### The State of Alabama, Baldwin County

#### CIRCUIT COURT, IN EQUITY

JOSEPH A. FOSTER Complainant
vs.
RUBY VIOLA FOSTER
, Respondent
This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso or
Publication 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
JOSEPH A. FOSTER is forever divorced from the
saidRUBY VIOLA FOSTER for and on account o
"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 JOSEPH A. FOSTER
the Complainant pay the cost herein to be taxed, for which executed may issue.
This J day of July 10.56
2 Fuber m 7 fall
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 theday
of, 19
Register of Circuit Court, In Equity.

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THE STATI	OF ALABAMA
BALDWI	N COUNTY
In Circuit C	Court, In Equity

Complainant

vs.

Respondent

# DIVORCE DECREE

ALICE 1. DUCK, Register

The State of Alabama,
Baldwin County.

Deponent says not.

Circuit Court of Baldwin County, Alabama (In Equity)

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•	XXXXXXXXXXX	K JAMES R. (	OWEN	
as XXXXXXXXI Commissione	er			-1 : 2 :
have called and caused to come	before me JOS	EPH A. FOSTER	3	**************************************
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witnessnamed in the Requ	irement for Oral Ex	amination, on the	2nd day of July	
19_56, at the office of	Telfair J. Ma	shburn, Jr.		
in Bay Minette	, Alabama	, and having first sw	orn said Witness	to speak the
truth, the whole truth, and no	othing but the truth.	the said		
		·		
77	doth depose and	say as follows: "M	ly name is Jose	epn A.
Foster. I am the co	omplainant in	this cause a	nd I am over t	he age of
twenty-one years.	Lam a bona I	ide resident	citizen of the	State of
Alabama, residing	at LoxLey, Ba.	idwin County,	Alabama. The	respondent,
RUBY VIÓLA FOSTER, resident of the Sta	is over the	age of twenty	-one years and	is a non-
resident of the Sta	ite of Alabama	a, and I do n	ot know her pr	esent ad-
dress, and although	l I have tried	a diligently	to do so, I na	ve been
unablé to ascertain	ner address	. The respond	ent and I were	married
on or about the 15	in day of June	e, 1915, at $K$	edding, Shasta	County,
on or about the 15 California. On or a from work late in	about the 15th	n day of Augu	st, 1915, 1 ca	me pome
irom work tate in	the alternoon	and found th	at my wife had	packed
her things and had	Tert per nome	e, reaving no	word as to wh	y she was
leaving or where sh	ie was going.	From that da	y to this, I h	lave had
no word from her an	id ane never i	returned to 1	ive with me as	my wife.
I do not know why	ine Leit as we	e nad had no	quarrel, and,	so far as
I knew, she had no	reason for 1	eaving. Her a	bandonment of	my has con-
tinued from that da	ay until this	date. We had	no children."	Further

Joseph a Fortis.

JAMES R. OWEN	as XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
	on was taken down by me in writing in the words
of the witness and read over to him and	he signed the same in the presence of myself
	Andrew Control of the
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at the time and place herein mentioned; that I have	e personal knowledge of personal identity of said wit-
ness or had proonf made before me of the iden	tity of said witness; that I am not of counsel or of
kin to any of the parties to said cause, or any man	ner interested in the result thereof.
kill to any of the parties to said ends, of any man	
I enclose the said Oral Examination in an e	nvelope to the Register of said Court.
Given under my hand and seal, this 2nd	day of, 1956
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	Page.  State of Ala  Baldwin County  Cuit Court, In  A. FOSTER  Vs.  IOLA FOSTER
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# THE STATE OF ALABAMA, Baldwin County.

