

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

THOMAS C. HAND

, Complainant

vs.

EMMA B. HAND

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Respondent after service by registered mail heard on terms 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 Thomas C. Hand is forever divorced from the said Emma B. Hand for and on account of abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said Thomas C. Hand is awarded the full custody and control of the said Thomas C. Hand II, with the right of the said Emma B. Hand to visit him at proper and reasonable times.

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

This 10th day of March, 1952.

Julian J. Madbury, 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

THOMAS C. HAND

Complainant

vs.

EMMA B. HAND

Respondent

DIVORCE DECREE

*Filed 3-10-52
Rec'd Clerk
Reynolds*

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

THOMAS C. HAND

, Complainant

Vs.

EMMA B. HAND

, Defendant

To Alice J. Duck, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Chason & Stone

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Chason & Stone
Solicitor for Complainant.

No. _____ Page _____

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

THOMAS C. HAND

Complainant

Vs.

EMMA B. HAND

Respondent.

**REQUEST FOR DECREE IN
VACATION**

Filed 4-10, 1952

Archie W. Mc
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The State of Alabama,
Baldwin County.

No. 2772 CIRCUIT COURT, IN EQUITY.

THOMAS C. HAND

Complainant.....

Vs.

EMMA B. HAND

Defendant.....

Motion is hereby made for a Decree Pro Confesso against Emma B. Hand

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..... has..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 8th day of March, 1952

Shannon Stone
By *Shannon Stone*....., Solicitor.

No. 2772

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

THOMAS C. HAN D.

Complainant

Vs.

EMMA D. HAN D.

Respondent.

MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL

Filed March 8th, 1952.

Alvin J. [Signature]
Register.

Recorded in Record,

Vol. Page

Register.

THOMAS C. HAND

Complainant

vs.

EMMA B. HAND

Respondent

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 1st
day of February 1925, a copy of the Bill of Complaint filed in this cause was
sent to Emma B. Hand

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
4th day of February 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 Emma B. Hand

Defendant

This the 8th day of March 1925

Carroll H. H. H. Register.

No. 2772

CIRCUIT COURT OF BALDWIN
COUNTY, ALA.

In Equity.

THOMAS C. HAND

Complainant

vs.

EMMA B. HAND

Respondent

Decree Pro Confesso After
Notice By Registered Mail.

Filed in office this 8th day of

February, 1952

Register

Entered in O. B. Page

THOMAS C. HAND,

Complainant,

VS.

EMMA B. HAND,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2772.

APPEARED: For Complainant,

Chason & Stone
Bay Minette, Alabama

Thomas C. Hand, having been first duly and legally sworn,
testified as follows:

ON DIRECT EXAMINATION

By Mr. Chason

Q. What is your name, please, sir?

A. T. C. Hand.

Q. Are you also known as Thomas C. Hand?

A. That's right.

Q. Are you the husband of Emma B. Hand?

A. That's right.

Q. Are you and Emma B. Hand both over the age of twenty-one years?

A. We are.

Q. Are you a resident citizen of Baldwin County, residing at Bay
Minette, Alabama?

A. That's right, yes sir.

Q. Have you lived here for more than the last five years?

A. Yes sir.

Q. Is Emma B. Hand a resident of the State of Alabama?

A. She is not a resident.

Q. She's a non-resident?

A. She's a non-resident of the State of Alabama.

Q. Is her last known post office address 709 Old Mobile Highway,
Pascagoula, Mississippi?

A. That is correct.

Q. Do you know her handwriting?

A. Yes sir, that's it.

Q. On this return card (handing card to witness), receipt, is that her
handwriting?

A.. Yes sir.

Q. When did you and Emma B. Hand marry?

A. In January, 1931.

Q. Is that January 14, 1931?

A. Yes, that is correct.

Q. Did you live together as man and wife until December 11, 1950?

A. That is correct.

Q. On December 11, 1950, did Emma B. Hand voluntarily abandon your bed and board without just cause or legal excuse?

A. She did.

Q. Has she failed to live with you as man and wife since that time?

A. Right.

Q. Do you and Emma B. Hand have a son?

A. We do.

Q. Is his name Thomas B. Hand II?

A. It is.

Q. How old is he?

A. Fourteen.

Q. Where does he live?

A. With me.

Q. Has he lived with you all his life?

A. Yes sir.

Q. Here in Bay Minette, he lives with you?

A. Here in Bay Minette.

Q. Are you a fit and proper person to have the care, custody and control of your son?

A. I am.

Q. Do you think Emma B. Hand is a fit and proper person to have his care, custody and control?

A. I do not, I do not.

Q. Do you think it would be to the best interest of Thomas B. Hand II that he be awarded to you?

A. I do.

Thomas B. Hand, II, being first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Chason

