The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Barbara Ann Eubanks Complainant
vs.
Wesley R. Eubanks , Respondent
This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso o
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 it said bill. It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofor existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said
Barbara Ann Euhanksis forever divorced from th
said Wesley R. Eubenks for and on account o
Cruelty and it is further ORDERED, ADJUDGED AND DECREED by the Court
that the Complainant be and she is hereby granted the right to resume
the use of her name of Barbara Ann Morris.
It is futher 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 futher ordered that Barbara Ann Morris the Complainant pay the cost herein to be taxed, for which executed may issue. This day of Mayurth 1957 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 theday of
Register of Circuit Court, In Equity.

THE STATE OF ALABAMA

In Circuit Court, In Equity BALDWIN COUNTY

Barbara Ann Eubanks
Complainant

Respondent

STATE OF ALABAMA BALDWIN COUNTY

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TO ANY SHERIFF OF THE STATE OF ALABAMA:

Your are hereby commanded to summons WESLEY R. EUBANKS 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 BARBARA ANN EUBANKS, as Complainant and against WESLEY R. EUBANKS, as Respondent.

Witness my hand this the 16 day of Them, 1959.

Register Abecel

Register Court of

COMPLAINANT BALDWIN COUNTY, ALABAMA

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IN EQUITY.

WESLEY R. EUBANKS

RESPONDENT (

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

Comes now your Complainant and respectfully shows unto your Honor as follows:

l.

That your Complainant is a bona fide resident citizen of Baldwin County, Alabama, and is seventeen years of age; that your Respondent is a non-resident citizen of Baldwin County, Alabama and over twenty-one years of age.

2.

That Your Complainant and the Respondent were married at Loxley, Alabama on November 29, 1957, and lived together as husband and wife in Baldwin County, Alabama, until on to-wit, February 5, 1958.

З.

That on to-wit, February 5, 1958, and on various occasions prior thereto the Respondent cursed, threatened and abused your Complainant and threatened to do actual violence to her person, which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give Your Complainant every reasonable apprehension to believe and she did actually

believe that if she continued to live with the Respondent he would do actual violence to her person, which would necessarily endanger her life and health.

That there were no children born to the marriage between Your Complainant and the Respondent and that there is no property settlement to be made.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will byproper process make the said Wesley R. Eubanks, party Respondent to this bill of complainant 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 final hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between Your Complainant and the Respondent; that Your Honor will grant Your Complainant the right to resume her name of Barbara Ann Morris; Your Complainant prays for such, other, further, different or general relief as she may be in equity and good conscience entitled to receive.

jsled 5/24/5-9

WILTERS AND BRANTLEY

BY: John J. Mashid

Sheeten for Caraplana

BARBARA	AN	N EUBANK	S	Q					
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			RESPONDENT	Ž		1.06			

Before me, the undersigned authority, personally appeared Barbara Ann Eubanks, who being first duly sworn, disposes and says that Wesley R. Eubanks, the Respondent in the above stated cause, is a non-resident of the State of Alabama, and that his place of residence is unknown, and that it cannot be ascertained after reasonable effort, and further that in the believe of the said affiant, the said non-resident is over the age of twenty-one years.

Borbara Eubanks

Sworn and subscribed to before me this 25 day of May, 1959.

Notary Public, State of Alabama at Latge

	The State of Alabama, CIRCUIT COURT, IN EQUITY Baldwin County.	
	baldwin County.) NoTerm, 19	
	Barbara Am Eubanks Complainant	2
	Wesley R. Eubanks Defendant Defendant	
ŧ	In this cause it appears to the Register Alica J. Duckthat the order of publication	
	heretofore made in this cause, was published for four consecutive weeks, commencing on the	
•	day of May 28, 1959, in the Baldwin Times a newspaper publishe	d
	inBay.Minetbey, Alabama, that a copy of said order was posted at the Court House doc	T
	in_BaldwinCounty, on the day of19, an	đ
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	And it now further appearing to the Register_Alice J. Duck, that the said	l
	Wesley R. Eubanks	
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	having to the date have 6 C. 1	
	having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now,	
*** Vitra San California or Comment	therefore, on motion of Complainant, ordered and decreed by the Register Alice J. Duck	281,600
	that the Bill of Complaint in this cause be, and it hereby is in all things taken as	
ş.	confessed against the saidWesley R. Eubenks	
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Motion is hereby made for a Decree Pro Confesso againstWesley R. Fubanks	
Motion is hereby made for a Decree Pro Confesso againstWesley R. Fubanks	
in the annexed stated cause on the ground that more than thirty days have elapsed since the	
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 answ	er, plead or
demur to the Bill in this cause, to the date hereof.	

filed Recorded in -Motion for Decree Pro Circuit Barbara Ann Hubanks Wesley State ALICE J. DUCK, Register BALDWIN COUNTY on Publication Court, V_{s} Bubanks of Alabama 1959 In Complainant-Equity Confesso Defendant. Register. Register. _Record

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Circuit Court of Baldwin County Complainant Barbare, Ann Eubanks IN EQUITY

Wesley R. Eubenks VS

Respondent

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Filed in Open Court this. AUG 6 day of.

