

3963

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

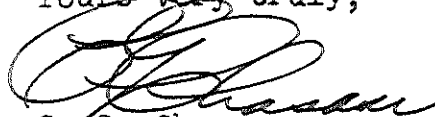
February 4, 1957

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint for Divorce,
Finley -vs- Finley, Affidavit of Non-Residence and
Order of Publication. A copy of the Order has been
delivered to the Onlooker, with instructions to pub-
lish.

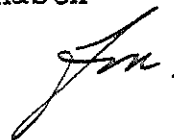
Yours very truly,



C. G. Chason

CGC:fm

encls. 3



CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

October 8, 1957

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Motion for Decree Pro Confesso and
Decree Pro Confesso in the Divorce action of Finley -vs-
Finley.

Yours very truly,



C. G. Chason

CGC:fm

encls. 2

ARABELL FINLEY,
Complainant,
-vs-
JOHN MONROE FINLEY,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

In this cause it being made to appear to the Register of this Court by the Affidavit of Arabell Finley that the Respondent, John Monroe Finley is a non-resident of the State of Alabama, and that his Post Office address is unknown, and further, that the Respondent is over the age of twenty-one years; it is therefore ordered that publication be made in the Foley Onlooker, a newspaper published in Foley, Alabama, once a week for four (4) consecutive weeks, requiring the said Respondent, John Monroe Finley, to answer or demur to the Bill of Complaint in this cause by the 11th day of March, 1957, or that, after thirty (30) days therefrom a decree pro-confesso may be taken against him.

Alice J. Duck, Register



C. G. Chason, Attorney for Complainant

ARABELL FINLEY,
Complainant,
-VS-
JOHN MONROE FINLEY,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

In this cause it being made to appear to the Register of this Court by the Affidavit of Arabell Finley that the Respondent, John Monroe Finley is a non-resident of the State of Alabama, and that his Post Office address is unknown, and further, that the Respondent is over the age of twenty-one years; it is therefore ordered that publication be made in the Foley Onlooker, a newspaper published in Foley, Alabama, once a week for four (4) consecutive weeks, requiring the said Respondent, John Monroe Finley, to answer or demur to the Bill of Complaint in this cause by the 11th day of March, 1957, or that, after thirty (30) days therefrom a decree pro-confesso may be taken against him.

Alice J. Duck, Register



C. G. Chason, Attorney for Complainant

FILED
MARCH 11 1957
BALDWIN COUNTY, ALABAMA

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

ARABELL FINLEY

COMPLAINANT

vs.

JOHN MONROE FINLEY

RESPONDENT

I, Frances G. Mallory

as Register and Commissioner Chancery

have called and caused to come before me Arabell Finley and Ellen Roberson

witness es named in the requirement for Oral Examination, on the 10th day of October
1957, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said witness es to speak the

truth, the whole truth, and nothing but the truth, the said Arabell Finley and Ellen

Roberson

doth depose and say as follows:

Testimony of Arabell Finley:

My name is Arabell Finley. I am over the age of twenty one years and a bona fide resident citizen of Foley, Baldwin County, Alabama, having resided in this State and County all my life. I married John Monroe Finley on December 27, 1949, and we lived together as husband and wife until June of 1954, at which time he voluntarily and with no cause abandoned my bed and board. John Monroe Finley is a non-resident of this State, but his Post Office address and whereabouts are unknown. There was born of this marriage three children, Jessie Lee Finley, seven years of age, Ellen Luvenia Finley, five years of age, and John Willie Finley, three years of age, all of whom are in my custody and control.

Signed: Arabell Finley

Testimony of Ellen Roberson:

My name is Ellen Roberson. I am over the age of twenty-one years and am personally acquainted with Arabell Finley and John Monroe Finley. Both are over the age of twenty-one years and she has been a resident of Baldwin County, Alabama, all her life. She and John Monroe Finley married in December of 1949, and lived together as husband and wife until June of 1954, at which time he voluntarily and with no cause abandoned her bed and board, leaving the State of Alabama. They have not lived together as husband and wife since that time. The three children of this marriage are in her custody and control.

Signed: Ellen Roberson

I, Frances G. Mallory 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 C. G. Chason at the time and place herein mentioned; that I have personal knowledge of 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 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 10th day of October, 19 57.

Frances G. Mallory (S)

No. _____	Page _____
THE STATE OF ALABAMA,	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
ARABELL FINLEY	
vs.	
JOHN MONROE FINLEY	
COMPLAINANT	RESPONDENT
ORAL DEPOSITION	
Filed <u>10-10</u> 19 <u>57</u>	Record _____
RECORDED IN _____	Register <i>Frances G. Mallory</i>
Vol. _____	Page _____
Register _____	_____

... ..

