

(1260)

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

I. B. Harris Complainant

VS.

Lessie Harris Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on publication 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 I. B. Harris

is forever divorced from the said Lessie Harris

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 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 Complainant

pay the cost herein to be taxed, for which execution may issue.

This 5th day of April, 1945

G. W. Hare

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. 1260 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

I. B. Harris
vs. Complainant

Lessie Harris
Respondent

DIVORCE DECREE

Filed this _____ day of _____

_____, 194____

Register

I. B. Harris,)
Complainant,)
VS)
Lessie Harris,)
Respondent.)

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

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Now comes I. B. Harris, as Complainant, and brings this his bill of complaint against Lessie Harris, as Respondent, and respectfully alleges and represents unto your Honor and the Court as follows:

1. Complainant is over the age of twenty-one years and is now, and has been more than one year next preceding the filing of this bill of complaint, a bona fide resident citizen of Baldwin County, Alabama. The Respondent is over the age of twenty-one and the place of residence and postoffice address of the said respondent is unknown and cannot be ascertained after reasonable efforts by complainant and after diligent search and inquiry by complainant to ascertain the same, but that complainant has been informed and believes and upon such information and belief states that the said respondent is a non-resident of the State of Alabama. Complainant further deposes and says that he has inquired from members of respondent's family and friends who knew her but was informed by said relatives and friends that they also did not know her place of residence and postoffice address.

2. Complainant and respondent were lawfully married to each other on the 23rd day of September, 1925, at Gadsden, Alabama.

3. On, to-wit: the 13th day of June, 1941, the Respondent voluntarily abandoned the bed and board of Complainant, and complainant and respondent have not lived together as man and wife or otherwise since said last date. The said abandonment was without cause on the part of complainant as he always treated respondent as a dutiful husband should. Complainant therefore charges respondent with voluntarily abandonment from his bed and board more than one year next preceding the filing of the bill of complaint in this cause.

WHEREFORE, Complainant prays that the said Lessie Harris be made a party respondent to this his bill of complaint and that due process issued from this Court for service upon her.

And Complainant further prays that upon the final hearing of this cause, your Honor and the Court will be please to give and grant to Complainant a degree of absolute divorce from the Respondent, Lessie Harris, and will grant to complainant permission to again marry should he see fit to do so. And complainant prays for all such other orders or decrees as may be necessary or proper, the premises considered.

H. E. Smith

Solicitor for the Complainant.

1268

RECORDED

Wams

Yr.

Wams

Receipt

July 23 1945
Wams
By

I. B. Harris,
 Complainant,
 vs
 Lessie Harris,
 Respondent.

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

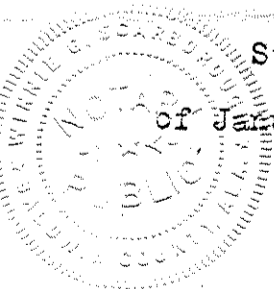
AFFIDAVIT OF NON-RESIDENCE.

Personally appeared before me, Winnie K. Scarborough
 a Notary Public in and for said State and County, I. B. Harris,
 who, being first by me duly sworn, deposes and says that he is
 the complainant in the foregoing cause for divorce against the
 respondent, Lessie Harris, and that the place of residence and
 postoffice address of the said respondent is unknown and cannot
 be ascertained after reasonable efforts by complainant and af-
 ter diligent search and inquiry by complainant to ascertain the
 same, but that complainant has been informed and believes and
 upon such information and belief states that the said respond-
 ent is a non-resident of the State of Alabama. Complainant
 further deposes and says that he has inquired from members of
 respondent's family and friends who knew her but was informed
 by said relatives and friends that they also did not know her
 place of residence and postoffice address. Affiant further
 deposes and says that both he and the respondent are over the
 age of twenty-one years.

I B Harris

Sworn to and subscribed before me on this the 20th day
 of January, 1945.

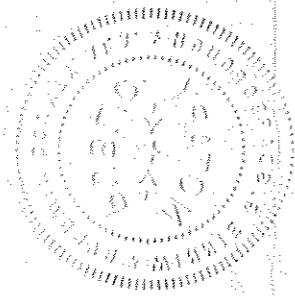
Winnie K. Scarborough
 Notary Public, Baldwin County,
 Alabama.



RECORDED

Amidat

Filed July 25 1945
R. Palmer



THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

I. B. Harris _____ Complainant

Vs.

Lessie Harris _____ Defendant

Motion is hereby made for a Decree Pro Confesso against Lessie Harris, respondent

_____ 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 4th day of April 19 45

746 Code

H. E. Smith Solicitor.

W. COOK, JR.

No. 1360 Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

I. B. Harris

Complainant _____

Vs.

Lessie Harris

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed April 11 1943

R. S. [Signature]
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

I. B. Harris _____ Complainant

Vs.

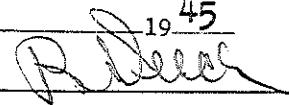
Lessie Harris _____ Defendant

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 25th day of Jan. x25th, 19____, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 23rd day of January 1945 and _____

And it now further appearing to the Register R. S. Duck that the said Lessie Harris, the respondent

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register R. S. Duck _____ that the Bill of Complaint in this cause be, and hereby is, in all things taken as confessed against the said Lessie Harris, the respondent

This 4th day of April 1945



Register.

RECORDED

No. 1260 Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

I. B. Harris

Vs.

