

4664

DIVORCE DECREE

MOORE PRINTING COMPANY - EAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

PATRICIA PIERCE SUTHERLAND, Complainant

vs.

JOSEPH KENNETH SUTHERLAND, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on
and Testimony as noted by the Register, and upon con-
sideration 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
PATRICIA PIERCE SUTHERLAND is forever divorced from the
said JOSEPH KENNETH SUTHERLAND, 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 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 PATRICIA PIERCE SUTHERLAND
the Complainant, pay the cost herein to be taxed, for which executed may issue.

This 15 day of December, 1959

Robert M. Hall

Judge Circuit Court, In Equity

I, ALICE J. DUCK, 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 December, 1959

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

PATRICIA PIERCE SUTHERLAND

Complainant

vs.

JOSEPH KENNETH SUTHERLAND

Respondent

DIVORCE DECREE

*Filed 12-15-59
Alice J. Duck
Register*

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

PATRICIA PIERCE SUTHERLAND

No. 4664

vs.

JOSEPH KENNETH SUTHERLAND

The State of Alabama,

BALDWIN County.

Circuit Court, in Equity

This the 30th day of

July, 1959

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

that the Defendant JOSEPH KENNETH SUTHERLAND

is a non-resident of the State of Alabama ~~and that his Post Office Address or place of~~
~~residence cannot be ascertained~~

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

to answer or demur to the Bill of Complaint in this cause by the 30th day of
August 1959, or after thirty days therefrom a decree Pro Confesso may be
taken against him

Wm. Grayson
Solicitor For Complainant


Register.

THE BALDWIN TIMES

JIMMY FAULKNER
PUBLISHER

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

NOTICE TO NON-RESIDENT
The State of Alabama
Baldwin County
Circuit Court in Equity
PATRICIA PIERCE SUTHERLAND
No. 4684
JOSEPH KENNETH SUTHERLAND
In this cause it being made to appear
to the Clerk of this Court by the affi-
davit of Patricia Pierce Sutherland that
the Defendant Joseph Kenneth Suther-
land is a non-resident of the State of
Alabama and that his Post Office Ad-
dress or place of residence cannot be
ascertained and further that in the
belief of said Affiant the Defendant is
over the age of 21 years; it is, there-
fore, 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 respond-
ent the said Joseph Kenneth Sutherland
to answer to demand to the 30th day of
August 1959, or after thirty days there-
from a decree Pro Confesso may be
taken against him.
Alice J. Duck, Register
Wm. Grayson, Solicitor for Complainant
30-41c

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

Sutherland vs. Sutherland

COST STATEMENT

170 WORDS @ 6 1/2 cents \$ 11 ⁰⁵
I hereby certify this is correct, due and unpaid (paid).

E. R. Morrisette, Jr.
Editor.

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

Date of 1st publication Aug 6, 1959 Vol. 71 No. 30

Date of 2nd publication Aug 13, 1959 Vol. 71 No. 31

Date of 3rd publication Aug 20, 1959 Vol. 71 No. 32

Date of 4th publication Aug 27, 1959 Vol. 71 No. 33

Subscribed and sworn before the undersigned this 27 day of Aug, 1959.

Deborah Martin
Notary Public, Baldwin County.

E. R. Morrisette, Jr.
Editor.

PATRICIA PERCEC SUTHERLAND

vs.

JOSEPH KENNETH SUTHERLAND

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,
Non-Residency for Publication, Non-Military Affidavit,

Demand for Oral Examination, Decree Pro Confesso, and
Depositions of Complainant and of Jean Davenport, witness
on behalf of the Complainant.

and in behalf of Defendant upon

Wm Grayson
Solicitor For Compt

George Duck

Register.

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

PATRICIA PIERCE SUTHERLAND

VS.

JOSEPH KENNETH SUTHERLAND

Note of Testimony

Filed in Open Court this

FILED

day of _____, 19____

ALICE J. DUCK, CLERK
ALICE J. DUCK, REGISTER

Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: PO EGGY PRESTON

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 PATRICIA PIERCE SUTHERLAND AND JEAN
DAVENPORT.

as witnesses in behalf of Complainant, _____ in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein PATRICIA PIERCE
SUTHERLAND

_____, Complainant
and JOSEPH KENNETH SUTHERLAND

Respondent _____

on oath, to be by you administered, upon _____

to take and certify the deposition s of the witness s and return the same to our Court, with all convenient speed, under your hand.

