(4159)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EMMA JEAN HARRIS, Complainant

vs.

WILLIE HARRIS, JR., Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Waiver Pro Confesso~~ Answer and Cross-bill and Answer to Cross-bill and Testimony ~~as noted by the Register~~ Taken orally in open court 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 Emma Jean Harris is forever divorced from the said Willie Harris, Jr. for and on account of abandonment. Emma Jean Harris ~~shall have the full care, cutsody~~ and control of Clyneice Harris and Shirley Harris, minors, and Willie Harris, Jr. shall pay her for the support of such minors ~~the sum of~~ $15.00 per week beginning May 20, 1960. He shall have the right to visit such children at reasonable and proper times. Willie Harris, Jr. shall pay Chason & Stone $100.00 solicitor fee said amount to be paid by May 20, 1960.

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 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 Willie Harris, Jr. the Respondent pay the cost herein to be taxed, for which executed may issue.

This 16th day of May 19 60

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.

LITHO IN U.S.A.

No._____ Page_____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

_____

_____

Complainant

vs.

_____

_____

Respondent

DIVORCE DECREE

FILED
MAY 16 1960
ALICE J. DUCK, Register

EMMA JEAN HARRIS,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
WILLIE HARRIS, JR.,	)	IN EQUITY
Respondent.	)	

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

Comes your Petitioner, Emma Jean Harris, acting by and through John Chason as one of her Solicitors of Record and respectfully represents and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That on May 16, 1960, this Court entered an order divorcing your Petitioner from the Respondent and in and by the terms and provisions of said decree ordered the Respondent to pay to the Petitioner the sum of $15.00 per week for the support of their minor children, which payments were to begin May 20, 1960. That such decree also ordered the Respondent to pay Chason & Stone as Solicitors for the Complainant the sum of $100.00 and such decree ordered the Respondent to pay the court costs which have accrued in said case which now amounts to $58.20.

SECOND:

Your Petitioner further shows unto Your Honor that the Respondent has not paid the amount which he was ordered to pay as support, as Solicitors' fee or as court costs.

WHEREFORE, the premises considered, your Petitioner prays that this Honorable Court will, upon the filing of this petition, enter an order or decree requiring the Respondent to appear in said Court and show cause, if any he has, why he should not be adjudged in contempt of Court for his failure to comply with the terms and

provisions of said decree as hereinabove set out.

Respectfully submitted,

EMMA JEAN HARRIS

By: John Chason
As one of her Solicitors of Record

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Blanche White, a Notary Public in and for said County in said State personally appeared John Chason, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is John Chason and that he is one of the Solicitors of Record for the Complainant Emma Jean Harris; that he executed the foregoing petition and the facts alleged therein are true and correct.

John Chason

Sworn to and subscribed before me on this the 2nd day of June, 1960.

Blanche White
Notary Public, Baldwin County, Alabama.

FILED
JUN 2 1960
ALICE J. DUCK, Register

4239

EMMA JEAN HARRIS,

Complainant,

vs.

WILLIE HARRIS, JR.,

Respondent.

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

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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

FILED

JUN 2 1960

ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT - IN EQUITY

TO THE SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Willie Harris, Jr., 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 Emma Jean Harris as Complainant, against Willie Harris, Jr., as Respondent.

Witness my hand this 21 day of October, 1959.

Register

EMMA JEAN HARRIS, Complainant,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
WILLIE HARRIS, JR. Respondent.	X	IN EQUITY

Comes your Complainant, Emma Jean Harris, and files this her Bill of Complaint for divorce against Willie Harris, Jr., and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and Respondent are over the age of twenty-one years, and are both resident citizens of Baldwin County, Alabama, residing at Foley, Alabama, and they have been such residents for more than ten years last past.

SECOND:

That your Complainant and the Respondent were married on heretofore, to-wit: September 16, 1952, and lived together as man and wife until, to-wit: August, 1957, at which time the Respondent voluntarily abandoned the bed and board of your Complainant without

just cause or legal excuse and he has failed and refused to live with her as her husband since that time.

THIRD:

That there was born to your Complainant and the Respondent two daughters, Clyneice Harris, six years of age, and Shirley Harris, four years of age. That said children have been living with Your Complainant and supported by your Complainant since August, 1957, and your Complainant is a fit and proper person to have the care, custody and control of said minor children, and the Respondent is not a fit and proper person to have the care, custody and control of such minors. That the Respondent is an able bodied man now earning about Fifty Dollars ($50.00) a week.

