

The State of Alabama, Baldwin County

Circuit Court, In Equity

MILTON V. HARRIS

, Complainant

vs.

JOAN HOLLOWAY HARRIS

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confess~~ 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 MILTON V. HARRIS is forever divorced from the said JOAN HOLLOWAY HARRIS for and on account of 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 MILTON V. HARRIS the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 24th day of August, 1951.

Jeffery J. Madliberry, 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 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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

AUG 25 1951

ALICE J. DUCK, Register

MILTON V. HARRIS,
Complainant,

No. VS.

JOAN HOLLOWAY HARRIS,
Respondent.

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof
as noted.

Dated,

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

FILED,

8-23-51
Alice H. H. H. Register

Sworn Bill of Complaint

Deposition of Milton V. Harris,
Complainant

Deposition of Miss Edna Rockwell

McCOREY, TURNER, ROGERS, JOHNSTONE & ADAMS

BY:

James M. H. H.
Solicitor for Complainant.

FOR RESPONDENT

Solicitor—for Respondent.

No. _____

Vs.

ORDER OF SUBMISSION
NOTE OF EVIDENCE

Terms, 19____

, 19____

Ent. Min. No. _____, Page _____

Filed 8-23-81
Wick
Register

MILTON V. HARRIS,
Complainant,

No. VS.

JOAN HOLLOWAY HARRIS,
Respondent.

ORDER OF SUBMISSION

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Complainant

Deposition of Miss Edna Rockwell

MCCOREY, TURNER, ROGERS, JOHNSTONE & ADAMS

BY:

James M. May
Solicitor for Complainant.

FOR RESPONDENT

Solicitor for Respondent.

MILTON V. HARRIS

Complainant

No. _____ vs. _____

JOAN HOLLOWAY HARRIS

Defendant

CIRCUIT COURT OF ~~MOBILE~~ BALDWIN
COUNTY, ALABAMA

IN EQUITY

DEMAND FOR ORAL EXAMINATION

The State of Alabama }

~~Mobile County~~

BALDWIN COUNTY

The Complainant

requests the oral examination of the following named witnesses

on his behalf, viz: Milton V. Harris, Complainant

Miss Edna Rockwell

said witnesses reside in the County of Baldwin State of Alabama.

Martha Hughes

who resides at 166 Lower West Apt., Mobile, Alabama,

is suggested as suitable person to be appointed Commissioner to take depositions of said witnesses on such oral examination.

Filed _____

MCCOREY, TURNER, ROGERS, JOHNSTONE & ADAMS

~~XXXXXX XXXXXX XXXXXX~~

BY: _____

Solicitors for Complainant

ORDER OF SUBMISSION—NOTE OF EVIDENCE AND DECREE

Ent. Min. No. _____ Page _____

No.-----

CIRCUIT COURT OF ^{BALDWIN} ~~MOBILE~~ COUNTY
~~MOBILE~~ Alabama
IN EQUITY

MILTON V. HARRIS, Complainant

Vs.

JOAN HOLLOWAY HARRIS, Defendant

DEMAND FOR ORAL EXAMINATION

FILED

AUG 18 1951

ALICE J. DUCK, Register

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS
ATTORNEYS AT LAW

NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING

P.O. BOX 1070

MOBILE 6, ALABAMA

August 17, 1951

GESSNER T. McCORVEY
BEN D. TURNER
C. M. A. ROGERS
C. A. L. JOHNSTONE, JR.
R. F. ADAMS

JAMES L. MAY, JR.
CHAUNCEY MOORE

Miss Alice Duck, Clerk
Circuit Court of Baldwin County, Alabama
Bay Minette, Alabama

Re: Milton V. Harris
vs
Joan Holloway Harris

Dear Miss Duck:

Inclosed is the answer and waiver
executed by the Respondent, which she desires
to be filed in the above cause.

Also inclosed is the demand for
oral examination. It would be appreciated if
the certificate of the Commissioner is mailed
to us when it has been prepared.

With our firm's best wishes, we are,

Yours very truly,

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

By: 
James L. May, Jr.

JLMjr/h
Encl. 2

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

ATTORNEYS AT LAW

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C. A. L. JOHNSTONE, JR.
R. F. ADAMS

JAMES L. MAY, JR.
CHAUNCEY MOORE

August 22, 1951

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

Re: Milton V. Harris vs.
Joan Holloway Harris,
In Equity.

Dear Mrs. Duck:

Inclosed is the envelope of the Commissioner containing the depositions of the Complainant and the witness for the Complainant, as well as the commission. Also inclosed is the note of evidence.

It will be greatly appreciated if you would cause this matter to be submitted to the Judge for his decision. Please send us the bill for costs and it will be paid immediately by us from a deposit for costs which has been made in our office by Mr. Harris. The Commissioner's fee has already been paid. Please include in the bill of costs, the charges for two certified copies of the decree of divorce.

