

2376

STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Tempy Black, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity by Jim Black, as Complainant and against Tempy Black, as Respondent.

WITNESS my hand this ____ day of October, 1949.

Register

JIM BLACK	§	IN THE CIRCUIT COURT OF
VS. COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
TEMPY BLACK	§	IN EQUITY
RESPONDENT	§	
	§	

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

Your Complainant Jim Black, respectfully represents and shows unto
your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County,
Alabama, and 70 years of age; that the Respondent is a bona fide resident
of Baldwin County, Alabama, and 60 years of age.

2.

That your Complainant and the Respondent married at Bay Minette,
Alabama, on December 24, 1947; that they lived together as husband and
wife, in Baldwin County, Alabama, until on to-wit, April 15, 1948, at
which time the Respondent voluntarily abandoned the bed and board of your
Complainant, and has remained away voluntarily and continuously since
that time.

WHEREFORE the premises considered your Complainant prays that your
Honor will by proper process make the said Tempy Black party respondent
to this bill of complaint, requiring 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 upon a final hearing hereof your

Honor will make and enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that he be granted such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

J. M. Stoll

Solicitor for Complainant.

JIM BLACK

COMPLAINANT

VS.

TEMPY BLACK

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent Tempy Black, and accepts service of the summons and complaint in this cause.

The Respondent admits that she and the Complainant are both over twenty-one years of age and bona fide residents of Baldwin County, Alabama, and have been for more than three years, 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 further notice.

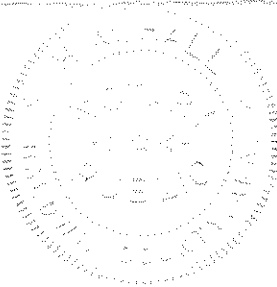
Tempy Black

STATE OF ALABAMA
BALDWIN COUNTY

I, J. M. Fall, a Notary Public, in and for said County, in said State, hereby certify that Tempy Black, 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 said conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 21 day of October, 1949.

J. M. Fall
Notary Public, Baldwin County, Alabama.



JIM BLACK

vs.

TEMPY BLACK

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, _____

~~Answer and waiver of Respondent and Testimony of Complainant~~

and in behalf of Defendant upon _____

H.M. HALL

Wing J. Duck
Register.

No. 2376.....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

JIM BLACK

vs.

TEMPY BLACK

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED
OCT 22 1949

ALICE DICK. Register.
Printed By The Baldwin Times

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: LOUISE MORRIS

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 JIM BLACK

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

, Complainant
and

TEMPY BLACK

Respondent

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

Witness 21 day of October, 194 9

Alvin J. Welch

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2376

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

JIM BLACK

Complainant

VS.

TEMPY BLACK

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FILED

OCT 22 1949

WITNESSES

ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.Circuit Court of Baldwin County, Alabama
(In Equity)JIM BLACK

Complainant

VS.

TEMPY BLACK

Respondent

I, Louise Morris

as Register and Commissioner

have called and caused to come before me Jim Black

witness named in the Requirement for Oral Examination, on the 21 day of October
1949, at the office of H. M. Hall
in Baldwin County, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Jim Black
doth depose and say as follows:

My name is Jim Black. I am a bona fide resident of Baldwin County, Alabama,
living at Stapleton.

I am 70 years old. The Respondent Temy Black is a bona fide resident in
Baldwin County, Alabama, living at Stapleton. She is 61 years of age.

The Respondent and I were married at Bay Minette, Alabama, on December 24,
1947. We lived together only about 4 months, when it was found that we
could not get along, and the Respondent voluntarily left my bed and board,
and has remained away voluntarily and continuously since that time.

I have my home and the Respondent has her home. I am living in my home and
she is living in hers.

We have no children and no community property.

I am now working with Mr. Arthur Hale at Stapleton, and have been working for
him about 4 years.

Jim Black
male

Witness
H. M. Hall

ORAL EXAMINATION.

I, Louise Morris, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness and read over to him and he signed the same in the presence of myself H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom 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 21 day of October, 1949

Louise Morris (L. S.)

NO. 2376 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

JIM BLACK

vs. Complainant

TEMPY BLACK

Respondent.

Oral Deposition

Filed _____, 1949

FILED

OCT 22 1949

ALICE J. DUCK, Register

Record

Vol. _____

Page _____

Register.

The State of Alabama, Baldwin County

Circuit Court, In Equity

JIM BLACK

, Complainant

vs.

TEMPY BLACK

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Consecro~~ 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 Jim Black is forever divorced from the said Tempy Black 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 Jim Black

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

This 24th day of October, 1949.

J. Fair J. Marshall
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. 2376 Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

JIM BLACK

Complainant
vs.

TEMPY BLACK
Respondent

DIVORCE DECREE