now apply asking you to date it October 27th to anticipate the testimony.

We have also filled out the commission and will be glad to have you put this with the testimony but do not submit until we notify you as the Complianant has become somewhat reticent as to the balance of our fee, which omission will have to be rectified.

Sincerely,

Elliott G. Rickarby

for
RICKARBY & RICKARBY

EGR:fc
3072
Enc: 3

Do not
submit
until further
because

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Florence G. Capeland

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

Ella Lett Sellers
James H. Vivians

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

James H. H. Vivians

, Complainant

and Doris Carrie Vivians

, Respondent

on oath, to be by you administered, upon them

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

Witness 2nd day of October, 1951.

Register.

Commissioner's Fee, $

Witness' Fees, $

No. 2696

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

James H. W. Williams

Complainant—

vs.

Doris Currie Williams

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Florence S. Copeland

WITNESSES:

OFFICE OF THE JUDGE ADVOCATE
FORT EUSTIS, VIRGINIA

12 October 1951

Clerk
Circuit Court, Baldwin County
Bay Minette, Alabama

Re: Interrogatories James H. W. Vivians.

Dear Sir:

Inclosed are Interrogatories of James H. W. Vivians which have been duly taken this date on behalf of the said James H. W. Vivians to be read as evidence in the Chancery cause pending in your court in the style of Vivians v. Vivians in accordance with the commission to take depositions which is attached to the Interrogatories.

It is hoped that the Interrogatories are in proper form.

Yours very truly,

HENRY C. DeJARNETTE
Captain, JAGC
Legal Assistance Officer

2 Incls.
#1 - Notice to Take Dep
#2 - Dep of J. H.W.Vivians

cc.

Messrs Rickarby & Rickarby
Attorneys At Law
Fairhope, Alabama

James H W Viviano,
Complainant,

vs.

Doris Eunice Viviano,
~~Respondent.~~
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NO. 2696

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

Ella Lett Sellers

James H W Viviano

;

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

Rinaldy & Rinaldy
Solicitors for Complainant.

NOTE:

Complainant suggests the name of Florence G Copeland as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Rinaldy & Rinaldy
Solicitors for Complainant.

BT-2-47-100

DEMAND FOR ORAL EXAMINATION.

James H W Vivians
Complainant,

Vs.

Doris Carrie Vivians
Respondent.

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

Filed this 1st day of October 1947.

Alice J. Henson
Register.

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA
ELLIOTT G. RICKARBY
E. G. RICKARBY, JR.

1 February 1952

Mrs. Alice J. Duck
Register
Bay Minette, Alabama

Dear Mrs. Duck:

VIVIANS VS VIVIANS: With this we are handing you three copies of the decree and note of evidence, duly signed.

From Father's file I think that there should be testimony of Vivians and two other local residents in Daphne, but as I am not familiar with the file I would rather you would note this testimony so I am leaving this list on testimony blank for you to fill in.

Please notify as soon as this case is ruled on by the Judge.

Yours very truly,

RICKARBY & RICKARBY

By: E. G. Rickarby

EGRjr/fc
3072
Enc: 4

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

James Howard Wilson Vivians, Jr.

vs.

Doris Currie Vivians

NOTE OF TESTIMONY

Filed in Open Court this .....

day of ....., 194.....

Register.

Printed By The Baldwin Times

8581. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

James Howard Wilson Vivians, Jr.

vs.

Doris Currie Vivians

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

and in behalf of Defendant upon _____

RICKARBY & RICKARBY
By:
Attorneys for Complainant

Register.

TO

DORIS CURRIE VIVIANS

You are hereby notified to appear and plead, answer or demur, within thirty days from the receipt hereof, to the Bill of Complaint filed in this Court at Bay Minette, Alabama, against you as Defendant by JAMES HOWARD WILSON VIVIANS, JR., Complainant.

Witness my hand and seal this 9th day of August, 1951.

Register, Circuit Court

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: IN EQUITY

Comes JAMES HOWARD WILSON VIVIANS, JR., and by this his Bill of Complaint, presented against DORIS CURRIE VIVIANS, respectfully shows:

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

SECOND: That Complainant and Defendant were married at Daphne, Alabama, on December 29, 1947, but have not lived together since February 15, 1950.

THIRD: That Defendant has lived separate and apart from Complainant ever since she voluntarily abandoned his bed and board in the month of February, 1950 which abandonment has continued to the present date.