Yours very truly,

MCCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

By: 
James L. May, Jr.

JLMjr/h
Encl.

MILTON V. HARRIS Complainant
 No. Vs.
 JOAN HOLLOWAY HARRIS Defendant

IN THE CIRCUIT COURT OF BALDWIN
~~MOBILE~~ COUNTY, ALABAMA
 IN EQUITY

ANSWER AND WAIVER

Comes the Defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

Joan Holloway Harris
 Joan Holloway Harris Defendant.

STATE OF CALIFORNIA
 COUNTY OF Los Angeles

I, *Maurice Miller*, a NOTARY PUBLIC in and for said State and County, do hereby certify that Joan Holloway Harris, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, she executed the same voluntarily on the day same bears date.

Witness my hand and seal this 12th day of August, 1951.

Filed.

~~INDEXED~~ REGISTER.

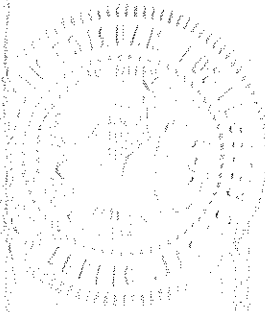
Maurice Miller
 NOTARY PUBLIC

STATE OF California
 COUNTY OF Los Angeles

My commission expires on the 24th day of February, 1954.

RECORDED

No. _____



VS.

ANSWER AND WAIVER

Filed 8-10, 1957

Alice J. Duck
Register.

FILED

AUG 18 1951

ALICE J. DUCK, Register

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

ATTORNEYS AT LAW

NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING

P. O. BOX 1070

MOBILE 6, ALABAMA

GESSNER T. McCORVEY
BEN D. TURNER
C. M. A. ROGERS
C. A. L. JOHNSTONE, JR.
R. F. ADAMS

JAMES L. MAY, JR.
CHAUNCEY MOORE

August 9, 1951

Mrs. Alice Duck, Clerk
Of the Circuit Court of Baldwin County, Alabama,
In Equity
Bay Minette, Alabama

Dear Mrs. Duck:

Re: Milton V. Harris

v.

Joan Holloway Harris

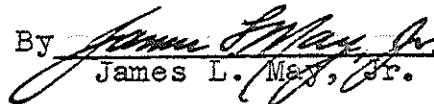
Enclosed is the bill of complaint to be filed in the above matter on behalf of our client, Milton V. Harris. We have today mailed a copy thereof to Mrs. Joan Holloway Harris who, according to our information, is not contesting the action and who, will file an answer and waiver. Therefore, we request that for the present time no effort be made by you to effect service on the respondent.

With the writer's best personal regards, we are

Very truly yours,

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

By


James L. May, Jr.

JLMJR:mek

Encl.

MILTON V. HARRIS,

Complainant,

vs.

JOAN HOLLOWAY HARRIS,

Respondent.

I
I
I
I
I
I
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY No. _____

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY SITTING:

Comes Milton V. Harris, complainant in the above styled cause, and brings this his bill of complaint against Joan Holloway Harris, the respondent in said cause, and respectfully shows unto the Court as follows:

FIRST

That complainant and respondent are each over the age of twenty-one years; that they were lawfully married in Reno, Nevada, on, to-wit, the 7th day of April, 1947; that no children have been born of said marriage.

SECOND

That complainant is a bona fide resident citizen of Baldwin County, Alabama, and has been a bona fide resident citizen of the State of Alabama for more than one year next preceding the filing of this bill of complaint; that respondent is a non-resident of the State of Alabama, and resides at Malibu, California.

THIRD

That respondent voluntarily abandoned complainant's bed and board for more than one year next preceding the filing of this bill of complaint, without just cause or legal excuse.

PRAYER FOR PROCESS:

To the end thereof that equity may be done in the premises, complainant respectfully prays that Joan Holloway Harris be made a party respondent to this, complainant's bill of complaint, and that due process in accordance with the course and practice of this Honorable Court, be issued to and served upon her at 18126 Pacific Coast Highway, Malibu, California, her last address known to complainant.

PRAYER FOR RELIEF:

And complainant further prays that upon final hearing of this cause, this Honorable Court will be pleased to grant him a divorce dissolving the bonds of matrimony heretfore existing between him and the said Joan Holloway Harris, and complainant prays for such other and further relief as he may be entitled to receive, the premises considered.

Milton V. Harris
Complainant

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

James T. May, Jr.
Notary Public, State of Alabama at Large

Respondent's address:

18126 Pacific Coast Highway
Malibu, California

MCCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

By James T. May, Jr.
Solicitors for Complainant

MILTON V. HARRIS,

Complainant,

VS.

JOAN HOLLOWAY HARRIS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

APPEARANCE:

James L. May, Jr., appeared for the
Complainant, Milton V. Harris.

