(3455)

DIVORCE DECREE

PRINTED BY MOORE PTG. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JOHN WARE, Complainant

vs.

RACHEL WARE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on service by registered mail 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 John Ware is forever divorced from the said Rachel Ware for and on account of voluntary 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 John Ware the complainant pay the cost herein to be taxed, for which executed may issue.

This 8th day of March, 1955

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. 3455 Page

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

JOHN WARE

Complainant

vs.

RACHEL WARE

Respondent

DIVORCE DECREE

FILED
MAR 7 1955
ALICE J. DICK, Register

8581. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

John Ware

vs.

Rachel Ware

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, Motion for decree pro confesso after service by registered mail, and the testimony of John Ware and Albert Kendrick as set out in the oral deposition.

and in behalf of Defendant upon

James A. Hendrix

Register.

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

John Ware

vs.

Rachel Ware

NOTE OF TESTIMONY

Filed in Open Court this 8th

day of November, 1953

Register.

Printed By The Baldwin Times

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

THE STATE OF ALABAMA
Baldwin County } Circuit Court

TO: Grady P. 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, as such time and place as you may appoint, to call before you and examine John Ware and Albert Kendrick

a witnesses in behalf of John Ware in a cause pending in our Circuit Court in Baldwin County, of said State, wherein John Ware is

, Complainant

and Rachel Ware is

Respondent

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

Witness 2 day of March, 195 5

Register.

Commissioner's Fee, $

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

John Ware

Complainant

VS.

Rachel Ware

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Grady P. Gilbert, Jr.

WITNESSES:

John Ware

Albert Kendrick

8600 - Motion for Decree Pro Confesso After Service by Registered Mail. B.T. 1-47-200

The State of Alabama,
Baldwin County.

No. 3455 CIRCUIT COURT, IN EQUITY.

JOHN WARE Complainant

Vs.

RACHEL WARE Defendant

Motion is hereby made for a Decree Pro Confesso against

Rachel Ware, Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant..... has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 3rd day of March, 1955

James A. Hendrix, Solicitor.

No. 3455 Page.....

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

JOHN WARE,

Complainant

Vs.

RACHEL WARE,

Respondent

MOTION FOR DECREE PRO CONFESSO AFTER NOTICE BY REGISTERED MAIL

Filed ....., 19.....

FILED
MAR 7 1955
LUCE I. DOCK, Register

..... Register.

Recorded in ..... Record,

Vol. ..... Page .....

..... Register.

The Baldwin Times, Bay Minette, Ala.

ORAL DEPOSITION

Printed by Moore Printing Co.

The State of Alabama, Baldwin County. } Circuit Court of Baldwin County, Alabama (In Equity)

John Ware Complainant

VS.

Rachel Ware Respondent

I, Grady P. Gilbert, Jr.

as ~~Registrant~~ Commissioner

have called and caused to come before me John Ware and Albert Kendrick

witness es named in the Requirement for Oral Examination, on the 2nd day of March 19 55, at the office of James A. Hendrix in Robertsdale, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said John Ware and Albert Kendrick doth depose and say as follows:

My name is John Ware. I am over twenty-one years old and have lived in Baldwin County for more than the past two years. Rachel Ware is over twenty-one years old and resides at 5179 Broadway Avenue, Jacksonville, Florida. Rachel and I were married on March 10, 1917 at Foley, Alabama. Rachel voluntarily left me more than one year immediately preceding the filing of this complaint. She left, I believe, about June 1, 1952; she left voluntarily of her own accord and since that time Rachel and I have not lived together nor have we in any way recognized each other as husband and wife.

John Ware

My name is Albert Kendrick I have known John and Rachel Ware for many years. John is over twenty-one years old and has lived in Baldwin County for many many years and still lives in Baldwin County. Rachel is over twenty-one years old and is now living some where in Jacksonville, Florida. John and Rachel were married back in the first part of 1917 at Foley, Alabama. It seems that Rachel just up and left John of her own free will and accord about three years ago, somewhere around the 1st of June, I believe, and since that time and until the present day they have not lived together as husband and wife nor have they in any way recognized each other as husband and wife. John continues to live here in Robertsdale and Rachel has been living in Jacksonville.

Albert Kendrick

ORAL EXAMINATION

I, Grady P. Gilbert, Jr., a ~~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

Grady P. Gilbert, Jr.

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 2nd day of March, 1955.

Grady P. Gilbert, Jr. (L. S.)

No. 3455 Page

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

JOHN WARE

vs. Complainant

RACHEL WARE

Respondent

Oral Deposition

Filed, 19

FILED

MAR 1955

Recorded in

Record

Vol. Page

, Register

, Register

8602 DECREE PRO CONFESSO AFTER NOTICE BY REGISTERED MAIL BT-7-49-200

JOHN WARE

Vs.

RACHEL WARE

CIRCUIT COURT OF
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 8th day of January, 19 55, a copy of the Bill of Complaint filed in this cause was sent to Rachel Ware

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 31st day of January, 19 55, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said Rachel Ware Defendant.

This the 8th day of March, 19 55

Register.

No. _____

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

Vs.

DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL

Filed in office this 8th day of
March, 19 58
Alice Arnold, Register

Entered in O. B. _____ Page _____

The Baldwin Times, Bay Minette, Alabama

STATE OF ALABAMA, BALDWIN COUNTY

JOHN WARE,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
RACHEL WARE,	)	IN EQUITY.
Respondent.	)	

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant, JOHN WARE, humbly complaining of the Respondent, RACHEL WARE, in a matter of divorce, and represents and shows unto Your Honor as follows:

FIRST: That Complainant, JOHN WARE, is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than two years next preceeding the filing of this Bill of Complaint; that respondent's address is 5179 Broadway Avenue, Jacksonville, Florida, and is over the age of twenty-one years.

SECOND: That your complainant and respondent were lawfully married on or about, to-wit: March 10, 1917, at Foley, Alabama.

THIRD: Complainant further 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, on or about to-wit June 1, 1952, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said Rachel Ware be made party Respondent to this his Bill of Complaint and that a summons be issued and served upon her as required by law and the rules of this Honorable Court, and that she be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage.

Complainant prays all other further and general relief to which he may be entitled, the premises considered and he will ever pray, etc.

Personally appeared before me JOHN WARE, being known to me and being first duly sworn, deposes and says that he has read the allegations in the foregoing complaint and that to the best of his knowledge and belief said allegations are true in all respects.

John Ware

Sworn to and subscribed before me this 24 day of Jan, 1955.

James G. Hendrix
Notary Public, Baldwin County, Alabama

FILED
Jan. 25, 1955
ALICE J. BUCK, Register