THE PREMISES CONSIDERED, Complainat pryas that he 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 the said Doris Currie Vivians, 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.

Solicitors for Complainant

NW 2696

EQUITY NO.

JAMES HOWARD WILSON VIVIANS, JR.

VS

DORIS CURRIE VIVIANS

- - - - - - - - - -

BILL

RECORDED

FILED
AUG 9 1951
ALICE J. DUCK, Register

RICKARBY & RICKARBY

Solicitors

Received 8-29 1951
Serving a copy of within Summons and Complaint on
Doris Currie Vivians

Taylor Wilkins Sheriff
By G. T. Hall Deputy Sheriff

No. 1696 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

James H. W. Vivians

Vs.

Doris Currie Vivians

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued 10-1 1957

Register.

8604 Decree Pro Confesso on Personal Service. 3107 Code. Baldwin Times Print.

The State of Alabama,
Baldwin County.

No. 2696 CIRCUIT COURT, IN EQUITY

James Howard Wilson Vivians Complainant

vs.

Doris Bernie Vivians Defendant

In this cause it appears to the Register

that a Summons requiring the Defendant

Doris Bernie Vivians

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon her

was served upon her by the Sheriff of Baldwin County County, Alabama, on the 29th day of August 1957

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of Complainant

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said Doris Bernie Vivians

Defendant aforesaid.

This first day of October 1957

Register.

8600 Motion for Decree Pro Confesso on Personal Service. 3107 Code

The State of Alabama,
Baldwin County.

No. 2696 CIRCUIT COURT IN EQUITY.

JAMES HOWARD WILSON VIVIANS, JR Complainant

vs.

DORIS CURRIE VIVIANS Defendant

Motion is hereby made for a Decree Pro Confesso against

DORIS CURRIE VIVIANS Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant ; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 1st day of October 19 51

Richard Rhea Solicitor,

No. ..... Page .....

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

JAMES HOWARD WILSON VIVIANS JR.

vs.

DORIS CURRIE VIVIANS

MOTION FOR DECREE PRO CONFESSO ON PERSONAL SERVICE

Filed 10-1-51 19

Register.

Recorded in ..... Record,

Vol. ..... Page .....

Register.

Moore Printing Company, Bay Minette, Ala.

STATE OF VIRGINIA)
:
COUNTY OF WARWICK) SS:
:
(FORT EUSTIS))

The Interrogatories of James H. W. Vivians taken before me, Henry C. DeJarnette, Captain, JAGC, 02059155, Assistant Staff Judge Advocate, Fort Eustis, Virginia, on this the 12th day of October 1951, to be read on behalf of said James H. W. Vivians in a certain suit in equity pending in the Circuit Court of Baldwin County, Alabama, under the style of James H. W. Vivians, Complainant, vs Doris C. Vivians, Defendant (Equity No. 2696), pursuant to commission of Circuit Court of Baldwin County, State of Alabama, dated 9 October 1951, which said commission and attached interrogatories is hereto attached.

The witness, JAMES H. W. VIVIANS, having been duly sworn, deposes as follows:

INTERROGATORY ONE: State your age and that of the defendant and in what county has been the residence of both of you for three years prior to August 8, 1951?

ANSWER: My name is JAMES H. W. VIVIANS, and my age is 21, and DORIS C. VIVIANS is about 23 years of age. The defendant and I have both been residents of Baldwin County, Alabama, for the three years prior to 8 August 1951.

INTERROGATORY TWO: State when and where you were married and when you stopped living together?

ANSWER: I was married in Daphne, Alabama on December 29, 1947. The defendant and I last cohabited together in the latter part of November 1949 at Daphne, Alabama.

INTERROGATORY THREE: In December 1949 when you left Baldwin County to work in Jasper, was it not agreed with you and your wife that she would follow you there as soon as you could get located and sent her the money?

ANSWER: Yes, that is correct.

INTERROGATORY FOUR: In the early part of February 1950, did you or not write your wife to join you and send her a ticket for her bus fare to Jasper?

ANSWER: Yes, I did.

INTERROGATORY FIVE: Did your wife join you when you sent her the transportation? Have you been able to get her to live with you since that date? What did she do with the bus ticket?

ANSWER: She failed to come to Jasper. Instead of using the ticket to come to live with me, she turned the ticket into the bus company, and tried to collect the cash from it. To my knowledge, she never made any effort to use other means of transportation to join me in Jasper, Texas.

