

530

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTC CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____ Spring _____ Term, 192__6

Furene Merchant Cooper, Complainant.

vs.

William Cooper, Defendant.

To E. F. Richardson, Register :

Answer having been filed
In the above stated cause a ~~Decree Pro Confesso~~ having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Stone & Stone,

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Solicitor for Complainant.

4

No.

Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Laurene Merchant Cooper

VS:

William Cooper

REQUEST FOR DECREE IN
VACATION

FILED

Aug 14th

1926

T. W. Robinson

Register

RECORDED

RECORDED IN RECORD

VOL. PAGE

Register

LURENE MERCHANT COOPER,)
Complainant,)
-vs-)
WILLIAM COOPER,)
Respondent.)

IN THE CIRCUIT COURT EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

Comes the respondent and answering to the Bill of Complaint in this cause filed, denies all allegations thereof and demands strict proof; respondent waives any and all notices of the taking of testimony and submission in this cause.

William Cooper

STATE OF ALABAMA.
BALDWIN COUNTY.

I, Norborne Stone, a Notary Public in and for said state and county, hereby certify that William Cooper, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal this 11th. day of August, 1926.

Norborne Stone
Notary Public, Baldwin County,
Alabama.

(AFFIX SEAL)

Cooper ²
as
Cooper

—
Answer
—

Filed Aug 12,
1926.

D. W. Hillman
Register

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Lurena Merchant Cooper Complainant.

vs.

William Cooper Respondent.

I T.W. Richerson,

as

have called and caused to come before me Lurene Merchant Cooper, Addie Merchant,

witnesses named in the Requirement for Oral Examination, on the 15th day of August, 1926 at the office of Register,

in Bay Minette, Alabama, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said Witnesses,

doth depose and say as follows:

Lurene Merchant Cooper, the complainant and a witness for complainant being duly sworn, testifies as follows:

My name is Lurene Merchant Cooper and I am the complainant in this cause wherein William Cooper is the respondent; we are both over 21 years old and are residents of Baldwin County, Alabama, I having been a bona fide resident of this county all of my life; I and the said William Cooper were married on December 8th., 1925, but we lived together for only one night; On December 9th., 1925, William Cooper voluntarily deserted and abandoned me without just cause or legal excuse; this abandonment took place more than two years before the filing of my Bill of Complaint for divorce in this cause and has continued without interruption. I have been a bona fide resident of Baldwin County, Alabama for more than three years next immediately preceding the filing of the complaint in this cause.

There was born to us by said marriage one child, William Howard Cooper who is now two years old and who is in my custody, having lived with me all of his life and has been supported by me; that I am a fit and proper person to have the custody and control of said child and that William Cooper is not a fit person to have such custody and control because of his licentious living with other women.

Lurene Merchant Cooper

MRS. ADDIE MERCHANT, a witness for complaint being duly sworn, testifies as follows:

My name is Addie Merchant and I am the mother of Lurene Merchant Cooper who is the wife of William Cooper. Both Lurene and William Cooper are over 21 years of age and are residents of Baldwin County, Alabama, Lurene having lived in Baldwin County, Alabama, all of her life. Lurene and William were married on December 8th., 1925 in Baldwin County, Alabama. They lived together only one night and on December 9th., 1925, and while they were living in Baldwin County, Alabama, William Cooper voluntarily deserted and abandoned Lurene Cooper. This abandonment took place more than two years before the filing of

this complaint in this cause and he has never returned to live with her. They have one child William Howard Cooper who is now about two years old and who lives with and is supported by its mother who is a fit and proper person to have the custody and control of said child; William Cooper is not a fit person to have the custody and control of such child.

I know of no reason for William Cooper to desert his wife as he did.

Addie Merchant

ORAL EXAMINATION.

I, T.W. Richerson, as Register,

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 Hon. W. E. Stone, Attorney for Complainant, at the time and place herein mentioned; that I have personal knowledge of the 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 in 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 13th day of August, 1926.

T.W. Richerson (L. S.)

No. 530 Page.....

The State of Alabama

Baldwin County

IN CIRCUIT COURT, IN EQUITY.

Lurena Merchant Cooper

vs. Complainant,

William Cooper

Respondent.

ORAL DEPOSITION.

Filed April 13th, 1926

T.W. Richerson, Register.

Recorded in

Record

Vol.

Page.....

Register.

The State of Alabama,
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama—GREETING :

WE COMMAND YOU, That you summon

Lurene Merchant Cooper

Baldwin

County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

~~William~~ William Cooper.

against said

Lurene Merchant Cooper

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 11th day of August, 6 192

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

Copy

SERVE ON.....

Circuit Court of Baldwin County
In Equity.

No.

SUMMONS

Irene Merchant Cooper

vs.

William Cooper,

Defendant.

Sheriff.

By

Deputy Sheriff.

Norborne Stone,

Solicitor for Complainant

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 11th
day of August, 192 6

Sheriff.

Executed this day of
..... 192

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By

Deputy Sheriff.