That your Complainant has no money nor income sufficient to pay a solicitor to represent her in this proceeding and she has employed Chason & Stone of Bay Minette, Alabama, as her solicitors.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant prays that the above named Willie Harris, Jr. be made a party Defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and 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 a final hearing of this cause that Your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will award your Complainant the full custody and control of her minor childrenand that the Respondent be ordered to pay a reasonable amount each month to the Complainant for the maintenance and support of said minor children; that the defendant be required to pay Complainant's solicitors a reasonable solicitor's fee for representing her in this cause and that Your Honor will also decree that the Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Emma Jean Harris
Complainant.

EMMA JEAN HARRIS, Complainant,	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
VS:	)	IN EQUITY
WILLIE HARRIS, JR. Respondent.	)	

Comes your respondent in this case and for answer states that there is no equity in said bill.

Forest A. Christian, Attorney for Respondent.

EMMA JEAN HARRIS,	)	IN THE
Complainant,	)	CIRCUIT COURT OF BALDWIN COUNTY,
VS	)	ALABAMA. IN EQUITY.
WILLIE HARRIS, JR.,	)	
Respondent.	)+	

Comes the Respondent and for answer to the bill of Complaint in the above styled cause says:

1. The Respondent admit the allegations contained a paragraph First of the Complaint.

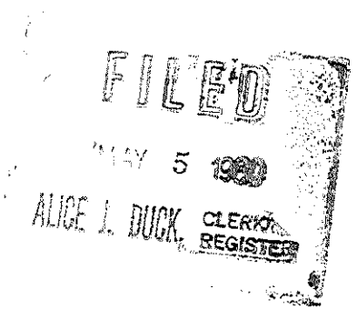
2. The Respondent admits that he and the Complainant were married to each other on September 16, 1952, and lived together thereafter as man and wife until, to-wit: August, 1957, but he denies that he voluntarily abandoned the bed and board of the Complainant without just cause or legal excuse, and he denies that he has failed and refused to live with her as her husband since that time.

3. Respondent denies the allegations in paragraph Three and alleges that since January of 1960, he has not had steady employment, but has worked a day now and then. That his best prospects for a job is $40.00 per week.

The Respondent hereby files this his cross bill and alleges as follows:

That the Complainant, Emma Jean Harris, committed adultry with one Eddie Dean Smith during the month of August 1959, and did, on-to-wit: the 27th day of August, 1959, the Complainant, Emma Jean Harris and said Eddie Dean Smith did obtain a marriage license in the State of Florida, Escambia County, and did marry on that date in Escambia County, Florida.

The Respondent and Cross Complainant prays that upon a hearing of this Cross Complaint that the Court will award to him full custody and control of the minor children of the parties, Clyniece Harris, six years of age and Shirley Harris, four years of age.



Solicitor for the Respondent and
Cross Complainant

EMMA JEAN HARRIS,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
	X	
vs.		BALDWIN COUNTY, ALABAMA
	X	
WILLIE HARRIS, JR.,	X	IN EQUITY
Respondent.	X	

ORDER

This day came Emma Jean Harris, acting by and through John Chason as one of her Solicitors of Record and filed her petition in writing under oath in which she alleges that the Respondent Willie Harris, Jr. has not complied with the terms and provisions of the decree of this Court dated May 16, 1960 and the same having been called to the attention of the court and the court having considered the same is of the opinion that said petition should be set down for hearing and notice of the filing thereof and of the day set for hearing the same should be given to the said Willie Harris, Jr; it is, therefore

ORDERED and DECREED by this Court that the petition of Emma Jean Harris which was filed in this Court on June 2, 1960 be, and the same is hereby set down for hearing on the 24th day of June, 1960 at 10:00 o'clock A.M. at the Courthouse in Bay Minette, Alabama.

It is further ORDERED and DECREED by this Court that Willie Harris, Jr. be given notice of the filing of said petition and of the day set for hearing the same by service upon him of a copy of this order and that he be, and he hereby is required to appear at said time and place to show cause, if any he has, why he should not be adjudged in contempt of this Court for failure to comply with the terms and provisions of the decree of this Court dated May 16, 1960.

Done this 3 day of June, 1960.

