

(4653)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

HUGO J. RUNGO, Complainant

vs.

MURIEL H. RUNGO, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Service 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 Hugo J. Rungo is forever divorced from the said Muriel H. Rungo for and on account of Abandonment

It is futher 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 futher 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 futher ordered that Hugo J. Rungo the Complainant pay the cost herein to be taxed, for which executed may issue.

This 22 day of September 1959

[Handwritten signature]

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*  
*9-27-59*  
*Beirspueck*  
*Ray*

*THE STATE OF ALABAMA*

*BALDWIN COUNTY*

*IN CIRCUIT COURT, IN EQUITY*

*Complainant*

*vs.*

*Respondent*

*DIVORCE DECREE*

*Filed*  
*9-27-59*  
*Beirspueck*  
*Ray*

*Beirspueck*  
*Ray*

HUGO J. RUNGO

Complainant

vs.

MURIEL H. RUNGO

Respondent

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,  
~~Service by publication, judgment pro confesso on service by~~  
by publication and testimony of Hugo J. Rungo and William E.  
Hamm, Sr.

and in behalf of Defendant upon

Thompson  
White

*W. J. White*  
Register.

187

No. ....

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

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

VS.

**Note of Testimony**

Filed in Open Court this

**FILED**

day of .....

**SEP 21 1959**, 19...

**ALICE J. DUCK,** CLERK  
REGISTER  
Register.

FOLEY, ALA., Aug 13 1959

# HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

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

BROUGHT FORWARD

July 23, 30  
Aug. 6, 13

Rungo vs Rungo

# 11 17

**NOTICE TO NON-RESIDENT**

Hugo J. Rungo vs. Muriel H. Rungo, No 4653. The State of Alabama, Baldwin County. Circuit Court, in Equity. This the 21 day of July, 1959.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Hugo J. Rungo that the Defendant Muriel H. Rungo is a non-resident of the State of Alabama and that her whereabouts 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 Foley Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks requiring Muriel H. Rungo the said Respondent to answer or demur to the Bill of Complaint in this cause by the 21 day of August, 1959, or after thirty days therefrom a decree Pro Confesso may be taken against her.

Alice J. Duck, Register.  
Thompson & White, Solicitors for Complainant.

(4t, July 23, 30, Aug. 6, 13)

**AFFIDAVIT OF PUBLICATION**

I, Earl Howell

See 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, commencing with the issue dated August 23, 1959, and ending with the issue dated August 13, 1959.

Earl Howell

Subscribed and sworn to before me this 13 day

of August, 1959.

Alvin Andrew Bell

DOUGLAS FORBES, Notary Public.  
The State of Alabama.  
My Commission Expires 02 Dec 1960.

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Grace W. Nettles

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

Hugo J. Rungo  
William E. Hamm, Sr.

a witness in behalf of Complainant in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein

and

Hugo J. Rungo, Complainant

Muriel H. Rungo Respondent

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

Witness 26th day of September

1959

*Alvin J. Brucke*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

VS. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:



STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MURIEL H. RUNGO, 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 Hugo J. Rungo, as Complainant and against MURIEL H. RUNGO, as Respondent.

WITNESS my hand this the 27 day of July, 1959.

Oliver J. Duck  
Register.

\*\*\*\*\*

HUGO J. RUNGO	*	IN THE CIRCUIT COURT OF
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA
VS.	*	IN EQUITY.
MURIEL H. RUNGO	*	CASE NO. _____
RESPONDENT	*	

\*\*\*\*\*

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

Your complainant, Hugo J. Rungo, 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 Mobile County, Alabama, and has been more than one year next preceding; The Respondent is over the age of 21 and is a non-resident of the State of Alabama.

-2-

That your Complainant and the Respondent married in Gulfport, Mississippi on November 23, 1950 and live together as husband and wife until on or about February 9, 1956, when their separation occurred.

