

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Buford Davis

vs.

Lillie Bell Davis

REQUEST FOR DECREE IN
VACATION

FILED Feb 7th 1927

T. W. Rice
Register

RECORDED IN RECORD

VOL. PAGE.....

Register

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Buford Davis,

Vs.

Lillie Bell Davis,

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed February 17th 1927

T. W. Rice
Register.

Recorded in **RECORDED** Record,

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Register.

STATE OF ALABAMA,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No. 638

Vacatio n. Term, 1927

Buford Davis, Complainant...

vs.

Lillie Bell Davis,, 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 Worborne 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.

Worborne Stone, Solicitor for Complainant.

8600 Motion for Decree Pro Confesso on Personal Service. 3107 Code.

The State of Alabama,
BALDWIN COUNTY.

}

No. 638 CIRCUIT COURT IN EQUITY.

Buford Davis, Complainant...

vs.

Lillie Bell Davis, Defendant...

Motion is hereby made for a Decree Pro Confesso against

Lillie Bell Davis, 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 17th day of February 1927

Worborne Stone, Solicitor.

The State of Alabama, }
Baldwin County.

No. 638

CIRCUIT COURT, IN EQUITY

Euford Davis

Complainant

vs.

Lillie Bell Davis,

Defendant

In this cause it appears to the Register

that a Summons requiring the Defendant Lillie Bell Davis,

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said

Summons upon Lillie Bell Davis,

was served upon by the Sheriff of Baldwin County, Alabama, on the

8th day of December 1926

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint to this date,

it is now, therefore, on motion of Hon. Norborne Stone,

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed

against the said Lillie Bell Davis,

Defendant aforesaid.

This 7th day of February 1927.

T. W. Rice

Register.

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THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

Buford Davis.

Vs.

Lillie Bell Davis.

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued February 7th 1927

T. W. Richmond

Register.

RECORDED

BUFORD DAVIS,
Complainant,

-vs-

LILLIE BELL DAVIS,
Defendant.

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

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

Comes your complainant Buford Davis and shows unto this Court as follows:-

1. That both your complainant and the defendant are over 21 years of age and both are bona fide residents of Baldwin County, Alabama, residing near Fairhope and have been such residents for more than three years next immediately preceding the filing of this Bill of Complaint.

2. That your complainant and defendant were married on heretofore to-wit: during the month of August, 1920 and lived together as man and wife for about eleven months; that during to-wit: the Month of July, 1921, the defendant voluntarily deserted and abandoned your complainant while they were residing in Baldwin County, Alabama,; that such desertion took place more than two years before the filing of this complaint and has continued without interruption.

PRAYER FOR PROCESS AND RELIEF:

THE PREMISES CONSIDERED, your complainant prays that all necessary notices, orders, and decrees be issued to make the above named Lillie Bell Davis party defendant, requiring her to appear and plead, answer or demur, within the time and under the penalties prescribed by the rules of this court and the statutes. Upon a final hearing hereof, your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your complainant and the defendant be forever dissolved and that your complainant be again permitted to contract the marriage relation.

(page two)

should he so desire.

NORBORNE STONE,
Solicitor for Complainant.

FOOT NOTE:-

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

NORBORNE STONE,
Solicitor 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 Lillie Bell Davis,

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 Buford Davis,

against said Lillie Bell Davis,

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 16th day of Nov 192 6.

T. W. Richerson Register.

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

Original

SERVE ON

Circuit Court of Baldwin County
In Equity.

No. *638*

SUMMONS

Buford Davis

vs.

Lillie Bell Davis,

*Fairhope
Ala*

Norborne Stone,

Solicitor for Complainant

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this *16th*
day of *November*, 192 *6*

Sheriff.

Executed this *27* day of
November, 192 *6*

by leaving a copy of the within Summons with
Lillie Bell Davis

Defendant.

W. R. Stuart

Sheriff.

By

J. P. White

Deputy Sheriff.

Recorded in Vol. Page

The State of Alabama, }
Baldwin County.

No. 638

CIRCUIT COURT, IN EQUITY

Buford Davis

Complainant

vs.