Hubert M. Steele
Circuit Judge

4739

EMMA JEAN HARRIS,

Complainant,

vs.

WILLIE HARRIS, JR.,

Respondent

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

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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

Received 3 day of June 19 64

and on 13 day of June 1964

I served a copy of the within Order

on Willie Harris Jr.

By service on

TAYLOR WILKINS, Sheriff

By Carlton Rice D.S.

Foley

Sheriff claims 22 miles at 20

Ten Cents per mile Total $ 2

TAYLOR WILKINS, Sheriff

by DEPUTY SHERIFF

Dft:

Foley, Ala.

EMMA JEAN HARRIS,	)	IN THE
Complainant,	)	CIRCUIT COURT OF BALDWIN COUNTY,
VS.	)	ALABAMA. IN EQUITY
WILLIE HARRIS, JR.,	)	NO. 4739
Respondent.	)	

This being the date set by order of the Court entered on June 3, 1960, for Willie Harris, Jr. to appear before the Court to show cause why he was not in contempt of Court for failure to comply with the terms and provisions of the decree of this Court dated May 16, 1960, and the said Willie Harris, Jr. having been served with a copy of such order by the Sheriff of Baldwin County, Alabama, on June 13, 1960, the matter is now to be considered by the Court.

And it further appearing to the Court that the Complainant, Emma Jean Harris, is present in Court in person and by her Solicitor, John Chason, and the Respondent, Willie Harris, Jr. having failed to appear in compliance with the order of said court; and it further appearing to the Court that such Respondent has failed and refused to pay to the Complainant the sum of FIFTEEN ($15.00) DOLLARS a week, beginning May 20, 1960, for the support and maintenance of her minor children, as fixed by the decree of divorce dated May 16, 1960, and the Respondent having failed to pay Chason & Stone, as Solicitors for the Complainant, the sum of ONE HUNDRED ($100) DOLLARS, Solicitors' fee as fixed by such decree, and having failed to pay the Court cost as set out in such decree, and the Court having considered such failure to pay, is of the opinion tha t the Respondent shouldbe held in contempt of this Court for his failure and refusal to comply with the terms and provisions of the decree of divorce rendered on May 16, 1960;

It is, therefore

ORDERED, ADJUDGED AND DECREED by the Court that Willie Harris, Jr. be and he hereby is adjudged to be in contempt of this Court for his failure and refusal to comply with the terms and provisions of the decree of this Court entered on May 16, 1960; It is further

ORDERED, A DJUDGED AND DECREED By the Court that the said Willie Harris, Jr. be placed in jail by the Sheriff of Baldwin County, Alabama, and that he shall remain there until such time as he has complied with the terms and provisions of the decree of said Court dated May 16, 1960, and thereby purges himself of said contempt. It is further

ORDERED and decreed that this order and decree shall forthwith be executed by the Sheriff of Baldwin County, Alabama.

Done this 24th day of June, 1960.

FILED
JUN 24 1960
ALICE J. DUCK, Register

Hubert A. Stace
Judge, 28th Judicial Circuit of Alabama.

4739

Received 24 day of June 19 60
and on 25 day of July 19 60
I served a copy of the within Order
on Willie Harris Jr
By service on Willie Harris Jr.

TAYLOR WILKINS, Sheriff
By W. O. Garner D. S.
Foley

Executed this 25 day of July 19 60
By arresting the within named Defendant
Willie Harris Jr.
and placing him in Jail

Sheriff
Miles _____ By W. O. Garner
D. S.

Place of arrest Foley
Sheriff claims 22 miles at
Ten Cents per mile Total $ 2.20
TAYLOR WILKINS, Sheriff
BY Garner
DEPUTY SHERIFF

FILED
JUN 24 1960
ALICE J. DUCK, Register

EMMA JEAN HARRIS,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
	)	
WILLIE HARRIS, JR.,	)	IN EQUITY NO. 4739
Respondent.	)	

WHEREAS, a decree was rendered by this Court in the above styled cause on May 16, 1960, divorcing the Complainant from the Respondent and in such decree the Court ordered the Respondent to pay the Complainant for the support of their minor children the sum of $15.00 per week beginning May 20, 1960, and he was also ordered to pay Chason & Stone, as Solicitors for Complainant, the sum of $100.00 and to pay the court costs which accrued in said cause; and

