

4176

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

RACHEL LOU ANDERSON

Complainant

vs.

SAMUEL ANDERSON

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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 Rachel Lou Anderson is forever divorced from the said Samuel Anderson for and on account of Abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant, Rachel Lou Anderson, shall have the care, custody and control of the minor child, Samuel Anderson Jr., age about 15 months.

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 Rachel Lou Anderson the Complainant pay the cost herein to be taxed, for which executed may issue.

This 7th day of March 1958

Hubert M. Wall

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

RACHEL LOU ANDERSON

Complainant

vs.

SAMUEL ANDERSON

Respondent

DIVORCE DECREE

FILED

MAR 8 1958

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons SAMUEL ANDERSON, 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 RACHEL LOU ANDERSON, as Complainant and against SAMUEL ANDERSON, as Respondent.

WITNESS my hand this the _____ day of November, 1957.

Register.

* * * * *

RACHEL LOU ANDERSON	{	IN THE CIRCUIT COURT OF
COMPLAINANT	{	BALDWIN COUNTY, ALABAMA.
VS	{	IN EQUITY.
SAMUEL ANDERSON	{	CASE NO. <u>4176</u>
RESPONDENT	{	

* * * * *

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

Your Complainant, Rachel Lou Anderson, 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 non-resident of the State of Alabama.

2.

That your Complainant and the Respondent married in Baldwin County, Alabama, on July 16, 1955, and lived together as husband and wife in Baldwin County, Alabama until on to-wit, August 15, 1956.

3.

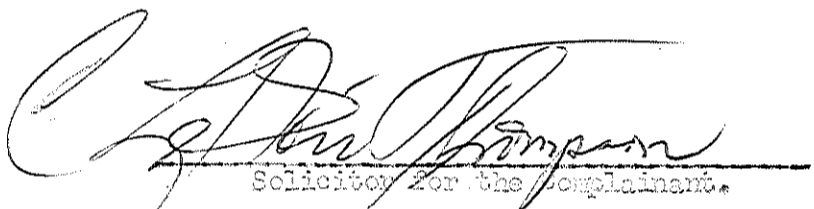
That on to-wit August 15, 1956, while your Complainant and Respondent were living together as husband and wife in Baldwin County, Alabama, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

4.

There was born as fruits of this marriage between the Complainant and the Respondent one child, Samuel Anderson, Jr., age about 16 months old, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Samuel Anderson, 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 a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a decree be made awarding to the Complainant the care, custody and control of the minor child, Samuel Anderson, "r.", age about 13 months old; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant.

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

RACHEL LOU ANDERSON
No. 4176

vs.

SAMUEL ANDERSON

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 25th day of
November, 1957

In this cause it being made to appear to the Clerk of this Court by the affidavit of Rachel Lou Anderson

that the Defendant Samuel Anderson

is a non-resident of the State of Alabama that his particular place of residence and Post Office address cannot be ascertained

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

Samuel Anderson the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 25th day of December 1957, or after thirty days therefrom a decree Pro Confesso may be taken against him

George J. Duesch
Register.

C. Lenoir Thompson
Solicitor For Complainant

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

RACHEL LOU ANDERSON

Complainant

Vs.

SAMUEL ANDERSON

Defendant

Motion is hereby made for a Decree Pro Confesso against _____

Samuel Anderson

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 6 day of March, 1954

746 Code

C. L. Dyer Thompson Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

RACHEL LOU ANDERSON

Complainant _____

Vs.

SAMUEL ANDERSON

Defendant _____

Motion for Decree Pro Confesso
On Publication

Filed _____, 19 _____

FILED

MAR 6 1958

ALICE I. BECK, Register
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The Baldwin Times, Bay Minette, Ala.

The State of Alabama,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. _____ Term, 19____

_____ RACHEL LOU ANDERSON _____ Complainant _____

_____ SAMUEL ANDERSON _____ Defendant _____

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 28th day of November, 1957, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 28th day of November 1958, and

And it now further appearing to the Register Alice J. Duck, that the said

Samuel Anderson

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Samuel Anderson

This 6 day of March 1958

Alice J. Duck Register.

