

DIVORCE DECREE

PRINTED BY MOORE PTC CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY HARVILLE HAYDEN

Complainant

vs.

FRANK HAYDEN

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 Mary Harville Hayden is forever divorced from the said Frank Hayden 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 payment of the cost of this suit.

It is further ordered that Mary Harville Hayden the Complainant pay the cost herein to be taxed, for which executed may issue.

This 12<sup>th</sup> day of September, 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. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

MARY HARVILLE HAYDEN

Complainant

vs.

FRANK HAYDEN

Respondent

**DIVORCE DECREE**

## NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

MARY HARVILLE HAYDEN

No. 3508

vs.

FRANK HAYDEN

The State of Alabama,

BALDWIN County.

Circuit Court, in Equity

This the 28th. day of

JUNE 1945.

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

MARY HARVILLE HAYDEN

that the Defendant FRANK HAYDEN

is a non-resident of the State of Alabama Place of residence and Post Office address unknown.

and further, that, in the belief of said Affiant the Defendant ~~Mary Harville~~ <sup>Hayden</sup> 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

the said Frank Hayden

to answer or demur to the Bill of Complaint in this cause by the 28th. day of

July 1945, or after thirty days therefrom a decree Pro Confesso may be

taken against him

C. LENOIR THOMPSON

SOLICITOR FOR PLAINTIFF

Alice J. Duck,

Register.

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Frank Hayden 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 Mary Harville Hayden as Complainant and against Frank Hayden as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of April, 1955.

Register

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MARY HARVILLE HAYDEN  
COMPLAINANT

VS

FRANK HAYDEN  
RESPONDENT

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

Case No. 3508

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

Your complainant, Mary Harville Hayden, respectfully represents unto  
Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and is a bona fide resident of Baldwin County, Alabama, the Respondent is over the age of 21 and is a non-resident of the State of Alabama, and your Complainant has so resided more than two years next preceeding.

2.

That your complainant and the respondent married at Bay Minette, Alabama, on August 13, 1952 and lived together as husband and wife until August 27, 1952, the separation occurred in Baldwin County, Alabama.

3.

That on August 27, 1952, 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 are no children as fruits of this marriage and no property to be divided.

WHEREFORE, the premises considered, the complainant prays that your Honor will by proper process make the said Frank Hayden party respondent

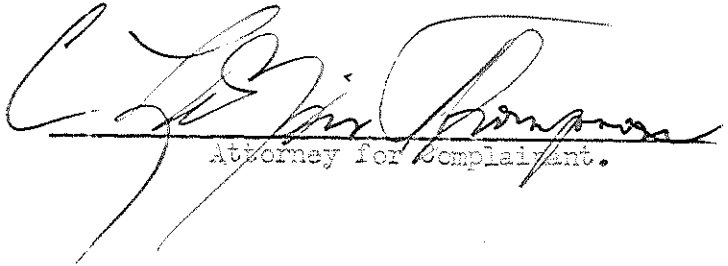
to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that your Honor will upon a final hearing hereof award to her a decree of divorce forever barring the bonds of matrimony existing between your complainant and the respondent, and that she be granted such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED

4-18-1955

ALICE J. DUCK, Register

  
Attorney for Complainant.

3506  
**RECORDED**

MARY HARVILLE HAYDEN

COMPLAINANT

VS

FRANK HAYDEN

RESPONDENT

SUMMONS AND COMPLAINT

From the law offices of  
C. LeNoir Thompson  
Attorney-At-Law  
Bay Minette, Alabama

*Filed  
4-18-55  
Accepted  
R. J.*

Decree Pro Confesso of Publication.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

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

MARY HARVILLE HAYDEN

Complainant

Vs.

FRANK HAYDEN

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 30th day of June, 1955, 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 30th day of June, 1955 and \_\_\_\_\_

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

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 Frank Hayden

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Alice J. Duck Register.

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

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

MARY HARVILLE HAYDEN

Vs.

FRANK HAYDEN

Decree Pro Confesso of Publication

Issued \_\_\_\_\_ 19\_\_\_\_

Register.

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

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

Register.

Moore Printing Co., Bay Minette, Ala.



STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for the State of Alabama Baldwin County, personally appeared Mary Harville Hayden, 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, Frank Hayden, 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 expending a reasonable effort, which has been made; that said Respondent is over the age of twenty-one years.

Mary Harville Hayden

Sworn to and subscribed before me this 18 day of April, 1955.

Robert Thompson  
Notary Public, Baldwin County, Alabama.

8601. Motion for Decree Pro Confesso on Publication.

MPCO

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

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

MARY HARVILLE HAYDEN

Complainant\_\_\_\_\_

Vs.

FRANK HAYDEN

Defendant\_\_\_\_\_

Motion is hereby made for a Decree Pro Confesso against Frank Hayden

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 29 day of Aug 1955

746 Code

C. Taylor Thompson Solicitor.

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

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

MARY HARVILLE HAYDEN

Complainant \_\_\_\_\_

Vs.

FRANK HAYDEN

Defendant \_\_\_\_\_

Motion for Decree Pro Confesso  
on Publication

Filed \_\_\_\_\_ 19 \_\_\_\_\_

Register. \_\_\_\_\_

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

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

Register. \_\_\_\_\_

JIMMY FAULKNER  
PUBLISHER

# THE BALDWIN TIMES

## BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

Alabama, Thursday, July 21, 1955.

