

The State of Alabama, Tallapoosa County

IN CIRCUIT COURT, IN EQUITY

Hiram George Daugherty Complainant
vs.

Alice Isabelle Gurganus Daugherty RESPONDENT
~~Defendant~~

Oral examination before the Register of the following witnesses:

Hiram George Daugherty

Ollie George, Jr.

who reside in Alabama, said examination being conducted in Spring Hill, Alabama,
on this the 11 day of March, and there being present

The Witnesses named above and the Commissioner, James C. Byrd, Jr.

The said witnesses being first sworn to speak the truth, the whole truth, and nothing but the truth,
testified as follows:

The Complainant, Hiram George Daugherty, being first duly
sworn, deposes and says as follows:

My name is Hiram George Daugherty and I am over the age of
twenty-one years. I reside at Spring Hill, Alabama, where I have
resided since 1947 with no intent of going anywhere else. I
was lawfully married to the respondent at Lucedale, Miss., on
August 23, 1944. We lived together as man and wife until in
June, 1947, at which time and at Spring Hill, Alabama, the re-
spondent voluntarily abandoned me, bed and board, and ever since
has remained away from me continuously to this date. The said
abandonment resulted without justification or excuse and without
neglect, connivance, or procurement on my part and she has re-
mained away continuously since June, 1947. The respondent is a
bona fide resident of Fairhope, Baldwin County, Alabama. We had
no children. Respondent is over the age of twenty-one.

Signed

Hiram George Daugherty

No. 2228

Page

The State Of Alabama

Tallapoosa County

BALDWIN

IN CIRCUIT COURT, IN EQUITY

Hiram George Daugherty

vs. Complainant,

Alice Isabelle Gurganus Daugherty

Defendant.

Deposition Taken Before Register on Oral Examination

Deposition of Hiram George Daugherty

Ollie George Jr.

for

Filed 17th day of March, 1949

Published by order of the Court, -----

day of -----, 19-----

Alice J. Daugherty
Register.

ALEXANDER CITY OUTLOOK PRINT

H

Hiram George Daugherty

Complainant

v

Alice Isabelle Gurganus Daugherty

Respondent

)
(IN THE CIRCUIT COURT BALDWIN
(COUNTY, ALABAMA, IN EQUITY
(
)

To the Honorable Judge of the Circuit Court of Baldwin County,
Sitting in Equity:

Your complainant Hiram George Daugherty respectfully represents
and shows unto Your Honor:

1. That Complainant is over the age of twenty-one years and is
a resident of Alabama, Mobile County, and has been a bona fide re-
sident of said state for more than one year next preceding the fil-
ing of this bill of complaint; that Alice Isabelle Gurganus Dau-
gherty is over the age of twenty-one years and resides in Baldwin
County, Alabama, to wit-Box 1469, Fairhope, Alabama.

2. That your complainant and respondent were lawfully married
on or about, to wit-August 23, 1944 at Lucedale, George County,
Mississippi.

3. Respondent, more than one year next preceding the filing of
this bill of complaint did voluntarily abandon the bed and board
of complainant, and said abandonment has been voluntary and con-
tinuous to the date hereof.

4. There were no children born to this marriage.

These premises considered, your complainant prays that Alice
Isabelle Gurganus Daugherty be made a party respondent to this bill
of complaint and may it please your Honor to cause a summons to be
issued to said respondent commanding her to answer, plead, or de-
mur to this bill of complaint within the time required by law.
And the complainant further prays that this Honorable Court, up-
on final hearing hereof, will render a decree forever dissolving
the bonds of matrimony between the complainant and respondent,
and granting the complainant the right to remarry. The complainant
further prays for such other or different relief to which he may be
entitled and he will in good conscience ever pray.

William I Byrd
Solicitor for Complainant

State of Alabama No 2228
Baldwin County

Hiram George Daugherty
Complainant

vs
Alice Isabella Gurginus
Daugherty
Respondant.

Bill for DIVORCE

Filed 28th day of
Jan 1949

Alice J. Leuck
Register

Oral Examination Required.

