

(1286)

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

ELIZA LETT, Complainant

VS.

M c A R T H U R L E T T, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso

x 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 ELIZA LETT

is forever divorced from the said

M c A R T H U R L E T T

for and on account of A B A N D O N M E N T .

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

This 29 day of June, 1945.

[Signature] Judge Circuit Court, in Equity.

I, Robert S. Duck, 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 June, 1945.

Register of Circuit Court, in Equity

No. 1286 Page \_\_\_\_\_

**The State of Alabama**  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ELIZA LETT,

vs. Complainant

McARTHUR LETT,

Respondent

**DIVORCE DECREE**

Filed this \_\_\_\_\_ day of

June, 1945.

Register

ELIZA LETT,  
Complainant,

No.1286, E Q U I T Y

vs

CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.

McARTHUR LETT,  
Defendant.

DEPOSITIONS OF ELIZA LETT AND EMMA McMILLAN, WITNESSES FOR  
COMPLAINANT.

Under and by authority of the attached commission, I, the Commissioner named therein, caused the said witnesses who are made known to me, to appear before me at the times and place hereinafter mentioned, where, after being duly sworn, they testified as is herein set forth;

ELIZA LETT.

I am the Complainant in this cause. Both McArthur Lett and I are over the age of twenty-one years and lifelong residents of the State of Alabama. I live in Baldwin County and that is his home also though at present he is staying in Mobile where he is employed.

We were married in Baldwin County in the year 1932 and lived together as husband and wife up to the fall of that year when he left me and has lived apart from me ever since. In all this time he has done nothing for my support and I have supported myself teaching school. I live in Belforest community, near Daphne and, as said before, he lives now in Mobile with another woman whom he claims to have married. In all the time since we separated, we have had no marital relations whatever. We have not even lived in the same county for the the past two years or more.

*Eliza Lett* . . . . .

EMMA McMILLAN

I am over the age of twenty-one years and well acquainted with both Eliza Lett and her husband, McArthur Lett. I live close to Eliza and know of my personal knowledge that after she and McArthur were married in the year 1932 they only lived together for a few months when he left her the following fall and has lived apart from her ever since. She lives with her child by a former marriage and he has moved to Mobile, where he is employed, and I am reliably informed, has married another woman and is living with her. I know of my personal knowledge that they have been apart for nearly thirteen years and in that time have had nothing to do with each other.

*Emma McMillan* . . . . .

I, HELEN P. BAUGH, the commissioner named in the attached commission, issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in a case pending in the Equity side of said Court, wherein ELIZA LETT is Complainant and McARTHUR LETT is Respondent, under and by virtue of the power conferred upon me by said commission, I caused the witnesses named in the commission, namely ELIZA LETT and EMMA McMILLAN, who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in the Bank of Fairhope Building, in the Town of Fairhope, Alabama, where the said witnesses after being first duly sworn by me, upon examination by Elliott G. Rickarby, Esquire, Solicitor for the Complainant, testified as is hereinbefore written. That their testimony was by me reduced to writing as given by them, as near as might be in their identical language, and after being so reduced to writing, was read over by the said witnesses, who assented to and signed the same in my presence.

I further certify that I am not of Counsel or of kin to either of the parties to the cause, or anyway interested in the results thereof.

IN WITNESS WHEREOF, I hereunto set my hand and seal as Commissioner, this the 9th day of June, 1945.

Helen P. Baugh

THE STATE OF ALABAMA, }  
Baldwin County

CIRCUIT COURT

TO Mrs Helen P. Raugh

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

ELIZA LETT

EMMA McMILLAN,

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

Eliza Lett.

Complainant

and McArthur Lett.

Defendant,

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

Witness 6th day of June, 1945.

*[Handwritten Signature]*

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

NO. 1886

1284

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ELIZA LETT

Complainant

VS.

M c A R T H U R L E T T .

Defendant

Commission To Take Deposition

COMMISSIONER:

"HELEN P. BAUGH.

Witnesses:

ELIZA LETT,

EMMA McMILLAN.

*Letchum*

*Filed June 23/1945  
R. Burch  
Dist*

ELIZA LETT  
Complainant

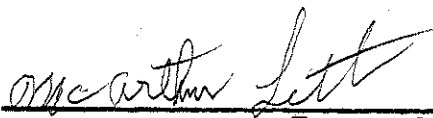
vs

E Q U I T Y  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

McARTHUR LETT  
Respondent

Comes McARTHUR LETT, Respondent in the above styled cause, and his answer to the bill of complaint says that he denies each and every allegation of same.

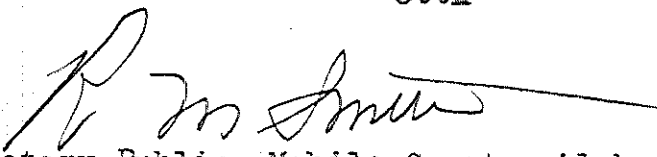
Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.



