

643

The State of Alabama, }
Baldwin County.

No. 643.

CIRCUIT COURT, IN EQUITY

Birtie Stokes Dyess,

Complainant

vs.

Oscar Dyess,

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 Birtie Stokes Dyess, & Oscar Dyess

be, and she 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 Birtie Stokes Dyess, Oscar Dyess, 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 Oscar Dyess,

It is further ordered, adjudged and decreed that said Birtie Stokes Dyess, Oscar Dyess, shall not again marry except to said Oscar Dyess, until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Oscar Dyess, during the pendency of said appeal

This 9th day of June 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.

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No. 643.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Birtie Stokes Dyess,

vs.

Oscar Dyess,

DECREE OF DIVORCE.

Filed in office this

10th

day of

June

, 192*7*

T. W. Rice
Register.

E. O. M.

The State of Alabama,
Baldwin County.

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

Bertie Stokes Dyess, Complainant.

VS.

Oscar Dyess, Respondent.

I, T.W. Richerson,

as Register and Commissioner

have called and caused to come before me Bertie Stokes Dyess and Hanah Perkins,

witness named in the Requirement for Oral Examination, on the 31 day of May
1927, at the office of Register,

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

doth depose and say as follows:

Testimony of Bertie Stoke Dyess.

My name is Bertie Stoke Dyess. I am a resident citizen of
Baldwin County, Alabama, residing at Bay Minette, and have lived in
Baldwin County for more than the last three years next preceeding the
filing of this bill. I am over the age of 21 years. Oscar Dyess is the
husband of Bertie Stoke Dyess and resides at Loxley, in said County.
He has lived in Baldwin County more than three years immediately
preceeding the filing of this bill. He is over the age of 21 years.
Oscar Dyess and I were lawfully married on or about the year 1916 and
lived together as husband and wife until about April, 1922, at which
time the said Oscar Dyess voluntarily abandoned the said Bertie Stokes Dyess,
without just cause and without fault on her part. He has not lived with me
since said abandonment nor has he supported me in any way. He abandoned me
while we were living in Baldwin County, Alabama.

Bertie Stokes Dyess

ORAL EXAMINATION.

I, T. W. Reimer, 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 them and they signed the same in the presense of myself H. D. Moore

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness H or had proof made before me of the identity of said witness H; 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 31 day of May 1927

T. W. Reimer (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Bertie Stokes Dyess,

vs. Complainant

Oscar Dyess,

Respondent.

Oral Deposition

Filed May 31st, 1927

T. W. Reimer, Register.

Recorded in

Record

Vol. _____ Page _____

_____, Register

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 Oscar Dyess,

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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 Birtie Dyess Stokes Dyess,

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against said Oscar Dyess,

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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 20th day of December 1926.

T. W. Richerson Register.

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

2nd Original

2nd

THE STATE OF ALABAMA,
BALDWIN COUNTY.

SERVE ON.....
Circuit Court of Baldwin County
In Equity.

No.

SUMMONS

Birtie Stokes Dyess,

Sheriff.

Received in office this
day of 192

Executed this day of
192

by leaving a copy of the within Summons with

vs.

Oscar Dyess,

Defendant.

Sheriff.

By
Deputy Sheriff.

Henry D. Moerer.

Solicitor for Complainant

I hereby accept the within summons
and waive service of same by the
Sheriff.

his
Oscar Dyess
mark.

Attest:

George Smith

Recorded in Vol. Page

RECORDED
RECORDED

BERTIE STOKES DYESS,
Complainant,

-vs-

OSCAR DYESS,
Defendant

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

Comes Oscar Dyess, 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 decree on note of testimony made by the Register either in term time or vacation.

Dated this 31st day of May, 1927

his
Oscar Dyess
mark.

ATTEST:

Geodye Bush

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Filed May 31/1927
T. W. Ransom
Register

RECORDED

Bertie Dyess Stokes
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.....
vs.
Oscar Dyess,
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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,
Birtie Stokes Dyess, and Hannah Perkins, *Answer of*
Defendant.

and in behalf of Defendant upon

T. W. Richerson
Register.

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 643 Term, 192

Bertie Stokes Dyess, Complainant

vs.

Oscar Dyess, 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.

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643.

No.-----

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Hannah Stokes Dyess

vs

Oscar Dyess,

NOTE OF TESTIMONY

Filed in Open Court this 1st

day of June 1927. 192

J. M. Rice

Register

MOORE PTG. CO.

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THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Birtie Stokes Dyess,

vs.

Oscar Dyess,

REQUEST FOR DECREE IN
VACATION

FILED June 1st 1927

J. M. Rice

Register

RECORDED IN _____ RECORD

VOL. _____ PAGE _____

Register

MOORE PTG. CO.

STATE OF ALABAMA,
BALDWIN COUNTY.

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

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

Your Oratrix, Birtie Stokes Dyess, respectfully represents
and shows unto Your Honor as follows:-

FIRST:

That she is a bona fide resident citizen of Baldwin County,
Alabama, residing at Bay Minette, Alabama, and 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.

SECOND:

That Oscar Dyess is a resident citizen of Baldwin County,
Alabama, residing at Loxley, Alabama; that he 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.

THIRD:

That Your Oratrix and the said Oscar Dyess were lawfully
married on or about to-wit:- the year 1916, and lived together as husband
and wife until 1922 at which time the said Oscar Dyess voluntarily abandoned the
said Bertie Stokes Dyess, without just cause and without fault on her part.

THE PREMISES CONSIDERED Your Oratrix respectfully prays that the
said Oscar Dyess 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 Oscar Dyess
and that he 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 Oratrix an absolute divorce from the said Oscar Dyess.

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

HENRY D. MOORER,
Attorney for Complainant.

FOOTNOTE:

Defendnat 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.

No. 643 Original

SERVE ON _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Birtie Stkes Dyess,

vs.

Oscar Dyess,

Henry D. Moorer.

Solicitor for Complainant

Recorded in Vol _____ Page _____

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 the
same by the sheriff.

ATTEST: _____

Original 2
ALIAS.

SERVE ON *No 643*

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Birtie Stokes Dyess,

vs.

Oscar Dyess,

*Attorney
with ~~power~~*

H. D. Moorer,

Solicitor for Complainant

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this *24th*

day of *January* 192 *7*

Sheriff.

Executed this *29* day of

January 192 *7*
by leaving a copy of the within Summons with

Oscar Dyess
Defendant.

J. H. Hadley
Sheriff

By *J. P. White*
Deputy Sheriff

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