Register.

ALICE J. DUCK, Register

MOORE PRINTING CO., BAY MINETTE, ALA

THE STATE OF ALABAMA Baldwin County

Circuit Court

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Ann Eubanks, who being first duly sworn, disposes and says that Wesley R. Eubanks, the Respondent in the above stated cause, is a non-resident of the State of Alabama, and that his place of residence is unknown, and that it cannot be ascertained after reasonable effort, and further that in the believe of the said affiant, the said non-resident is over the age of twenty-one years.

Barbara Eubanks

Sworn and subscribed to before me this day of May, 1959.

Notary/Public, State of Alabama at Large

and endangered my life.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

BARBARA ANN EUBANKS		COMPLAINANT	eli orași materia di Santale. M
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WESLEY R. EUBANKS		RESPONDENT	e de la compania de l La compania de la compania del la compania de la compania d
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have called and caused to come before me	BARBARA ANN EU	BANKS AND	
CECIL MAE MORRIS	et en		
witness es named in the requirement for 19 59, at the office of Wilters and B	rantley		
in Robertsdale , Alabama,	and having first s	worn said witness_	es to speak the
truth, the whole truth, and nothing but the tr	ruth, the said Ba	rbara Ann Eubank	s and
Cecil Mae Morris	doth depose an	nd say as follows:	
My name is Barbara Ann Eubanks and I years old and a bona fide resident on my life. The respondent is a non-rethe age of 21. I and the respondent 29, 1957 and we lived together as huntil February 5, 1958. The respondent	am the complaintizen of Baldert citizen to were married assend and wife dent on February	inant in this ca win County and h of Baldwin Coun at Loxley, Alaba in Baldwin Coun	ave been all ty and is over ma on November ty. Alabama

Barbara ann Eubanks

My name is Cecil Mae Morris and I am over the age of 21, also a bona fide resident citizen of Baldwin County. I am the mother of Barbara Ann Eubanks, the complainant in this case. I know of my own knowledge! that Barbara and Wesley were married in Loxley on November 29, 1957 and that they lived together in Baldwin County until February 5, 1958. I know that the complainant and the respondent had very serious agruments and quarrels during the time that they lived together and that on February 5, 1958, during one of the quarrels, the respondent threatened and cursed my daughter and that she was afraid that he would actually do bodily harm to her and that my daughter left her home because she was afraid that he might endanger her health and life if she continued to live in the same house, with the respondent.

and I was afraid he would actually hurt me. I believed and still believe that if I had continued to live with him, he would have done me serious bodily harm

Ceril mae morris

I, Grady P. Gilbert, Jr.	as Register and Commissioner hereby certify
that the foregoing deposition on Oral Exam	ination was taken down in writing by me in the words
of the witness os and read over to them	and they signed the same in the presence of
myself and Phyllis S. Nesbit	
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 sai	id 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	8 day of whey 19 J9
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LAW OFFICES OF

HARRY J. WILTERS, JR.
TOLGERT M. BRANTLEY
ASSOCIATE;
PHYLLIS S. NESSIT

WILTERS & BRANTLEY

P. O. BOX 327
BAY MINETTE, ALABAMA

BAY MINETTE 5151

PHONES

P. D. BOX 337
ROBERTSDALE, ALABAMA

May 25, 1959

Mrs. Alice J. Duck Register in Equity Circuit Court of Baldwin Connty Bay Minette, Alabama

Dear Mrs. Ducks

Enclosed is a petition for divorce, with affidavit of complainant regarding non-residence of Respondent and a notice to non-resident.

Since I will not be coming to Bay Minette for a while, please start this process for me.

Sincerely yours

(Mrs.) Phyllis S. Nesbit

Encl.

THE BALDWIN TIMES

JIMMY FAULKNER

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

	AFFIDAVIT OF PUBLICATION
	STATE OF ALABAMA. BALDWIN COUNTY.
	ER Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of Barbaras Omni Eubankas vo. Presly Eulankas
	COST STATEMENT 185 WORDS @ 62cents
	I hereby certify this is correct, due and unpaid (paid).
ran distriction of the second	Editor.
The second secon	was published in said newspaper for 4 consecutive weeks in the following issues
	Date of 1st publication May 28, 1959 Vol. 7/ No. 20
	Date of 2nd publication June 4 , 195 9 Vol 71 No.21
	Date of 3rd publication June 11, 1959 Vol. 71 No. 22
	Date of 4th publication June 18, 195 9 Vol 21 No. 22
	Subscribed and sworn before the undersigned this 24 day of, 195_
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Notary Public, Baldwin County.

	The State of	Alabama,
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	Circuit Court,	in Equity
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