

(3408)

DIVORCE DECREE

PRINTED BY MOORE PTC. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CLARA HIESTAND, Complainant

vs.

DWIGHT W. HIESTAND, 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 CLARA HIESTAND is forever divorced from the said DWIGHT W. HIESTAND for and on account of

Abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that

Dwight W. Hiestand, the Respondent, convey to Clara Hiestand, the Complainant, as full settlement of alimony, all of his right, title and interest in and to real estate in Baldwin County, Alabama, described as follows, to-wit:- The N 1/2 of the SE 1/4 of the NW 1/4 and the N 1/2 of the SW 1/4 of the NW 1/4 of Sec. 33, Township 6 South, Range 2 East On the failure or refusal of the said Dwight W. Hiestand to make conveyance within 30 days from the date hereof, the Register is hereby directed, for him and in his name and stead, to make conveyance of the said real estate to the said Clara Hiestand, and the Register is hereby directed to place a copy of this Decree of record in the Probate Office of Baldwin County, Alabama.

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 Clara Hiestand the Complainant pay the cost herein to be taxed, for which executed may issue.

This 19 day of March, 1955

J. Hubert M. Hall 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

Complainant

vs.

Respondent

**DIVORCE DECREE**

**FILED**

MAR 19 1955

ALICE J. DUCK, Register

**THE STATE OF ALABAMA**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

CLARA HIESTAND

Complainant

VS.

DWIGHT W. HIESTAND

Respondent

I, Frances G. Mallory

as Register and Commissioner In Chancery

have called and caused to come before me Clara Hiestand and Mrs. James A. Wagoner, Sr.

witness ES named in the Requirement for Oral Examination, on the      day of February 194 55, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said Witness ES to speak the truth, the whole truth, and nothing but the truth, the said Clara Hiestand and Mrs. James A. Wagoner, Sr. doth depose and say as follows:

Statement of Clara Hiestand:

My name is Clara Hiestand. I am over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Fairhope. Dwight W. Hiestand is over the age of twenty-one years and his place of residence and Post Office address are unknown, but he is not a resident of the State of Alabama. We were married on June 27, 1911, and lived together as husband and wife until 1934, at which time he voluntarily and with no cause abandoned my bed and board, and we have not lived together as husband and wife or recognized each other as husband and wife since that time. There were 4 children born of this marriage, but all are over the age of 21 years. In June of 1928, there was purchased in the name of Dwight W. Hiestand the following described real estate in Baldwin County, Alabama, to-wit:- The North Half (N $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the North Half (N $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section thirty-three (33), Township six (6) South, Range two (2) East. My oldest son and I paid most of the payments on the mortgage that was executed at the time of our purchase in 1934, and I have paid all the taxes on the property since 1934, and maintained the property in good order and repair and made improvements thereon with monies received as an inheritance from my father. I also contributed through my own efforts and labor to the down payment originally made. I have supported my children until they became self-supporting, and have received no support from Dwight W. Hiestand for over 20 years. This property is occupied by me as my home and I have lived here since the date of purchase and have no other property or any means of support other than such returns as can be received from the property, and I feel that I am rightfully the owner of the property and that it should be conveyed to me as alimony.

Signed: Clara Hiestand

Statement of Mrs. James A. Wagoner, Sr.:

My name is Mrs. James A. Wagoner, Sr. I am over the age of twenty-one years and a resident of Fairhope, Baldwin County, Alabama. I am personally acquainted with Clara Hiestand and Dwight W. Hiestand, and knew them when they were living together near Fairhope, more than 20 years ago. Dwight W. Hiestand voluntarily and with no cause voluntarily abandoned the bed and board of Clara Hiestand in Baldwin County, Alabama, and they have not lived together as husband and wife since that time. Clara Hiestand has been a resident of Baldwin County since 1926, and Dwight W. Hiestand was a resident until he left, over 20 years ago. He is not now a resident of Alabama, and his Post Office address and place of residence are unknown to me and to the people in the vicinity in which they lived. Clara Hiestand occupies and claims the North $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 33, Township 6 South, Range 2 East, in Baldwin County, Alabama. She also supported her 4 children until they became of age and self-supporting and has made improvements on the property and greatly increased its value.

Signed: Mrs. James A. Wagoner, Sr.