DEPOSITION OF MILTON V. HARRIS

A witness examined on his own behalf.

Milton V. Harris, being first duly sworn to speak the truth, the whole truth and nothing but the truth, so help him God, testified as follows:

DIRECT EXAMINATION

By Mr. May

My name is Milton V. Harris and I am the Complainant in the bill for divorce brought by me against Joan Holloway Harris, the Respondent. The Respondent and I each are over the age of twenty one (21) years, and I have been a bona fide resident citizen of the State of Alabama for more than one year next preceding the filing of the bill for divorce. I moved to Alabama in 1927 with my parents. Joan Holloway Harris, Respondent, is, according to the best of my information, belief and knowledge, a non-resident of the State of Alabama and is a bona fide resident citizen of Malibu, California.

The Respondent and I were lawfully married in Reno, Nevada, on or about the 6th day of April, 1947, and immediately following the marriage, I brought her to Montgomery, Alabama. In 1948, she and I moved to Tuscaloosa, Alabama, so that I could attend the University of Alabama under the G. I. Bill. We lived there as husband and wife until on or about the 5th day of August, 1950. On or about August 5, 1950, I left to go to my classes when she was still in bed. When I returned from my classes about 1 o' clock, I was surprized to find that she had packed all of her clothes. She told me she had made reservations on a train to go back to California and that she was leaving me. She caught the train on that day and since that time, I have not seen her. She voluntarily abandoned my bed and board for more than one year next preceding the filing of the bill of complaint, and although our marriage had not been running smoothly for several months prior to August 5, 1950, such abandonment on her part was without just cause or legal excuse. Since the time she left, I have not received anything of value

from her nor have I given anything, directly or indirectly, to her.

In June, 1951, I moved to Fairhope, Alabama, where I am now a bona fide resident citizen.

There were no children born of our marriage.

I desire a divorce from Joan Holloway Harris dissolving the bonds of matrimony existing between us.

Milton V. Harris

DEPOSITION OF MISS EDNA ROCKWELL

A witness examined on behalf of Complainant.

Miss Edna Rockwell, being first duly sworn to speak the truth, the whole truth and nothing but the truth, so help her God, testified as follows:

DIRECT EXAMINATION

By Mr. May

My name is Miss Edna Rockwell. I have known Milton V. Harris for approximately the past five (5) months. I met him when I was a student at the University of Alabama. At the time I met him, his wife had left him and was living in California, according to my information. His friends told me at the University that Milton V. Harris's wife had left him in August, 1950. I know of my own personal knowledge that Milton V. Harris is a bona fide resident citizen of Fairhope, in Baldwin County, Alabama, and has been since June, 1951; that prior to that time he was living in Tuscaloosa, Alabama, and I believe that he has been a bona fide resident citizen of the State of Alabama for more than one year next prior to the time he moved to Fairhope. During the entire time I have known Mr. Harris, I have never seen his wife and I believe that she has never returned to Alabama since she left him, and I believe that he has never seen her since that time.

Edna Rockwell

C E R T I F I C A T E

I, Martha Hughes, the Commissioner appointed to take the depositions of Milton V. Harris and Miss Edna Rockwell in the case of Milton V. Harris, Complainant, vs. Joan Holloway Harris, Respondent, do hereby certify that I caused the said witnesses to come before me at my office on the 9th floor of The Merchants National Bank Building, in the City of Mobile, Alabama, at 5 o' clock p.m., on the 21st day of August, 1951; that the said witnesses are known to me, and each was first duly sworn by me; that they testified as is hereinabove set down; that the testimony was by me reduced to writing; and that it was subscribed by the said witnesses in my presence after having been first read over by them, respectively. And further, I certify that I am not of kin nor of counsel to either party to the suit, and that I am not in any manner interested in the result thereof.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 22nd day of August, 1951.


Commissioner

FILED
AUG 22 1951
MOBILE, ALA.
CLERK OF COURT

Filed

8-23-51

Ans. J. Henck
Clerk

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Martha Hughes

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 Milton V. Harris and Miss Edna Rockwell

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

and JOAN HOLLOWAY HARRIS, Complainant

on oath, to be by you administered, upon them Respondent

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

Witness 18th day of August, 195 1

Alvin J. Wrench

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

MILTON V. HARRIS

Complainant—

vs.

JOAN HOLLOWAY HARRIS

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Martha Hughes

WITNESSES:

2698

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Martha Hughes

KNOW YE: that we, having full faith in your prudence and competency, have appointed you
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as witnesses in behalf of Complainant in a cause pending in our
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MILTON V. HARRIS

_____, Complainant

and JOAN HOLLOWAY HARRIS

_____, Respondent

on oath, to be by you administered, upon them
to take and certify the depositions of the witnesses and return the same to our Court, with all
convenient speed, under your hand.

Witness 18th day of August, 195 1

Alice J. Wicks

Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____