...

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

October 9, 1957

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Testimony of Arabell Finley and
Ellen Roberson, Commission to take Deposition, Note of
Testimony and Divorce Decree in the case of Finley -vs-
Finley.

Also enclosed is my check in the amount of \$24.36, in
payment of Costs of Court and Publication costs.

Yours very truly,



C. G. Chason

CGC:fm

encls. 5

The State of Alabama,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. _____ Term, 19____

ARABELL FINLEY _____ Complainant

JOHN MONROE FINLEY _____ 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 _____ day of _____, 19____, in the Ohlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the _____ day of _____ 19____, and

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

JOHN MONROE FINLEY

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 JOHN MONROE FINLEY

This 18th day of June 1957

Alice J. Duck Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

ARABELL FINLEY

Complainant

Vs.

JOHN MONROE FINLEY

Defendant

Motion is hereby made for a Decree Pro Confesso against

JOHN MONROE FINLEY

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 17th day of June 19 57

746 Code

Solicitor.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

ARABELL FINLEY

Complainant _____

Vs.

JOHN MONROE FINLEY

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed _____ 19 _____

FILED
JUN 18 1957

Register.

ALICE J. DUCK, Register

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: FRANCES G. MALLORY

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 Arabell Finley and Ellen Roberson

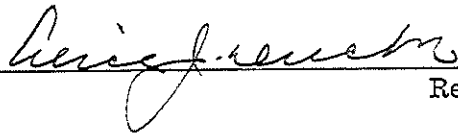
as witnesses in behalf of Arabell Finley in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Arabell Finley

_____ , Complainant
and John Monroe Finley

_____ Respondent

on oath, to be by you administered, upon them
to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 10th day of October, 195 7



Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ARABELL FINLEY

Complainant—

vs.

JOHN MONROE FINLEY

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Frances G. Mallory, a Notary Public in and for said County in said State, personally appeared Arabell Finley, who is known to me and who, after being by me first duly and legally sworn, deposes and says as follows:- That her name is Arabell Finley; that she is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama; that she is the Complainant in an action for divorce filed in the Circuit Court of Baldwin County, Alabama, wherein John Monroe Finley is the Respondent; that the Respondent is over the age of twenty-one years; that the Respondent, John Monroe Finley, is not a resident of the State of Alabama, and that his residence cannot be ascertained by affiant after diligent inquiry; that he told his sister that he intended to leave Alabama, but did not tell her any place of residence or Post Office address; that he has not been seen or heard from since June of 1954; that this affidavit is made for the purpose of obtaining an order from the Register in Chancery for Notice by Publication, as provided by the Laws and Statutes of the State of Alabama.

Arabell Finley

Sworn to and subscribed before me, a
Notary Public, on this the 12th day
of January, 1957.

Frances G. Mallory
Notary Public, Baldwin County
State of Alabama

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ARABELL FINLEY, Complainant

vs.

JOHN MONROE FINLEY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Service by 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 ARABELL FINLEY is forever divorced from the said JOHN MONROE FINLEY for and on account of

Abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Arabell Finley, have the care, custody and control of her children, namely, Jessie Lee Finley, Ellen Luvenia Finley and John Willie Finley.

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 futher 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 Arabell Finley the Complainant pay the cost herein to be taxed, for which executed may issue.

This 11th day of October 1957

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.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

*filed 10-11-57
Circuit Court
Baldwin County*

ARABELL FINLEY,
Complainant,
-vs-
JOHN MONROE FINLEY,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, Sitting in Equity:

Comes your Complainant, Arabell Finley, and files this her
Bill of Complaint for Divorce against John Monroe Finley, and
respectfully represents and shows unto your Honor:

1. That the Complainant is over the age of twenty-one
years and is a bona fide resident citizen of Foley, Baldwin
County, Alabama, and has been a bona fide resident citizen
of said County and State all of her life; that John Monroe
Finley is over the age of twenty-one years, a non-resident of
the State of Alabama, his present residence and Post Office
address being unknown.

2. That your Complainant and Respondent were lawfully
married on, to-wit, December 27, 1949.

3. Complainant further avers that said Respondent volun-
tarily abandoned the bed and board of Complainant for more than
two years next preceding the filing of this Bill of Complaint,
since which time Complainant and Respondent have not lived
together nor in any way recognized each other as husband and
wife.