CLARA HIESTAND,  
Complainant,  
-vs-  
DWIGHT W. HIESTAND,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

BOOK 016 PAGE 474

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

Comes your Complainant, Clara Hiestand, and files this her Bill of Complaint for Divorce against Dwight W. Hiestand, and respectfully represents and shows unto your Honor:

1. That your Complainant is over the age of twenty-one years and is a bona fide resident citizen of Fairhope, Baldwin County, Alabama, having been such a resident citizen for more than 20 years next preceeding the filing of this Bill of Complaint; that Dwight W. Hiestand is over the age of twenty-one years and is not a resident of the State of Alabama, and his place of residence and Post Office address are unknown.

2. The Complainant and Respondent were lawfully married on, to-wit:- June 27, 1911.

3. Complainant further avers that Respondent voluntarily abandoned her bed and board for more than 20 years next preceeding the filing of this Bill of Complaint, since which time the Respondent and Complainant have not lived together as man and wife, nor in any way recognized each other as husband and wife.

4. Your Complainant further avers that in June of 1928 there was purchased from S. W. Alexander and Gertrude Alexander, his wife, the following described real estate situated in Baldwin County, Alabama, to-wit:-

The North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) and the North Half ( $N\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section thirty-three (33), Township six (6) South, Range two (2) East.

Complainant further shows that this property was purchased in the name of Dwight W. Hiestand, however, that she contributed, through her own efforts and labor, to the payment of the mortgage

on the property. She further shows that one of her children, of which there are four (4), but all of whom are over the age of twenty-one years, also contributed in cash to the payment of the mortgage, which was retired in 1944. Complainant also paid all taxes on the property for the last 20 years, and has supported her children until they became of age to support themselves, having received no support either for herself or children, from her husband, for over 20 years.


PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Dwight W. Hiestand be made a party defendant to this cause by the usual process of this Honorable Court, by service by Publication, requiring him 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. The Complainant further prays that upon final hearing of this cause that she be granted a divorce from the Respondent, and that she be granted title to the property hereinabove described as full settlement for alimony. In this regard Complainant prays that an order be made directing the Respondent to convey this property to her by Warranty Deed and upon his failure to do so for a period of 30 days, that the Register be directed to make this conveyance for the Respondent, in his name and behalf. Complainant further prays that should she be mistaken in the relief prayed for that she be granted such other, further, different and general relief to which she may be entitled and as in duty bound she will ever pray.

FILED

NOV. 22, 1954

ALICE J. DECK, Register

  
Solicitor for Complainant


STATE OF ALABAMA

BALDWIN COUNTY

Before me, C. G. Chason, a Notary Public in and for said County in said State, personally appeared Clara Hiestand, who is known to me, and who, after being by me first duly and legally sworn, deposes and says as follows:- That her name is Clara Hiestand; that she is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama; that she is the Complainant in an action for divorce filed in the Circuit Court of Baldwin County, Alabama, wherein Dwight W. Hiestand is the Respondent; that the Respondent is over the age of twenty-one years and is not a resident of Alabama, and that his residence cannot be ascertained by affiant after diligent inquiry; that he abandoned her (affiant) in 1934; that she has heard that he was outside the Continental Limits of the United States, and that she recently heard that he was in Chicago, Illinois, but knows no resident or Post Office address; that this affidavit is made for the purpose of obtaining an order from the Register in Chancery for Notice by Publication, as provided by the Laws and Statutes of the State of Alabama.

Mrs. Clara Hiestand.  
Affiant

Sworn to and subscribed before me,  
a Notary Public, on this the 30<sup>th</sup>  
day of October, 1954.

  
Notary Public, Baldwin County  
State of Alabama

FILED

NOV. 24, 1954

ALICE I. DUCK, Register

8601. Motion for Decree Pro Confesso on Publication.

MPCO

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. \_\_\_\_\_, Term, 19 55

CLARA HIESTAND

Complainant

Vs.

DWIGHT W. HIESTAND

Defendant

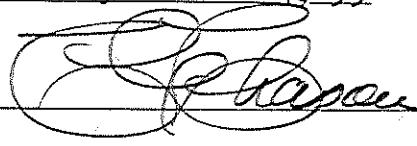
Motion is hereby made for a Decree Pro-Confesso against DWIGHT W. HIESTAND

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 23rd day of Februaury 19 55

746 Code



Solicitor.

No. 3408

Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

CLARA HIESTAND

Complainant \_\_\_\_\_

Vs.

DWIGHT W. HIESTAND

Defendant \_\_\_\_\_

Motion for Decree Pro Confesso  
on Publication

Filed 2-23 1955

*Dee J. ...*  
Register.

Recorded in \_\_\_\_\_ Record

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

Register.