Lillie Bell Davis,

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 Buford Davis,

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 Buford Davis, 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 Lillie Bell Davis,

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

This 18th day of February 1927

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.

M

No. 658.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Buford Davis,

vs.

Millie Bell Davis,

RECORDED

DECREE OF DIVORCE.

Filed in office this

19th

day of

February, 192*7*

W. P. [Signature]

Register.

E. O. M.

The State of Alabama,
Baldwin County.

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

Buford Davis Complainant.

VS.

Lillie Bell Davis, Respondent.

I, T.W. Richerson,

as Register and Commissioner

have called and caused to come before me Buford O. Davis, David S. Stapleton
and Everett Winter,

witnesses named in the Requirement for Oral Examination, on the 17 day of February
1927, 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:

Over

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. W.C. Stone,

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 17th day of February 1927.

T.W. Richerson (L. S.)

NO. 638 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Buford Davis

vs. Complainant

Willie Bell Davis,

Respondent.

Oral Deposition

Filed Feb 17th, 1927

T.W. Richerson, Register.
Recorded in

Record

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Register

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BUFORD DAVIS, the Complainant and a witness for complainant being duly sworn, testifies as follows:-

My name is Buford Davis and I am the complainant in the case now pending in the Circuit Court Equity Side Baldwin County, Alabama wherein Lillie Bell Davis, my wife, is the defendant; both myself and the defendant are over the age of 21 years and are bona fide residents of Baldwin County, Alabama, residing near Fairhope and both of us have been such residents for more than three years next immediately preceding the filing of the Bill of Complaint in this cause.

I and the said Lillie Bell Davis were married in August 1920 and we lived together as man and wife for about 11 months; during the month of July 1921 while we were residing in Baldwin County, Alabama the defendant voluntarily deserted and abandoned me without just cause or legal excuse. That this abandonment took place more than two years before I filed my suit for divorce and has continued without interruption. up to this time.

Buford O Davis

DAVID STAPLETON, a witness for complainant, being duly sworn, testifies as follows:-

My name is David Stapleton and I am 25 years of age and reside in Fairhope in Baldwin County, Alabama, where I have lived all of my life. I know both Buford Davis, the complainant in this case and his wife, Lillie Bell Davis, who is the defendant. I know that they are both over 21 years of age and are bona fide residents of Baldwin County, Alabama, residing near Fairhope,

They have been such residents ever since they married, sometime in 1920.

I know that Buford Davis and Lillie Bell Davis were married sometime in 1920 and they lived together for about a year when the defendant, Lillie Bell Davis, voluntarily deserted and abandoned Buford Davis. This happened while they were living in Baldwin County, Alabama and took place sometime in July, 1921; they have never lived together as man and wife since that time to my knowledge.

I know of no just cause or legal excuse that Lillie Bell Davis had for leaving Buford Davis.

David Stapleton

EVERETT WINTER, a witness for complainant, being duly sworn, testifies as follows:-

My name is Everett Winter; I am 23 years of age and am a resident of Fairhope, in Baldwin County, Alabama. I know

(page two)

both Buford Davis, the complainant in this case and his wife, Lillie Bell Davis; they are both over 21 years of age and live at Fairhope, Alabama where they have lived continuously for the past six years about.

I know that Buford Davis and Lillie Bell Davis were married sometime during the summer of 1920 and they lived to-gether as man and wife about a year when, I think it was sometime in 1921, Lillie Belle Davis left Buford Davis and they have never lived to-gether as man and wife since that time to my knowledge. This separation took place in Baldwin County, Alabama and while they were living at Fairhope.

Everett Winter

8581 NOTE OF TESTIMONY

Buford Davis.....

.....

.....

vs.

Lillie Bell Davis.....

.....

.....

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 Buford O Davis.....
David Stapleton and Everett Winter,

and in behalf of Defendant upon.....

T. W. Riceman

Register.

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No. 638

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Buford Davis

VS

Lillie ^Dell Davis

RECORDED
NOTE OF TESTIMONY

Filed in Open Court this Feb 17th,

day of 1927

T. W. Rice

Register