No. -----

Page -----

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

RACHEL LOU ANDERSON

Vs.

SAMUEL ANDERSON

Decree Pro Confesso of Publication

Issued ----- 19

FILED

MAR 7 1958 Register.

Recorded in ALICE J. DUCK Register Record

Vol. ----- Page -----

Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons SAMUEL ANDERSON, 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 RACHEL LOU ANDERSON, as Complainant and against SAMUEL ANDERSON, as Respondent.

WITNESS my hand this the _____ day of November, 1957.

Register.

* * * * *

RACHEL LOU ANDERSON		IN THE CIRCUIT COURT OF
COMPLAINANT		BALDWIN COUNTY, ALABAMA.
VS		IN EQUITY.
SAMUEL ANDERSON		CASE NO. <u>4176</u>
RESPONDENT		

* * * * *

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

Your Complainant, Rachel Lou Anderson, 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 non-resident of the State of Alabama.

2.

That your Complainant and the Respondent married in Baldwin County, Alabama, on July 16, 1955, and lived together as husband and wife in Baldwin County, Alabama until on to-wit, August 15, 1956.

3.

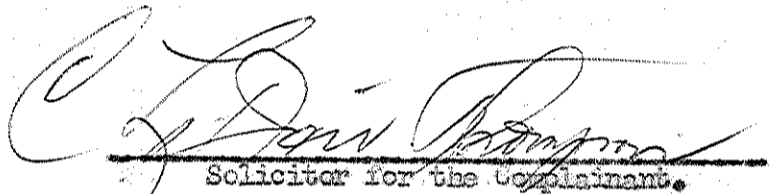
That on to-wit August 15, 1956, while your Complainant and Respondent were living together as husband and wife in Baldwin County, Alabama, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

4.

There was born as fruits of this marriage between the Complainant and the Respondent one child, Samuel Anderson Jr., age about 13 months old, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Samuel Anderson, 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 a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a decree be made awarding to the Complainant the care, custody and control of the minor child, Samuel Anderson, Jr., age about 13 months old; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant.

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for the State of Alabama Baldwin County, personally appeared Rachel Lou Anderson, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that she is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Samuel Anderson, is a non-resident of the State of Alabama and whose residence, after a search having been made with due diligence, is unknown according to the best information and belief of the Complainant and that your Complainant cannot ascertain the particular place of residence and Post Office address of the Respondent after spending a reasonable effort, which has been made; that said Respondent is over the age of twenty-one years.

Rachel Lou Anderson

Sworn to and subscribed before me this 25 day of November, 1957.

C. J. Davis
Clerk Public, Baldwin County, Alabama.

FILED

NOV 25 1957

ALICE J. BECK, Register

RACHEL LOU ANDERSON

.vs.

SAMUEL ANDERSON

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 Rachel Lou Anderson and Robert Gaitors. Decree Pro Confesso on Publication and Motion for decree pro confesso on publication.

and in behalf of Defendant upon

E. Lester Thompson

Archie J. ...
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

RACHEL LOU ANDERSON

vs.

SAMUEL ANDERSON

NOTE OF TESTIMONY

Filed in Open Court this

day of **FILED**, 194

MAR 7 1958

ALICE I. BICK Register Register.

Printed By The Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

RACHEL LOU ANDERSON COMPLAINANT

vs.