-3-


That on to-wit, the 9th day of February, 1956, while Your Complainant and the Respondent were living together as husband and wife, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

There are no children as fruits of this marriage, and no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Muriel H. Rungo, party respondent to this bill of complaint requiring her to plead, answer or demur to the same withing 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 him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the respondent; your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

*Filed*  
*July 21, 1959*

  
Solicitor for Complainant.

of interest on the register and no provision is made for the payment of interest on the amount so advanced. It is further stated that the amount so advanced is to be repaid to the Government by the contractor within a period of six months from the date of the completion of the work. It is further stated that the amount so advanced is to be repaid to the Government by the contractor within a period of six months from the date of the completion of the work. It is further stated that the amount so advanced is to be repaid to the Government by the contractor within a period of six months from the date of the completion of the work.

4653

*Handwritten signature and notes*

RECEIVED FOR COMMISSIONER  
 POLICE DEPARTMENT  
 27th July 1959

**FILED**

JUL 21 1959

Alice J. Duck, CLERK REGISTERED

STATE OF ALABAMA  
BALDWIN COUNTY,

Before me, the undersigned authority in and for the State of Alabama, Baldwin County, personally appeared Hungo J. Rungo, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that he is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Muriel H. Rungo, 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.

Hungo J. Rungo

Sworn to and subscribed before me this 20 day of July,  
1959.

C. L. Davis  
Notary Public, Baldwin County, Alabama.

*Filed*  
*July 21, 1959*



THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

HUGO J. RUNGO

COMPLAINANT

vs.

MURIEL H. RUNGO

RESPONDENT

I, Grace W. Nettles

as Register and Commissioner in said cause

have called and caused to come before me Hugo J. Rungo and William E. Hamm, Sr.

witnesses named in the requirement for Oral Examination, on the \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_, at the office of Thompson & White

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Hugo J. Rungo and William

E. Hamm, Sr. doth depose and say as follows:

My name is Hugo J. Rungo. I am over the age of 21 and have been a resident of Alabama more than one year next preceeding. The Respondent, Muriel H. Rungo is over the age of 21 and is a non-resident of Alabama, more than one year next preceding. The Respondent, Muriel H. Rungo, is over the age of 21 and is a non-resident of the State of Alabama. We were married at Gulfport, Miss., on November 23, 1950, and lived together as husband and wife until on or about February 9, 1956, at which time the Respondent abandoned me, without fault on my part. We have not lived together as husband and wife since that day. 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, I therefore respectfully ask for a divorce.

*Hugo J. Rungo*

My name is William E. Hamm, Sr., I know both parties to this cause. They are both over the age of 21. The Complainant's is Alabama, but the Respondent is a non-resident. They were married in Gulfport, Miss., on or about November 23, 1950, and lived together as husband and wife until on or about February 9, 1956. They have no children as fruits of their marriage and no property to be divided. I do not believe they will ever live together again as husband and wife.

*W. E. Hamm Sr*

I, Grace W. Nettles 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 16 day of September, 1959

Grace W. Nettles (L. S.)

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

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**IN CIRCUIT COURT, IN EQUITY**

\_\_\_\_\_

\_\_\_\_\_ vs. \_\_\_\_\_

COMPLAINANT

\_\_\_\_\_

RESPONDENT

**ORAL DEPOSITION**

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

SEP 16 1959

REGOR D. BROWN, CLERK  
ALICE J. DUBOY, REGISTER

Record

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

Register.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

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

HUGO J. RUNGO

Complainant

Vs.

MURIEL H. RUNGO

Defendant

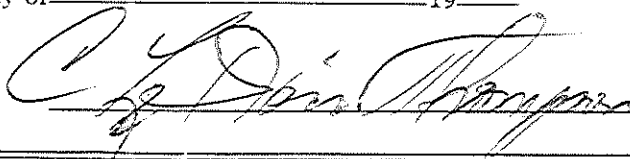
Motion is hereby made for a Decree Pro Confesso against MURIEL H. RUNGO

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 25th day of September 1959

746 Code

 Solicitor.

126A



The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Complainant \_\_\_\_\_

Vs.

Defendant \_\_\_\_\_

Motion for Decree Pro Confesso  
on Publication

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

FILED

SEP 25 1959

Register.

ALICE J. DUCK, CLERK REGISTER

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

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

Register.

