3835

BOOK 021 PAGE 488

STATE OF ALABAMA)

BALDWIN COUNTY)

CHLORIS CHANNELL,

Complainant,) IN THE CIRCUIT COURT OF

vs.) BALDWIN COUNTY, ALABAMA

JAMES H. CHANNELL,) IN EQUITY.

Respondent.)

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant, CHLORIS CHANNELL, humbly complaining of the Respondent, JAMES H. CHANNELL, in a matter of divorce, and represents and shows unto Your Honor as follows:

FIRST: That Complainant, CHLORIS CHANNELL, is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than five years next preceeding the filing of this Bill of Complaint; that respondent is over twenty-one years old and that complainant has made a deligent search to ascertain the place of residence of respondent and that at present she is able to ascertain only his mailing address which is Route three, Box 79, Montogemery, Alabama.

SECOND: That your complainant and respondent were lawfully married on July 3, 1954, in Lucedale, George County, Mississippi.

THIRD: That complainant further avers and shows unto your Honor that the said respondent JAMES H. CHANNELL voluntary abandoned her bed and board for more then one year next preceeding the file of this Bill of Complaint, on to-wit: December 7, 1954, and since that time your complainant and respondent have at no time lived together, nor have they in any way recognized each other as husband and wife.

FOURTH: Your Complainant would further aver and show unto Your Honor that no children were born to the Union of the Complainant and Respondent; and further that there is no property to be settled between the Complainant and Respondent herein.

PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said JAMES H. CHANNELL be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage, that she be granted the right to resume her maiden name.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.

James A. Hendrix
Solicitor for Complainant.

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3835

August TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JAMES H. CHANNELL

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

JAMES H. CHANNELL, Defendant

by

CHLORIS CHANNELL, Plaintiff

Witness my hand this 1st. day of August 19 56

, Clerk

No. 3835 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

CHLORIS CHANNELL

Plaintiffs

vs.

JAMES CHANNELL

Defendants

SUMMONS and COMPLAINT

Filed AUG. 1, 19 56

Alice J. Duck, Clerk

I hereby certify that copy of this summons with copy of bill of complaint has been served on Harvey Channell, an inmate at No. Four Honor Camp. This 8th day of Aug. 1956.

J. M. McCullough, Jr., Commissioner, Board of Corrections, State of Alabama.

J.A. HENDRIX

Plaintiff's Attorney

Defendant's Attorney

Rt. 3 Box 79
Montgomery Ala.

944

RECEIVED IN OFFICE
AUG 2 1956 at
M. S. BUTLER, Sheriff
RECEIVED IN OFFICE

Aug 1, 1956

, Sheriff

I have executed this summons

this August 8th, 19 56
by leaving a copy with

Defendent: James H. Channell

S. M. Eich Jr. E.R.S.
S. M. Eich, Jr. - Warden

Number Four Honor Camp

Montgomery, Alabama

The Sheriff claims 10 miles at 10c per mile for a total of $ 1.00

M. S. Butler, Sheriff
Montgomery County, Ala.

Sheriff

Deputy Sheriff

Harvey Channell
68750 #4

BOOK PAGE

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CHLORIS CHANNELL, Complainant

vs.

JAMES H. CHANNELL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on personal service 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 CHLORIS CHANNELL is forever divorced from the said JAMES H. CHANNELL 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 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 Chloris Channell the Complainant pay the cost herein to be taxed, for which executed may issue.

This 16 day of Oct. 19 56

Hubert M. Steele

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: Oct. 16, 1956
Alice J. Duck, Reg.
By:

ORAL DEPOSITION

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

CHLORIS CHANNELL Complainant

VS.