## CIRCUIT COURT

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J. M. J. M. J. M. J. J. M. J.			
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KNOW YE: that we, I	naving full faith in your	prudence and comp	etency, have appointed y
Commissioner, and by the			
to call before you and exa	<b>*</b> • • • • • •		a prace as you may appon
to built possess you did care			
		, , , , , , , , , , , , , , , , , , , ,	-
as witnesses in behalf of	JOSEPH A. FOSTER		in a cause pending in o
Circuit Court in Baldwin C	ounty, of said State, where	ein <b>J83</b> EPH A	. FOSTER
,			
And the second s			· · · · · · · · · · · · · · · · · · ·
	is the		QI
and RUBY VI	OLA FOSTER		, Complainant_
****			
	is the		
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			Respondent_
on oath, to be by you admir		im	
to take and certify the depo	osition of the witness	and return the sa	me to our Court, with a
convenient speed, under you			
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witness da	y of <u>oury</u>	, 195	
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		0	Register.
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No,
THE STATE OF ALABAMA Baldwin County
CIRCUIT COURT
JOSEPH A. FOSTER
Complainant– <b>Vs.</b>
RUBY VIOLA FOSTER
Defendant–
COMMISSION TO TAKE DEPOSITION
COMMISSIONER
WITNESSES: 2 1956 ALICE 1. DUCK, Register

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Acoustia Josta Respondent

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

No.3175

## DEMAND FOR ORAL EXAMINATION

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	said Complainant requ		nination of said	witnesses before :	a Commissioner
NOTE:			faire	Solicitor	Suru A for Complainant
	ant suggests the name competent person to	\ \			l witnesses.
	·	3	you	Solicitor for	Complainant.
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Complainant	:		
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Moore Printing Co.

JOSEPH A. FOSTER,	-	
Complainant	The State of Alaban	1a,
No.	BALDWIN	_ County
RUBY VIOLA FOSTER,	Circuit Court, in Equ	iity
Respondent	This the 23rd	day of
	April	10 <b>5</b> 6
In this cause it being made to appear to the Telfair J. Mashburn, Jr., Solicitor		
that the Defendant . RUBY VIOLA FOSTER,		
	ì.	
unknown and cannot be ascertained after	reasonable effort;	
and further, that, in the belief of said Affiantthe Defend years; it is, therefore, ordered that publication be made in the lished in Bay Minette, Baldwin County, Alabama, once a week UBY VIOLA FOSTER the said Responde	he Baldwin Times, a newspa	per pub-
to answer or demur to the Bill of Complaint in this cause by th	he <u>26tä</u>	day of
May 19456, or after thirty days the	refrom a decree Pro Confesso	may be
fairf Mashburn fr.	ce franche	gister.

"Alabama's Best County's Best Newspaper

BAY MINETTE ALABAMA

HMMY FAULKNER PUBLISHER

NOTICE TO NON-RESIDENT JOSEPH A. FOSTER,

Complainant

RUBY VIOLA FOSTER.

Respondent The State of Alabama, Baldwin County. Circuit Court in Equity. This the 23rd day of April, 1956

In this cause it being made to appear to the Clerk of this Court by the affidavit of Telfair J. Mashburn, Jr., Solicitor for the Complainant, that the Defendant, Ruby Viola Foster, is a nonresident of the State of Alabama and that her place of residence is unknown and cannot be ascertained after reasonable effort; and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publica-tion be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Ruby Viola Foster the said respondent to answer or demur to the Bill of Complaint in this cause by the 26th day of May, 1956, or after thirty days therefrom a decree Pro Confesso may be taken against her.

ALICE J. DUCK, Register.

Telfair J. Mashburn, Jr. Solicitor for Complainant.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA. BALDWIN COUNTY.

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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
Jacque Faster Vs. Ruly Facter
COST STATEMENT
\$ WORDS @ 65 cents \$ 13
I hereby certify this it correct, due and unpaid (poid).
E.R. Mourello h
Edilor Publisher.
was published in said newspaper for # consecutive weeks in the following issues:
Date of 1st publication apr. 26, 1956 Vol 67 No. 15
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Date of 2nd publication / No./6 No./6 No./6
Date of 3rd publication May 10, 195 Vol. 67 No. 7  Date of 4th publication May 18, 1956 Vol. 67 No. 8
20 10 10 10 10 18
Date of 4th publication No. 195 Vol. No.
Subscribed and sworn before the undersigned this 17 day of may, 1956.
Daratery martin
Notary Public, Baldwin County.
R W/ ~ melter