Q. What is your name, son?

A. Thomas B. Hand II.

Q. How old are you?

A. Fourteen.

Q. Where do you live?

A. I live with my Daddy.

Q. Here in Bay Minette?

A. Yes sir, here in Bay Minette.

Q. Does your father take care of you?

A. Yes sir.

Q. Do you go to school? Here in Bay Minette?

A. Yes sir.

Q. Do you want your father or mother to have your care, custody and control?

A. I want my father.

Q. Do you want to live with him here in Bay Minette?

A. Yes sir.

Q. Has your mother lived with your father as man and wife since December 11, 1950?

A. No sir.

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I, Ora S. Nelson, Court Reporter of and for the Twenty-eighth Judicial Circuit of Alabama, hereby certify that the above and foregoing is a true and correct transcript of the testimony given on a hearing of the above styled cause on March 10, 1952, before Honorable Telfair J. Mashburn, Jr., Judge, and transcribed by me.

Transcribed and filed this 10th day of March, 1952.

Ora S. Nelson
Court Reporter

#2772
Testimony

Thomas C. Haug
Complainant

vs.

Emma B. Haug
Respondent

Filed
3-10-54
Miss Mearns
Jugan

\$1.20

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

THOMAS C. HAND

Complainant

vs.

EMMA B. HAND,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of March, 1942

David F. Hatcher
Register.

STATE OF ALABAMA)

BALDWIN COUNTY)

IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Emma B. Hand, 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 Thomas C. Hand as Complainant, against Emma B. Hand, as Respondent.

Witness my hand this 1st day of ~~January~~^{Feb.}, 1952.

Herbert J. Hume
Register.

THOMAS C. HAND,

Complainant,

vs.

EMMA B. HAND,

Respondent.

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

Comes your Complainant and files this his Bill of Complaint for divorce against Emma B. Hand and shows unto this Court and unto your Honor as follows:

FIRST:

That your Complainant is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, residing at Bay Minette, Alabama, where he has resided for more than five years last past; that the Respondent is over the age of twenty-one years and is a non-resident of the State of Alabama, her place of residence and Post Office address being 709 Old Mobile Highway, Pascagoula, Mississippi.

SECOND:

That your Complainant and the Respondent were married on heretofore, to-wit, January 14, 1931, and they lived together as man and wife until December 11, 1950, at which time the Respondent voluntarily abandoned the bed and board of your Complainant, without just cause or legal excuse and they have not lived together as man and wife since that time.

THIRD:

That there was born to your Complainant and the Respondent one child, Thomas C. Hand II, a boy, fourteen years of age; that said child resides with your Complainant at Bay Minette, Alabama, where he has resided for many years. That your Complainant is a fit and proper person to have the care, custody and control of said child, and the Respondent is not a fit and proper person to have the care, custody and control of said child.

PRAYER FOR PROCESS AND RELIEF

The premises considered your Complainant prays that the above named Emma B. Hand be made a party Respondent to this Bill of Complaint by the usual Writ or process of this Honorable Court, requiring

her to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that the Respondent being a non-resident of the State of Alabama, her place of residence being 709 Old Mobile Highway, Pascagoula, Mississippi, that a copy of the Summons and Bill of Complaint be mailed to her by the Register of this Court by registered mail, postage prepaid, marked "for delivery only to the person to whom addressed" and a return receipt demanded, addressed to the Register of this Court. That upon a final hearing of this cause that your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will award your Complainant the full custody and control of his minor child; that your Honor will also decree that the Complainant be allowed to remarry if he sees fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to him such other, further and different relief to which he may be entitled and as in duty bound he will ever pray.

Chason & Stone,
Attorneys for Complainant.

Thomas C. Hand
Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Albie L. Miller, a Notary Public in and for said State and County, personally appeared Thomas C. Hand, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is Thomas C. Hand; that he is the Complainant in the above styled cause and is over the age of twenty-one years. That the Respondent, Emma B. Hand is over the age of twenty-one years and is a non-resident of the State of Alabama, her last known residence and Post Office Address being 709 Old Mobile Highway, Pascagoula, Mississippi. That all of the allegations contained in the foregoing Bill of Complaint are true and correct.

Sworn to and subscribed
before me this 21st
day of January, 1952.

Thomas C. Hand

Albie L. Miller
Notary Public, Baldwin County, Ala.