INTERROGATORY SIX: Did your wife have any legal reason for not joining you since February 1950 and have you and she at any time lived together since then or seen anything of each other?

ANSWER: There was no legal reason for her not joining me since 1950 and we have not lived together since that time nor have I seen anything of her.

Further deponent sayeth not.

James H. W. Vivians
JAMES H. W. VIVIANS

I, HENRY C. DEJARNETTE, Captain, JAGC, Assistant Staff Judge Advocate, Fort Eustis, Virginia, do hereby certify that JAMES H. W. VIVIANS, whose name is signed to the foregoing deposition, personally appeared before me on the date above stated and after having been duly sworn did answer the questions propounded to him as set forth above. I do further certify that the said James H. W. Vivians is a person known to me to be in the military service of the United States and that I am a person authorized to administer oaths in accordance with Article 136, Uniform Code of Military Justice, and Public Law 506, 81st Congress.

HENRY C DEJARNETTE
Captain, JAGC
Asst Staff Judge Advocate

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Captain Henry C. DeJarnette
Office of Staff Judge Advocate,
Fort Eustis, Virginia

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 ~~James H. W. Vivians~~

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein JAMES H. W. VIVIANS, Complainant

and DORIS C. VIVIANS Respondent

on oath, to be by you administered, upon him

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

Witness 9th day of October, 1951.

Alice French
Register.

Commissioner's Fee, $

Witness' Fees, $

JAMES H. W. VIVIANS
Complainant

vs

DORIS C. VIVIANS,
Defendant

EQUITY No. 2696

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

DEPOSITIONS TO BE PROPOUNDED TO JAMES H. W. VIVIANS, WITNESS FOR COMPLAINANT:

INTERROGATORY ONE: State your age and that of the Defendant and in what county has been the residence of both of you for three years prior to August 8, 1951?

TWO: State when and where you were married and when you stopped living together.

THREE: In December 1949 when you left Baldwin County to work in Jasper, was it not agreed with you and your wife that she should follow you there as soon as you got located and sent her the money?

FOUR: In the early part of February 1950 did you or not write your wife to join you and send her a ticket for her bus fare to Jasper?

FIVE: Did your wife join you when you sent her the transportation? Have you been able to get her to live with you since that date? What did she do with the bus ticket?

SIX: Did your wife have any legal reason for not joining you since February 1950 and have you and she at any time lived together since then or seen anything of each other?

Rickarby & Rickarby
Solicitors for Complainant.

Complainant ~~being duly sworn~~ says that he is now in Military service in Camp Eustis, Virginia more than one hundred miles from the place of trial of this cause and that his testimony is essential in the present suit. He suggests the name of Henry C. DeJarnette, a Captain in the service of the Army of the United States stationed at Camp Eustis, as a suitable person to act as commissioner in taking testimony for the Complainant in this cause.

JAMES H. W. VIVIANS
By: Rickarby & Rickarby
Solicitors for Complainant

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned Notary Public, appeared Elliott G. Rickarby, who being sworn says that he is of counsel for Complainant in this cause and that he is informed and believes that the foregoing statement is true.

Elliott G. Rickarby

Subscribed and sworn to before me this the 8th day of October, 1951.

E. Daniel
Notary Public, Baldwin County, Alabama

2696

JAMES H. W. VIVIANS
Complainant

vs

DORIS C. VIVIANS,
Defendant

- - - - - - - - - - - - - -

INTERROGATORIES TO COMPLAINANT
WITNESS FOR HIMSELF

8581. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

James Howard Wilson Vivians, Jr.

vs.

Doris Currie Vivians

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, Testimony of Complainant James Howard Wilson Vivians Jr. Purcell Brooks and Mary Brooks.

and in behalf of Defendant upon Answer Or Confession.

RICKARBY & RICKARBY
By: [signature]
Attorneys for Complainant

[signature]
Register.

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

James Howard Wilson Vivians, Jr.

vs.

Doris Currie Vivians

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of Feb, 1952

Alice J. Resch

Register.

Printed By The Baldwin Times

2696

Interrogatories to take Complainants testimony at ~~Camp &~~ Fort Custis Virginia will follow Monday.

Please get out some blanks for application for decrees pro confesso on personal service so I can get them when I come up Tuesday afternoon. And remind me to get them as I may be busy and preoccupied then - Bress o' Bress.

Yours,

E. G. R.