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MURIEL H. RUNGO, 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 Hugo J. Rungo, as Complainant and against MURIEL H. RUNGO, as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 1959.

Register.

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HUGO J. RUNGO  
COMPLAINANT

VS.

MURIEL H. RUNGO  
RESPONDENT

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\*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
CASE NO. \_\_\_\_\_

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

Your complainant, Hugo J. Rungo, 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 Mobile County, Alabama, and has been more than one year next preceding; The Respondent is over the age of 21 and is a non-resident of the State of Alabama.

-2-

That your Complainant and the Respondent married in Gulfport, Mississippi on November 23, 1950 and live together as husband and wife until on or about February 9, 1956, when their separation occurred.

-3-

That on to-wit, the 9th day of February, 1956, while Your Complainant and the Respondent were living together as husband and wife, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

There are no children as fruits of this marriage, and no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Muriel E. Runge, party respondent to this bill of complaint requiring her 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 him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the respondent; your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

---

Solicitor for Complainant.

FILED  
MAY 11 1924  
CLERK

FILED  
JUL 21 - 59  
ALICE J. DUCK, CLERK  
REGISTER

RETURN TO COMPTROLLER

in equity and good conscience entitled to receive.

For each other, further, different or general relief as he may be entitled between him and the respondent; Your Comptroller breaks specific decree of divorce, however pending the bonds of matrimony Your Honor will enter an order and decree awarded to him in

Your Comptroller further breaks that upon a pending divorce, decreed by you and the parties of this Honorable Court.

never or grant to the same entitled the sum and under the parties both respondent to give him of continuing residing for to break, Your Honor will by proper procedure make the said matter in regard, HERETOFORE, the between continued, Your Comptroller breaks that be divided.

There are no children as heirs of the parties, and no property to

The State of Alabama,  
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. .... Term, 19 .....

Hugo J. Rungo ..... Complainant .....

Muriel H. Rungo ..... 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 23 day of July, 1959, in the Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Bay Minette County, on the 21 day of July, 1959, and

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

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 Muriel H Rungo

This 21 day of September, 1959

Alice J. Duck Register.

No. ----- Page -----

**The State of Alabama**  
BALDWIN COUNTY

**Circuit Court, In Equity**

Vs.

**Decree Pro Confesso of Publication**

Issued 9-21 1957

*W. J. Buck*  
Register.

Recorded in ----- Record

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

Register.

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

HUGO J. RUNGO	}	The State of Alabama,
No. VS.		Baldwin County.
MURIEL H. RUNGO	}	Circuit Court, in Equity
VS.		This the 21 day of
No. 4653	}	July 1959

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

Hugo J. Rungo

that the Defendant Muriel H. Rungo

whereabouts and is a non-resident of the State of Alabama and that her Post Office address cannot be ascertained.

and further, that, in the belief of said Affiant the Defendant over the age of 21 years; it is, therefore, ordered that publication be made in the FOLEY ONLOOKER published in Baldwin County, Alabama, once a week for four consecutive weeks, requiring Muriel H. Rungo the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 21 day of August 1959, or after thirty days therefrom a decree Pro Confesso may be taken against her

*Archie J. ...*  
Register.

*Thompson & White  
Sol. for Compl*

The State of Alabama, Baldwin County

EXHIBIT "C"

CIRCUIT COURT, IN EQUITY

HUGO J. RUNGO

Complainant

vs.

MURIEL H. RUNGO

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Service 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 Hungo J. Rungo is forever divorced from the said Muriel H. Rungo 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 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 Hugo J. Rungo the Complainant pay the cost herein to be taxed, for which executed may issue.

This 22 day of September 1959

/s/ 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.



The State of Alabama, Baldwin County

EXHIBIT "C"

CIRCUIT COURT, IN EQUITY

HUGO J. RUNGO, Complainant

vs.

MURIEL H. RUNGO, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Service 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 Hungo J. Rungo is forever divorced from the said Muriel H. Rungo 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 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 Hugo J. Rungo the Complainant pay the cost herein to be taxed, for which executed may issue.