SAMUEL ANDERSON RESPONDENT

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Rachel Lou Anderson

witness es named in the requirement for Oral Examination, on the 7th day of March
19 58, 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 Rachel Lou Anderson and

Robert Gaitors doth depose and say as follows:

That my name is Rachel Lou Anderson, I am over the age of 18 and a resident of Baldwin County, Alabama and have been more than two years next preceding. The Respondent is over the age of 21 and is a non-resident of the State of Alabama. We were married in Baldwin County, Alabama on July 16, 1955 and lived together as husband and wife in Baldwin County until on or about August 15, 1956 at which time the Respondent voluntarily abandoned your Complainant without fault on her part and we have not lived together as husband and wife since that time. There was born as fruits of this marriage one child, Samuel Anderson, Jr., age about 13 months last November. Your Complainant respectfully submits to this Honorable Court that she has had the care, custody and control of this child since birth and respectfully asks that she be given the permanent care, custody and control of this minor child, Samuel Anderson Jr., There is no property to be divided. Knowing they will never live together as husband and wife your Complainant respectfully asks for a divorce.

Rachel Lou Anderson

That my name is Robert Gaitors, I know both parties to this cause. The Complainant is over the age of 18 and the respondent is over the age of 21. They both were residents of Alabama more than two years next preceding but the Respondent left her and I do not know in what state he has lived since the separation. They were married in Bay Minette, Alabama on July 16, 1955 and lived together as husband and wife in Baldwin County until on or about August 15, 1956 at which time the Respondent abandoned the Complainant Rachel Lou Anderson without fault on her part and they have never lived together again as husband and wife since that date. There was born of this marriage one child, Samuel Anderson Jr., age about 13 months last November and his mother, the Complainant has had his care, custody and control all of his life and I submit that she is a fit, suitable and proper mother to have the permanent care, custody and control of this child. I do not believe they will ever live together again as husband and wife.

Robert Gaitors

I, Lois Wilson as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me 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 proof 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 7th day of March, 1958.

Lois Wilson (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

RACHEL LOU ANDERSON

COMPLAINANT

vs.

SAMUEL ANDERSON

RESPONDENT

ORAL DEPOSITION

Filed _____, 19 _____

FILED

MAR 7 1958

Register: **ALICE J. BOGGS, Register**

Record _____

Vol. _____ Page _____

Register: _____

COMMISSION TO TAKE DEPOSITIONS

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 Rachel Lou Anderson and Robert Gaitors

a witness in behalf of Rachel Dou Anderson in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Rachel Lou Anderson

, Complainant

and Samuel Anderson

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 7 day of

March

, 1958

Desiree J. Shuck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

RACHEL LOU ANDERSON

Complainant

VS.

SAMUEL ANDERSON

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

4176

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THE BALDWIN TIMES

BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER
AND
BILL STEWART
PUBLISHERS

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

Legal Notice

STATE OF ALABAMA,
BALDWIN COUNTY,
Circuit Court in Equity, this the
25th day of November, 1957.
Rachel Lou Anderson, No. 4176
vs. Samuel Anderson.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Rachel Lou Anderson that the Defendant Samuel Anderson is a non-resident of the State of Alabama that his particular place of residence and Post Office address cannot be ascertained and further, that, in the belief of said Affiant the Defendant is over the age of 18 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Samuel Anderson the said Respondent to answer or demur to the Bill of Complaint in this cause by the 25th day of December 1957, or after thirty days therefrom a decree Pro Confesso may be taken against him.

ALICE J. DUCK,

Register
Clerk of the Court,
Solicitor for Complainant.

46-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR OF THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Rachel Lou Anderson U.S.

Samuel Anderson

COST STATEMENT

170 WORDS @ 6 1/2 cents \$ 11.05

I hereby certify this is correct, due and unpaid (paid).

E. R. Morrisette Jr.
Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Nov. 28, 1957 Vol. 69 No. 46

Date of 2nd publication Dec 5, 1957 Vol. 69 No. 47

Date of 3rd publication Dec 12, 1957 Vol. 69 No. 48

Date of 4th publication Dec 19, 1957 Vol. 69 No. 49

Subscribed and sworn before the undersigned this 20 day of Dec., 1957

Dorothy Martin
Notary Public, Baldwin County.

E. R. Morrisette Jr.
Editor.

FILED
DEC 20 1957
ALICE A. BUCK, Register