(3779)

DIVORCE DECREE

PRINTED BY MOORE PTG. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LORELEI EDDINS, Complainant

vs.

TOMMIE T. EDDINS, 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 LORELEI EDDINS is forever divorced from the said TOMMIE T. EDDINS for and on account of "CRUELTY"

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 LORELEI EDDINS the Complainant pay the cost herein to be taxed, for which executed may issue.

This 9th day of July, 1956.

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.

RECORDED

No._____ Page_____

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

_____

_____ Complainant

vs.

_____

_____ Respondent

DIVORCE DECREE

FILED

JUL 10 1956

ALICE J. DUCK, Register

ORAL DEPOSITION

Printed by The Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

LORELEI EDDINS COMPLAINANT

vs.

TOMMIE T. EDDINS RESPONDENT

I, JAMES R. OWEN

as ~~Register and~~ Commissioner

have called and caused to come before me LORELEI EDDINS

witness ____ named in the requirement for Oral Examination, on the 7th day of July

19 56, at the office of Telfair J. Mashburn, Jr.

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

truth, the whole truth, and nothing but the truth, the said

LORELEI EDDINS doth depose and say as follows: "My name is Lorelei Eddins. I am the complainant in this cause and I am over the age of twenty-one years. I am a bona fide resident citizen of Baldwin County, Alabama, and have been for more than two years next preceding the filing of this bill of complaint. The respondent, TOMMIE T. EDDINS, is over the age of twenty-one years and was residing with his Mother in ~~XXXXX~~ Atmore, Alabama, at the time this suit was filed; however, after the suit was filed and before service was had on him, he slipped away and I have been unable to find his address or whereabouts since then. I was forced to get service on him by publication. I was married to the respondent ~~in~~ Escambia County, Alabama, on the 24th day of June, 1934. After our marriage, my husband began to drink rather heavily and when he was under the influence of intoxicating liquors, he would hit, strike and beat me. On or about the 15th day of ~~February~~ August, 1955, he beat me so badly as to give me reasonable cause to believe, and I do believe, that it would be dangerous to my life or health to continue to live with him as his wife. We have had trouble for many years because of his brutal treatment of me, and I have finally become convinced that it will be dangerous to my life or health to continue to live with him as his wife. We have one child, a son, Stephen Eddins, who is now sixteen years of age. My husband is not a fit and proper person to have the care custody and control of this child. I am a fit and proper person to have the care, custody and control of this child. I need financial help from my husband for the support and maintenance of our child, but understand that the Court cannot grant it without personal service on my husband." Further Deponent says not.

Lorelei Eddins

ORAL EXAMINATION

Printed by The Baldwin Times

I, James R. Owen 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____ and read over to her and she signed the same in the presence of myself and Telfair J. Mashburn, Jr. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness____ or had proof made before me of the identity of said witness____; 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 7th day of July, 1956

James R. Owen (L. S.)

No.____ Page____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Eddins

COMPLAINANT

vs.

Eddins

RESPONDENT

ORAL DEPOSITION

Filed 7-9 1956

Register.

RECORDED IN

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Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: JAMES R. OWEN

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 LORELEI EDDINS

as witnesses in behalf of LORELEI EDDINS in a cause pending in our Circuit Court in Baldwin County, of said State, wherein LORELEI EDDINS

is the, Complainant

and TOMMIE T. EDDINS

is the Respondent

on oath, to be by you administered, upon her

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

Witness 7th day of July, 1956

Register.

Commissioner's Fee, $

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

LORELEI EDDINS

Complainant—

vs.

TOMMIE T. EDDINS

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

LORELEI EDDINS
Complainant
vs.
TOMMIE T. EDDINS
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No._____

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Bay Minette, in the County of Baldwin Alabama, the place of trial of said cause, to-wit: Lorelei Eddins

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

Delfair G. Marlsbury Jr.
Solicitor for Complainant

NOTE:

Complainant suggests the name of James R. Owen as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Delfair G. Marlsbury Jr.
Solicitor for Complainant

DEMAND FOR ORAL EXAMINATION

LORELEI EDDINS

Complainant

vs.

TOMMIE T. EDDINS

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this 9 day of July

194____

Register

Moore Printing Co.

LORELEI EDDINS,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
	)	IN EQUITY. NO. _____
TOMMIE T. EDDINS,	)	
Respondent.	)	

Before me, ALICE J. DUCK, Register of said Court, personally appeared TELFAIR J. MASHBURN, JR., Solicitor of Record for the Complainant in the above styled cause, who, being duly sworn, deposes and says that he is the Solicitor for the Complainant in this cause and is authorized to make this affidavit; that he is informed and verily believes, and, on such information and belief, avers that the respondent has removed himself from the jurisdiction of this Honorable Court and has concealed himself so that service cannot be had on him; that in the belief of affiant the respondent is a non-resident of the State of Alabama; that his place of residence is unknown and that it cannot be ascertained after reasonable effort; that the last known address of the said respondent was 103 Second Avenue, Atmore, Alabama; and further that the respondent is over the age of twenty-one years.

Telfair J. Mashburn, Jr.

Sworn to and subscribed before me on this the 30th day of April, 1956.

Alice J. Duck
REGISTER.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 3779

****

LORELEI EDDINS,

Complainant,

VS.

TOMMIE T. EDDINS,

Respondent.

****

AFFIDAVIT FOR SERVICE BY PUBLICATION.