Witness 14th day of December, 1949

George F. Adams Register.

Commissioner's Fee, \$_____

Witness' Fees, \$_____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

PATRICIA PERCE SUTHERLAND

COMPLAINANT

vs.

JOSEPH KENNETH SUTHERLAND

RESPONDENT

I, PEGGY PRESTON,

as Register and Commissioner

have called and caused to come before me Patricia Pierce Sutherland and Jean
Davenport,

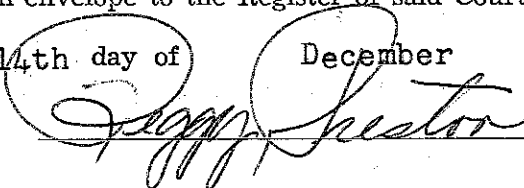
witness es named in the requirement for Oral Examination, on the 14th day of December
19 59, at the office of WILLIAM GRAYSON, ATTORNEY,
in Mobile, , Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said Patricia Pierce Sutherland
and Joseph Kenneth sutherland doth depose and say as follows:

ORAL EXAMINATION

I, Peggy Preston, 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 William Grayson, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses ; 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 14th day of December, 19 59 .

 (L. S.)

No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed, 19

, Register.

RECORDED IN

Record

Vol. Page

, Register.

TESTIMONY OF PATRICIA PIERCE SUTHERLAND, WITNESS ON HER OWN BEHALF:

I am the Complainant in this cause and I am the wife of the Respondent. We were married to each other on May 4, 1957 in Leaskville, Mississippi. I am nineteen years of age and the Respondent is over the age of twentyOne years. I am a bona-fide resident citizen of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. The Respondent is either a non-resident of the State of Alabama or else he conceals himself so that process of Court cannot be had upon him. I have made diligent efforts to try and find out where he is without success. There are no children as issue of our marriage. The Respondent voluntarily abandoned my bed and board for more than one year next preceding the filing of the bill of complaint herein. it was on July 18, 1957 when the Respondent left me. We had only been married about two months when we had a quarrel and the Respondent packed all his clothes and personal belongings and left. He did not tell me where he was going or give me any explanation whatsoever. I have not seen nor heard from the Respondent since that time which has been for more than one year. I have no intentions of ever living with the Respondent again in any respect as husband and wife.

Patricia Pierce Sutherland

TESTIMONY OF JEAN DAVENPORT, WITNESS ON BEHALF OF THE COMPLAINANT

I have known the Complainant in this cause for over three years. The Complainant is the wife of the Respondent and they were married to each other on May 4, 1957 in Leaksville, Mississippi. The Complainant is nineteen years of age and the Respondent is over the age of twenty-one years. The Complainant is a bona-fide resident citizen of the State of Alabama and has been such for more than one year next preceding the filing of the bill of complaint herein. The Respondent is either a non-resident of the State of Alabama or else he conceals himself so that process of Court cannot be had upon him. The Complainant has made diligent efforts to try and find the Respondent without success. There are no minor children as issue of their marriage. The Complainant and I have worked together for over a year and I know of my own personal knowledge that she has not lived with the Respondent in any respect as husband and wife since that time. I see her daily and I would know if they were living together.

Jean Davenport

RECEIVED

APR 15 1959

ALBANY, N.Y. 12207

PATRICIA PIERCE SUTHERLAND,

Complainant,

-vs-

JOSEPH KENNETH SUTHERLAND,

Respondent.

I IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

I IN EQUITY:

I NO. _____

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto
this Honorable Court as follows:

ONE

Complainant is the wife of the Respondent and they were
married to each other on May 4, 1957 in Leaksville, Mississippi.
The Complainant is nineteen years of age and the Respondent is
over the age of twenty-one years. The Complainant is a bona-fide
resident citizen of the State of Alabama and has been such for
more than one year next preceding the filing of the bill of
complaint herein. There are no children as issue of their marriage.
The Respondent is either a non-resident of the State of Alabama or
else he conceals himself so that process of Court cannot be had upon
him. The Complainant has made diligent efforts to ascertain his
whereabouts without success.