This 22 day of September 1959

/s/ 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.

Address:  
40 Hugo's Restaurant  
122 W. Lawrence St.  
Birmingham

No. 4653 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

MURIEL H. RUNGO,  
Complainant,  
vs.  
HUGO J. RUNGO,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
NO. 4653

DECREE PRO CONFESSO

In this cause it appears that the order of publication directed to the Respondent heretofore made in this cause was published for four consecutive weeks, commencing on the 21st day of April, 1960, in the Baldwin Times, a newspaper of general circulation and published in Baldwin County, Alabama; that a copy of said order was posted at the courthouse door in the County of Baldwin on the 18th day of April, 1960, and it now further appearing that the said Hugo J. Rungo has to the date hereof, failed to plead, answer or demur to the bill of complaint in this cause:

It is, therefore, on motion of Complainant, ordered and decreed that the said bill of complaint be, and it hereby is in all things taken as confessed against the said Respondent.

DONE on this the 18<sup>th</sup> day of July, 1960.

  
Register of the Circuit Court of  
Baldwin County, Alabama, in Equity.

F J D

JUL 18 1960

ALICE J. DUCK, Register



MURIEL H. RUNGO,  
Complainant,  
vs.  
HUGO J. RUNGO,  
Respondent.


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

*No. 4653 1/2*

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn, deposes and says:

That he is the Solicitor for the Complainant in the above styled cause; that in the complaint heretofore filed in this cause it was alleged that the Respondent was over the age of twenty-one years and a resident of Harrison County, Mississippi. That a copy of the summons and bill of complaint in said cause was mailed to the Respondent on February 8, 1960, by United States 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, which said summons and bill of complaint was returned to the Register of this Court on February 26, 1960, marked "unclaimed"; that a copy of the said summons and bill of complaint in said cause was sent to the said Respondent by United States registered mail, postage prepaid, marked "for delivery only to the person to whom addressed" on March 11, 1960, and return receipt demanded addressed to the Register of this Court which said summons and bill of complaint was returned to the Register on April 2, 1960, marked "unclaimed". Affiant further deposes and says that he has made a diligent effort to ascertain a better address for the said Respondent and has been unable to do so.



Sworn to and subscribed  
before me on this the 18th  
day of April, 1960.

*Alice L. Miller*  
Notary Public, Baldwin County, Alabama.

MURIEL H. RUNGO,  
Complainant,  
vs.  
HUGO J. RUNGO,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

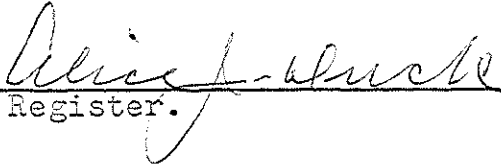
IN EQUITY.

465-3/2

ORDER OF PUBLICATION:

In this cause it appearing to the Register from an affidavit of James R. Owen, Solicitor for complainant, that a copy of the Summons and Bill of Complaint in this case was mailed to the Respondent on February 8, 1960, by United States registered mail postage prepaid, marked "for delivery only to the person to whom addressed" and return receipt demanded; that a copy of the Summons and Bill of Complaint in this cause was mailed to the Respondent on March 11, 1960, by United States registered mail, postage prepaid, marked "for delivery only to person to whom addressed" and return receipt demanded, both of which said summons and Bill of Complaint were returned to the Register of this Court marked "unclaimed"; that the residence and Post Office address of the Respondent other than that to which the said Summons and Bill of Complaint was mailed to him is unknown and further that the Respondent is over the age of twenty-one years, it is, therefore, ORDERED by the Register that publication be made once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Hugo J. Rungo to plead, answer or demur to the Bill of Complaint in this cause by the 21st day of May, 1960, or in default thereof thirty days thereafter a decree pro confesso may be taken against said Respondent.

Dated this 18th day of April, 1960.

  
Register.



A Yes he did

Q Did you, at that time, request that he have the decree set aside?

A I asked if it could be done and he said he thought so.

Q As a result of that request, later on, or about February 6, 1960, did you execute this affidavit on the complaint which is filed in this present case?

