

4819

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

YANCEY W. LAND, Complainant

vs.

ANNA LAND, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Confession~~ on 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 YANCEY W. LAND is forever divorced from the said ANNA LAND for and on account of Abandonment

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 Yancey W. Land the Complainant pay the cost herein to be taxed, for which executed may issue.

This 4th day of April 1960.

Handwritten signature of Judge

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.

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No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

GRAHAM A. SULLIVAN  
ATTORNEY AT LAW  
VAN ANTWERP BUILDING  
MOBILE 12, ALABAMA  
HEMLOCK 3-4761

March 30th., 1960

Mrs. Alice Duck, Register  
Circuit Court  
Bay Minette, Alabama

Dear Mrs. Duck:

I am forwarding to you herewith the answer and waiver, the testimony, note of evidence and order of submission in the case of Yancey W. Land vs. Anna Land.

As soon as you send me the cost bill I will immediately send my check.

Yours very truly,

  
GRAHAM A. SULLIVAN

GAS/rcf  
Encls.

GRAHAM A. SULLIVAN  
ATTORNEY AT LAW  
VAN ANTWERP BUILDING  
MOBILE 12, ALABAMA  
HEMLOCK 3-4761

March 7th., 1960

Mrs. Alice Duck  
Register in Chancery  
Bay Minette, Alabama

Dear Mrs. Duck:

I am forwarding to you herewith bill of complaint in the case of Yancey W. Land v. Anna Land to be filed in your Court. The answer and waiver will be forthcoming shortly, after which the testimony will be taken by agreement and forwarded on to you for submission to the Court.

Thanking you very much, I am

Yours very truly,

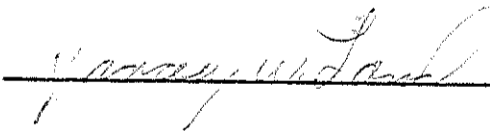
  
GRAHAM A. SULLIVAN

GAS/rcf

Yancey W. Land, the complainant, a witness in his own behalf, being first duly sworn, testified as follows:-

My name is Yancey W. Land and I am the complainant in this divorce case now pending against Anna Land in the Circuit Court of Baldwin County, Alabama. The respondent and myself are each over twenty-one years of age and I am a non-resident of the State of Alabama, residing at Ocala, Florida. My wife, the respondent is a bona fide resident citizen of Mobile County, Alabama and has been such continuously for a period of more than one year next immediately preceding the filing of this bill of complaint in this cause. I am the lawful husband of the respondent, we having been lawfully married to each other on September 1st., 1949 at Lucedale, Mississippi. After our marriage we lived together as husband and wife until during the month of September, 1958, at which time my wife left me. No children were born to us of this marriage.

My wife voluntarily abandoned my bed and board without any cause or fault on my part, without my consent and without any intention to return during the month of September, 1958 and this voluntary abandonment of my bed and board by my wife has been continuous and uninterrupted since that time and for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. I provided well for my wife and was a good husband to her during all the time that we lived together. I certainly never gave her any cause or reason whatsoever to become dissatisfied living with me or to leave me. She left me for no apparent reason and has refused to live with me since. I do not ever intend to live with her again and I wish this Court to grant me an absolute divorce from her and grant me permission to remarry in the event I so care.

  
\_\_\_\_\_

Mrs. Dorothy Wilson, a witness for the complainant, being first duly sworn, testified as follows:-

My name is Mrs. Dorothy Wilson and I am over twenty-one years of age and a resident of Mobile County, Alabama. I know both parties to this divorce case and the respondent, Anna Land, is my sister. Both she and her husband are each over twenty-one years of age and she is a bona fide resident citizen of Mobile County, Alabama and has been such continuously for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. The complainant, Yancey W. Land, is a non-resident of the State of Alabama and he resides at Ocala, Florida. I know that they are husband and wife and I recall the occasion when they were lawfully married to each other on September 1st., 1949 at Lucedale, Mississippi. After their marriage they lived together as husband and wife until during the month of September, 1958, at which time my sister left her husband. No children were born to them of their marriage.

I know that my sister voluntarily abandoned the bed and board of her husband without any cause or fault on his part, without his consent and without any intention to return during the month of September, 1958 and this voluntary abandonment of his bed and board by his wife has been continuous and uninterrupted since that time and for a period of more than one year next immediately preceding the filing of this bill of complaint. I know that my brother-in-law provided well for my sister and was a good husband and that he gave her no cause or reason whatsoever to leave him. She was simply dissatisfied living with him and left him. I feel that it would be best for all concerned that they be divorced.