THE STATE OF ALABAMA

~~TALLAPOOSA~~ COUNTY
BALDWIN

}

No. 2228

In the Circuit Court, In Equity.

~~AKA Alexander City, Alabama~~

Hiram George Daugherty

Complainant

vs.

Alice Isabelle Gurganus Daugherty

~~Defendant~~

Respondent

To Alice J. Duck

, Register:

Baldwin

In the above stated cause pending in the Circuit Court, in Equity, of ~~Tallapoosa~~ County, the
Complainant

requires the witnesses residing within the state to be examined orally instead of by interrogatories, and
the Complainant

desires

that such Oral Examination to be taken before James C. Byrd, Jr.

as Commissioner

at the office of James C. Byrd

in Spring Hill, Ala.

Ala., of the following named witnesses:

Hiram George Daugherty

Ollie George, Jr.

This 3 day of Feb. 1949

William I Byrd

Solicitors,

For Complainant

No. 2228

Page

THE STATE OF ALABAMA

~~TALLAPOOSA COUNTY~~
Baldwin

CIRCUIT COURT, IN EQUITY

~~YATKALEXANDER CITY~~

Hiram George Daugherty

Complainant

vs.

Alice Isabelle Gurganus

Daugherty

Respondent

Oral Examination Required

Filed

2-14

1947

W. J. Leach Register

ALEXANDER CITY OUTLOOK PRINT

BALDWIN

The State of Alabama, Tallapoosa County

IN THE CIRCUIT COURT, IN EQUITY

Hiram George Daugherty Complainant

vs.

Alice Isabelle Gurganus Daugherty Respondant
Defendant

To James C. Byrd, Jr.

residing Spring Hill, State of Alabama

one or more to take the disposition:

Know ye, That reposing confidence in your integrity, skill and ability, I have appointed you

Commissioner to take the depositions on oral examination of

Hiram George Daugherty

Ollie George Jr.

material witnesses for the Complainant

in a cause now pending in the Circuit Court, in Equity, of said County, wherein

Hiram George Daugherty

Complainant, and

Alice Isabelle Gurganus Daugherty

Respondant

Defendant

And hereby authorize you to call and cause to come before you the said witness es at such

time and place as you shall appoint, and their deposition on oath to take, touching

their knowledge of the matter in controversy, and the said deposition s when so taken

by you shall be subscribed by said witness es and certified under your hands and seals, and with this

commission shall be returned to me.

Witness my hand, this the 4th day of February, 1949

W. F. Luck, Register.

The State Of Alabama~~Tallapoosa~~ County
Baldwin**IN CIRCUIT COURT, IN EQUITY**

Hiram George Daugherty

vs. Complainant

Alice Isabelle Gurganus Daugherty

Respondant
DefendantCommission To Take Depositions On Oral
Examination

Commissioners

James C? Byrd, Jr.

Witnesses

Hiram George Daugherty

Ollie George, Jr.

The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon

Alice Isabelle Gurganus Daugherty

to appear and plead, answer, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in Equity, for said County, of said State, against

Alice Isabelle Gurganus Daugherty

and others by

Hiram George Daugherty

(Copy of Bill of Complaint attached.)

Herein fail not. Due return make of this writ as the law directs.

Witness this 25th day of January, 1949

Alice J. Smith, Register.

No. _____ Page _____

The State of Alabama

Baldwin COUNTY

IN CIRCUIT COURT, IN EQUITY

Hiram George Daugherty

Complainant

vs.

Alice Isabelle Gurganus Daugherty

Respondent

SUMMONS

Returned by the Sheriff and filed in office, this
the _____ day of _____, 19____

_____, Register.

Received in office, this the _____ day of

_____, 19____

_____, Sheriff.

I have executed the within by leaving a copy
thereof with _____

defendant named herein, on this the _____

day of _____, 19____

_____, Sheriff.

By _____, Deputy.