### Legal Notice

**NOTICE TO NON-RESIDENT**  
The State of Alabama,  
Baldwin County.  
Circuit Court, in Equity, this the  
28th day of June, 1955.  
MARY HARVILLE HAYDEN,  
No. 3508, vs. FRANK HAYDEN.

In this cause it being made to  
appear to the Clerk of this Court  
by the affidavit of Mary Harville  
Hayden that the Defendant, Frank  
Hayden, is a non-resident of the  
State of Alabama, place of resi-  
dence and Post Office address  
unknown, and further, that, in the  
belief of said Affiant the Defen-  
dant, Mary Harville Hayden is  
over the age of 21 year; it is,  
therefore, ordered that publication  
be made in the Baldwin Times, a  
newspaper published in Bay Min-  
ette, Baldwin County, Alabama,  
once a week for four consecutive  
weeks, requiring the said Frank  
Hayden to answer or demur to  
the Bill of Complaint in this cause

by the 28th day of July, 1955, or  
after thirty days therefrom a de-  
cree Pro Confesso may be taken  
against him.

ALICE J. DUCK,      IA.  
Register.  
C. LENOIR THOMPSON,  
Solicitor for Plaintiff.      24-4tc

### FIDAVIT OF PUBLICATION

minette J. being duly sworn, deposes and says  
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-  
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Hayden vs. Hayden

### COST STATEMENT

208 WORDS @ 6 1/2 cents — — — \$ 13 52

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

E. R. Monissette J.  
Editor Publisher.

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

Date of 1st publication June 30, 1955 Vol. 66 No. 24  
Date of 2nd publication July 7, 1955 Vol. 66 No. 25  
Date of 3rd publication July 14, 1955 Vol. 66 No. 26  
Date of 4th publication July 21, 1955 Vol. 66 No. 27

Subscribed and sworn before the undersigned this 25 day of July, 1955.

Dorothy Martin  
Notary Public, Baldwin County.

E. R. Monissette J.  
Editor Publisher.

MARY MARVILLE HAYDEN

vs.

FRANK HAYDEN

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, \_\_\_\_\_

~~Decree Pro Confesso on Publication, motion for decree pro confesso on~~ \_\_\_\_\_

Publication and testimony of Mary Marville Hayden and Mrs. Ada Owens. \_\_\_\_\_

and in behalf of Defendant upon \_\_\_\_\_

*Alfred J. Duck*  
Register.

*C. L. H. Thompson*

No. ....

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

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

Mary Harville Hayden

vs.

Frank Hayden

**NOTE OF TESTIMONY**

Filed in Open Court this .....

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

**FILED**

**AUG 30 1955**

Register.

Printed by the Baldwin Times

**ALICE L. ROCK, Register**

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARY HARVILLE HAYDEN

Complainant

VS.

FRANK HAYDEN

Respondent

I, Lois Howard

as Register and Commissioner

have called and caused to come before me Mary Harville Hayden and Mrs. Ada Owens

witnesses named in the Requirement for Oral Examination, on the 30th day of August 1955, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Mary Harville Hayden and Mrs. Ada Owens doth depose and say as follows:

That my name is Mary Harville Hayden, I am over the age of 21 and a resident of Baldwin County, Alabama and have been more than two years next preceeding. The Respondent is over the age of 21 and is a non-resident of the State of Alabama. I do not know where he may be found. We were married at Bay Minette, Alabama on August 13, 1952 and lived together as husband and wife until on or about August 27, 1952. On that date the Respondent abandoned me without fault on my part and I have never lived with him since that date nor have I known where he was. There are no children as fruits of this marriage and no property to be divided. I do not believe we will ever live together again as husband and wife.

Mary Harville Hayden

That my name is Mrs. Ada Owens, I know both parties to this cause, they are both over the age of 21 and the Complainant, Mary Harville Hayden, is a resident of Baldwin County, Alabama and has been more than two years. The Respondent so far as I know is a non-resident of the State of Alabama. They were married on August 13, 1952 and lived together as husband and wife until on or about August 27, 1952 at which time the Respondent abandoned the Complainant without fault on her part. They have not lived together as husband wife since that date. There are no children as fruits of this marriage and no property to be divided.

Mrs. Ada Owens

ORAL EXAMINATION.

I, Lois Howard, 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 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 proom made before me of the identity of said witness es; that I am not of counsel or 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 30th day of August, 195 5.

Lois Howard (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

MARY HARVILLE HAYDEN

vs. Complainant

FRANK HAYDEN

Respondent.

Oral Deposition

Filed FILED, 195

Register.

195  
Recorded in

Record

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

Register



THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: LOIS HOWARD

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 Mary Harville Hayden and Mrs. Ada Owens

a witnesses in behalf of Mary Harville Hayden in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Mary Harville Hayden

\_\_\_\_\_, Complainant  
and Frank Hayden

\_\_\_\_\_, 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 30 day of Aug, 1955  
Beise J. Smith  
Register.

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

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

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

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

**CIRCUIT COURT**

MARY HARVILLE HAYDEN

VS. Complainant

FRANK HAYDEN

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

LOIS HOWARD

WITNESSES:

MARY HARVILLE HAYDEN

MRS. ADA OWENS

3508