CLARA HIESTAND,  
Complainant,  
-vs-  
DWIGHT W. HIESTAND,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

In this cause it being made to appear to the Register of this Court by the Affidavit of Clara Hiestand that the Respondent, Dwight W. Hiestand is a non-resident of the State of Alabama, and that his Post Office address and residence is unknown, and further, that the Respondent is over the age of twenty-one years; it is therefore ordered that publication be made in the Onlooker, a newspaper published in Foley, Alabama, once a week for four (4) consecutive weeks, requiring the said Respondent, Dwight W. Hiestand to answer or demur to the Bill of Complaint in this cause by the 25th day of December, 1954, or that, after thirty (30) days therefrom a decree pro-confesso may be taken against him.

*Alice J. Duck*  
\_\_\_\_\_  
Alice J. Duck, Register

*C. G. Chason*  
\_\_\_\_\_  
C. G. Chason, Attorney for Complainant

FILED

NOV. 22, 1954

ALICE J. DUCK, Register

CECIL G. CHASON

ATTORNEY AT LAW  
FOLEY, ALABAMA


November 19, 1954

Mrs. Alice J. Duck, Register  
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith Bill of Complaint of Clara Hiestand  
-vs- Dwight W. Hiestand, along with Affidavit of non-residence  
and Notice of Publication. I have taken the liberty of del-  
ivering a copy to the Onlooker and presume you will post the  
notice at the Courthouse as required.

Yours very truly,

  
C. G. Chason

CGC:fm

encls. 3.

November 19, 1954

Mr. E. M. Howell, Publisher  
The Onlooker  
Foley, Alabama

Dear Mr. Howell:

I have been requested by Alice J. Duck, Register in Chancery, to deliver to you the foregoing notice for publication in the Onlooker. Please publish this notice for four (4) consecutive times, beginning with your next issue and send affidavit of Publication and Bill of Costs to Alice J. Duck, Register, Bay Minette, Alabama.

Yours very truly,

C. G. Chasen

CGC:fm

encls. 1

cc: Mrs. Alice J. Duck, Register  
Bay Minette, Alabama

*CGC*

**CECIL G. CHASON**

ATTORNEY AT LAW  
FOLEY, ALABAMA

March 1, 1955

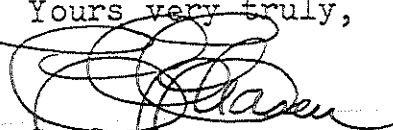
Mrs. Alice J. Duck, Register  
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Deposition, Commission to take Deposition,  
Note of Testimony and Decree in the Divorce action of Hiestand  
-vs- Hiestand.

There is also enclosed my check in the amount of \$21.88 to cover  
Costs of Court and Publication.

Yours very truly,

  
C. G. Chason

CGC:fm

encls. 5

CLARA HIESTAND,

Complainant,

-VS-

DWIGHT W. HIESTAND,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

In this cause it being made to appear to the Register of this Court by the Affidavit of Clara Hiestand that the Respondent, Dwight W. Hiestand is a non-resident of the State of Alabama, and that his Post Office address and residence is unknown, and further, that the Respondent is over the age of twenty-one years; it is therefore ordered that publication be made in the Onlooker, a newspaper published in Foley, Alabama, once a week for four (4) consecutive weeks, requiring the said Respondent, Dwight W. Hiestand to answer or demur to the Bill of Complaint in this cause by the 25th day of December, 1954, or that, after thirty (30) days therefrom a decree pro-confesso may be taken against him.

---

Alice J. Duck, Register

---

C. C. Chason, Attorney for Complainant

# RECEIPT

The State of Alabama, Baldwin County

No 2576

Equity Division, Circuit Court.

Case No. 3404

Date 3-14, 1952

RECEIVED OF A. G. Chason (Plaintiff) vs. Husband

the sum of Twenty - one <sup>50</sup>/<sub>100</sub>

Trial Tax	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

Benjamin F. ...  
As Register, Baldwin County, Ala.

Total \$ 21.48

By \_\_\_\_\_

FOLEY, ALA. June, 18 1954

# HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Oliver J. Hirsch

Register

Bay Minette Ala

BROUGHT FORWARD

4 times

Clara Hestand vs  
W.W. Hestand

\$9 88

AFFIDAVIT OF PUBLICATION

I, E. M. Howell

Publisher of The Onlooker, published at  
Foley, Ala., do solemnly swear that a copy of the above notice,  
as per clipping attached, was published once each week in the  
regular and entire edition of said newspaper, and not in any  
supplement thereof, for 4 consecutive weeks, com-  
mencing with the issue dated Nov. 25, 1954, and  
ending with the issue dated Dec. 16, 1954

E. M. Howell

Subscribed and sworn to before me this 18 day  
of Nov, 1954

[Signature]

MY COMMISSION EXPIRES AUGUST 14, 1955

Notary Public.