BALDWIN CO	LABAMA UNTY	(			V EQUITY
21122 1711		No	5725	-	, Тетт, 19
JOSEPH A.	FOSTER	•			
	THE RESERVE THE RE	Vs.	1	• 4	— Complainant—
RUBY VIOLA	FOSTER	· · · · · · · · · · · · · · · · · · ·			Defendant
In this cause it appear		erALICE	J. DUCK	that the	order of publication
heretofore made in this cause	, was published	l for four co	nsecutive weel	s, commencing	on the 26th
day of April	, <u>19_56</u> , i	n the Bald	win Times		iewspaper publishe
足へな バッカムチャム					ne Court House do
in Baldwin	County, c	on the	day	of April	19 <u>5</u> 6
and					
And it now further ap	pearing to the	e Register _	ALICE J.	DUCK	, that the sai
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aving, to the date hereof, fail	ed to demur, pl	ead to, or a	nswer the Bill	of Complaint	n this cause, it is
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ow, therefore, on motion of C	Complainant	, ordered an	d decreed by t	he Register	·
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Decree F Issued	Pro Conf	esso of	Publication 19 Register.

	OF ALABAMA, NO COUNTY		COURT, IN	I EQUITY
	JOSEPH A. FOSTE			Complainant
		Vs.	<i>2</i>	,
	RUBY VIOLA FOST	ER		Defendant
				— Defendant——
Motion is hereby ma	de for a Decree Pro Confesso :	igainst <u>RUBY</u>	VIOLA FOST	
	d cause, on the ground that mo			
Court that said Defe	ndant is a non-resident of the S	State of Alabama,	and has failed to	o answer, plead or
demur to the Bill in	this cause, to the date hereof.			
This 291	th day of Jun	е	<sub>19</sub> 56_	
746 Code	LOS	aint.n	1000000	Solicitor.

No. 3775	Page
The State	of Alabama, COUNTY
CIRCUIT COU	RT, IN EQUITY
JOSEPH A. FO	STER
· · · · · · · · · · · · · · · · · · ·	Complainant
RUBY VIOLA FO	OSTER
	Defendant
Motion for Decr on Put	ee Pro Confesso blication
Filed 29 June	19_56
alice J. D	Register.
Recorded in	Record
Vol. Page	
	Register.
Moore Printing Co	Bay Minette, Ala.

ANICEVII MICK, Regist -

JOSEPH A. FOSTER.

Complainant,

VS.

RUBY VIOLA FOSTER,

Respondent.

IN	TER.	CIRCU	IT C	OURT	OF
BAI	DWIN	COUN:	ΓY,	ALABA	AMA.
IN	EQUI	TY.	NC	)	·····

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

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Comes your complainant, JOSEPH A. FOSTER, and presents this his bill of complaint against the respondent, RUBY VIOLA FOSTER, and, thereupon complaining, respectfully represents and shows unto your Honor and this Honorable Court the following facts as a basis for the relief hereinafter prayed for:

- 1. That your complainant is over the age of twenty-one years and is a resident of said State and County, and has been a bona fide resident of said State and County for more than one year next preceding the filing of this bill of complaint; that the respondent is over the age of twenty-one years and is a non-resident of the State of Alabama and her place of residence is unknown to, and, despite thorough investigation, cannot be ascertained by, the complainant;
- 2. That your complainant and the respondent were lawfully married on or about, to-wit: the 15th day of June, 1915; at Redding, Shasta County, California;
- 3. That on, to-wit: the 15th day of August, 1915, the complainant was abandoned by the respondent; that is to say, complainant
  avers that the respondent voluntarily abandoned the bed and board of
  complainant on, to-wit: the 15th day of August, 1915, and has not
  since that time returned to live with complainant as his wife; that
  said abandonment has been continuous for more than one year next preceding the filing of this bill of complaint.
  - 4. That there were no children born to this marriage.

WHEREFORE, the premises considered, your complainant makes the said RUBY VIOLA FOSTER a party respondent to this bill of complaint and in order that he may have the relief hereinafter prayed for, may it please your Honor to cause service to be had on said respondent d by publication as in such cases by law made and provided, requiring

her to plead, answer or demur to this bill of complaint within the time and under the pains and penalties prescribed by law and the practise of this Honorable Court.

#### PARTER FOR RELIEF

Your complainant further prays that, on a final hearing of

this cause, your Honor will make and enter a decree forever divorcing your complainant from the respondent, and your complainant prays for such other, further, different or general relief as in equity and good conscience he may be entitled to receive, and, as the duty bound, he will ever pray, etc.

