

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Johnnie Lee Hurst

, Complainant

vs.

Marzelia Richardson Hurst

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Registered Mail 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 Johnnie Lee Hurst is forever divorced from the said Marzelia Richardson Hurst 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 Johnnie Lee Hurst the Complainant pay the cost herein to be taxed, for which execution may issue.

This 20th day of March, 1952

J. J. Madlock
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

Johnnie Lee Hurst

Complainant

vs.

Marzella Richardson Hurst

Respondent

DIVORCE DECREE

FILED

MAR 20 1952

ALICE J. DUCK, Register

Johnnie Lee Hurst

vs.

Marzelia Richardson Hurst

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, _____

Decree Pro Confesso After Notice By Registered Mail and testimony of

Johnnie Lee Hurst and Council Richardson

and in behalf of Defendant upon _____

[Signature]

[Signature]

Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Johnnie Lee Hurst

vs.

Marzelia Richardson Hurst

NOTE OF TESTIMONY

Filed in Open Court this 19th

day of March, 1942

Quincy R. Rouse

Register.

Printed By The Baldwin Times

TO ARMY SHERIFF OF THE STATE OF ALABAMA:

WITNESS my hand and the seal of the Department of Justice, this 19th day of May, 1964.

Register.

RESPONDENT

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

* Your Complainant, Johnnie Lee Hurst, respectfully represents
unto your Honor and this Honorable Court as follows:

12

That your Complainant and the Respondent were both bona fide residents of Baldwin County, Alabama at the time of their separation and more than two years prior thereto; that Complainant is a resident of Baldwin County but that Respondent is now a resident of Florida, and her address is c/o Savannah Myers, 513 West Jackson Street, Pensacola, Florida; that the Complainant is over the age of twenty-one and the Respondent is over the age of twenty-one.

2.

That your Complainant and the Respondent married at Franklin, Alabama, on June 3, 1935, and lived together as husband and wife until on to-wit, September 3, 1950.

3.

That on September 3, 1950, while your Complainant and the Respondent were living together the Respondent voluntarily abandoned the bed and board of your Complainant, and has remained away voluntarily and continuously since that time.

That the Complainant and the Respondent have no children as fruits of this marriage, and there is no property to be divided.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Marzella Richardson Hurst, party Respondent to this cause of action, requiring him 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 hearing hereof, your Honor will enter an order and decree granting to him an absolute decree of divorce, forever barring the bonds of matrimony existing between him 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.


Solicitor for the Complainant.

RECORDED

JOHNNIE LEE HURST

COMPLAINANT

VS

MARZELLA RICHARDSON HURST

RESPONDENT

70 2 759

SUBPOENS AND COMPLAINT

From the law offices of
C. LeNoir Thompson
Ray Minette, Alabama

FILED

DEC 20 1951

ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Johnnie Lee Hurst

Complainant

VS.

Marcella Richardson Hurst

Respondent

I, Ivrlene Nixon

as Register and Commissioner

have called and caused to come before me Johnnie Lee Hurst & Council Richardson

witness S named in the Requirement for Oral Examination, on the 18th day of March 1942, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said WitnessS to speak the truth, the whole truth, and nothing but the truth, the said Johnnie Lee Hurst & Council Richardson doth depose and say as follows:

My name is Johnnie Lee Hurst, I am over the age of 21 and a resident of Baldwin County, Alabama, and have been more than 2 years the next preceding, the Respondent is over the age of 21, and is now a resident of Pensacola, Florida; we were married in Monroe County, Alabama on June 3, 1935, and lived together in Alabama as husband and wife until September 3, 1950 at which time the respondent voluntarily and without fault on my part abandoned my bed and board, and we have not lived together as husband and wife since that day, there are no children as fruits of this marriage and no property to be divided.

Johnnie Lee Hurst

That my name is Council Richardson, I know both parties to this cause they are both over the age of 21 and were residents of Baldwin County Alabama until their separation, they were married in Monroe County, Alabama in 1935 and lived together as husband and wife until the Respondent abandoned Johnnie Lee the first week in September, 1950, they have not lived together as husband and wife since that day, the respondent now lives in Pensacola, Florida, there were no fault on Johnnie Lee's part as to my knowledge for the separation, they do not have any children they are both over the age of 21 years.

hi
Council (X) Richardson
mab

Witness -
C. LeNoir Thompson
W. M. McBee

ORAL EXAMINATION.

I, Lyrleene Nixon, as Register and Commissioner hereby certify that the foregoing deposition S on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself & C. LeNoir Thompson

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 1 8th day of March, 194 52.

Lyrleene Nixon (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Johnnie Lee Hurst

vs. Complainant

Marzella Richardson Hurst

Respondent.

Oral Deposition

Filed 3-19, 194 2

Amel Duck, Register.

Recorded in

Vol. _____ Page _____, Record

Vol. _____ Page _____, Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Lyrleene Mixon

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 Johnnie Lee Hurst & Council Richardson

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

Johnnie Lee Hurst

Complainant

and

Marzelia Richardson Hurst

Respondent

on oath, to be by you administered, upon Johnnie Lee Hurst & Council Richardson to take and certify the deposition^s of the witness^s and return the same to our Court, with all convenient speed, under your hand.

Witness 14th day of March, 1952.

David L. Search
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Johnnie Lee Hurst

Complainant

vs.

Marzella Richardson Hurst

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

The State of Alabama,
Baldwin County.

No. CIRCUIT COURT, IN EQUITY.

Johnnie Lee Hurst Complainant.....

Vs.

Marzelia Richardson Hurst Defendant.....

Motion is hereby made for a Decree Pro Confesso against Marzelia Richardson Hurst.....

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 by Registered Mail, according to law, and that said Defendant.....ha^s..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 17 day of March, 1952

C. L. G. Thompson Solicitor.

No. Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

Johnnie Lee Hurst

Vs.

Marzalia Richardson Hurst

MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL

Filed 3-17, 1932

As. J. L. Hurst
Register.

Recorded in Record,

Vol. Page

Register.

Johnnie Lee Hurst

vs.

Marzalia Richardson HurstCIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 20th
day of December 1925, a copy of the Bill of Complaint filed in this cause was
sent to Marzalia Richardson Hurst

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom
addressed," and return receipt demanded addressed to the Register of this Court; and that on the
28th day of December 1925, such receipt was duly
received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer
or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered,
adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all
things taken as confessed against the said

Marzalia Richardson Hurst

Defendant

This the 18th day ofMarch 1926Reichman

Register.

No. _____

**CIRCUIT COURT OF BALDWIN
COUNTY, ALA.**

In Equity.

Johnnie Lee Hurst

vs.

Marcella Richardson Hurst

**Decree Pro Confesso After
Notice By Registered Mail.**

Filed in office this _____ day of _____,

192 _____

_____, Register

Entered in O. B. _____ Page _____

2759