Hiram George Daugherty

Complainant

v

Alice Isabelle Gurganus Daugherty

Respondent

IN THE CIRCUIT COURT BALDWIN
COUNTY, ALABAMA, IN EQUITY

To the Honorable Judge of the Circuit Court of Baldwin County,
Sitting in Equity:

Your complainant Hiram George Daugherty respectfully represents
and shows unto Your Honor:

1. That Complainant is over the age of twenty-one years and is
a resident of Alabama, Mobile County, and has been a bona fide re-
sident of said state for more than one year next preceding the fil-
ing of this bill of complaint; that Alice Isabelle Gurganus Dau-
gherty is over the age of twenty-one years and resides in Baldwin
County, Alabama, to wit-Box 1469, Fairhope, Alabama.

2. That your complainant and respondent were lawfully married
on or about, to wit-August 23, 1944 at Lucedale, George County,
Mississippi.

3. Respondent, more than one year next preceding the filing of
this bill of complaint did voluntarily abandon the bed and board
of complainant, and said abandonment has been voluntary and con-
tinuous to the date hereof.

4. There were no children born to this marriage.

These premises considered, your complainant prays that Alice
Isabelle Gurganus Daugherty be made a party respondent to this bill
of complaint and may it please your Honor to cause a summons to be
issued to said respondent commanding her to answer, plead, or de-
mur to this bill of complaint within the time required by law.

And the complainant further prays that this Honorable Court, up-
on final hearing hereof, will render a decree forever dissolving
the bonds of matrimony between the complainant and respondent,
and granting the complainant the right to remarry. The complainant
further prays for such other or different relief to which he may be
entitled and he will in good conscience ever pray.

William I Byrd
Solicitor for Complainant

no 2226

Alice Isabelle Burgess

Sincerely,
Respectful

Bill in Service

Filed 26th day of
January 1848.

Amiel Black
Regent

[illegible]

Handwritten signature: *W. J. ...*

[illegible]

CONCLUSIONS

[illegible]

Abstract

SECRET

NOTES

WILLIAM I. BYRD
ATTORNEY AT LAW
ALEXANDER CITY, ALABAMA

March 16, 1949

Miss Alice J. Duck
Register of Circuit Court
Bay Minette, Alabama

Dear Miss Duck:

Enclosed herewith are the following: The commission to take deposition, the deposition taken, a note of submission, and a divorce decree in case number 2228, which are to be filed.

If it pleases you, give the proceedings in this cause to the Judge for his action. Assuming he rules favorably, please mail the divorce decree to George Daugherty, 3701 Stein Street, Spring Hill, Alabama, and mail me the cost bill.

I appreciate your cooperation in this matter.

Very truly yours,

William I. Byrd
William I. Byrd

WIB:oeb

WILLIAM I. BYRD
ATTORNEY AT LAW
ALEXANDER CITY, ALABAMA

January 26, 1949

Register, Circuit Court,
Baldwin County,
Bay Minette, Ala.,

Dear Sir:

Enclosed is a Bill of Complaint which I wish to
file.

I am of the opinion that the respondent will answer the bill; therefore, in order to save the sheriff a trip to Fairhope you may hold up the service of the summons until I advise you further. In the event that an answer is not forth coming I will of course let you know and the summons could then be served.

Just to make sure that my complaint is in the right court I wish you would inform me whether or not there is more than one court house in Baldwin County. Some counties in Alabama are divided as is Tallapoosa County.

I thank you.

Very truly yours,

William I. Byrd
William I. Byrd

WILLIAM I. BYRD
ATTORNEY AT LAW
ALEXANDER CITY, ALABAMA

February 3, 1949

Miss Alice J. Duck
Circuit Court Register
Bay Minnette, Ala.

Dear Madam:

I thank you for your cooperation in Case No. 2228, Equity side. As I expected, the respondent answered and there is no reason for service. The answer is enclosed for the file.

There is also enclosed "Oral Examination Required" for the record. I also filled out a commission to take depositions on oral examination. Please sign it and return to me.

I thank you.