A I did.

Q Mrs. Rungo, has Hugo J. Rungo, the Respondent in this case, ever been a resident of the State of Alabama, to your knowledge?

A No, not to my knowledge.

Q Has he been a resident of the State of Alabama within the last 10 years?

A No.

Q What has been his place of residence during the last 10 years?

A Harrison County, Mississippi. I can give you all of the addresses if you want them.

Q Harrison County, Mississippi?

A Yes sir.

Q What has been your address since July 1, 1959?

A 2008 Coesus Street, Biloxi, Mississippi.

Q Did the Respondent, Hugo J. Rungo, know your address during the Month of July, 1959?

A He sure did.

Q Did you receive letters from Hugo J. Rungo during July of 1959?

A I received money orders -- temporary alimony money

Q At your address in Biloxi, Mississippi?

A Yes sir.



Q Did you see him on various occasions last summer? -- '59?

A I did.

Q Did he know that you were residing in Biloxi, Mississippi?

A Yes sir.

Q. In the same apartment where you and he resided when you were married and living together?

A That's right.

Q In April of 1956 did Hugo J Rungo file a complaint in the Chancery Court of Harrison County, Mississippi, seeking a divorce? -- On or about that time?

A About that time.

Q. Did you file an answer and cross bill to the bill of complaint?

A I contested it immediately

Q Did the Judge of that Court enter an order granting you \$25.00 a week to be paid by Hugo J. Rungo?

A Sure did.

Q Has he paid those payments since that time fairly regular?

A Fairly regular; he is behind now six weeks.

Q I believe you said that you didn't know anything about this divorce decree which we have introduced as your Exhibit C. being rendered until about December of '59 or January of '60? -- Is that right?

A That is right

Q And you took immediate steps after you did find it out to have it set aside?

A I did.

C E R T I F I C A T E:

I hereby certify that the foregoing, consisting of pages 1, through 4, both inclusive, correctly sets forth a true and correct transcript of the testimony as taken by me on this day in the above styled cause, before Hon Hubert M. Hall, Judge of said Court.

This the 5th day of August, 1960

Louise H. Henshaw

EXHIBIT "A"

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MURIEL H. RUNGO, to appear and plead, answer or demur within thrity days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity by Hugo J. Rungo, as Complainant and against MURIEL H. RUNGO, as Respondent.

WITNESS my hand this the 21 day of July, 1959.

/s/ Alice J. Duck  
Register.

\*\*\*\*\*

HUGO J. RUNGO,	*	IN THE CIRCUIT COURT OF
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA
VS.	*	IN EQUITY.
MURIEL H. RUNGO,	*	CASE NO. _____
RESPONDENT	*	

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

Your complainant, Hugo J. Rungo, 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 Mobile County, Alabama, and has been more than one year next preceeding; The Respondent is over the age of 21 and is a non-resident of the State of Alabama.

-2-

That your Complainant and the Respondent married in Gulfport, Mississippi, on November 23, 1950 and live together as husband and wife until on or about February 9, 1956, when their separation occurred.

-3-

That on to-wit, the 9th day of February, 1956, while your Complainant and the Respondent were living together as husband and wife, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

There are no children as fruits of this marriage, and no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Muriel H. Runge, party respondent to this bill of complaint requiring her to plead, answer or demur to the same withing 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 him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the respondent; your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

/s/ C. LeNoir Thompson

Solicitor for Complainant.

Filed: July 21, 1959.

EXHIBIT "B"

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for the State of Alabama, Baldwin County, personally appeared Hungo J. Rungo, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that he is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Muriel H. Rungo, 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.

/s/ Hugo Rungo

Sworn to and subscribed before me this 20 day of July,  
1959.

/s/ C. LeNoir Thomson  
Notary Public, Baldwin County, Alabama.

Filed: July 21, 1959.

MURIEL H. RUNCO,  
Complainant,  
vs.  
HUGO J. RUNCO,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
NO. 4653

ORDER SETTING CAUSE FOR HEARING

In this cause it is ordered by the court that the same set for hearing on the 5<sup>th</sup> day of August, 1960, at 2:00 o'clock P.M. and that the witnesses be examined orally in open court pursuant to Equity Rule 56, as amended.

