

(2943)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Thula Duck, Complainant

vs.

Lonnie Duck, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 Thula Duck is forever divorced from the said Lonnie Duck for and on account of Voluntary 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 again 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 the payment of the cost of this suit.

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

This 6th day of January, 1953.

J. J. ... 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.

No. 2943 Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Thula Duck

Complainant

vs.

Lonnie Duck

Respondent

DIVORCE DECREE

FILED
1-6-53
ALEX. HEN, REGISTER

THULA DUCK

COMPLAINANT

VS

LONNIE DUCK

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY

Now comes the Respondent, in his own proper person, and accepts service of summons and complaint in this cause.

The Respondents admits that he is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age; that he has lived in Baldwin County, Alabama, all of his life; that the Respondent is over twenty-one years of age, presently living in Mobile, Alabama.

The Respondent further admits that he and the Respondent married at Stockton, Alabama, on June 13, 1909, and denies all allegations as to voluntary abandonment and demands strict proof of the same.

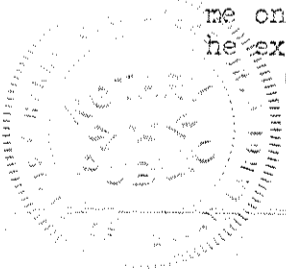
The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Lonnie Duck

STATE OF ALABAMA
BALDWIN COUNTY

I, Ray J. Wilkins Jr., a Notary Public, in and for said County, in said State, hereby certify that Lonnie Duck, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.
Given under my hand and seal on this the 6th day of January, 1953.

Ray J. Wilkins Jr.
Notary Public



RECORDED
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THULA DUCK

COMPLAINANT

VS

LONNIE DUCK

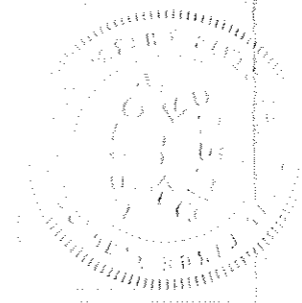
RESPONDENT

ANSWER AND WAIVER

FILED

1-6-53

ALICE J. DUCK, Register



STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons LONNIE DUCK, 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 THULA DUCK, as Complainant and against Lonnie Duck, as Respondent.

WITNESS my hand this the 6 day of January, 1953.

Register

THULA DUCK	∅	
	∅	IN THE CIRCUIT COURT OF
COMPLAINANT	∅	
	∅	BALDWIN COUNTY, ALABAMA,
VS	∅	
	∅	IN EQUITY
LONNIE DUCK	∅	
	∅	
RESPONDENT	∅	

TO HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Thula Duck, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one years of age and bona fide residents of Baldwin County, Alabama.

2.

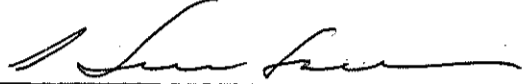
That your Complainant and the Respondent married at Stockton, Alabama, on June 13, 1909, and lived together as husband and wife in Baldwin County, Alabama, until January 5, 1946.

3.

That on, to-wit, January 5, 1946, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Lonnie Duck, party Respondent to this cause of action, 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 prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant

720 2943

THULA DUCK

COMPLAINANT

VS

LONNIE DUCK

RESPONDENT

BILL OF COMPLAINT

FILED

1-6-53

WILLIAM L. DUCK, Registrar

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Thula Duck and L. J. Ballard

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Thula Duck

Complainant
and Lonnie Duck

Respondent

on oath, to be by you administered, upon Thula Duck, and L. J. Ballard to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 6 day of January, 1953

Archie Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2943

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Thula Duck

Complainant—

vs.

Lonnie Duck

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Evelyn Watts

WITNESSES:

Thula Duck

L. H. Ballard

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Thula Duck

Complainant

VS.

Lonnie Duck

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Thula Duck and L. J. Ballard

witness es named in the Requirement for Oral Examination, on the 6 day of January
1945, at the office of Hubert M. Hall
in Bay Minette, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Thula Duck and L. J. Ballard
doth depose and say as follows:

My name is Thula Duck. I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama, however, I am temporarily sojourning at 1011 Springhill Avenue, Mobile, Alabama. The Respondent is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent and I married at Stockton, Alabama, on June 13, 1909. We lived together in Baldwin County, Alabama, until January 5, 1946, when the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time. The Respondent and I have no community property. All of our children are grown and in fact all are married and have their own homes. I know that the Respondent and I can never, again, live together as husband and wife.

Thula Duck

L. J. Ballard, a witness for the Complainant being first duly sworn, deposes and says: I am personally acquainted with the Complainant and the Respondent in this cause. I know that they have not lived together for more than five years prior to this time. Knowing both parties as I do I know that it is to the best interest to all that a divorce be granted.

L. J. Ballard

ORAL EXAMINATION.

I, Evelyn Watts, as ~~Register~~ and Commissioner hereby certify that the foregoing deposition~~s~~ on Oral Examination was taken down by me in writing in the words of the witness~~es~~ and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness~~es~~ or had proom 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 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 6th day of January, 194 53

Evelyn Watts (L. S.)

NO. 2943 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Thula Duck

vs. Complainant

Lennie Duck

Respondent.

Oral Deposition

Filed Jan 6, 1953

August Murrell, Register.
Recorded in

Record

Vol. _____ Page _____

Register.

THULA DUCK

vs.
LONNIE DUCK

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Plaintiff upon the original Bill of Complaint,
TESTIMONY of Thula Duck and L. J. Ballard

and in behalf of Defendant upon _____ on answer and waiver

L. J. Ballard

W. J. ...

Register.

No. 2943.....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Thula Duck

vs.

Lonnie Duck

NOTE OF TESTIMONY

Filed in Open Court this 6.....

day of Jan....., 1953

Aerie J. Duck
Register,