

4792

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

.....NAOMI L. HARPER....., Complainant

vs.

.....BENJAMIN F. HARPER..... Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Con-~~
~~fessio~~ On Resp.'s Answer & 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and
that the said Naomi L. Harper..... is forever divorced from the said Respondent
for and on account of.....

It is further ordered, adjudged and decreed that neither party to this suit shall again marry ex-
cept to each other until sixty days after the rendition of this decree, and that if appeal is taken with-
in sixty days, neither party shall again marry except to each other during the pendency of said
appeal.

It is further ordered that.....NAOMI L. HARPER.....
be, and..... is..... hereby permitted to again contract marriage upon the payment of the cost of
this suit.

It is further ordered that.....Naomi L. Harper.....
the Complainant..... pay the cost herein to be taxed, for which execution may issue.

This 17 day of December, 19 59

Hubert M. Stoe
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.

FILED
DEC 19 59
ANGEL DUCK, CLERK
REGISTER

Witness my hand and seal this the.....day
of, 19.....

.....
Register of Circuit Court, in Equity.

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No. 4992 Page.....

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

.....NAOMI L. HARPER.....
Complainant.

Vs.

.....BENJAMIN E. HARPER.....
Respondent.

DIVORCE DECREE

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY ALA

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: GLENDA SWITZER

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 NAOMI L. HARPER

a witnesses in behalf of Naomi L. Harper in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Naomi L. Harper, Complainant and

Benjamin F. Harper 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 17 day of December, 1959

Handwritten signature of Benjamin F. Harper, Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4792

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Naomi L. Harper
Complainant

VS.

Benjamin F. Harper
Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

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THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

NAOMI L. HARPER
COMPLAINANT

vs.

BENJAMIN F. HARPER
RESPONDENT

I, GLENDA SWITZER

as Register and Commissioner

have called and caused to come before me

NAOMI L. HARPER

witness named in the requirement for Oral Examination, on the 17th day of December
19 59, at the office of GLENDA SWITZER
in FOLEY, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said NAOMI L. HARPER

doth depose and say as follows:

My name is Naomi L. Harper. I am over the age of 21 years and I am
now and have been a resident of Baldwin County, Alabama all of my
life. Benjamin F. Harper is over the age of 21 years and is a resident
of Baldwin County, Alabama and was legally married to him on June 5,
1949 at Lucedale, Mississippi.

Benjamin F. Harper voluntarily abandoned me in August, 1957 since
which time we have not lived together nor recognized each other as
husband and wife.

Naomi L. Harper

ORAL EXAMINATION

I, **GLEND A SWITZER** 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 and read over to her and she signed the same in the presence of myself and at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness ; 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 17th day of December, 19 59 .

Glenda Switzer (L. S.)

No. *1799* Page

**THE STATE OF ALABAMA
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

NAOMI L. HARPER

COMPLAINANT

vs.

BENJAMIN F. HARPER

RESPONDENT

ORAL DEPOSITION

Filed

FILED
19

DEC 17 1959

Register.

**ANNIE M. MURPHY
CLERK
RECORDED IN REGISTER**

Record

Vol.

Page

Register.

NAOMI L. HARPER

COMPLAINANT

vs.

BENJAMIN F. HARPER

RESPONDENT

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,
Respondent's Answer and Waiver

Commission to take Oral Deposition

Oral Deposition of Complainant's Witnesses

and in behalf of Defendant upon

Arthur C. Epperson
Arthur C. Epperson
Attorney for Complainant

Wesley Duck
Register.

m

No. 4795

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

NAOMI L. HARPER

COMPLAINANT

VS.

BENJAMIN F. HARPER

RESPONDENT

Note of Testimony

Filed in Open Court this

FILED

day of _____, 19

DEC 17 1959

ALICE L. DUCK, CLERK
REGISTER.

NAOMI L. HARPER)
COMPLAINANT)
VS:)
BENJAMIN F. HARPER)
RESPONDENT)


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

To the Honorable Judge of the Circuit Court of Baldwin County
Alabama, Sitting in Equity:

Your Complainant, Naomi L. Harper, respectfully represents and
shows unto your Honor:

1. That your Complainant is over the age of twenty-one years and
is a resident of the said State and County, and has been a bona-
fide resident of said State for more than two years next preceding
the filing of this Bill of Complaint; that Benjamin F. Harper is
over the age of twenty-one years and resides in Baldwin County,
Alabama.
2. That your Complainant and Respondent were lawfully married on
or about, to-wit: June 5, 1949, at Lucedale, Mississippi.
3. Your Complainant further avers that said Respondent voluntarily
abandoned the bed and board of Complainant for more than one year
next preceding the filing of this Bill of Complaint, since which
time your Complainant and Respondent have not lived together nor
in any way recognized each other as husband and wife.

The premises considered, your Complainant makes the Benjamin F.
Harper a party Respondent to this Bill of Complaint, and in order
that your Complainant may have the relief herein prayed for, may
it please your Honor to cause the State's writ of subpoena be
issued, and directed to the said Benjamin F. Harper, commanding
him to answer, plead or demur to this Bill of Complaint, within the
time required by law; and that on a final hearing of this cause,
that your Honor will enter a decree divorcing your Complainant
from said Respondent, and that your Honor will grant such other,
further and different relief as unto your Honor may seem just and
proper, and your Complainant will ever pray for such other, further
or general relief to which she may be entitled.


Solicitor for Complainant

Filed
Dec-17, 1959

NAOMI L. HARPER)
 COMPLAINANT) IN THE CIRCUIT COURT OF
 VS:)
) BALDWIN COUNTY, ALABAMA
 BENJAMAN F. HARPER)
 RESPONDENT)

Comes the Respondent in the above-styled cause and accepts service of a Bill of Complaint hereto filed in this cause; waives notice of the filing of interrogatories in this cause, and the right to cross same; waives notice of the taking of testimony in said cause and consents that the same may be taken and the cause submitted for final decree, and for answer to the complaint heretofore filed in this cause the Respondent says:

1. He admits the allegations in paragraph one of the said Bill of Complaint.
2. He admits the allegations in paragraph two of the said Bill of Complaint.
3. He denies each and every material allegation contained in paragraph three of the said Bill of Complaint and requires strict proof thereof.

Benjamin F. Harper

 RESPONDENT

Jack H. Perkins

 WITNESS

Wivian Hicks

 WITNESS

Filib
 Dec. 17, 1959

10/11/59

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