

2854

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

SALLY WARREN McLAIN, Complainant

vs.

GEORGE McLAIN, 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 Sally Warren McLain is forever divorced from the said George McLain 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 Sally Warren McLain the Complainant pay the cost herein to be taxed, for which execution may issue.

This 15th day of August, 1952.

J. J. McAlister, 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

SALLY WARREN McLAIN

Complainant

vs.

GEORGE McLAIN

Respondent

DIVORCE DECREE

Filed 8-15-52

W. J. Weiser
Register

SALLY WARREN McLAIN,
Complainant

-vs-

GEORGE McLAIN,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes GEORGE McLAIN, Respondent in the above styled cause,
and for answer to the bill of complaint says he denies each alleg-
ation of same.

Respondent hereby waives notice of demand for oral examin-
ation of Complainant's witnesses; of the issue of commission to
take testimony; of the time and place set for taking same and of the
right to introduce evidence in his own behalf. He further agrees
that this cause may be submitted for final decree at any time on the
pleading and Complainant's evidence as noted by the Register.

WITNESS:



GEORGE McLAIN

(his ~~+~~ mark)

Respondent

STATE OF ALABAMA:

COUNTY OF BALDWIN:

Before me, the undersigned Notary Public, personally appeared
George McLain, who is known to me to be the Respondent above named and
who acknowledged that he executed the foregoing answer voluntarily with
knowledge of its contents.

Witness my hand and official seal this the 4 day of August,
1952.



Notary Public, Baldwin County, Alabama.

TO: MR. JAMES H. HARRIS, JR.

FROM: MR. JAMES H. HARRIS, JR.

DATE: 8/14/52

RE: SALLY WARREN McLAIN

vs. GEORGE McLAIN

FILE NO. 100-10000

U.S. DISTRICT COURT

WASHINGTON, D.C.

Answer and Waiver

Answer and Waiver

SALLY WARREN McLAIN

VS

GEORGE McLAIN

COMPLAINANT

RESPONDENT

RECORDED

FILED
AUG 14 1952

ALICE J. DUCK

James H. Harris, Jr.

Sally Warren

U.S. DISTRICT COURT
WASHINGTON, D.C.

U.S. DISTRICT COURT
WASHINGTON, D.C.

U.S. DISTRICT COURT
WASHINGTON, D.C.

Sally Warren

SALLY WARREN McLAIN

vs.

GEORGE McLAIN

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 Sallie Warren McLain and
Delia Moseley

and in behalf of Defendant upon

C. LeRoy Thompson

Wm. J. Welch
Register.

JM

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

SALLY WARREN McLAIN

vs.

GEORGE McLAIN

NOTE OF TESTIMONY

Filed in Open Court this *14th*

day of *Aug*, 194*2*

FILED

Allice J. Buck
Register.

Printed By *1932* Baldwin Times

ALICE J. BUCK, 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 Sally Warren McLain and Delia Moseley

as witnesses in behalf of Sally Warren McLain in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Sally Warren McLain

, Complainant

and

George McLain

Respondent

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

Witness 13th day of Aug., 1952.

W. J. [Signature]
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

SALLY WARREN McLAIN

Complainant—

vs.

GEORGE McLAIN

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

FILED

Aug 14 1952

ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

SALLY WARREN McLAIN

Complainant

VS.

GEORGE McLAIN

Respondent

I, Ivyleene Nixon
as ~~Notary Public~~ Commissioner
have called and caused to come before me Sally Warren McLain and Delia Moseley

witnesses named in the Requirement for Oral Examination, on the 13 day of August
1952, 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 Sally Warren McLain and Delia
Moseley doth depose and say as follows:

That my name is Sally Warren McLain, I am over the age of 21, and a resident of Baldwin County, Alabama, and have been all my life, the Respondent George McLain is also over the age of 21, and has been a resident since before 1940. We were married at Bay Minette, Alabama on April 6, 1940, and lived together as husband and wife in Baldwin County until about June 10, 1941, about that time the Respondent voluntarily abandoned me without fault on my part, and we have not lived together as husband and wife since that date, we have no children as fruits of this marriage and no property to be divided between us. I would like the right to use my former name, Sally Warren, I know we will never live together again as husband and wife.

Sally Warren McLain

That my name is Delia Moseley, I know both parties to this cause they are both over the age of 21 and residents of Baldwin County, and have been since before 1940, they were married in Bay Minette the first part of April, 1940, and lived together as husband and wife in Baldwin County until about the first part of June, 1941 at which time George McLain voluntarily abandoned Sally Warren McLain without any fault on her part, and they have not lived together since that date. They have no children as fruits of this marriage and I do not know of any property which they accumulated during their marriage.

Delia Moseley

ORAL EXAMINATION.

I, Lyrleene Nixon, 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 es and read over to them and they signed the same in the presence of myself and C. LeNoir Thomson 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 13 day of August, 1952

Lyrleene Nixon (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

SALLY WARREN McLAIN

vs. Complainant

GEORGE McLAIN

Respondent.

Oral Deposition

Filed 8-14, 1952

Miss J. L. ..., Register.
Recorded in _____

Vol. _____ Page _____
Record _____

FILED
AUG 14 1952
Register.

ALICE J. ...
ster

STATE OF ALABAMA
BALDWIN COUNTY

You are hereby commanded to summon GEORGE McLAIN, 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 SALLY WARREN McLAIN.

WITNESS my hand this 25th day of July, 1952.

Herold J. ...
Register

SALLY WARREN McLAIN)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA.
VS)	IN EQUITY.
GEORGE McLAIN)	
RESPONDENT)	

TO THE HONORABLE TELFAIR J. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your Complainant, SALLY WARREN McLAIN, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama and over twenty-one years of age.

2.

That your Complainant and the Respondent married in Bay Minette, Alabama, on April 6, 1940, and lived together as husband and wife in Baldwin County, Alabama, until on to-wit, June 10, 1941.

3.

Complainant avers that said Respondent voluntarily abandoned the bed and board of Complainant for more than one year next preceding the filing of this bill of complaint, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

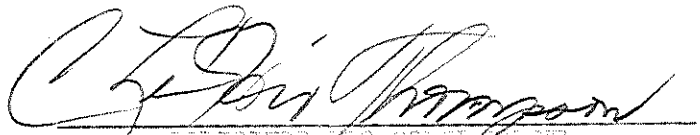
4.

There are no children as fruits of this marriage and no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said GEORGE McLAIN 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 upon final hearing hereof your Honor will grant to her absolute divorce forever barring the bonds of matrimony existing between your Complainant and Respondent.

That your Petitioner be granted the rights to resume her former name, Sally Warren, and that upon a final hearing of this cause, that your Complainant be awarded such other further, different or general relief as she may be in equity and good conscience entitled to receive.


SOLICITOR FOR COMPLAINANT

[Faint handwritten notes and markings in the left margin, including the number '12' and some illegible text.]

Received in Sheriff's Office
this 25 day of July, 1952
TAYLOR WILKINS, Sheriff

no 2852

RECORDED

Executed this July 29
1952 by serving
a copy of the within
writ on George Mc Lain
Taylor Wilkins Sheriff
by James Horn D S

SALLY WARREN McLAIN

COMPLAINANT

VS

GEORGE McLAIN

RESPONDENT

Bill of Complaint

From the Law Offices of
C. LeNoir Thompson
Attorney At Law
Bay Minette, Alabama

Jawbone

Filed 7-25-52
Alice French
Bay Minette