(1379)

DIVORCE DECREE

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Mary Louise Zuber Complainant

VS.

Braxton Charles Zuber Respondent

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

on answer of respondent 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 Mary Louise Zuber is forever divorced from the said Braxton Charles Zuber

for and on account of cruelty

It is further ordered and decreed that the maiden name of complainant, namely: Mary Louise Abercrombie, be, and the same hereby is, restored to her.

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 Mary Louise Zuber the complainant pay the cost herein to be taxed, for which execution may issue.

This 20th day of August, 1945

F. 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 August, 1945

_____

Register of Circuit Court, in Equity

No. _____ Page _____

The State of Alabama

BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Mary Louise Zuber

vs. Complainant

Braxton Charles Zuber

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194____

Register

8581. NOTE OF TESTIMONY

Printed by The Baldwin Times, Bay Minette.

Mary Louise Zuber

vs.

Braxton Charles Zuber

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, and Tasimony of the Complainant and Francis Jones

and in behalf of Defendant upon Answer and Waiver

H E. Smith
Soilcitor for Complainant

Register.

No. 1379

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Mary Louise Zuber.

vs.

Braxton. Charles Zuber.

NOTE OF TESTIMONY

Filed in Open Court this 17th

day of August, 1945

R. Reece

Register.

Printed by The Baldwin Times, Bay Minette.

ORAL DEPOSITION Baldwin Times 10-27-39 ½M

THE STATE OF ALABAMA
Baldwin County

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

Mary Louise Zuber COMPLAINANT

VS.

Braxton Charles Zuber RESPONDENT

I, R. S. Duck

as Register and Commissioner

have called and caused to come before me ~~Frances Jones~~

witness named in the Requirement for Oral Examination, on the _____ day of August

19 45, at the office of myself

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

the whole truth, and nothing but the truth, the said Frances Jones

doth depose and say as follows:

My name is Frances Jones. I am 18 years of age. I reside at Bay Minette, Alabama and have so resided for 1 years.

I know Mary Louise Zuber, the complainant, and Braxton Charles Zuber, the respondent, in the above cause and have known both of them real well for a period of well over one year before the filing of the bill of complaint in this cause. They were already married when I first knew them. I remember when they separated some time around June 1st of this year. When they separated, she went back to her mother's home in Jonesboro, Louisiana to live and has not returned here since. He has continued to live since their separation and now lives in Bay Minette, Alabama. He has been a resident of Bay Minette, Alabama for more than 1 year before the bill of complaint was filed in this case and their separation occurred here also.

I know that they had several violent quarrels before they did separate. He was extremely jealous of her in regard even to her girl friends. He quarreled at her so much until her health was effected and she was in a very serious and run-down condition physically when she left. On account of her physical nervous condition, she could not stay with him any longer.

Frances Jones
Frances Jones

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 witness— and read over to her and she 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 witness— or had proof made before me of the identity of said witness—; 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 _____ day of August, 1945.

R S Duck (L. S.)

Register

No. 1379 Page

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

Mary Louise Zuber, Complainant

Vs.

Braxton Charles Zuber, Respondent

ORAL DEPOSITION

Filed Aug 17, 1941

R S Duck, Register

RECORDED IN

Record

Vol. Page

Register

Mary Louise Zuber,
Complainant,

VS.

Braxton Charles Zuber,
Respondent.

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

NO.....

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside/ ~~within~~ more than one hundred miles from Bay Minette, in the County of Baldwin, Alabama, the place of trial of said cause, to-wit:

Mary Louise Zuber

;

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

H. E. Smith,
Solicitor for Complainant.

NOTE:

Complainant suggests the name of J. C. Shows, Jonesboro, Louisiana, as a suitable and competent person to act as commissioner upon the examination of said witnesses.

H. E. Smith
Solicitor for Complainant.

BT-6-40-500

DEMAND FOR ORAL EXAMINATION.

Mary Louise Zuber,

Complainant,

Vs.

Braxton Charles Zuber,

Respondent.

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

Filed this 2nd day of August, 1945.

R. S. Lusk

Register.

MARY LOUISE ZUBER Complainant,	)	IN THE CIRCUIT COURT OF
VS:	)	BALDWIN COUNTY, ALABAMA.
BRAXTON CHARLES ZUBER Respondent.	)	IN EQUITY.

ANSWER OF RESPONDENT

Now comes the respondent, Braxton Charles Zuber, and for answer to the bill of complaint filed in this cause against him by the Complainant, Mary Louise Zuber, he denies each and every allegation of the said bill of complaint and demands strict proof thereof.

And he, the said respondent, waives all service of notice or process of the filing of said bill of complaint, and further waives all notice of the taking of testimony on said cause and further waives all notices of the submission of said cause for final decree.

Braxton Charles Zuber
Respondent.

STATE OF ALABAMA,)
BALDWIN COUNTY.) I, R. S. Duck, Register in Chancery in and for said State and County, hereby certify that Braxton Charles Zuber, 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 the instrument, he executed the same voluntarily on the day of the same bears date.

In witness whereof, I hereto set my hand this the 30th day of July, 1945.

R S Duck
Register in Chancery

RECORDED

No. 1874

Mary Louise Zuber,
Complainant,

vs

Brazton Charles Zuber,
Respondent.