Personally appeared before me, ALICE J. DUCK, Register of the Circuit Court of Ealdwin County, Alabama, in Equity, Telfair J. Mashburn, Jr., Solicitor of Record for the complainant in the above and foregoing cause, who, being duly sworn, deposes and says that he is the Solicitor for JOSEPH A. FOSTER, the Complainant in this cause, and that he is duly authorized to make this affidavit; that he is informed and verily believes, and, on such information and belief, svers that RUBY VIOLA FOSTER, the respondent in this cause, is a non-resident of the State of Alabama; that her place of resident is unknown and that it cannot be ascertained after of resident is unknown and that it cannot belief of said affer the said mespondent is over the age of twenty-one years; and that the said mespondent is over the age of twenty-one years; and that the sliegations of the foregoing bill of complaint are true and corter turer depondent says not.

Sworn to and subscribed before me this the 23rd day of April, 1956.

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IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY. He we want 0011000 20400 多型的国 Respondent The Long Constant C RUBY VIOLA FOSTER. ACAL. 000 000 000 000 000 E O S COMPLAINT AND AFFIDAVIT 4440 14 12 10 G

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JOSEPH A. FOSTER,

Complainant,

VS.

RUBY VIOLA FOSTER,

Respondent.

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

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

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Comes your complainant, JOSEPH A. FOSTER, and presents this his bill of complaint against the respondent, RUBY VIOLA FOSTER, and, thereupon complaining, respectfully represents and shows unto your Honor and this Honorable Court the following facts as a basis for the relief hereinafter prayed for:

- 1. That your complainant is over the age of twenty-one years and is a resident of said State and County, and has been a bona fide resident of said State and County for more than one year next preceding the filing of this bill of complaint; that the respondent is over the age of twenty-one years and is a non-resident of the State of Alabama and her place of residence is unknown to, and, despite thorough investigation, cannot be ascertained by, the complainant;
- 2. That your complainant and the respondent were lawfully married on or about, to-wit: the 15th day of June, 1915; at Redding, Shasta County, California;
- 3. That on, to-wit: the 15th day of August, 1915, the complainant was abandoned by the respondent; that is to say, complainant avers that the respondent voluntarily abandoned the bed and board of complainant on, to-wit: the 15th day of August, 1915, and has not since that time returned to live with complainant as his wife; that said abandonment has been continuous for more than one year next preceding the filing of this bill of complaint.
  - 4. That there were no children born to this marriage.

WHEREFORE, the premises considered, your complainant makes the said RUBY VIOLA FOSTER a party respondent to this bill of complaint and in order that he may have the relief hereinafter prayed for, may it please your Honor to cause service to be had on said respondent d by publication as in such cases by law made and provided, requiring

her to plead, answer or demur to this bill of complaint within the time and under the pains and penalties prescribed by law and the practise of this Honorable Court.

#### PRAYER FOR RELIEF

Your complainant further prays that, on a final hearing of this cause, your Honor will make and enter a decree forever divorcing your complainant from the respondent, and your complainant prays for such other, further, different or general relief as in equity and good conscience he may be entitled to receive, and, as in duty bound, he will ever pray, etc.

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STATE OF ALABAMA, 0 BALDWIN COUNTY. 0

Personally appeared before me, ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, in Equity, Telfair J. Mashburn, Jr., Solicitor of Record for the complainant in the above and foregoing cause, who, being duly sworn, deposes and says that he is the Solicitor for JOSEPH A. FOSTER, the Complainant in this cause, and that he is duly authorized to make this affidavit; that he is informed and verily believes, and, on such information and belief, avers that RUBY VIOLA FOSTER, the respondent in this cause, is a non-resident of the State of Alabama; that her place of resident is unknown and that it cannot be ascertained after reasonable effort; and further, that in the belief of said affiant the said mespondent is over the age of twenty-one years; and that the allegations of the foregoing bill of complaint are true and correct. Further deponent says not.

Sworn to and subscribed before me this the 23rd day of April, 1956.

REGISTER.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY. NO. 3773

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JOSEPH A FOSTER,

Complainant,

VS.

RUBY VIOLA FOSTER,

Respondent.

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BILL OF COMPLAINT AND AFFIDAVIT.