JAMES H. CHANNELL Respondent

I, Gertrude M. Bankester
as ~~Register and~~ Commissioner
have called and caused to come before me Chloris Channell and Margaret Ola Dodd

witness es named in the Requirement for Oral Examination, on the 8th day of October 195 6, at the office of James A. Hendrix in Robertsdale, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Chloris Channell and Margaret Ola Dodd doth depose and say as follows:

My name is Chloris Channell. I am over twenty-one years old and have lived in Baldwin County, Alabama, for more than the past five years; James H. Channell is over twenty-one years old and at present his mailing address is Box 79, Route III, Montgomery, Alabama. James and I were married on July 3, 1954 at Lucedale, Mississippi. On December 7, 1954 James voluntarily abandoned my bed and board of his own free will and accord without any fault on my part and since that time we have not lived together nor have we in any way recognized each other as husband and wife. No children were born to James and I; and there were no property rights to be settled between us.

Chloris Channell

My name is Margaret Ola Dodd. Chloris Channell is over twenty-one years old and have lived in Baldwin County, Alabama, for more than the past five years; James H. Channell is over twenty-one years old and at present his mailing address is Box 79, Route III, Montgomery, Alabama. James and Chloris were married on July 3, 1954, at Lucedale, Mississippi. On December 7, 1954, James voluntarily abandoned her bed and board of his own free will and accord without any fault on her part and since that time they have not lived together nor have they in any way recognized each other as husband and wife. No children were born to them; and there were no property rights to be settled between them.

Margaret Ola Dodd

ORAL EXAMINATION.

I, Gertrude M. Bankester, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself Gertrude M. Bankester and James A. Hendrix at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witnesses; that I am not of counsel or kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 8th day of October, 1956.

Gertrude M. Bankester (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 195__

_____, Register.

Recorded in

_____ Record

Vol. _____ Page _____

_____, Register

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: GERTRUDE M. PANKESTER

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 Chloris Channell and Margaret Ola Dodd

a witnesses in behalf of Chloris Channell in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Chloris Channell is

, Complainant

and James H. Channell is

Respondent

on oath, to be by you administered, upon them

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

Witness day of , 195.

Register.

Commissioner's Fee, $

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CHLORIS CHANNELL

Complainant

VS.

JAMES H. CHANNELL

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

GERTRUDE M. BANKESTER

WITNESSES:

CHLORIS CHANNELL

MARGARET OLA DODD

8581. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

CHLORIS CHANNELL

vs.

JAMES H. CHANNELL

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, motion for Decree Pro Confesso after notice by personal service, Decree Pro Confesso after notice by personal service, Testimony of Chloris Channell and Margaret Cla Dodd as set out in the oral deposition.

and in behalf of Defendant upon

James G. Hendrix

Alice J. Duck
DC Register.

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

CHLORIS CHANNELL

vs.

JAMES H. CHANNELL

NOTE OF TESTIMONY

Filed in Open Court this .....

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

ALICE S. DUCK, Register

Register.

Printed By The Baldwin Times

8600 Motion for Decree Pro Confesso on Personal Service. 3107 Code MFCO.

THE STATE OF ALABAMA,
Baldwin County } No. 3835 Circuit Court, In Equity.

CHLORIS CHANNEL Complainant

Vs.

JAMES H. CHANNELL Defendant

Motion is hereby made for a Decree Pro Confesso against JAMES H. CHANNELL

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant ; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 12th. day of October 19 56

James A. Hawkins
Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

~~THE STATE OF ALABAMA~~

CHLORIS CHANNELL

Vs.

JAMES H. CHANNELL

Motion for Decree Pro Confesso on Personal Service

Filed OCT. 23 19 56

ALICE J. DUCK
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

CHLORIS CHANNELL, Complainant,

Vs.

JAMES H. CHANNELL, Respondent.

In the Circuit Court.

In Equity No. 3835.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent JAMES H. CHANNELL

by the ~~Sheriff~~ WARDEN of S.M. EICH. JR. MONTGOMERY County, on the 8th. day of August, 1956

And it further appears to the Register, that that the said JAMES H. CHANNELL

the Respondent, having to the date hereof, failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore, on motion of J.A. HENDRIX Solicitors for 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 JAMES H. CHANNELL

This ~~23~~ 12 day of Oct., 1956

Register.

No. 3835

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

CHLORIS CHANNELL

Complainant,

Vs.

JAMES CHANNELL

Respondent.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

Issued this_____day of _____

194_____.

Register.

THE BALDWIN TIMES

3835