

623

EVA MORRIS ALLEY,
Complainant,

-vs-

JOHN ALLEY,
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE,
STATE OF ALABAMA.
BALDWIN COUNTY.

TO THE HON. THE CIRCUIT COURT-EQUITY SIDE, BALDWIN COUNTY, ALABAMA, AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your complainant Eva Morris Alley and exhibits this, her Bill of Complaint against the defendant, John Alley, for divorce on the grounds of abandonment and shows unto your Honor and unto this Honorable Court as follows:

1. That both your complainant and the defendant are over the age of 21 years; that your complainant is a bona fide resident of Baldwin County, Alabama and has been a bona fide resident of Alabama for more than three years next immediately preceding the filing of this Bill of Complaint; that the whereabouts of John Alley, the defendant, are unknown and cannot be ascertain after diligent inquiry made by complainant; that your complainant is informed and believes and alleges upon such information and belief that the defendant is a non-resident of the State of Alabama; that when the defendant was last heard of he was planning to go to Germany where your complainant believes him now to be.

2. That your complainant and the defendant were married on to-wit: during the month of September, 1920 and lived together as man and wife until to-wit: during the month of August, 1924.

3. That during the month of August, 1924, the defendant voluntarily deserted and abandoned your complainant without just cause or legal excuse; such abandonment took place more two years before the filing of this Bill of Complaint and has continued without interruption.

4. That there was born of said marriage two children, a son, John who is now five years of age and a daughter, Mary Lee,

(page two)

who is now two years of age, both of whom reside with their mother, who is a fit and proper person to have the custody and control of said children and that the defendant is not a fit and proper person to have such custody and control of said children.

PRAYER FOR PROCESS AND RELIEF:

THE PREMISES CONSIDERED, complainant prays that such orders, decrees, notices and subpoenas be made and issued as are necessary to make the above named defendant party respondent to this cause, requiring him to appear, plead, answer or demur within the time and under the pains and penalties prescribed by law and the rules of this Court; that upon a final hearing hereof that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your complainant and the defendant be forever dissolved; that your complainant will be again permitted to contract the marriage relation should she so desire; that your Honor will further render, adjudge and decree that your complainant is a fit and proper person to have the custody and control and that your honor will grant and give unto her such care, custody and control of said children, and, as in duty bound, your complainant will ever pray, etc.

NORBORNE STONE
Attorney for Complainant.

FOOT NOTE:-

The defendant, John Alley, is required to answer each and every paragraph of the foregoing Bill of Complaint from one to four, both inclusive, but not under oath, as oath is hereby expressly waived.

NORBORNE STONE,
Attorney for Complainant.

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

R. B. VAIL
EDITOR AND PROPRIETOR

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

R. B. Vail, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of _____

Alley vs Alley #674

Was published in said Newspaper for 4 consecutive weeks in the following

issues:

Date of first publication Sept 23 1926 Vol. _____ No. _____

Date of second publication " 30 " Vol. _____ No. _____

Date of third publication Oct 7 " Vol. _____ No. _____

Date of fourth publication " 14 " Vol. _____ No. _____

Subscribed and sworn to before the undersigned this 1st day of

Nov 1926

T. W. Richardson
Clerk Circuit Court.

R. B. Vail

Publisher.

NOTICE TO NON-RESIDENT
State of Alabama, Baldwin County, Circuit Court in Equity, this the 16th day of September, 1926, Eva Morris Alley, Complainant, No. 624, vs. John Alley.
In this cause it being made to appear to the Register of this Court by the affidavit of Eva Morris Alley, that the Defendant John Alley, is a non-resident of the State of Alabama, and upon diligent inquiry on her part made, that she is informed and believes that defendant resides somewhere in Germany, and further, that in the belief of said Affiant the Defendant is over the age of 21 years, it is therefore ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring him, the said John Alley, to answer or demur to the Bill of Complaint in this Cause by the 23rd day of October, 1926, or after thirty days therefrom a decree Pro Confesso may be taken against him.
T. W. RICHMOND, Register.
Norborne Stone, Atty. for Plaintiff.
34-4t.

Largest Weekly Circulation in South Alabama

J. W. Richerson for Bay Minette, Ala.,
M. R. Stone

10/15/26

THE BALDWIN TIMES

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

Sept 23-30 Oct 7-14 Alley vs Alley # 674

128 mos 4 1/2

846

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity.)

Eva Morris AlleyComplainant.

VS.

John Alley,Respondent.