STATE OF ALABAMA

BALDWIN COUNTY

REGISTER'S DEED

KNOW ALL MEN BY THESE PRESENTS:- That WHEREAS, on the 19th day of March, 1955, a Decree was rendered by the Circuit Court of Baldwin County, Alabama, Sitting in Equity, having under consideration that certain cause wherein Clara Hiestand was Complainant and Dwight W. Hiestand was Respondent, which said Decree directed the said Dwight W. Hiestand to make conveyance of the property therein and hereinafter described, to Clara Hiestand, and which said Decree further provided that if the said Dwight W. Hiestand failed or refused to make conveyance within thirty (30) days from the date of rendition of said Decree, that the Register be directed, for him and in his name and stead, to make conveyance of the said real estate to the said Clara Hiestand, and,

WHEREAS, more than thirty (30) days have elapsed since the rendition of said Decree and the said Dwight W. Hiestand having failed, to the date hereof, to make said conveyance, as he was directed to do,

NOW, THEREFORE, pursuant to and in obedience with the Decree hereinabove referred to, I, Dwight W. Hiestand, acting by and through Alice J. Duck, Register in Chancery of the Circuit Court of Baldwin County, Alabama, have and by these presents do hereby GRANT, BARGAIN, SELL and CONVEY unto Clara Hiestand, the following described real estate in Baldwin County, Alabama, to-wit:-

The North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) and the North Half ( $N\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section thirty-three (33), Township six (6) South, Range two (2) East.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said Clara Hiestand, her heirs and assigns, FOREVER.

WITNESS the hand and seal of the said Dwight W. Hiestand, acting by and through Alice J. Duck, Register in Chancery, Baldwin

County, Alabama, on this the 31 day of May, 1955.

Alice J. Duck SEAL

BY: Register SEAL

STATE OF ALABAMA

BALDWIN COUNTY

I, \_\_\_\_\_, a Notary Public in and for said County in said State, hereby certify that ALICE J. DUCK, whose name as Register in Chancery is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, she, in her capacity as such Register, executed the same voluntarily on the day the same bears date.

Given under my hand and Notarial Seal hereto affixed by me on this the \_\_\_\_\_ day of \_\_\_\_\_, 1955.

(affix Seal)

\_\_\_\_\_  
Notary Public, Baldwin County  
State of Alabama

**CECIL G. CHASON**

ATTORNEY AT LAW  
FOLEY, ALABAMA

May 26, 1955

Mrs. Alice J. Duck, Register  
Bay Minette, Alabama

Dear Mrs. Duck:

Dwight W. Hiestand has not yet made conveyance to Mrs. Hiestand in accordance with the Decree of the Court referred to in the enclosed conveyance. Please execute this instrument, signing his name by you, and return to me. A copy is enclosed for your file.

Yours very truly,



C. G. Chason

CGC:fm

encls. 2

3408

Heestand  
VS  
Niestand

*[Faint, illegible text, possibly bleed-through from the reverse side of the page]*

CLARA HIESTAND,

Complainant,

-vs-

DWIGHT W. HIESTAND,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

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

Comes your Complainant, Clara Hiestand, and files this her Bill of Complaint for Divorce against Dwight W. Hiestand, and respectfully represents and shows unto your Honor:

1. That your Complainant is over the age of twenty-one years and is a bona fide resident citizen of Fairhope, Baldwin County, Alabama, having been such a resident citizen for more than 20 years next preceeding the filing of this Bill of Complaint; that Dwight W. Hiestand is over the age of twenty-one years and is not a resident of the State of Alabama, and his place of residence and Post Office address are unknown.

2. The Complainant and Respondent were lawfully married on, to-wit:- June 27, 1911.

3. Complainant further avers that Respondent voluntarily abandoned her bed and board for more than 20 years next preceeding the filing of this Bill of Complaint, since which time the Respondent and Complainant have not lived together as man and wife, nor in any way recognized each other as husband and wife.

4. Your Complainant further avers that in June of 1928 there was purchased from S. W. Alexander and Gertrude Alexander, his wife, the following described real estate situated in Baldwin County, Alabama, to-wit:-

The North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) and the North Half ( $N\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section thirty-three (33), Township six (6) South, Range two (2) East.