ORDERED on this the 18<sup>th</sup> day of July, 1960.

*Robert W. Hall*  
\_\_\_\_\_  
Judge.

FILED

JUL 18 1960

ALICE J. DUCK, Register



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Pres

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MURIEL H. RUNGO,	)	IN THE CIRCUIT COURT OF
	)	
Complainant,	)	BALDWIN COUNTY, ALABAMA
	)	
vs.	)	
	)	
HUGO J. RUNGO,	)	IN EQUITY.
	)	
Respondent.	)	

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

Your Complainant, Muriel H. Rungo, respectfully re-  
presents and shows unto the Court and your Honor as follows:

1. Complainant is over the age of twenty-one years and is a resident of Harrison County, Mississippi. The Respondent is over the age of twenty-one years and is a resident of Harrison County, Mississippi.

2. On, to-wit, July 21, 1959, the Respondent caused to be filed in the Circuit Court of Baldwin County, Alabama, in Equity, a Bill of complaint seeking a divorce from your Complainant. A copy of the said bill of complaint is attached hereto, marked Exhibit "A" and made a part hereof as though fully and completely set out herein. On the same date, to-wit, July 21, 1959, the Respondent caused to be filed an affidavit which he had executed on July 20, 1959, wherein he alleged that Muriel H. Rungo was a non-resident of the State of Alabama, and that her residence was unknown and that her particular place of residence and Post Office address could not be ascertained after extending a reasonable effort. A copy of the said affidavit is attached hereto marked Exhibit "B" and made a part hereof as though fully and completely set out herein.

3. On, to-wit, September 22, 1959, this Honorable Court entered a final decree in the said cause heretofore filed by Hugo J. Rungo against your Complainant, Muriel H. Rungo, which said final decree divorced Complainant and Respondent. A copy of the said divorce decree is attached hereto, marked Exhibit "C" and made a part hereof as though fully and completely set out herein.

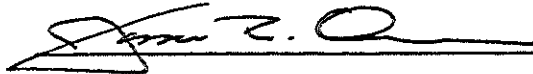
3. Your Complainant avers that the said divorce decree is void and of no effect because she was not served with a copy of the bill of complaint in the said cause; that the said respondent was not a resident of Baldwin County, Alabama, at the time the said bill of complaint was filed on, to-wit, July 21, 1959; that the said respondent is not now and never has been a resident of Baldwin County, Alabama; that your complainant resides in Biloxi, Harrison County, Mississippi, which is also the residence of the respondent, and that your complainant resides in an apartment in Biloxi, Mississippi, which your complainant and the respondent shared together when they were living together as man and wife, all of which the respondent well knows; that the respondent knew the particular address of your complainant on July 21, 1959, when he filed the aforesaid affidavit heretofore referred to as Exhibit "B".

4. Complainant further avers that during the month of April, 1956, the said Respondent filed a bill of complaint in the Chancery Court of Harrison County, Mississippi, against your complainant seeking a divorce; that complainant filed an answer and cross-bill to the said bill of complaint and on, to-wit, April 16, 1956, the Chancellor or said court entered an order continuing the said cause for trial on its merits and awarding your complainant, Muriel H. Runo, the sum of \$25.00 each week to be paid by the respondent until further order of the said court; complainant further avers that the said cause is still pending in the Chancery Court of Harrison County, Mississippi, all of which the respondent is well aware of, contrary to the affidavit executed by the said respondent on, to-wit, July 20, 1959, which affidavit is attached hereto marked Exhibit "B".

5. Complainant further avers that she was free from fault or negligence in permitting the said divorce decree to be entered since she had no notice of the filing of the said bill of complaint and did not know that the divorce decree had been rendered until the month of January, 1960.

WHEREFORE, the premises considered, your complainant makes the said Hugo J. Rungo party respondent to this bill of complaint and in order that the complainant may have the relief herein prayed for, your complainant prays that the court will issue the state's writ of subpoena to the said respondent, requiring him to plead, answer or demur to the said bill of complaint within the time prescribed by law and under the penalties prescribed by law and the practice of this Honorable Court.