I, T.W. Richerson,

as Register and Commissioner

have called and caused to come before me Eva Morris Alley, Mary Alley,

witnesses named in the Requirement for Oral Examination, on the 4 day of December

1926, at the office of Register

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said witnesses

doth depose and say as follows:

EVA MORRIS ALLEY, the complainant and a witness for complainant, being duly sworn, testifies as follows:-

My name is Eva Morris Alley and I am the complainant in the above styled cause wherein John Alley is the defendant. Both myself and the defendant are over the age of twenty one years. I am a bona fide resident of Baldwin County, Alabama, residing near Foley; I have been such a bona resident of Alabama all of my life continuously. The defendant's whereabouts are unknown to me at this time and were unknown at the time of the filing of the bill of complaint in this cause; I made diligent inquiry to locate him before filing the complaint but failed to do so; when last heard from he was planning to go to Germany and this is where I think he was on September 16th., 1926 and at this time...

I and the defendant were married in September, 1920 and we lived together as man and wife until August, 1924 when the defendant voluntarily deserted and abandoned me, without just cause or legal excuse; this abandonment took place more than two years before September 16th., 1926 and has continued without interruption up to this time.

I gave my husband to reason to leave me.

Eva Morris Alley

MARY MORRIS, a witness for complainant, being duly sworn, testifies as follows:-

My name is Mary Morris; I am 47 years of age; I am the mother Eva Morris Alley, the complainant in this case. I know the defendant; John Alley. Both the defendant and the complainant are over the age of 21 years and were when this suit was started; Eva Morris Alley is a bona fide resident of Alabama, residing near Foley in Baldwin County; she has lived in Alabama continuously all of her life. The defendant's whereabouts I do not know but I

ORAL EXAMINATION.

I, T.W. Richerson, 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 es and read over to them and they signed the same in the presense of myself and Hon. N.C. Stone, Atty for Complainant. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 Dec 1926.

T.W. Richerson (L. S.)

NO. 623 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

John Morris Pease

vs. Complainant

John Pease

Respondent.

Oral Deposition

Filed Base 4, 1926

T.W. Richerson, Register.

Recorded in

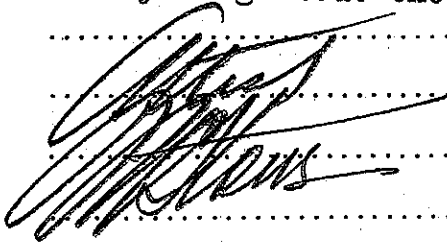
Record

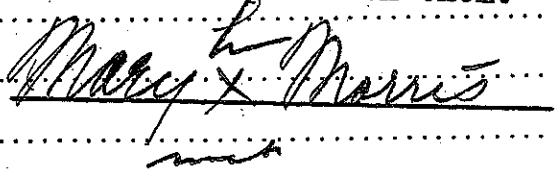
Vol. Page

Register

..... heard he had gone to Germany.....
The defendant and complainant were married in September
.... 1920 and lived together as man and wife until August, 1924 when
the defendant voluntarily deserted and abandoned complainant,
.... without just cause or legal excuse; this desertion took place in
Baldwin County, Alabama and more than two years prior to September
.... 16th., 1926, the date this case was started.

..... There was born to the complainant by said marriage two children,
John, a son, who is now five years old and Mary Lee, a daughter,
.... now over two years of age; both of whom reside with complainant
who has supported them without help from defendant; the complainant,
.... the mother of the children, is a fit and proper person to have them
while the defendant is not. I know the defendant does not care
.... anything about the children or he would have helped with them.




Mary Lee

The State of Alabama, }
Baldwin County.

No. 628 CIRCUIT COURT, IN EQUITY

Eva Morris Alley

Complainant

vs.

John Alley

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

on account of voluntary abandonment of Complainant, Evva Morris Alley
by the defendant John Alley,

It is further ordered, that the said Eva Morris Alley

be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Eva Morris Alley
pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then
execution for such costs may issue against the said John Alley

It is further ordered, adjudged and decreed that said Eva Morris Alley
shall not again marry except to said John Alley,

until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to
said John Alley, during the pendency of said appeal

This 14th day of February 1929

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, Register of said Circuit Court of said County,
Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on
the day of 192....., in the cause of
..... Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the day of 192.....

Register.

No. 623 .

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Eva Morris Alley,

vs.

John Alley,

DECREE OF DIVORCE.

Filed in office this 14th

day of February, 1927

J. M. Rice
Register.

E. O. M.

Eva Morris Alley,
No. Complainant.

624
vs.

John Alley,

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

This the 16th, 192

In this cause it being made to appear to the Register of this Court by the affidavit of

that the Defendant, Eva Morris Alley,

John Alley,

is a non-resident of the State of Alabama

and upon diligent inquiry on her part made; that she is informed and believes that defendant resides and further that in the belief of said Affiant... the Defendant... over the age of 21 years; it is, therefore ordered that publication be made in the

, a newspaper published in Baldwin Times

Baldwin County, Alabama, once a week for four consecutive weeks, requiring

the said John Alley,

to answer or demur to the Bill of Complaint in this cause by the 23rd day of

Oct 6, 1926, or after thirty days therefrom a decree Pro Confesso may

be taken against October,

him.