TWO

The Respondent voluntarily abandoned the bed and board of
the Complainant for more than one year next preceding the filing
of the bill of complaint herein.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction
of this cause, will make the Respondent, Joseph Kenneth Sutherland,
party-respondent hereto, and will cause him to appear, plead, answer
or demur hereto within the time allowed by law and the rules of
this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent, and Complainant prays that in the event a decree of divorce is rendered herein that she will be permitted to resume the use of her former name of Patricia Pierce, and Complainant further prays for such other, further or different relief as in equity she may be due, and as in duty bound she will ever pray, etc.


SOLICITOR FOR COMPLAINANT.

4664

Paterson (Merle
Southern)



Joseph Kenneth Southard

FILED

Jul 30 1959

ALICE L. DUCK, CLERK
REGISTER

PATRICIA PIERCE SUTHERLAND	:	IN THE CIRCUIT COURT OF
Complainant,	:	BALDWIN MOBILE COUNTY, ALABAMA.
-vs-	:	IN EQUITY.
JOSEPH KENNETH SUTHERLAND	:	NO. _____
Respondent.	:	

NON-RESIDENCY AFFIDAVIT

STATE OF ALABAMA,
COUNTY OF MOBILE,

Before me, the undersigned authority, in and for said State and County, personally appeared PATRICIA PIERCE SUTHERLAND who was made known to me, and who by me first being duly sworn, on oath deposes and says as follows:

That I am the Complainant in the above styled cause and the Respondent named therein is either a non-resident of the State of Alabama, or he conceals himself so that process cannot be served upon him; that the whereabouts and residence of said Respondent is unknown and cannot be ascertained after diligent effort, such effort has been made by the Complainant without success; and that the said Respondent, Joseph Kenneth Sutherland is over the age of twenty-one years.

Patricia Pierce Sutherland
AFFIANT

Sworn and subscribed to before me on
this the 29th day of July 1959.

William H. [Signature]
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

no. 4664

FILED

JUL 30 1950

ALICE J. DUCK, CLERK
REGISTER

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

No. 4664

Term, 19

PATRICIA PIERCE SUTHERLAND

Complainant

Vs.

JOSEPH KENNETH SUTHERLAND

Defendant

Motion is hereby made for a Decree Pro Confesso against

JOSEPH KENNETH SUTHERLAND

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 15 day of December 1959

746 Code

William Grayson

Solicitor.

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

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

PATRICIA PIERCH SUTHERLAND

Complainant-----

Vs.

JOSEPH KENNETH SUTHERLAND

Defendant-----

**Motion for Decree Pro Confesso
on Publication**

filed Dec. 15, 1959

Alice J. Duck

Register.

Recorded in ----- Record

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Register.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

No. 4664

Term, 19

PATRICIA PIERCE SUTHERLAND

Complainant

JOSEPH KENNETH SUTHERLAND

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 6 day of August, 1959, 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 6th day of August, 1959, and

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

JOSEPH KENNETH SUTHERLAND

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 Joseph Kenneth Sutherland

This 15th day of December, 1959

Alice J. Duck

Register.

No. 4664

Page

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

PATRICIA PIERCE SUTHERLAND

Vs.

JOSEPH KENNETH SUTHERLAND

Decree Pro Confesso of Publication

Issued December 15, 1959

Alice J. Duck

Register.

Recorded in Record

Vol. Page

Register.

PATRICIA PIERCE SUTHERLAND
Complainant,

-VS-

JOSEPH KENNETH SUTHERLAND
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN
~~MOBILE~~ COUNTY, ALABAMA

IN EQUITY:

NO. _____

NON-MILITARY AFFIDAVIT

STATE OF ALABAMA:

COUNTY OF MOBILE:

Comes the Complainant in the above styled cause and shows unto this Honorable Court under oath as follows:

That I am the Complainant in this cause and I am the wife of the Respondent. The Respondent is over the age of twenty-one years and the Respondent is not amember of the Armed Forces of the United States of America or any of its allies.

Patricia Pierce Sutherland
AFFIANT.

Sworn and subscribed to before me

on this 14th day of Dec., 1959

Perry S. Weston
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

Non. Military Aff.

4464
1991

FILED
DEC 15 1959
ALICE J. DUCK, CLERK
REGISTER