

4871

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EUEL RICHARD BAIN, JR.

Complainant

vs.

JO ANNE BAIN

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso 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 Euel Richard Bain, Jr. is forever divorced from the said Jo Anne Bain 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 Euel Richard Bain, Jr. the complainant pay the cost herein to be taxed, for which executed may issue.

This 23rd 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.

FILED

MAY 27 1960

ALICE J. DICK, CLERK REGISTER

72

No. 4877 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

#2.5

FILED

MAY 23 1960

ALICE L. DUCK, CLERK REGISTER

EUEL RICHARD BAINES, JR.,	)	
	)	IN THE
Complainant,	)	
	)	CIRCUIT COURT OF BALDWIN
VS.	)	
	)	COUNTY, ALABAMA.
JO ANNE BAINES,	)	
	)	IN EQUITY. NO. 4877
Respondent.	)	
	)	

MR. EUEL RICHARD BAINES, JR., THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Owen.

- Q. You are Richard Baines, Jr., are you not?
- A. Yes sir.
- Q. And you and Jo Anne Baines are both over the age of 21 years, aren't you?
- A. Yes sir.
- Q. Are you a resident of Baldwin County, Alabama?
- A. Yes sir.
- Q. How long have you been a resident of the State of Alabama?
- A. I've been here over two years.
- Q. And JoAnne Baines is a resident of Florida, is she not?
- A. That is right, Bay County.
- Q. You and Jo Anne Baines were married on March 24, 1951, in Gulf Port, Mississippi, were you not?
- A. That's right.
- Q. And you all lived together as man and wife until July 12, 1958?
- A. Right.
- Q. Have you all lived together as man and wife since that time?
- A. No.

Q. Tell the Court what happened, in your own words? That is, if she left you at that time and has refused to return, or just what the circumstances are?

A. She just left.

Q. You - Do you know where she went?

A. Panama City, Florida.

Q. That was Voluntary on her part? -- You didn't tell her she had to leave?

A. No sir.

Q. She has not returned since that time?

A. No.

Q. Has not returned to live with you as husband and wife?

A. No sir.

Q. I believe one child was born to you all, is that right?

A. That is right.

Q. Her name is Debbie Ann Baine?

A. Yes sir.

Q. How old is she?

A. Four.

Q. Who has the custody and control of that child?

A. She has the child.

-----  
C E R T I F I C A T E:

I hereby certify that the foregoing is a true and correct transcript of the evidence as taken by me, in open Court, on this day.

This 23rd day of May, 1960.

  
Official Court Reporter

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JO ANNE BAIN, to appear and plead, answer or demur within thirty days from the service of this writ to the complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by EUEL RICHARD BAIN, JR., as Complainant, against Jo Anne Bain, as Respondent.

WITNESS my hand this the 21 day of March, 1960.

*Rice J. French*  
Register.

Respondent's address:  
722 Satsuma Avenue  
Panama City, Florida.

\*\*\*\*\*

EUEL RICHARD BAIN, JR.,	↓	IN THE CIRCUIT COURT OF
Complainant,	↓	BALDWIN COUNTY, ALABAMA
vs.	↓	
JO ANNE BAIN,	↓	IN EQUITY.
Respondent.	↓	

Comes your complainant, Euel Richard Bain, Jr., and files this his Bill of Complaint for divorce against Jo Anne Bain, and shows unto your Honor and unto this Honorable Court as follows:


1. That your Complainant and the Respondent are both over the age of twenty-one years; that your complainant is a resident of Baldwin County, Alabama, residing in Fairhope, Alabama; that the Respondent, Jo Anne Bain, is a non-resident of the State of Alabama, residing at 722 Satsuma Avenue, Panama City, Florida.

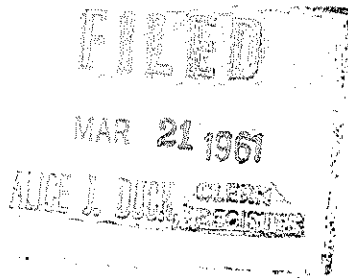
2. That your complainant and the respondent were married on, heretofore, to-wit, March 24, 1951, in Gulfport, Mississippi, and lived together as husband and wife until on, to-wit, July 12, 1958, when the respondent, Jo Anne Bain, voluntarily abandoned your complainant and they have not lived together nor in any way recognized each other as husband and wife since that time.

3. That there was born of the marriage between complainant and respondent one child, Debbie Anne Bain, a daughter age four, and the Respondent has a minor child, Joe Morris Bain, age 10, which child was duly adopted by the Complainant.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your complainant prays that the above named Jo Anne Bain be made a party respondent to this cause by the usual writ or process of this Honorable Court requiring her 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 complainant an absolute divorce from the respondent and decree that the parties be allowed to remarry if they see fit. Should complainant be mistaken in the relief prayed for, that there be granted to him such other, further and different relief as unto your Honor may seem just and proper in the premises.

  
Solicitor for Complainant.



EUEL RICHARD BAIN, JR.,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
vs.	)	
JO ANNE BAIN,	)	IN EQUITY.
Respondent.	)	NO. 4877.

MOTION FOR DECREE PRO CONFESSO:


Now comes the Complainant in the above styled cause, by his Solicitor and shows unto the Court that a copy of the summons and bill of complaint in this cause was mailed to the Respondent by registered mail on March 21, 1960, which said mail was marked "for delivery only to person to whom addressed", and return receipt requested, which said return receipt was returned to the Register of this Court on March 23, 1960, and Complainant further shows unto the Court that the Respondent has failed to answer, plead or demur to said Bill of Complaint to date hereof;

WHEREFORE, Complainant moves that the Register enter a decree pro confesso against said Respondent.

FILED

MAY 11 1960

ALICE J. DUCK, Register

  
Solicitor for Complainant.

EUEL RICHARD BAIN, JR.,	∩	IN THE CIRCUIT COURT OF
Complainant,	∩	BALDWIN COUNTY, ALABAMA
vs.	∩	
JO ANNE BAIN,	∩	IN EQUITY. NO. 4877.
Respondent.	∩	

DECREE PRO CONFESSO:

In this cause, it being made to appear to the Register of this Court that the summons and bill of complaint in this cause was mailed to the Respondent by registered mail on March 21, 1960, marked "for delivery only to person to whom addressed", and return receipt requested, which said return receipt was returned to the Register of this Court on March 23, 1960, and it further appears to the Register that the Respondent has failed to plead, answer or demur to the Bill of Complaint to date hereof, it is, therefore, on motion of the Complainant, ordered that said Bill of Complaint be and it is hereby taken as confessed by the Respondent.

*Alice J. Duck*  
 Register.

**FILED**  
 MAY 11 1960  
 ALICE J. DUCK, Register