

4085

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANNIE MAE HENRY

Complainant

vs.

EARNEST HENRY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 Annie Mae Henry is forever divorced from the said Earnest Henry 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 payment of the cost of this suit.

It is further ordered that Annie Mae Henry the Complainant pay the cost herein to be taxed, for which executed may issue.

This 16 day of July 1957

Hubert M. Staele

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

ANNIE MAE HENRY

Complainant

vs.

EARNEST HENRY

Respondent

**DIVORCE DECREE**

**FILED**

**JUL 16 1957**

**ALICE J. DUCK, Register**

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

ANNIE MAE HENRY

Complainant

VS.

EARNEST HENRY

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Annie Mae Henry and Carrie Lee Crook

witness es named in the Requirement for Oral Examination, on the 15th day of July  
195 7, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Annie Mae Henry and Carrie Lee Crook doth depose and say as follows:

That my name is Annie Mae Henry, I am over the age of 21 and a resident of Baldwin County, Alabama, and have been more than two years next preceding. The Respondent is Earnest Henry who is over the age of 21 and is presently residing at 359 North Joachim Street, Mobile, Alabama. We were married at Bay Minette, Alabama on July 3, 1917 and lived together as husband and wife in Baldwin County, Alabama until on or about the middle of September, 1923 at which time the Respondent disappeared and I just learned that he was not dead but was living at the above address in Mobile. We have not lived together as husband and wife since about the middle of September 1923. I know of no cause for his disappearance or abandonment. There was born as fruits of our marriage two children who are now grown and there is no property to be divided. I know that we will never live together again as husband and wife. I respectfully ask this Honorable Court to grant me a divorce for I feel that Earnest Henry has not been my husband since the seven years elapsed after his disappearance. I had not ask for a divorce before because I had believed that when a man is gone seven years and you don't know where he is and do not hear from him that you are automatically divorced. I learned that he has been married two times since he abandoned me but not being able to prove a divorce I am asking this Honorable Court for one.

Annie Mae Henry

That my name is Carrie Lee Crook, I know both parties to this cause, they are both over the age of 21 and Annie Mae is a resident of Baldwin County, Alabama, and has lived here all her life. Earnest Henry who I am informed is respondent in this divorce case is presently living in Mobile, Alabama according to information reaching me but was living in Baldwin County, with Annie Mae at the time he abandoned her in the fall of 1923. I have lived next door to Annie Mae since childhood and I know that they have not lived together as husband and wife since Earnest abandoned her in 1923. When he never came back everybody felt like that since he never came back after seven years that he was dead. The two children born of their marriage are grown and there has been no property to be divided.

Carrie Lee Crook

**ORAL EXAMINATION.**

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition Son 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 and 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 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 15th day of July, 1957

Lois Wilson (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
ANITE MAE HERRY	
vs.	Complainant
FARNEST HENRY	
	Respondent
<b>Oral Deposition</b>	
Filed <b>FILED</b> _____, 195 <u>7</u>	Recorded in _____
<b>WILLIS</b>	Record _____
<b>DUCK</b>	Page _____
1957	Register _____
Recorded in _____	

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: LOIS WILSON

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Annie Mae Henry and Carrie Lee Crook

a witnesses in behalf of Annie Mae Henry in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Annie Mae Henry

\_\_\_\_\_, Complainant  
and Earnest Henry

\_\_\_\_\_, Respondent

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

Witness 15 day of July, 1957  
Beirg. Duck  
Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

No. 4084

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

ANNIE MAE HENRY

Complainant

VS.

MARSHALL HENRY

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

ANNIE MAE HENRY

GARRIE LEE CROOK

I, LOIS WILSON, Commissioner of Baldwin County, Alabama, do hereby certify that the within and foregoing is a true and correct copy of the deposition of ANNIE MAE HENRY, taken on the 15th day of August, 1934, at the residence of the said ANNIE MAE HENRY, in Baldwin County, Alabama, in the case of ANNIE MAE HENRY vs. MARSHALL HENRY, docketed in Case No. 4084.

