(4027)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

FLOYD ETHEL BARNHART, Complainant

vs.

C. J. BARNHART, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso or~~ Answer and Waiver 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 Floyd Ethel Barnhart is forever divorced from the said C. J. Barnhart for and on account of

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 Floyd Ethel Barnhart the Complainant pay the cost herein to be taxed, for which executed may issue.

This 7th day of May 1957

Hobart 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. 4027 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

FLOYD ETHEL BARNHART

Complainant

vs.

C. J. BARNHART

Respondent

DIVORCE DECREE

Filed
5-7-57
Alice J. Hewett
Clerk

2531. NOTE OF TESTIMONY

Printed by the Baldwin Times, Bay Minette, Alabama.

FLOYD ETHEL BARNHART

vs.

C. J. BARNHART

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 Floyd Ethel Barnhart and Dorothy Willcox.

and in behalf of Defendant upon Answer and Waiver.

C. Le Roi Thompson

Register.

No. 4077

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

FLOYD ETHEL BARNHART

vs.

C. J. BARNHART

NOTE OF TESTIMONY

Filed in Open Court this .....

day of ..... May 17 ....., 194 1957

FILED

..... Register.

Printed by the Baldwin Times

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

THE STATE OF ALABAMA
Baldwin County } Circuit Court

TO: Lois Wilson

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 Floyd Ethel Barnhart and Dorothy Willcox

a witnesses in behalf of Floyd Ethel Barnhart in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Floyd Ethel Barnhart, Complainant

and C. J. Barnhart Respondent

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

Witness 6th day of May, 1957

Alice A. Vinck
Register.

Commissioner's Fee, $

Witness' Fees, $

No. 4027

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

FLOYD ETHEL BARNHART

Complainant

VS.

C. J. BARNHART

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

FLOYD ETHEL BARNHART

DOROTHY WILLCOX

ORAL DEPOSITION

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

FLOYD ETHEL BARNHART Complainant

VS.

C. J. BARNHART Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Floyd Ethel Barnhart and Dorothy Willcox

witness es named in the Requirement for Oral Examination, on the 6th day of May 1957, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Floyd Ethel Barnhart and Dorothy Willcox doth depose and say as follows:

That my name is Floyd E. Barnhart, I am over the age of 21 and a resident of Alabama presently residing in Mobile County, The Respondent C. J. Barnhart is also over the age of 21 and is presently residing in Baldwin County, Alabama. We were married on March 12, 1944 in Lucedale, Mississippi and lived together until on or about July 10, 1953 at which time we were separated without fault on my part. We have not lived together as husband and wife since the time of our separation and the respondent has not supported me for more than two years next preceding and more specifically since the separation. There are no children as fruits of this marriage and no property to be divided. I do not believe we will ever live together again as husband and wife and respectfully ask that I be granted a divorce.

Floyd Ethel Barnhart

That my name is Dorothy Willcox, I know both parties to this cause, they are both over the age of 21 and have been residents of Alabama more than two years next preceding. They were married in Lucedale, Mississippi on March 12, 1944 and separated about July 10, 1953. The Respondent presently resides in Baldwin County, Alabama. Since the separation the Complainant has been employed and the Respondent has not supported her for more than two years next preceding. I know of no cause against the complainant for the separation. They have no children as fruits of their marriage and no property to be divided. I do not believe they will ever live together again as husband and wife.

Dorothy Willcox

ORAL EXAMINATION.

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition s 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 and C. LeNoir Thompson 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 witness es; 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 6th day of May, 195 7.

Lois Wilson (L. S.)

NO. 4021 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

FLOYD ETHEL BARNHART

vs. Complainant

C. J. BARNHART

Respondent.

Oral Deposition

Filed FILED, 195

MAY 7 1957, Register.

Recorded in

ALBERT LOCK, Register Record

Vol. Page

, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons C. J. BARNHART, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by FLOYD ETHEL BARNHART, as Complainant and against C. J. BARNHART, as Respondent.

WITNESS my hand this the ______ day of May, 1957.

____
Register.

* *

FLOYD ETHEL BARNHART COMPLAINANT VS C. J. BARNHART RESPONDENT	0 0 0 0 0	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY. CASE NO. ________

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

Your Complainant, Floyd Ethel Barnhart, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Alabama and has been more than two years next preceeding; the Respondent is over the age of 21 and a resident of Baldwin County, Alabama.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi on March 12, 1944 and lived together as husband and wife in Baldwin County, until on or about July 10, 1953.

3.

The Complainant further shows unto the Court that she has lived separate and apart from the bed and board of C. J. Barnhart, her said husband, for two years and without support from him for two years next preceding the filing of this bill and during said period she has been a bona fide resident in the State.

4.

There are no children as fruits of this marriage and no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said C. J. Barnhart, party Respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

Solicitor for the Complainant.

4027

FLOYD ETHEL BARNHART

COMPLAINANT

VS

C. J. BARNHART

RESPONDENT

* *

BILL OF COMPLAINT

* *

FILED
MAY 7 1957
ALICE J. DUCK, Register

From the law offices of

C. LeNoir Thompson
Attorney-At-Law
Bay Minette, Alabama

FLOYD ETHEL BARNHART	:	IN THE CIRCUIT COURT OF
COMPLAINANT	:	BALDWIN COUNTY, ALABAMA
VS	:	IN EQUITY.
C. J. BARNHART	:	CASE NO. _____
RESPONDENT	:	

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as the ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant, the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

C. J. Barnhart

STATE OF ALABAMA
BALDWIN COUNTY

I, C. LeDoux Thomson, a Notary Public, in and for said County, in said State, hereby certify that C. J. BARNHART, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 3rd day of May, 1957.

C. LeDoux Thomson
Notary Public, Baldwin County, Alabama.

4027

FLOYD ETHEL BARNHART

COMPLAINANT

VS

C. J. BARNHART

RESPONDENT

* * * * * * * * * * * * * * *

ANSWER AND WAIVER

* * * * * * * * * * * * * * *

FILED
MAY 7 1957
ALICE J. DUCK, Register

Fromthe law offices of

C. LeNoir Thompson
Attorney At Law
Bay Minette, Alabama