Norborne Stone,

Solicitor for Complainant

Recorded in Vol. Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you sur

Lurene Merchant Cooper

of Baldwin County, to be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

~~Lucas~~ William Cooper,

against said Lurene Merchant Cooper

and further to do and perform what said Judge shall order and direct in that behalf. And this the
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 11th day of
August, 192 6

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

ON _____
Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Lurene Merchant Cooper

vs.

William Cooper,

601 Start Ave.
S.W. Canton
Ala

Defendant.

Sheriff.

By _____

Deputy Sheriff.

Norborne Stone.

Solicitor for Complainant

Recorded in Vol. _____ Page _____

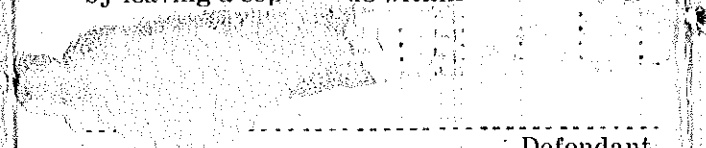
THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 11th
day of August, 1926

Sheriff.

Executed this _____ day of
_____ 192_____

by leaving a copy of the within Summons with



Defendant.

Sheriff.

By _____

Deputy Sheriff.

Eurene Merchant Cooper

vs.

William Cooper,

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,
decree proconfesso testimony, of Eurene Merchant Cooper and
Addie Merchant,

and in behalf of Defendant upon.....

J. G. Ridenour

Register

3

No. 530

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Eurona Merchant Cooper

vs.

William Cooper

NOTE OF TESTIMONY.

Filed in Open Court this 14th

day of Aug. 1936.

J. W. [Signature]

Register

The State of Alabama, }
Baldwin County.

No. 550.

CIRCUIT COURT, IN EQUITY

Lurene Merchant Cooper,

Complainant

vs.

William Cooper,

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

on account of voluntary abandonment of Complainant, Lurene Merchant Cooper, is further ordered that Lurene Merchant Cooper the mother of William Howard Cooper, have the care, custody and control of the said William Howard Cooper, a minor.

It is further ordered, that the said Lurene Merchant Cooper be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Lurene Merchant Cooper pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said William Cooper.

It is further ordered, adjudged and decreed that said Lurene Merchant Cooper shall not again marry except to said William Cooper, until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said William Cooper, during the pendency of said appeal

This 13th day of September 1928

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, _____ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 1928, in the cause of _____ Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____ 1928

Register.

W 1

No. 550.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Eureno Merchant Cooper,

vs.

William Connor.

DECREE OF DIVORCE.

Filed in office this 13th
day of Sept, 1926

T. W. Pickmon
Register.

E. O. M.

W 1

W 1

W 1

W 1

LURENE MERCHANT COOPER,)
Complainant,)
-vs-)
WILLIAM COOPER,)
Respondent.)

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

TO THE HON. THE CIRCUIT COURT-EQUITY SIDE, STATE
OF ALABAMA, BALDWIN COUNTY, AND THE HON. JOHN D.
LEIGH, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your Complainant, Lurene Merchant Cooper and
files this, her Bill of Complaint for divorce against the respond-
ent, William Cooper, and for grounds thereof, shows unto your Honor
as follows:-

FIRST:

That both complainant and respondent are over the age
of twenty-one years and are both residents of Baldwin County, Ala-
bama, your complainant having been a bona fide resident of this
county all of her life.

SECOND:

That heretofore to-wit: December 8th., 1923, your com-
plainant and the respondent were married and lived to-gether for
only one night.

THIRD:

That on to-wit: December 9th., 1923, the respondent
William Cooper voluntarily deserted and abandoned your complainant
without just cause or legal excuse; that said abandonment took
pl ace more than two years before the filing of this complaint
and has continued without interruption to this date.

FOURTH:

That of said marriage there was born one child, a male
whose name is William Howard Cooper and who now resides with and
is supported by your complainant, who is a fit and proper person
to have the custody and control of said child; that the respondent
is not a fit and proper person to have the custody and control of
said child;

PRAYER FOR PROCESS AND RELIEF:

THE PREMISES CONSIDERED, your complainant prays that such
orders and decrees be made and entered and such summons and notices

(page two)

issued as will be necessary to make the said William Cooper party defendant to this cause, requiring him to appear and plead, answer or demur within the time and under the pains and penalties prescribed by law and the rules of this court; that upon a final hearing hereof, your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your complainant and the said William Cooper be forever dissolved, that your complainant be again permitted to contract the marriage relation should she so desire and that she be awarded the care, custody and control of said minor child, William Howard Cooper and, as in duty bound, your will ever pray, etc.

NORBORNE STONE,
Solicitor for Complainant.

FOOTNOTE:-

The respondent, William Cooper, is required to answer each and every paragraph of the foregoing Bill of Complaint from One to Fourth, both inclusive, but answer under oath is hereby expressly waived.

NORBORNE STONE,
Solicitor for Complainant.