Witness my hand and the seal of said County at the City of Baldwin, Alabama, this 15th day of August, 1934.

LOIS WILSON, Commissioner

ANNIE MAE HENRY  
 GARRIE LEE CROOK

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons EARNEST HENRY, 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 ANNIE MAE HENRY, as Complainant and against EARNEST HENRY, as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 1957.

Register.

ANNIE MAE HENRY  
COMPLAINANT  
VS  
EARNEST HENRY  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
CASE NO. \_\_\_\_\_

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA, IN EQUITY:

Your Complainant, Annie Mae Henry, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama and has been more than two years next preceding. The Respondent is over the age of 21 and a resident of Alabama, presently residing at 359 North Joachim Street, Mobile, Alabama.

2.

That your Complainant and the Respondent married at Bay Minette, Alabama on July 3, 1917, and lived together as husband and wife in Baldwin County, Alabama until on to-wit the middle of September, 1923.

3.

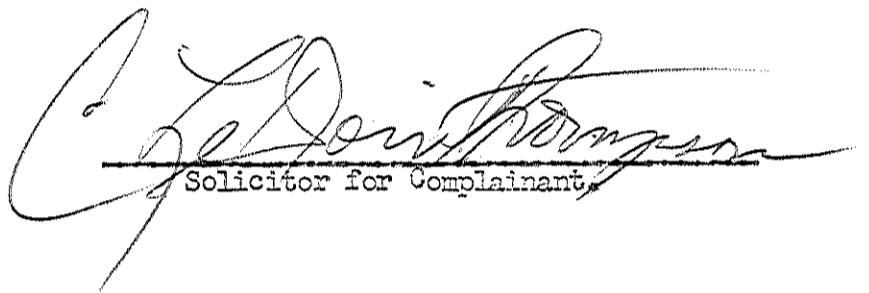
That on to-wit the middle of September, 1923, while your Complainant and Respondent were living together as husband and wife in Baldwin County, Alabama, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

4.

There were born as fruits of this marriage two children, who are grown, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will, by proper process make the said Earnest Henry, party Respondent to this bill of complaint, 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; your Complainant further prays that your Honor will upon a final hearing hereof, award to her a decree of divorce forever barring the bonds of matrimony existing between your Complainant and the Respondent.

Complainant prays for such other, further, different or general relief as she may be entitled in the premises, etc.

  
Solicitor for Complainant.



no. 408#

ANNIE MAE HENRY

COMPLAINANT

VS

EARNEST HENRY

RESPONDENT

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SUMMONS AND COMPLAINT

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FILED  
JUL 15 1957  
AICE & DUCK, Register

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AMIE MAE HENRY

EARNEST HENRY

vs.

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,

Testimony of Amie Mae Henry and Carrie Lee Crook

and in behalf of Defendant upon Answer and Waiver

Register.

*Earl Davis Thompson*

*Amie Mae Henry*

No. 4085

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

ANNIE MAE HENRY

vs.

EARNEST HENRY

**NOTE OF TESTIMONY**

Filed in Open Court this .....  
day of ..... , 194.....

**FILED**  
**JUL 15 1957**  
**CLARENCE M. DUGGINS, Register**

Register.

Printed by the Baldwin Times

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ANNIE MAE HENRY  
COMPLAINANT  
VS  
EARNEST HENRY  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
CASE NO. \_\_\_\_\_

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, 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.

Earnest Henry

STATE OF ALABAMA  
COUNTY OF TRENTON

I, [Signature], a Notary Public, in and for said County, in said State, hereby certify that Earnest Henry, 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 10 day of July, 1957.

[Signature]  
Notary Public, \_\_\_\_\_

4085

ANNIE MAE HENRY

COMPLAINANT

VS

EARNEST HENRY

RESPONDENT

\*\*\*\*\*

ANSWER AND WAIVER

\*\*\*\*\*

FILED

JUL 15 1957

ALICE J. DUCK, Register