Respondent.

Before me the undersigned Notary personally appeared McARTHUR LETT who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 30th day of May  
February, 1945.



Notary Public, Mobile County, Alabama.





CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

ELIZA LETT,  
Complainant,  
Vs. M c A R T H U R L E T T  
~~Respondent~~  
Defendant

In the Circuit Court.  
In Equity No. 1286.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent

M c A R T H U R L E T T ,

by the Sheriff of Mobile, County, on the 1st day of May, 1945.

And it further appears to the Register, that the said

M c A R T H U R L E T T

Defendant.

the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of E. G. Rickarby, Esc. Solicitors

for 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

M c A R T H U R L E T T

This Fourth day of June, 1945.

Register.

No. 1286

CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.  
IN EQUITY

ELIZA LETT,

Complainant,

Vs.

MCARTHUR LETT


Defendant.

Respondent.

DECREE PRO CONFESSO ON  
PERSONAL SERVICE.

Issued this 4<sup>th</sup> day of June 1945,

194



Register.

The State of Alabama, { No. 1286. CIRCUIT COURT IN EQUITY.  
Baldwin County.

ELIZABETH LETT Complainant

vs.

McARTHUR LETT, Defendant

Motion is hereby made for a Decree Pro Confesso against

McArthur Lett Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This second day of June 1945.

Solicitor,

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

ELIZA LETT,

Complainant

vs.

MCARTHUR LETT,

Defendant.

**MOTION FOR DECREE PRO  
CONFESSO ON PERSONAL SERVICE**

Filed June 4th 1945

*R. W. [Signature]*

Register.

Recorded in..... Record,

Vol. .... Page.....

Register.

The State of Alabama, }  
Baldwin County

No. 1286 EQUITY.

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

In Equity.

ELIZA LETT,

Complainant.....

vs.

MCARTHUR LETT,

Defendant.....

The Complainant

requests the oral examination of the following named witnesses, on behalf of the

Complainant

viz:

Eliza Lett,

said witnesses reside in the County of Baldwin

State of Alabama.

Mrs Helen P. Baugh,

who resides at

Fairhope

or, The Register of this Court is suggested as a suitable person  
to be appointed Commissioner to take the deposition of said witness on such oral examination.

Solicitor for Complainant.

No. 1286.

**CIRCUIT COURT OF  
Baldwin County, Alabama**

**IN EQUITY**

ELIZA LETT,

Complainant.

vs.

McARTHUR LETT,

Defendant.

**DEMAND FOR ORAL EXAMINATION**

Filed June 4th 1945.

*R. J. [Signature]* Register.

Moore Printing Co. Bay Minette, Ala.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT BALDWIN COUNTY  
No. 1 286  
Feb. TERM, 194 5

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You are hereby commanded to summon ~~XXXXXXXXXXXX~~ <sup>CARTHUR LETT</sup> McARTHUR LETT

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

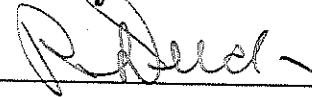
McArthur Lett

Respondent  
Defendant

by Eliza Lett

Complainant

Witness my hand this 21st day of February 194 5



Clerk.

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

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

Plaintiffs

vs.

Defendants

**SUMMONS AND COMPLAINT**

Filed \_\_\_\_\_ 194\_\_\_\_\_

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

194\_\_\_\_\_

Sheriff

I have executed this summons

this \_\_\_\_\_ 194\_\_\_\_\_

by leaving a copy with

Sheriff

Deputy Sheriff



TO THE

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

Comes ELIZA LETT, and by this her Bill of Complaint,  
presented against McARTHUR LETT, respectfully shows:

FIRST: That Complainant and Defendant are both over the  
age of twenty-one years; that both are natives of Baldwin  
County, Alabama.

SECOND: That Complainant and Defendant were married in  
Baldwin County, Alabama, in 1932.

THIRD: That Defendant abandoned Complainant in Fairhope  
and has lived entirely separate and apart from her for more  
than five years prior to this date. Since which date he has  
married and is living with another woman.

FOURTH: That there was born to this marriage one child,  
Marian, aged twelve, who is now with her mother.

THE PREMISES CONSIDERED; Complainant prays that Mc ARTHUR  
LETT be made party defendant to this cause, and by proper pro-  
cess required to answer this Bill within the time prescribed  
by Law.

Complainant further prays that upon the hearing of this  
cause a decree be rendered forever divorcing her from said Mc-  
Arthur Lett, granting her the right to resume her maiden name;  
the right to marry again should she so desire, an allowance of  
\$50.00 out of the estate of Defendant as a reasonable fee for  
payment of the Complainant's solicitor in this cause and to  
have such other, further or different relief as to equity may  
seem meet.

*Clara S. Pinkley*  
Solicitor for Complainant.