Lessie Harris

Decree Pro Confesso of Publication

Issued April 4 1941

R. Jones

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

I B Harris.

No. 1260.

vs.

Lessie Harris.

The State of Alabama,

Baldwin. County.

Circuit Court, in Equity

This the 23rd day of

January, 1945

In this cause it being made to appear to the Clerk of this Court by the affidavit of I B Harris,

that the Defendant Lessie Harris,

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant that 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 the said Lessie Harris,

to answer or demur to the Bill of Complaint in this cause by the 4th day of March 1945, or after thirty days therefrom a decree Pro Confesso may be taken against her.

H E Smith
Solicitor for Complainant

Register.

THE STATE OF ALABAMA }
Baldwin County }

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

I. B. Harris

COMPLAINANT

VS.

Lessie Harris

RESPONDENT

R. S. Duck

I, _____

as Register and Commissioner _____

have called and caused to come before me the complainant, I. B. Harris and

Oscar L. Gillman

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

1945, at the office of myself

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

the whole truth, and nothing but the truth, the said I. B. Harris

doth depose and say as follows:

My name is I. B. Harris. I am the complainant in this cause for divorce against my wife, Lessie Harris, the respondent. I am over the age of 21 years and am now and have been for more than one year next preceding the filing of the bill of complaint in this cause, a bona fide resident citizen of Baldwin County, Alabama. The respondent is over the age of twenty-one years and the place of her residence and postoffice address ~~xxxx~~ is unknown and cannot be ascertained after reasonable efforts on my part and after diligent search and inquiry by me to ascertain the same, but I was informed and believe and upon such information and belief state that she is a nonresident of the State of Alabama. I inquired from members of her family and from her friends who knew her but was informed by them that they did not know her place of residence and postoffice address but that they thought she had moved to Florida but they did not know the address.

I and the respondent were lawfully married to each other on the 23rd day of February, 1925 at Gadsden, Alabama.

On the 13th day of June, 1941, the respondent voluntarily abandoned my bed and board and we have not lived together as man and wife or otherwise since this last date. The abandonment was without cause on my part as I always treated her as a dutiful husband should. I therefore charge and have charged the respondent with voluntary abandonment from my bed and board more than one year next preceding the filing of my bill of complaint in this cause. Since she left I have not heard from her myself or through my friends. The respondent is not in the Military or Naval Service of the United States of America.

I B Harris

Oscar L. Gillman, being first duly sworn, ~~has~~ testified in substance as follows:

My name is Oscar L. Gillman. I have read over the testimony of Mr. I. B. Harris and know that it is substantially true.

He and I have lived in the same house for the past two years and I know that he has not lived with his wife during that time as I have seen him every day. I do not know any circumstances of the separation except what he has told me but I know that he is not the kind of man to mistreat his wife and he has all this time held a responsible job and is a man of good character.

Oscar L. Gillman

ORAL EXAMINATION

I, R. S. Duck, 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 witnesses and read over to them and they signed the same in the presence of myself and H. E. Smith, Solicitor for Complainant at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses, 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 4th day of April, 1945.
R. S. Duck (L. S.)

No. 1260 Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

I. B. Harris Complainant

Vs.

Lessie Harris

Respondent

ORAL DEPOSITION

Filed Vol. 4, 1945
R. S. Duck Register

RECORDED IN

Record

Vol. _____ Page _____

Register

The BALDWIN *Times*

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Ford Cook

_____, 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

Notice to Non-Resident

Legal Notices

NOTICE TO NON-RESIDENT
L. B. HARRIS

vs. No. 1260

LESSIE HARRIS
The State of Alabama
Baldwin County
Circuit Court in Equity

On this the 23rd day of January, 1945 in this cause it being made to appear to the Clerk of this Court the affidavit of L. B. Harris, the Defendant, Lessie Harris, a non-resident of the State of Alabama, and further, that, in the belief of said Affiant that 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 the Defendant, Lessie Harris to answer or demur to the Bill of Complaint in this cause by the 4th day of February, 1945, or after thirty days from a decree Pro Confesso to be taken against her.

R. S. DUCK, Register.
C. SMITH,
Attorney for Complainant.

52-4tc

COST STATEMENT

163 WORDS @ *4 1/2* cents \$ *7.34*

I hereby certify this is correct, due and unpaid (~~paid~~).

Ford Cook

Publisher.

Was published in said newspaper for _____ consecutive weeks in the following issues:

Date of 1st publication *Jan. 25*, 194*5* Vol. *55* No. *52*

Date of 2nd publication *Feb. 1*, 194*5* Vol. *56* No. *1*

Date of 3rd publication *Feb. 8*, 194*5* Vol. *56* No. *2*

Date of 4th publication *" 15*, 194*5* Vol. *56* No. *3*

Subscribed and sworn before the undersigned this _____ day of _____ 194_____.

Notary Public, Baldwin County.

Ford Cook

Publisher.

I. B. Harris

VS.

Lessie Harris

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 on publication against the respondent, and
oral depositions of the witnesses, I. B. Harris and Oscar L.
Gillman

and in behalf of Defendant upon none

E. Smith
Solicitor for Complainant.

R. Deuch Register.

No.

1260

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

I. B. Harris

VS.

Lessie Harris

NOTE OF TESTIMONY

Filed in Open Court this

4th

day of

April

1945

R. D. Reed

Register.