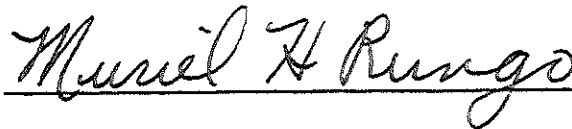
Your Complainant prays that upon a final hearing hereof that this Court will make and enter a decree holding the said divorce decree heretofore rendered on September 22, 1959, a copy of which is hereto attached marked Exhibit "C", to be null and void and of no force and effect. Complainant further prays for such other, further or different relief as she may be entitled to, the premises considered.




Solicitor for Complainant.

STATE OF MISSISSIPPI    )  
                                  \*  
HARRISON COUNTY         )

Before me, the undersigned authority, personally appeared Muriel H. Rungo, who first being duly and legally sworn, deposes and says: That she has read over the foregoing bill of complaint and that the facts stated therein are true.



Sworn to and subscribed  
before me on this the  
6<sup>th</sup> day of February, 1960.



Notary Public, Harrison County, Mississippi  
*My Commission Expires 6-29-60*

EXHIBIT "A"

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon MURIEL H. RUNGO, to appear and plead, answer or demur within thrity days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity by Hugo J. Rungo, as Complainant and against MURIEL H. RUNGO, as Respondent.

WITNESS my hand this the 21 day of July, 1959.

/s/ Alice J. Duck  
Register.

\*\*\*\*\*

HUGO J. RUNGO,	*	IN THE CIRCUIT COURT OF
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA
VS.	*	IN EQUITY.
MURIEL H. RUNGO,	*	CASE NO. _____
RESPONDENT	*	

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

Your complainant, Hugo J. Rungo, 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 Mobile County, Alabama, and has been more than one year next preceeding; The Respondent is over the age of 21 and is a non-resident of the State of Alabama.

-2-

That your Complainant and the Respondent married in Gulfport, Mississippi, on November 23, 1950 and live together as husband and wife until on or about February 9, 1956, when their separation occurred.

-3-

That on to-wit, the 9th day of February, 1956, while your Complainant and the Respondent were living together as husband and wife, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

There are no children as fruits of this marriage, and no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Muriel H. Rungo, party respondent to this bill of complaint requiring her to plead, answer or demur to the same withing 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 him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the respondent; your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

/s/ C. LeNoir Thompson  
Solicitor for Complainant.

Filed: July 21, 1959.

EXHIBIT "B"

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority in and for the State of Alabama, Baldwin County, personally appeared Hungo J. Rungo, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that he is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Muriel H. Rungo, 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.

/s/ Hugo Rungo

Sworn to and subscribed before me this 20 day of July, 1959.

/s/ C. LeNoir Thompson

Notary Public, Baldwin County, Alabama.

Filed: July 21, 1959.



4653

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300

POSTMARK OF  
DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

← RETURN  
TO

POD Form 3811 Jan. 1958

REGISTERED NO.	NAME OF SENDER Alice J. Duck, Register
CERTIFIED NO. 194737	STREET AND NO. OR P. O. BOX Box 239
INSURED NO.	CITY, ZONE AND STATE Bay Minette, Alabama

C55-16-71548-4

4653

10:50AM

# # 1-INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver *ONLY* to addressee

Show address where delivered

*(Additional charges required for these services)*

## RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must always be filled in)*

*[Handwritten signature]*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED *(only if requested in item #1)*

FILED  
MAY 7 1961  
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POST OFFICE  
BOSTON

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300



POSTMARK OF  
DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

← RETURN TO

POD Form 3811 Jan. 1958

REGISTERED NO.	NAME OF SENDER <i>Alice Luck</i>
CERTIFIED NO. <i>194753</i>	STREET AND NO. OR P. O. BOX <i>Box 239</i>
INSURED NO.	CITY, ZONE AND STATE <i>Bay Minette, Ala</i>

C55-16-71548-4

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# #1-INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver *ONLY* to addressee