****

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

****

ANSWER OF RESPONDENT

****

Filed July 8th 1945 -
R. Dwight Payne

Mary Louise Zuber, Complainant,	)	
vs	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.
Braxton Charles Zuber, Respondent.	)	

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Comes your complainant, Mary Louise Zuber, who brings this her bill of complaint against the respondent, Braxton Charles Zuber and respectfully alleges and represents unto your Honor and the Court as follows:

1. She, complainant, is over the age of sixteen years and is, at the time of filing her bill of complaint a resident of the State of Louisiana, her place of residence and postoffice address being Jonesboro, Louisiana. Respondent is of the age of seventeen years and is now, and has been for more than one year next preceding the filing of this bill of complaint, a bona fide resident of the state of Alabama, his place of residence and postoffice address being Bay Minette, Baldwin County, Alabama.

2. Complainant and respondent were lawfully married to each other on the twenty-sixth day of December, 1943, and lived together as man and wife until the third day of June, 1945, but have not lived together as man and wife or otherwise since said last date.

3. On said last date of June 3, 1945, and on many occasions immediately prior thereto, respondent threatened to do serious bodily harm to complainant and from his conduct there was reasonable apprehension by complainant of actual violence by respondent on the person of complainant, attended with danger to her life or health. Because thereof, complainant, fearing for the safety of her life or health, returned to her relatives to live. The said separation occurred at Bay Minette, Alabama, where complainant and respondent resided.

4. Complainant's maiden name was Mary Louise Abercrombie.

WHEREFORE, the premises considered, complainant prays that the said Braxton Charles Zuber be made party respondent to this her bill of complaint and that due process forthwith issue for service upon him.

And complainant further prays that upon the final hearing of the cause made by this her bill of complaint, your Honor and the Court will be pleased to and will grant to her a decree of absolute divorce from the said respondent and will permit complainant to again marry should she see fit so to do and will restore to complainant her maiden name of Mary Louise Abercrombie. And complainant prays for all such other, further and different relief, orders and decrees as she may be entitled to, the premises considered.

H. E. Smith
Solicitor for Complainant.

RECORDED

No. 1399

Mary Louise Zuber,
Complainant,

vs

Braxton Charles Zuber,
Respondent.

****

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

****

BILL OF COMPLAINT

****

Filed July 30 in 1945
R. Berdeth
Regular

ORAL DEPOSITION Baldwin Times 10-27-39 1M

THE STATE OF ALABAMA
Baldwin County

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

Mary Louise Zuber, COMPLAINANT

VS.

Braxton Charles Zuber, RESPONDENT

I, J. C. Shows

Commissioner

have called and caused to come before me Mary Louise Zuber

witness named in the Requirement for Oral Examination, on the 6th day of August 1945, at the office of myself

in Jonesboro, Louisiana, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said Mary Louise Zuber

doth depose and say as follows:

I am the complainant in this cause and have brought my bill of complaint against the respondent, Braxton Charles Zuber. I am over the age of sixteen years and am, at the time of filing my bill of complaint a resident of the State of Louisiana, my place of residence and postoffice address being Jonesboro, Louisiana. Respondent is of the age of seventeen years and is now, and has been for more than one year next preceding the filing of this bill of complaint, a bona fide resident of the state of Alabama, his place of residence and postoffice address being Bay Minette, Baldwin County, Alabama.

We were lawfully married to each other on the twenty-sixth day of December, 1943, and lived together as man and wife until the third day of June, 1945, but have not lived together as man and wife or otherwise since said last date.

On said last date of June 3, 1945, and on many occasions immediately prior thereto, respondent threatened to do serious bodily harm to me and from his conduct there was reasonable apprehension by me of actual violence by respondent on me, attended with danger to my life or health, Because thereof, I, fearing for the safety of my life or health, returned to my relatives to live. The said separation occured at Bay Minette, Alabama, where we resided.

All during our married life, the respondent was extremely jealous of all of my friends and relatives. If I would even go to the picture show with any of my girl friends, he would quarrel violently at me and threaten me. This went on all of the time and finally affected my health. I got in a seriously run-down physical and nervous condition and could not stand it any longer, so I came back to my mother to live.

My maiden name was Mary Louise Abercrombie and I wish it to be restored.

Mary Louise Zuber
Mary Louise Zuber

ORAL DEPOSITION Baldwin Times 10-27-39 ½M

THE STATE OF ALABAMA
Baldwin County

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

Mary Louise Zuber, COMPLAINANT

VS.

Braxton Charles Zuber, RESPONDENT

I, J. C. Shows

~~as Referee~~ Commissioner

have called and caused to come before me Mary Louise Zuber

witness named in the Requirement for Oral Examination, on the 6th day of August 1945, at the office of myself

in Jonesboro, Louisiana, ~~Alabama~~ and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said Mary Louise Zuber

doth depose and say as follows:

I am the complainant in this cause and have brought my bill of complaint against the respondent, Braxton Charles Zuber. I am over the age of sixteen years and am, at the time of filing my bill of complaint a resident of the State of Louisiana, my place of residence and postoffice address being Jonesboro, Louisiana. Respondent is of the age of seventeen years and is now, and has been for more than one year next preceding the filing of this bill of complaint, a bona fide resident of the state of Alabama, his place of residence and postoffice address being Bay Minette, Baldwin County, Alabama.

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My maiden name was Mary Louise Abercrombie and I wish it to be restored.

Mary Louise Zuber
Mary Louise Zuber

The State of Alabama, Baldwin County

CIRCUIT COURT

To J. C. Shows, Jonesboro, Louisiana

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 Mary Louise Zuber

as witnesses in behalf of complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Mary Louise Zuber is Complainant

and Braxton Charles Zuber is Defendant,

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

Witness 2nd day of August 1945

R. S. Dunch
REGISTER

COMMISSIONER'S FEE, $ 3 00

WITNESS' FEES, $

NO.

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Mary Louise Zuber

Complainant

vs.

Braxton Charles Zuber

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES: