

The State of Alabama, }
Baldwin County.

No. 631.

CIRCUIT COURT, IN EQUITY

John Kimbrough,

Complainant

vs.

Mary Kimbrough,

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,

It is further ordered, that the said John Kimbrough,

be, and he 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 John Kimbrough, 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 Mary Kimbrough,

It is further ordered, adjudged and decreed that said John Kimbrough, shall not again marry except to said Mary Kimbrough, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Mary Kimbrough, during the pendency of said appeal

This 20 day of ~~January~~ *January* 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. 631.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

John Kimbrough

vs.

Mary Kimbrough,

DECREE OF DIVORCE.

Filed in office this 22

day of June, 1924

D. W. Riceman

Register.

E. O. M.

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

John Kimbrough, Complainant.

vs.

Mary Kimbrough, Respondent.

I T.W. Richerson,

as Commissioner,

have called and caused to come before me John Kimbrough and John Wallace Mc Millan,

witness named in the Requirement for Oral Examination, on the 28th day of October, 1926, at the office of Register

in Bay Minette, Alabama, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said witnesses

doth depose and say as follows:

Testimony of John Kimbrough:-

My name is John Kimbrough. I am over twenty one years of age and a resident citizen of Baldwin County, Alabama, residing in Loxley, Alabama, and have resided there for more than three years immediately preceeding the filing of the bill in this cause.

Mary Kimbrough and I were married in December 1922 and lived together as husband and wife until June, 1924, at which time the said Mary Kimbrough voluntarily abandoned my bed and board and we have not lived together since. We were living in Baldwin County, Alabama, at the time of said separation.

John Kimbrough (handwritten signature)

Subscribed and sworn to before me this day of , 1926.

Register.

TESTIMONY OF JOHN WALLACE MCMILLAN.

My name is John Wallace McMillan. I know John Kimbrough and Mary Kimbrough and know that they are over the age of twenty one years and have resided in Baldwin County for more than the past three years. They separate about the month of June, 1924, and have not lived together since. Mary Kimbrough lives on my place.

John Wallace McMillan

~~Subscribed and sworn to before me
this _____ day of _____ 1926.~~

~~_____~~

ORAL EXAMINATION.

I, T. W. Richardson, as Commissioner

hereby certify that the foregoing deposition.....on Oral Examination was taken down in writing by me in the words of the witness u and read over to them and they signed the same in the presence of myself & H. D. Moore Atty. at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness u or had proof made before me of the identity of said witness u; that I am not of counsel or of kin to any of the parties to said cause, or in 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 28 day of Oct, 1926
T. W. Richardson (L. S.)

No. 631

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The State of Alabama

County

IN CIRCUIT COURT, IN EQUITY.

John Kimbrough

vs. Complainant,

Henry Kimbrough

Respondent.

ORAL DEPOSITION.

Filed

Oct 28, 1926

T. W. Richardson Register.

Recorded in

Record

Vol.

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Register.

STATE OF ALABAMA,
BALDWIN COUNTY.

IN THE CIRCUIT COURT,
BALDWIN COUNTY,
IN EQUITY.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA, IN EQUITY.

1 Your Orator, John Kimbrough, respectfully represents and shows unto Your Honor as follows:-

FIRST:

That he is a bona fide resident citizen of Baldwin County, Alabama, residing at Loxley, and has resided in Baldwin County, Alabama, for more than three years next preceeding the filing of this bill; that he is over the age of twenty one years.

SECOND:

That Mary Kimbrough is a resident citizen of Baldwin County, Alabama, residing at Bay Minette, Alabama; that she has resided in Baldwin County, Alabama, for more than three years next preceeding the filing of this bill; that she is over the age of twenty one years.

THIRD:

That Your Orator and the said Mary Kimbrough were lawfully married in December, 1922, and lived together as husband and wife until in June, 1924, at which time the said Mary Kimbrough voluntarily abandoned the said Orator without just cause and without fault on his part. Said act was committed in Baldwin County, Alabama.

THE PREMISES CONSIDERED Your Orator respectfully prays that the said Mary Kimbrough be made party respondent to this bill of complaint by the usual process of this Honorable Court; that such orders, decrees and publications be made as necessary to perfect service on the said Mary Kimbrough and that she be required to demur, plead to or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF.

That upon the final hearing of this cause Your Honor will grant unto Your Orator an absolute divorce from the said Mary Kimbrough.

That if Your Orator is mistaken in the relief prayed for then Your Honor will grant unto him such other, further, different and general relief as he may in justice and equity be entitled, he will ever pray etc..

HENRY D. MOORER,
Attorney for Complainant.

FOOTNOTE:

Defendant is required to answer every allegation contained in the foregoing bill, paragraph one to three, inclusive, but not under oath. Answer under oath is hereby expressly waived.

Henry D. Moorer,
Attorney for Complainant.

The State of Alabama, }
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama--GREETING :

WE COMMAND YOU, That you summon Mary Kimbrough,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

John Kimbrough,

against said Mary Kimbrough,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 23rd. day of

Oct 1926

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

2 Original

SERVE ON.....

Circuit Court of Baldwin County
In Equity.

No.

SUMMONS

John Kimbrough,

vs.

Mary Kimbrough,

H.D.Moorer.

Solicitor for Complainant

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this

day of 192.....

Sheriff.

Executed this day of

192.....

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By

Deputy Sheriff.

I hereby accept service of the
within summons and waive service of
same by the sheriff.
Dated this 23rd., day of October,
1926.

ATTEST:

J. M. Miller
H. Carby

Mary Kimbrough

Recorded in Vol. Page

RECORDED

JOHN KIMBROUGH,
Complainant,

-vs-

MARY KIMBROUGH,
Defendant,

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

Comes Mary Kimbrough, defendant, in the above styled cause and for answer to same denies each and every allegation contained therein and demands strict proof of same. She waives service of subpoena by the Sheriff on said bill, notice of the filing of the interrogatories, or any proceedings to take testimony on oral or written examination as well as the right to cross examine, and consents that this cause be submitted for decrees on note of testimony made by the Register either in term time or vacation.

Dated this 7th day of October, 1926.

Mary Kimbrough

ATTEST:

James Miller
J. S. Kearney

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 631. Vacation, Term, 1926

John Kimbrough, Complainant.

vs.

Mary Kimbrough, 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 H.D. Moorer

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.

H.D. Moorer,
Solicitor for Complainant.

8581 NOTE OF TESTIMONY

John Kimbrough,

vs.

Mary Kimbrough,

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, Acceptance of service, && answer of Deft, and testimony of John Kimbrough and John Wallace Mc Millan,

and in behalf of Defendant upon

T.W. Richerson
Register.

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

John Kimbrough,

vs.

Mary Kimbrough,

REQUEST FOR DECREE IN
VACATION

FILED Nov 16th, 1926

D. W. Richardson
Register

RECORDED

RECORDED

RECORDED IN RECORD

VOL. PAGE

Register

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

John Kimbrough,

vs

Mary Kimbrough,

RECORDED

NOTE OF TESTIMONY

Filed in Open Court this 16th
day of November, 1926.

D. W. Richardson
Register

RECORDED

RECORDED

Largest Weekly Circulation in South Alabama

Bay Minette, Ala., 1-4-27

M. J. W. Richardson, Register

THE BALDWIN TIMES

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253 words 4 times