Complainant further shows that this property was purchased in the name of Dwight W. Hiestand, however, that she contributed, through her own efforts and labor, to the payment of the mortgage

on the property. She further shows that one of her children, of which there are four (4), but all of whom are over the age of twenty-one years, also contributed in cash to the payment of the mortgage, which was retired in 1944. Complainant also paid all taxes on the property for the last 20 years, and has supported her children until they became of age to support themselves, having received no support either for herself or children, from her husband, for over 20 years.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Dwight W. Hiestand be made a party defendant to this cause by the usual process of this Honorable Court, by service by Publication, requiring him 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. The Complainant further prays that upon final hearing of this cause that she be granted a divorce from the Respondent, and that she be granted title to the property hereinabove described as full settlement for alimony. In this regard Complainant prays that an order be made directing the Respondent to convey this property to her by Warranty Deed and upon his failure to do so for a period of 30 days, that the Register be directed to make this conveyance for the Respondent, in his name and behalf. Complainant further prays that should she be mistaken in the relief prayed for that she be granted such other, further, different and general relief to which she may be entitled and as in duty bound she will ever pray.

  
Solicitor for Complainant

3406

CLARA HIESTAND,  
Complainant,  
-vs-  
DWIGHT W. HIESTAND,  
Respondent.

( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )

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

( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )

FILED

NOV 22 1954

ALICE L. WICK, Register

THE PETITIONER REQUESTS THAT THE COURT TAKE NOTICE OF THE PETITIONER'S COMPLAINT AND TAKE THE SAME INTO CONSIDERATION AND TAKE SUCH ACTION AS THE COURT MAY DEEM PROPER.

THE COURT IS ADVISED THAT THE PETITIONER HAS BEEN ADVISED OF THE MATTER AND HAS BEEN GIVEN AN OPPORTUNITY TO BE HEARD.

IT IS ORDERED THAT THE PETITIONER'S COMPLAINT BE DISMISSED WITH COSTS TO BE PAID BY THE PETITIONER TO THE RESPONDENT. THE COURT IS ADVISED THAT THE RESPONDENT HAS BEEN ADVISED OF THE MATTER AND HAS BEEN GIVEN AN OPPORTUNITY TO BE HEARD.

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: FRANCES G. MALLORY

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 Clara Hiestand and Mrs. James A. Wagoner, Sr.

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

\_\_\_\_\_, Complainant  
and Dwight W. Hiestand

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

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

Witness 28th day of February, 195 5

*Henry J. ...*  
Register.

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

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



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

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

**CIRCUIT COURT**

CLARA HIESTAND

Complainant—

**vs.**

DWIGHT W. HIESTAND

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

WITNESSES:

CLARA HIESTAND

vs.

DWIGHT W. HIESTAND

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,  
Affidavit of non-residence, Petition for service by Publication,  
Service by Publication, Motion for Decree Pro Confesso on Service  
by Publication, Decree Pro Confesso on Service by Publication,  
and testimony of Clara Hiestand and Mrs. James A. Wagoner, Sr.

and in behalf of Defendant upon

*[Handwritten signature]*  
Subscribed for Plaintiff

*[Handwritten signature]*  
Register.

No. ....

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

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

CLARA HIESTAND

vs.

DWIGHT W. HIESTAND

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of ..... 194.....

**FILED**  
**MAR 14 1955**  
**MAR 1 1955**

Register.

Printed By The Baldwin Times

Decree Pro Confesso of Publication.

MPCO

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. \_\_\_\_\_, Term, 19\_\_\_\_

CLARA HIESTAND \_\_\_\_\_ Complainant

Vs.

DWIGHT W. HIESTAND \_\_\_\_\_ 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 25th day of November, 1955, in the Onlooker a newspaper published in Foley, Baldwin Co., Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the \_\_\_\_\_ day of \_\_\_\_\_ 19455 and \_\_\_\_\_

And it now further appearing to the Register Alice J. Duck that the said  
DWIGHT W. HIESTAND

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 DWIGHT W. HIESTAND

This 23rd day of February 1955

Alice J. Duck Register.

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

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

CLARA HIESTAND

Vs.

DWIGHT W. HIESTAND

Decree Pro Confesso of Publication

Issued 2-23 1958

*Archie J. Neuch*  
Register.

Recorded in \_\_\_\_\_ Record

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

Register.

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