

(2866)

DIVORCE DECREE

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

Edith Barnes, Complainant

vs.

Albert Barnes, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, 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 Edith Barnes is forever divorced from the said Albert Barnes for and on account of Respondent becoming addicted to habitual drunkenness after marriage.

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

This 13th day of August, 1952.

Jessie 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. 2866 Page \_\_\_\_\_

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

**FILED**

AUG 13 1952

ALICE J. DUCK, Register

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

Edith Barnes, Complainant

vs.

Albert Barnes, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso 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 Edith Barnes is forever divorced from the said Albert Barnes for and on account of Respondent becoming addicted to habitual drunkenness after marriage.

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

This 13 day of August, 1952

Telfair J. Mashburn, Jr. Judge Circuit Court, In Equity.

I, Alice J. Duck, 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 6th day of December, 1952

Register of Circuit Court, In Equity.

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Edith Barnes Complainant

VS.

Albert Barnes Respondent

I, Grady P. Gilbert, Jr.

as ~~Register and~~ Commissioner

have called and caused to come before me ~~Drew Ethel Pearson and Cathrine~~  
~~Jerkins~~

witness ~~es~~ named in the Requirement for Oral Examination, on the 9th day of August  
1952, at the office of Hendrix & Tucker

in Robertsdale, Alabama, and having first sworn said Witness ~~es~~ to speak the  
truth, the whole truth, and nothing but the truth, the said Drew Ethel Pearson  
& Cathrine Jerkins doth depose and say as follows:

My name is Edith Barnes, I am over 18 years old and have lived in Baldwin County, Alabama for more than the last 2 years. Albert Barnes is over 21 years old and lives in Baldwin County, Alabama; we were married on September 5, 1951 at Lucedale, Mississippi. After we were married Albert got to where he drank nearly all the time, I tried to get him to stop drinking but he would not, and because of this we have not lived together for the last 3 months. We did not have any children.

Edith Barnes

I know Edith Barnes very well. She is over 18 years old and has lived in Baldwin County, Alabama for more than the last 2 years. Albert Barnes is over 21 years old and lives in Loxley, which is in Baldwin County, Alabama. They were married about the first of September 1951 at Lucedale, Mississippi; after they were married Albert got to where he drank and stayed drunk an awful lot, Edith left him on this account and has not lived with him for the last several months. They did not have any children.

Drew Ethel Pearson

I have known Edith Barnes a long time, she is over 18 years old and has lived in Baldwin County, Alabama for the last 2 years or more. Albert Barnes is over 21 years old and lives in Loxley, Baldwin County, Alabama. They got married around the first of September over in Lucedale, Mississippi, back in 1951. After they got married Albert got to where he stayed drunk so much that Edith just could not live with him any more, and because of this she has not lived with him for the last three months or more. No children was born to them.

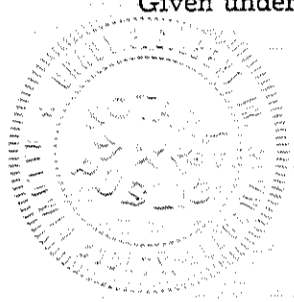
Cathrine Jerkins  
Her  
Mark

ORAL EXAMINATION.

I, Grady P. Gilbert Jr., 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 S and read over to them and they signed the same in the presence of myself Grady P. Gilbert Jr. Notary Public. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness S or had proom made before me of the identity of said witness S; 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 9<sup>th</sup> day of August, 1947



Grady P. Gilbert Jr. (L. S.)  
Notary Public  
Baldwin Co. Ala  
My Comm. expires 5/31/53

NO. 2-866 PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 8-13, 1947

Grady P. Gilbert Jr. Register.

Recorded in

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

Edith Barnes

vs.

Albert Barnes

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, and testimony of Edith Barnes, Drew Ethel

Pearson and Cathrine Jenkins

and in behalf of Defendant upon

*James C. Thidrip*

*W. J. ...*

Register.

No. ....

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

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

vs.

**NOTE OF TESTIMONY**

Filed in Open Court this 13<sup>th</sup> .....

day of Aug, 1949 .....

Archie J. Wrench  
Register.



THE STATE OF ALABAMA, }  
BALDWIN COUNTY. }

Circuit Court

TO: Grady E. Gilbert, Jr.

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 Drew Ethel Pearson and Cathrine Jerkins

as witnesses in behalf of Edith Barnes in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Edith Barnes

\_\_\_\_\_ , Complainant

and Albert Barnes

\_\_\_\_\_ Respondent

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

Witness 9th day of Aug, 1952

Bevin J. Smith  
Register.

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

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

No. 2866

**THE STATE OF ALABAMA  
Baldwin County**

**CIRCUIT COURT**

Complainant \_\_\_\_\_

VS.

Defendant \_\_\_\_\_

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER: \_\_\_\_\_

WITNESSES: \_\_\_\_\_

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Commissioner of \_\_\_\_\_  
Baldwin County, Alabama

STATE OF ALABAMA, BALDWIN COUNTY

EDITH BARNES,

Complainant

vs

ALBERT BARNES

Respondent

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

To the Honorable Judge of the Circuit Court of Baldwin County, sitting in Equity.

Your Complainant, Edith Barnes, respectfully represents and shows unto your Honor:

1. That complainant is over the age of eighteen years and is a resident of said State and County, and has been a bona fide resident of said State for more than two years next preceding the filing of this bill of complaint; That Albert Barnes is over the age of twenty-one and resides in Baldwin County, Alabama.

2. That your complainant and respondent were lawfully married on or about, to-wit, September 5, 1951, at Lusedale, Mississippi.

3. Your complainant avers and charges that the said respondent has, since her said marriage with him, become addicted to habitual drunkenness, and that said habit has continued to the filing of this bill; and due to this habit the complainant and respondent have not lived as husband and wife for three months next preceding the filing of this bill.

4. Complainant further avers and shows unto your Honor that there were no children born of the aforesaid marriage.

The premises considered, your complainant makes the said Albert Barnes a party respondent to this bill of complaint, and in order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Albert Barnes, commanding him to answer, plead or demur to this bill of complaint, within the time required by law, and that on a final hearing of this cause,

that your Honor will enter a decree divorcing your complainant from said respondent, granting the complainant the right to remarry, and granting the complainant the right to resume her maiden name; and that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper, and your complainant will ever pray, etc.

*Hendrix & Tucker*  
By James C. Hendrix  
Solicitors for Complainant

2286

EDITH BARNES

Complainant,

vs.

ALBERT BARNES

Respondent.

\* IN THE CIRCUIT COURT OF  
\* BALDWIN COUNTY, ALABAMA  
\* IN EQUITY  
\*  
\*

ANSWER AND WAIVER

Comes now the Respondent, Albert Barnes, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

Albert Barnes  
Albert Barnes

Sworn to and subscribed before me this 6<sup>th</sup> day of August 1952.

Grady P. Gee  
Notary Public

My Comm. expires 4/10/56