4. Complainant further shows that there was born of this
marriage three (3) children, namely, Jessie Lee Finley, age six
years, Ellen Luvenia Finley, age five years, and John Willie
Finley, age three years, all of whom are and have been in the
care, custody and control of your Complainant.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that John
Monroe Finley be made a party defendant to this cause by the
usual process of this Honorable Court, by service by Publication,

requiring him to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon the final hearing of said cause she be granted a divorce from the said Respondent, and that she be granted the custody and control of the three minor children, namely, Jessie Lee Finley, Ellen Luvenia Finley and John Willie Finley. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further, different and general relief to which she may be entitled and as in duty bound she will ever pray.


Solicitor for Complainant

(((((

IN EQUITY
BEFORE COMMISSIONER OF
THE CIRCUIT COURT OF

(((((

Respondent,

JOHN MONROE FINLEY,

-A2-

Complainant,

WYBET FINLEY,

FILED FOR COMPLAINANT

ARABELL FINLEY

vs.

JOHN MONROE FINLEY

THE STATE OF ALABAMA

Baldwin County

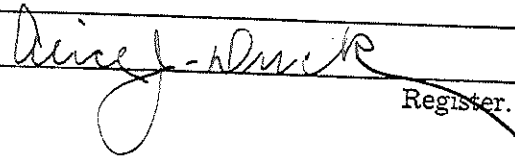
IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Testimony of Arabell Finley and Ellen Roberson, Affidavit of non-
residence of the Defendant, Order of Publication, Motion for Decree
Pro Confesso on Service by Publication, Decree Pro Confesso on
Service by Publication

and in behalf of Defendant upon _____


Solicitor for Complainant


Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ARABELL FINLEY

vs.

JOHN MONROE FINLEY

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

FILED

OCT 10 1957

Register.

Printed by the Baldwin

ALICE J. BOOK, Register

Vertical text on the right side of the page, possibly bleed-through or a separate column of text, including the words "No. 123456789" and "FILED".

The State of Alabama,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. Term, 19

ARABELL FINLEY Complainant.....

JOHN MONROE FINLEY 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 7th day of February, 19 57, in the Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the day of 19 57, and

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

JOHN MONROE FINLEY

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 JOHN MONROE FINLEY

This 9th day of October 19 57

Alice J. Duck Register.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

ARABELL FINLEY

Vs.

JOHN MONROE FINLEY

Decree Pro Confesso of Publication

Issued 10-9-57 19__

W. J. R. R. R.
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

ARABELL FINLEY

Complainant

Vs.

JOHN MONROE FINLEY

Defendant

Motion is hereby made for a Decree Pro Confesso against

JOHN MONROE FINLEY

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 9th day of October 1957

746 Code

Solicitor.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

ARABELL FINLEY

Complainant _____

Vs.

JAMES MONROE FINLEY

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed _____ 10 - 9 _____ 1957

Deice J. - Buck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

ARABELL FINLEY,)	
)	
Complainant,)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
-vs-)	
)	IN EQUITY
JOHN MONROE FINLEY,)	
)	
Respondent.)	

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, Sitting in Equity:

Comes your Complainant, Arabell Finley, and files this her Bill of Complaint for Divorce against John Monroe Finley, and respectfully represents and shows unto your Honor:

1. That the Complainant is over the age of twenty-one years and is a bona fide resident citizen of Foley, Baldwin County, Alabama, and has been a bona fide resident citizen of said County and State all of her life; that John Monroe Finley is over the age of twenty-one years, a non-resident of the State of Alabama, his present residence and Post Office address being unknown.

2. That your Complainant and Respondent were lawfully married on, to-wit, December 27, 1949.

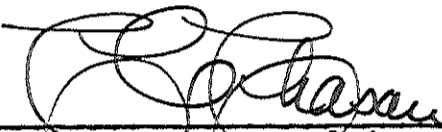
3. Complainant further avers that said Respondent voluntarily abandoned the bed and board of Complainant for more than two years next preceding the filing of this Bill of Complaint, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

4. Complainant further shows that there was born of this marriage three (3) children, namely, Jessie Lee Finley, age six years, Ellen Luvenia Finley, age five years, and John Willie Finley, age three years, all of whom are and have been in the care, custody and control of your Complainant.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that John Monroe Finley be made a party defendant to this cause by the usual process of this Honorable Court, by service by Publication,

requiring him to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon the final hearing of said cause she be granted a divorce from the said Respondent, and that she be granted the custody and control of the three minor children, namely, Jessie Lee Finley, Ellen Luvenia Finley and John Willie Finley. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further, different and general relief to which she may be entitled and as in duty bound she will ever pray.


Solicitor for Complainant