Mrs. Dorothy Wilson

# CERTIFICATE

I, Roselle C. Finch, the Commissioner ~~appointed by the Court and named~~

~~in the attached commission, or~~ named by agreement of the parties, in that certain cause now pending in  
the Honorable Circuit Court of Baldwin ~~Mobile~~ County, Alabama, Sitting in Equity, No. \_\_\_\_\_, wherein

Yancey W. Land is Complainant, and Anna Land

is Respondent, under and by virtue of the power conferred upon me by said ~~Commissioner of~~ agreement as  
such commissioner, caused Yancey W. Land, and Dorothy Wilson

~~xxx~~ who were made known to me, to come before me at 11:30 o'clock A M., on March 7th,  
19 60, at 307 Van Antwerp Bldg. Mobile, Alabama; that said witnesses were first duly sworn

by me as stated; that they were then examined by Graham A. Sullivan, Solicitor for the  
Complainant, and cross-examined by \_\_\_\_\_

~~Solicitor for~~  
~~Guardian and Lienor &~~ \_\_\_\_\_, and they testified in  
~~Attorney and Lienor for~~

response thereto as is hereinabove written; and the testimony was by me reduced to writing as given  
by said witnesses in narrative form, and as near might be the identical language of said witnesses, and  
that, after said testimony had been so reduced to writing, it was by me read over to said witnesses; who  
assented to and signed same, ~~who refused to sign same, who was physically unable to sign same, or who~~  
~~waved the reading and signing of same,~~ in my presence and in the presence of said Solicitor for

Complainant  
~~Solicitor for~~  
~~and Guardian and Lienor &~~  
~~Attorney and Lienor for~~

I further certify that I am not of counsel or kin to any of the parties to the said cause, and am not  
in anywise interested in the result thereof, and that the depositions are true and correct as given by  
the witnesses.

Witness my hand this 7th day of March, 19 60

Roselle C. Finch  
Commissioner

Yancey W. Land,

No. .... VS.

Entered on \_\_\_\_\_  
Min. Book No. \_\_\_\_\_ Entry \_\_\_\_\_  
~~W. E. Swarth~~ Register  
Mrs. Alice Duck

Anna Land,

**ORDER OF SUBMISSION**

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

**NOTE OF EVIDENCE**

At the hearing of this cause the following note of evidence was taken to wit:

**FOR COMPLAINANT**

Original Bill of Complaint  
Answer, Waiver and Agreement  
Depositions of Yancey W. Land and Dorothy Wilson

FILED, 4-2-60  
Alice Duck Register

Graham A. Sullivan  
Solicitor—for Complainant

**FOR RESPONDENT**

.....  
Solicitor—For Respondent



*AL*

No.....

Yancey W. Land,

Vs.

Anna Land,

ORDER OF SUBMISSION  
NOTE OF EVIDENCE

**FILED**

Filed..... APR 21 1961

ALICE J. DUCK, CLERK  
REGISTER Register

Ent. Min. No..... Entry.....

Yancey W. Land,	)	
	*	
Complainant,	)	In the Circuit Court of Baldwin
	*	
vs	)	County, Alabama.
	*	
Anna Land,	)	In Equity
	*	
Respondent.	)	No. _____

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, SITTING IN EQUITY:--

Your complainant, Yancey W. Land, respectfully represents and shows unto Your Honors as follows:-

1. Complainant avers that he is 34 years of age, is a non-resident of the State of Alabama and resides at 114 Scott Drive, Ocala, Florida; that the respondent is 33 years of age and is a bona fide resident citizen of Mobile County, Alabama and has been such continuously for a period of more than one year next immediately preceding the filing of this bill of complaint and resides at Route 7, Box 268-D., c/o Herman Peabody, Mobile, Alabama.
2. Complainant avers that he is the lawful husband of the respondent, they having been lawfully married to each other on September 1st., 1949 at Lucedale, Mississippi, of which marriage there is no issue.
3. Complainant avers that respondent voluntarily abandoned his bed and board without any cause or fault on his part, without his consent and without any intention to return during the month of September, 1958 and that said abandonment has been continuous and uninterrupted for more than one year next immediately preceding the filing of this bill of complaint.

PRAYER FOR PROCESS

Complainant prays that upon the filing of this bill of complaint that proper process issue to Anna Land, making her a party respondent and requiring her to appear and plead, answer or demur to the allegations thereof within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that upon the final hearing hereof that your Honors will grant him an absolute divorce from the respondent and grant him permission to remarry in the event he should so care and he prays for all such other, further or different relief to which he is entitled, the premises considered.

Yancey W. Land  
Complainant

Subscribed and sworn to before me this the 4th. day of March, 1960.

Roselle C. Teach  
Notary Public, Mobile County, Alabama.

Graham A. Sullivan  
Solicitor for the Complainant

Yancy W. Land,

Complainant

No. Vs.

Anna Land,

Defendant

IN THE CIRCUIT COURT OF  
MOBILE COUNTY, ALABAMA  
IN EQUITY

ANSWER AND WAIVER

Comes the defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegations of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

I further agree that Roselle C. Finch, may take the testimony in this cause without the issuance of a commission.

*Yancy W. Land*  
Defendant

Complainant agrees that Roselle C. Finch, may take the testimony in this cause as commissioner, without issuance of a commission.

*Roselle C. Finch*  
Complainant

NOTE: The space below is intended for "Agreements Between the Parties".

NO AGREEMENT

*Witness to each signature: -  
Roselle C. Finch.  
Filed 4-2-60*

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a NOTARY PUBLIC in and for said State and County, do hereby certify that \_\_\_\_\_, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, \_\_\_\_\_ executed the same voluntarily on the day same bears date.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

NOTARY PUBLIC

Filed \_\_\_\_\_ STATE OF \_\_\_\_\_  
\_\_\_\_\_ COUNTY OF \_\_\_\_\_

Register