T. W. Peterson Register.

Attorneys for Plaintiff.
Norborne Stone

(page two)

who is now two years of age, both of whom reside with their mother, who is a fit and proper person to have the custody and control of said children and that the defendant is not a fit and proper person to have such custody and control of said children.

PRAYER FOR PROCESS AND RELIEF:

THE PREMISES CONSIDERED, complainant prays that such orders, decrees, notices and subpoenas be made and issued as are necessary to make the above named defendant party respondent to this cause, requiring him to appear, plead, answer or demur within the time and under the pains and penalties prescribed by law and the rules of this Court; that upon a final hearing hereof that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your complainant and the defendant be forever dissolved; that your complainant will be again permitted to contract the marriage relation should she so desire; that your Honor will further render, adjudge and decree that your complainant is a fit and proper person to have the custody and control and that your honor will grant and give unto her such care, custody and control of said children, and, as in duty bound, your complainant will ever pray, etc.

NORBORNE STONE
Attorney for Complainant.

FOOT NOTE:-

The defendant, John Alley, is required to answer each and every paragraph of the foregoing Bill of Complaint from one to four, both inclusive, but not under oath, as oath is hereby expressly waived.

NORBORNE STONE,
Attorney for Complainant.

EVA MORRIS ALLEY,
Complainant.

IN THE CIRCUIT COURT-EQUITY SD

-vs-

STATE OF ALABAMA

JOHN ALLEY,
Defendant.

BALDWIN COUNTY

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority, personally appeared Eva Morris Alley, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath;

That her name is Eva Morris Alley and she in the complainant in the above styled cause now pending in the above named court and wherein John Alley is the defendant; that both she and the defendant are over the age of twenty-one years; that the defendants whereabouts are unknown to affiant and cannot be ascertained after diligent inquiry on her part made; that she is informed and believes and alleges upon such information and belief that the defendant is a non-resident of the state of Alabama and resides somewhere in Germany, his particular address being unknown and cannot be ascertained after diligent inquiry on part of affiant.

Eva Morris Alley

Sworn to and subscribed before me,
a Notary Public whose seal is hereto
affixed, this September 15th., 1926.

Barbara Stone
Notary Public, Baldwin County, Alabama .

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 623 Vacation Term, 1926

Eva Morris Alley, Complainants

vs.

John Alley, Defendants

Motion is hereby made for a Decree Pro Confesso against

John Alley, Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 27th day of November 1926

746 Code.

Horborne Stone

Solicitor.

2

No. 623 Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Eva Morris Alley

Complainants.

Vs.

John Alley,

Defendants.

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION.

Filed November 27th, 1926

Register.

Recorded in Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. _____ Nov 29th, ~~1926~~ 26
Term, 19

Eva ~~Edna~~ Morris Alley,

Complainant.....

John Alley,

vs. _____ Defendant.....

In this cause it appears to the Register..... that the order of publication here-
tofore made in this cause, was published for four consecutive weeks, commencing on the 23rd day of
September, 1926, in the Baldwin Times
a newspaper published in Bay Mintte, Alabama, that a copy of said order was posted at the Court
House door in Baldwin County, on the 23rd day of
Sept 1926, and

And it now further appearing to the Register....., that the said

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-
fore, on motion of Complainant....., ordered and decreed by the Register..... that the
Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said.....

John Alley

This 29 day of November, 1926.



Register.

3

No. 623 Page

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Eva Morris Alley

vs.

John Alley,

DECREE PRO CONFESSO ON
PUBLICATION.

Issued Nov 29th 19 26

[Signature]
Register.

Recorded in Record

Vol. Page

Register.

RECORDED
[Signature]

[Faint vertical text]

65

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 623

Dec 15th 1926

Eva Morris Alley, Complainant.

vs.

John Alley, Defendant.

To T.W. Richerson, Register:

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Norborne Stone

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Norborne Stone,
Solicitor for Complainant.

8581 NOTE OF TESTIMONY

Eva Morris Alley

vs.

John Alley,

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, decree pro confesso and testimony of Eva Morris Alley and Mary Morris,

and in behalf of Defendant upon

T.W. Richerson
Register.

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Eva Morris Alley

vs.

John Alley

REQUEST FOR DECREE IN
VACATION

FILED Dec 15th 192 6

T. W. Rice
Register

RECORDED

RECORDED

RECORDED IN RECORD

VOL. PAGE

T. W. Rice
Register

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Eva Morris Alley

vs

John Alley

NOTE OF TESTIMONY

Filed in Open Court this 15th
day of December 192 6

T. W. Rice
Register

RECORDED