Very truly yours,

William I. Byrd
William I. Byrd

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, IN EQUITY

Alice Isabelle Gungorves Naughty
Respondent

Witnesses:

esses: P. J. Stephens 128 Dileston St.
S.H.

J. B. Dunn Jr.
3161 Spring Hill Ave.
Crichton Station
Mobile Ala

2228

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT
IN
EQUITY

ANSWER + WAIVER

Filed 4th day of Feb
1949.

Alice J. Neuch
Registrar

2228

(3)

NOTE OF SUBMISSION

HIRAM GEORGE DAUGHERTY

Complainant

vs.

Alice Isabelle Gurganus Daugherty
Respondent

IN THE CIRCUIT COURT

OF ~~TALMADGE~~ ^{DAKOTA} COUNTY
BALDWIN

~~AT ALEXANDER CITY, ALA.~~

IN EQUITY

Comes the complainant and submits for final decree on Original Bill
and Answer and Waiver

and on the following testimony:

Testimony of Hiram George Daugherty
and Ollie George Jr.

Also comes the defendant and submits for final decree on his answer to original bill

and the following testimony:

William I Byrd

Solicitor for Complainant

I hereby certify that the above Note of Submission is correct.

This 17th day of March, 1947

Archie Luck

Register.

No. 2228

The State of Alabama

~~TAMMARA~~ COUNTY

BALDWIN

IN CIRCUIT COURT AT

~~AKKXANDERCKXX~~ IN EQUITY

Hiram George Daugherty

vs

ALICE ISABELLE GURGANUS
DAUGHERTY

NOTE OF SUBMISSION

Filed in office 3-17 day of

194 9

Alice J. Luck
Register.

Minutes

Page

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Hiram George Daugherty

, Complainant

vs.

Alice Isabelle Gurganus Daugherty

, 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 Hiram George Daugherty is forever divorced from the said Alice Isabelle Gurganus Daugherty 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 Alice Isabelle Gurganus Daugherty the respondent pay the cost herein to be taxed, for which execution may issue.

This 19th day of March, 1949

Telfair J. Mashburn, Jr.

Judge Circuit Court, In Equity.

I, Bessie J. Luck

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 19th day of March, 1949

Bessie J. Luck
Register of Circuit Court, In Equity.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon

Alice Isabelle Gurganus Daugherty

Fairhope, Alabama

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County, of said State.....by

Hiram George Daugherty

against

Alice Isabelle Gurganus Daugherty

Herein fail not. Due return make of this writ as the law directs.

Witness this 2nd day of January, 1949

Alice J. French Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

The State of Alabama

Baldwin COUNTY

IN CIRCUIT COURT, IN EQUITY

Hiram George Daugherty

Complainant

vs.

Alice Isabelle Gurganus Daugherty

Respondent

SUMMONS

Returned by the Sheriff and filed in office, this

the day of, 19.....

....., Register.

Received in office, this the day of

....., 19.....

....., Sheriff.

I have executed the within by leaving a copy
thereof with.....

defendant named herein, on this the.....

day of....., 19.....

....., Sheriff,

By....., Deputy.

The State of Alabama, ^{BALDWIN}~~Calhoun~~ County

CIRCUIT COURT, IN EQUITY

Hiram George Daugherty Complainant
VS.

Alice Isabelle Gurganus Daugherty 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 Hiram George Daugherty is forever divorced from the said

Alice Isabelle Gurganus Daugherty
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 Complainant and Respondent be, and are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Alice Isabelle Gurganus Daugherty the respondent pay the cost herein to be taxed, for which execution may issue.

This 19th day of March, 1949

Jeffrey J. Madlbury Jr.
Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for _____ 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____

No. _____ Page _____

The State of Alabama
BALDWIN
~~Calhoun~~ County

IN CIRCUIT COURT, IN EQUITY

Hiram George Daugherty

vs. Complainant,

Alice Isabelle Gurganus
Daugherty

Respondent.

DIVORCE DECREE

FILED

MAR 19 1949

ALICE J. BUCK, Register