8581. NOTE OF TESTIMONY

Printed by the Baldwin Times, Bay Minette, Alabama.

LORELEI EDDINS

vs.

TOMMIE T. EDDINS

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, and Testimony of Lorelei Eddins.

and in behalf of Defendant upon Decree Pro Confesson on Publication

Lefoir J. Maddox Jr.

Register.

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this ....

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

Register.

Printed by the Baldwin Times

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

LORELEI EDDINS

No. 3779

T. vs. TOMMIE/EDDINS

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 30th. 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.

that the Defendant TOMMIE T. EDDINS

is a non-resident of the State of Alabama whose whereabouts are unknown and whose present Post Office address cannot be ascertained.

and further, that, in the belief of said Affiant the Defendant Tommie T. Eddins ~~is~~ the age of 21 years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ The Onlooker, a newspaper published in ~~Bay Minette~~ Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Tommie T. Eddins the said defendant

to answer or demur to the Bill of Complaint in this cause by the 30th day of May 1956, or after thirty days therefrom a decree Pro Confesso may be taken against him.

Alice J. Schuck
Register.

Telfair J. Mashburn Jr.
Solicitor for Complainant

LORELEI EDDINS,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA.
	)	
TOMMIE T. EDDINS,	)	IN EQUITY. NO. 3779
	)	
Respondent.	)	

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

Your complainant, LORELEI EDDINS, respectfully represents and shows unto your Honor as follows:

1. That your complainant is over the age of twenty-one years and is a bona fide resident citizen of said State and County and has been so for more than two years next preceding the filing of this bill of complaint; that TOMMIE T. EDDINS is over the age of twenty-one years and resides in Escambia County, Alabama.

2. That your complainant and the respondent were lawfully married on or about, to-wit: the 24th day of June, 1934, in Escambia County, Alabama.

3. Your complainant further avers that the said respondent did on or about, to-wit: the 15th day of February, 1956, and many times prior thereto, assault, beat, hit and strike complainant; that said respondent has committed actual violence on her person attended with danger to her life or health; complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

4. That there was born of this marriage one child, Stephen Eddins, age 16 years; that your complainant is a fit and proper person to have the care, custody and control of this child; that the respondent is not a fit and proper person to have the care, custody and control of said minor child;

5. That your complainant works but that she does not earn a sufficient amount to support herself and said minor child; that the respondent is strong and able-bodied and well able to work; that he is empolyed by Gulf Coast Motors, St. Louis Street, Mobile, Alabama, and your complainant is informed and believes, and,on such information and belief, avers that he earnsbetween $75.00 and

and $100.00 per week; that he is financially able to contribute to the support of your complainant and their child; and that your complainant does not have a sufficient amount of money out of which to pay her Solicitor for prosecuting this suit and that she has employed Telfair J. Mashburn, Jr., Attorney at Law, Bay Minette, Alabama, as her Solicitor to prosecut this suit.

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, your complainant makes the said TOMMIE T. EDDINS a party respondent to this bill of complaint and, in order that she may have the relief hereinafter prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said TOMMIE T. EDDINS, commanding him to plead, answer or demur to this bill of complaint within the time and under the pains and penalties prescribed by law and the practice 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 divorcing your complainant from the respondent; granting to your complainant the care, custody and control of their minor son, STEPHEN EDDINS, with rights of reasonable visitation in the respondent; fixing a reasonable sum for the respondent to pay to complainant monthly for the support and maintenance of herself and their minor child; and fixing a reasonable sum for the respondent to pay to your complainant's solicitor for his services in this cause; and, if your complainant is mistaken in the relief for which she has asked, or to which she is entitled, then she prays for such,other, further, different or general relief as in equity and good conseience she may be entitled to receive, and, as in duty bound, she will ever pray, etc.

Telfair J. Mashburn Jr.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 3729

****

LORELEI EDDINS,

Complainant,

VS.

TOMMIE T. EDDINS,

Respondent.

****

BILL OF COMPLAINT.

8601. Motion for Decree Pro Confesso on Publication. MPCO

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 3779, Term, 19

LORELEI EDDINS Complainant

Vs.

TOMMIE T. EDDINS Defendant

Motion is hereby made for a Decree Pro Confesso against

TOMMIE T. EDDINS 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 3rd day of July 1956

746 Code

Jeffair J. Mashburn Jr. Solicitor.

No. 3779 Page

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

LORELEI EDDINS

Complainant

Vs.

TOMMIE T. EDDINS

Defendant

Motion for Decree Pro Confesso on Publication

Filed FILED 19

JUL 3 1956

ALICE P. DUCK, Register Register.

Recorded in Record

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Moore Printing Co., Bay Minette, Ala.

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Decree Pro Confesso of Publication.

MPCO

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 3779, Term, 19

LORELEI EDDINS, Complainant

Vs.

TOMMIE T. EDDINS, 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 3rd day of May, 1956, in the Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in ~~XXXXX~~ Baldwin County, on the _____ day of _____ 1956 and _____

And it now further appearing to the Register ALICE J. DUCK, that the said TOMMIE T. EDDINS

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 that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said TOMMIE T. EDDINS

This 3rd day of July 1956

Alice J. Duck Register.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

LORELEI EDDINS

Vs.

TOMMIE T. EDDINS

Decree Pro Confesso of Publication

Issued _____ 19____

FILED
JUL 3 1956
ALICE J. DUCK, Register

_____ Register.

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Moore Printing Co., Bay Minette, Ala.

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