Show address where delivered

*(Additional charges required for these services)*

## RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must always be filled in)*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED *(only if requested in item # 1)*

FILED  
APR 21 1961  
MEL L. DUNK, REGISTER

4653 1/2

Hugo J. Runyo

15  
Muriel A. Runyo.

I am this day  
mailing

1. a copy of order of Publication
2. Petition or Bill  
of Complaint -

by regular mail

to Hugo J. Runyo

90 Hugo's Restaurant

1225 W. Harrison St

Biloxi, Miss

done this 15<sup>th</sup> day of  
Apr. 1960. Aimee Luck  
Recd

Box 239,  
Bay Minette, Alabama

**CERTIFIED**  
**No. 194753**  
**MAIL**

Certified  
For Delivery Only To Person  
To Whom Addressed  
Return Receipt Requested

REASON CHECKED  
Unclaimed  
Unknown addressee  
Insufficient address  
No such post office in state  
Do not stamp on the envelope  
REFUSED  
RETURNED TO WRITER

BAY MINETTE  
MAR 11  
530PM  
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ALA.



MAR 11  
1960  
ALA.

Hugo J. Rungo,  
c/o Hugo's Restaurant,  
1225 West Davison Street,  
Biloxi, Mississippi

*Certified  
No. 194753  
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BILOXI, MISS  
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BAY MINETTE

ALICE J. DUCK, Circuit Clerk  
**BALDWIN COUNTY**  
BAY MINETTE, ALA.



**CERTIFIED**  
No. 194737  
**MAIL**

RETURNED TO WRITER  
REASON CHECKED  
Unclaimed.....  
Unknown.....  
Insufficient.....  
Moved, Left no address.....  
No such post office in state.....  
*Do not remain in this envelope*

Hugo Rungo,  
c/o Hugo's Restaurant,  
1225 West Davison St.,  
~~St. Louis, Miss~~

Certified

For Delivery Only To Person  
To Whom Addressed

Return Receipt Requested

*Notified  
2/19/69*



# The Baldwin Times

"Baldwin's Only All County Newspaper"

BAY MINETTE, ALABAMA

J. H. FAULKNER, Publisher  
E. R. MORRISSETTE, Jr., Editor-Manager

## 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

Rungo vs Rungo

**LEGAL NOTICE**

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
MURIEL H. RUNGO, Complainant,  
vs.  
HUGO J. RUNGO, Respondent.  
ORDER OF PUBLICATION

In this cause it appearing to the Register from an affidavit of James R. Owen, Solicitor for complainant, that a copy of the Summons and Bill of Complaint in this case was mailed to the Respondent on February 8, 1960, by United States registered mail postage prepaid, marked "for delivery only to the person to whom addressed" and return receipt demanded; that a copy of the Summons and Bill of Complaint in this cause was mailed to the Respondent on March 11, 1960, by United States registered mail, postage prepaid, marked "for delivery only to person to whom addressed" and return receipt demanded, both of which said summons and Bill of Complaint were returned to the Register of this Court marked "unclaimed"; that the residence and Post Office address of the Respondent other than that to which the said Summons and Bill of Complaint was mailed to him is unknown and further that the Respondent is over the age of twenty-one years, it is, therefore, ORDERED by the Register that publication be made once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Hugo J. Rungo to plead, answer or demur to the Bill of Complaint in this cause by the 21st day of May, 1960, or in default thereof thirty days thereafter a decree pro confesso may be taken against said Respondent.

### COST STATEMENT

270 WORDS @ 6 1/2 cents \_\_\_\_\_ \$ 17.55  
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 April 21, 1960 Vol. 72 No. 15  
 Date of 2nd publication April 28, 1960 Vol. 72 No. 16  
 Date of 3rd publication May 5, 1960 Vol. 72 No. 17  
 Date of 4th publication May 12, 1960 Vol. 72 No. 18

Subscribed and sworn before the undersigned this 12 day of May, 1960.

Darvidy Martin  
Notary Public, Baldwin County.

E. R. Morrisette, Jr.  
Editor.