WHEREAS, the Respondent failed to pay any of such amounts and this Court entered an order on June 3, 1960, requiring the Respondent to appear before this Court to show cause why he was not in contempt of court, which order was served on him on June 13, 1960, and such Respondent failed to appear; and

WHEREAS this Court entered its order on June 24, 1960, directing the Sheriff of Baldwin County, Alabama, to place the said Willie Harris, Jr. in jail, there to remain until he has complied with the terms of such decree and the said Willie Harris, Jr. was placed in jail under such order where he now remains; and

WHEREAS, Hadley Motor Company of Bay Minette, Alabama, is now willing to employ the said Willie Harris, Jr., and to advance for him the attorneys' fee due Chason & Stone and the court costs which have now accrued in the sum of $83.85, and during the term of such employment Hadley Motor Company will withhold from the money due the Respondent the sum of $10.00 a week beginning September 3, 1960, which said company will mail to the Complainant in said cause for the support of said minor children and will withhold the sum of $10.00 a week to repay such company for the money which it has advanced and after such company has been repaid for its advancement it will then withhold and mail to the Complainant the sum of $15.00 per week for the support of such children and the Court having considered the same is of the opinion that it would be to the best

interest of said minors and that the ends of justice would be best served thereby, it is therefore

ORDERED, ADJUDGED and DECREED by this Court as follows:

1. Upon payment by Hadley Motor Company to Chason & Stone of the sum of $100.00 and upon payment by Hadley Motor Company to Alice J. Duck, Register, of the sum of $83.85 the Sheriff of Baldwin County Alabama, shall release the said Willie Harris, Jr., from jail.

2. That so long as the said Willie Harris, Jr., shall remain in the employment of Hadley Motor Company, such company shall withhold from the salary of such Respondent the sum of $10.00 which it shall mail to Emma Jean Harris, Foley, Alabama, each week beginning September 3, 1960, for the support of the minor children of said parties and shall also withhold the sum of $10.00 weekly from the salary of such Respondent until it has been reimbursed for the amount now advanced for Willie Harris, Jr.

3. After the amount advanced by Hadley Motor Company has been repaid, such company shall then withhold from the salary of such Respondent and mail to Emma Jean Harris, the sum of $15.00 each week for the support of said minor children.

4. The Court does hereby release the said Willie Harris, Jr. from the payments for support of such minors which are now in arrears provided the terms of this decree are strictly complied with.

5. Should the said Willie Harris, Jr., be discharged by Hadley Motor Company or should he quit his employment this Court shall promptly be notified and this Court shall then render such decrees as may be proper in the premises.

Done this the 29th day of August, 1960.

Hubert M. Steele
Judge

274

EMMA JEAN HARRIS,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
WILLIE HARRIS, JR.,	X	IN EQUITY
Respondent.	X	

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

Comes your Petitioner, Emma Jean Harris, acting by and through John Chason as one of her Solicitors of Record and respectfully represents and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That on May 16, 1960, this Court entered an order divorcing your Petitioner from the Respondent and in and by the terms and provisions of said decree ordered the Respondent to pay to the Petitioner the sum of $15.00 per week for the support of their minor children, which payments were to begin May 20, 1960. That such decree also ordered the Respondent to pay Chason & Stone as Solicitors for the Complainant the sum of $100.00 and such decree ordered the Respondent to pay the court costs which have accrued in said case which now amounts to $58.20.

SECOND:

Your Petitioner further shows unto Your Honor that the Respondent has not paid the amount which he was ordered to pay as support, as Solicitors' fee or as court costs.

WHEREFORE, the premises considered, your Petitioner prays that this Honorable Court will, upon the filing of this petition, enter an order or decree requiring the Respondent to appear in said Court and show cause, if any he has, why he should not be adjudged in contempt of Court for his failure to comply with the terms and

provisions of said decree as hereinabove set out.

Respectfully submitted,

EMMA JEAN HARRIS

By: John Chason
As one of her Solicitors of Record

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Blanche White, a Notary Public in and for said County in said State personally appeared John Chason, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is John Chason and that he is one of the Solicitors of Record for the Complainant Emma Jean Harris; that he executed the foregoing petition and the facts alleged therein are true and correct.

John Chason

Sworn to and subscribed before me on
this the 2nd day of June, 1960.

Blanche White
Notary Public, Baldwin County, Alabama.