

CARL C. HOLMES

COMPLAINANT

VS.

EDDIE BELLE HOLMES

RESPONDENT

THE STATE OF ALABAMA

Baldwin County

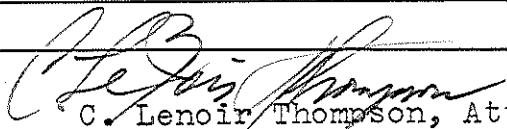
IN EQUITY

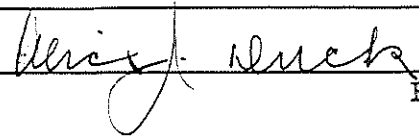
Circuit Court of Baldwin County

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

AND oral deposition of Carl C. Holmes and Everett Daniel Holmes

and in behalf of Defendant upon Answer and Waiver

  
C. Lenoir Thompson, Atty.

  
Register.

No. 2272

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

CARL C. HOLMES

COMPLAINANT

vs.

EDDIE BELLE HOLMES

RESPONDENT

NOTE OF TESTIMONY

Filed in Open Court this 19th

day of April, 1949

W. J. Leach  
Register.

CARL C. HOLMES  
Complainant

Vs

EDDIE BELL HOLMES  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Now comes the Respondent and accepts service of the  
summons and Complaint in this cause.

The Respondent admits the allegations as to ages and  
marriage, but denies all other allegations contained in the  
bill of Complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of  
testimony on behalf of the Complainant; the right to cross  
examine Complainant's witnesses; and agrees that this cause  
be submitted for final decree without notice.

Eddie Bell Holmes

STATE OF MISSISSIPPI  
Lauderdale COUNTY

I, Leland L. Raines, a Notary Public in  
and for said County, in said State, hereby certify that Eddie  
Bell Holmes, whose name is signed to the foregoing conveyance  
and who is known to me, acknowledged before me on this day that,  
being informed of the contents of the conveyance, she executed  
the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 1<sup>st</sup> day of  
April, 1949.

My Commission Expires Jan. 21, 1951

Leland L. Raines  
Notary Public

CARL C. HOLMES	¶	IN THE CIRCUIT COURT OF
COMPLAINANT	¶	BALDWIN COUNTY, ALABAMA
EDDIE BELLE HOLMES	¶	IN EQUITY
RESPONDENT	¶	

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF  
THE TWENTY-EIGHTH JUDICIAL CIRCUIT, BALDWIN COUNTY, ALABAMA,  
IN EQUITY SITTING:

Comes the Complainant, Carl C. Holmes, who shows  
unto your Honor the following state of facts:

1.

That your Complainant is a bona fide resident of  
Baldwin County, Alabama, and over twenty-one years of age;  
that the Respondent is a bona fide resident of the State of  
Alabama, and over twenty-one years of age.

2.

That your Complainant and Respondent married at  
Biloxi, Mississippi, on June 30, 1942, and lived together  
as husband and wife until July 1, 1947.

3.

That on July 1, 1947, the Respondent voluntarily  
abandoned the bed and board of the Complainant and has re-  
mained away voluntarily and continuously since that time.

4.

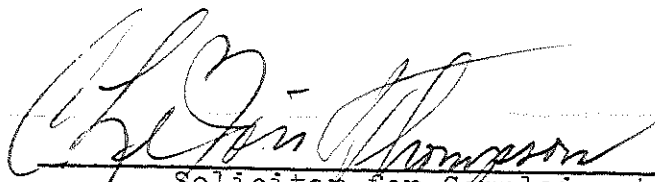
That there are no children as fruits of this mar-  
riage.

#### PRAYER

WHEREFORE, the premises considered the Complainant  
prays that Your Honor by proper process, make the said Eddie  
Belle Holmes party Respondent to this cause of action, requir-  
ing her to plead, answer or demur to the same within the time  
and under the penalties prescribed by law and the practice of  
this Honorable Court.

Complainant further prays that on the final hearing  
of this complaint, together with proofs submitted with the  
same that your Honor will grant unto him an absolute divorce,

forever dissolving the bonds of matrimony existing between  
him and the Respondent, and at the time of making this decree,  
Your Honor will grant each of them the right to again contract  
marriage.

  
Solicitor for Complainant

2272

Carl C. Holmes

VS.

Eddie Belle Holmes

Complaint

FILED

APR 19 1949

ALICE J. DUCK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Tona G. Hand

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 Carl C. Holmes AND Everett Daniel Holmes

as witnesses in behalf of Carl C. Holmes in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Carl C. Holmes

and EDDIE BELLE HOLMES, Complainant

Respondent

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

Witness 15<sup>th</sup> day of April, 1949

Herbie J. Newkirk  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

THE STATE OF ALABAMA }  
Baldwin County }

Circuit Court of Baldwin County, Alabama.  
(In Equity)

CARL C. HOLMES

COMPLAINANT

vs.

EDDIE BELLE HOLMES

RESPONDENT

I, Iona Hand

as Register and Commissioner

have called and caused to come before me Carl C. Holmes and Everett Daniel

Holmes

witness named in the requirement for Oral Examination, on the 15 day of April

1949, at the office of C. LeNoir Thompson

in Baldwin County, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Carl C. Holmes

doth depose and say as follows:

That my name is Carl C. Holmes, that I am over the age of 21 years and that my wife, Eddie Belle Holmes, is also over the age of 21 years, that we were married June 30, 1942 in Biloxi, Mississippi, and that we lived together as husband and wife until July 1, 1947, at which time she left me without cause on my part and has not lived with me as my wife since she abandoned my bed and board.

That we were residents of Alabama and have been more than two years next preceding. There were no children as fruits of this marriage.

Carl C. Holmes

Holmes

That my name is Everett Daniel, that I am over the age of

21 years and a resident of Alabama. That <sup>I know</sup> Carl C. Holmes

and Eddie Belle Holmes were married on June 30, 1942 and

that she left him in July of 1947 and has refused to live

with him since that time. That there were no children as

fruits of this marriage

Everett D. Holmes



I, \_\_\_\_\_ as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness \_\_\_\_\_ and read over to \_\_\_\_\_ and \_\_\_\_\_ signed the same in the presence of myself and \_\_\_\_\_ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness \_\_\_\_\_ or had proof made before me of the identity of said witness \_\_\_\_\_; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_ 194 \_\_\_\_\_

Samuel G. Ward (L. S.)

No. 2272

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

CARL C. HOLMES

COMPLAINANT

vs.

EDDIE BELLE HOLMES

RESPONDENT

ORAL DEPOSITION

Filed \_\_\_\_\_, 194 \_\_\_\_\_

\_\_\_\_\_, Register.

RECORDED IN

\_\_\_\_\_, Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

\_\_\_\_\_, Register

## The State of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

CARL C. HOLMES

, Complainant

vs.

EDDIE BELLE HOLMES

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on \_\_\_\_\_ 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 Carl C. Holmes is forever divorced from the said Eddie Belle Holmes 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 Carl C. Holmes

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

This 19<sup>th</sup> day of April, 1949

Leifair J. Mashburn, 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.

2272

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

CARL C. HOLMES

Complainant

vs.

EDDIE BELLE HOLMES

Respondent

DIVORCE DECREE

FILED  
APR 19 1949  
ALICE L. DICK, Register