

805

AFFIDAVIT OF PUBLICATION

The State of Alabama,
Baldwin County,
Circuit Court in
Equity. This the 24th
day of March, 1929.

Carl Mason, No. 805, vs. Hettie
Barlow Mason.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Carl Mason that the defendant, Hettie Barlow Mason, is a non-resident of the State of Alabama and to his best knowledge and belief is a resident of Chesterfield, South Carolina, and further, that, in the belief of said Affiant, the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in The Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Hettie Barlow Mason to answer or demur to the Bill of Complaint in this cause by the 27th day of April, 1929, or after thirty days therefrom a decree Pro Confesso may be taken against the said Hettie Barlow Mason.

T. W. Richerson, Register.

Hon. F. F. Nelson,

Atty for Complainant.

3-28-4t

I, W. W. Barchard, Mgr.

and Publisher of the Onlooker,

published weekly at Foley, Ala., do solemnly swear

that a copy of the above notice, as per clipping

attached, was published weekly in the regular and

entire issue of said newspaper, and not in any

supplement thereof, for 3 consecutive weeks,

commencing with the issue dated Mar. 28, 1929

and ending with the issue dated April 11, 1929

W. W. Barchard, Mgr.

Subscribed and sworn to before me this 3

day of May, 1929

My Commission Expires
~~November 12th 1927~~
Oct. 24 1928

[Signature]
Notary Public
Baldwin County, Ala.

NOTICE TO NON-RESIDENT.

Moore Ptg. Co—Bay Minette.

Carl Mason

 No. 805

 vs.
Hettie Barlow Mason.

The State of Alabama,

Baldwin County,

 Circuit Court, in Equity.
 This the 24th day of
March, 1929

In this cause it being made to appear to the Clerk of this Court by the affidavit of
Carl Mason,

that the Defendant Hettie Barlow Mason,

is a non-resident of the State of Alabama and to his best knowledge and belief
~~resides in~~ is a resident of Chesterfield, South Carolina,

and further, that, in the belief of said Affiant the Defendant is over the age of 21
 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper publish-
 ed in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring
 the said Hettie Barlow Mason

to answer or demur to the Bill of Complaint in this cause by the 27th day of
April 1929, or after thirty days therefrom a decree Pro Confesso may be
 taken against the said Hettie Barlow Mason,

Hon. F. F. Nelson
 Atty for Complain nt.

J. W. Richardson
 Register.

No 805-

Mason

vs

Mason

The State of Alabama,
Baldwin County.

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

Carl Mason Complainant.

VS.

Hattie Barlow Mason Respondent.

I, T.W. Richerson,

as Register and Commissioner

have called and caused to come before me Carl Mason, Ben Sunday,

witnesses named in the Requirement for Oral Examination, on the 29 day of May
1929, at the office of Bay Minette Ala

in 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:

Carl Mason, the complainant who being duly sworn testified as follows:

My name is Carl Mason. I am over 21 years of age and the
complainant in this cause, I am a bona fide resident of Baldwin County, Ala, and have
been for the last 4 years I was married in 1922, in the State of Fla
to Hattie Barlow Mason, in the County of Milton in the County of
Escambia, and lived together as man and wife as man and wife 4 or 5
over 2 years ago. Hattie Barlow Mason, voluntarily abandoned your complain
ants bed and board, and ran away with another man, and went to South
Carolina to live, and ever since that time she has been living in
South Carolina, It was through no fault of mine that she left
me one child was born to our marriage a girl named Evelyn
Sumter Mason, age 4 years, this child is now with my mother
and I am supporting her, my wife left the child with my mother,

Carl Mason
sworn

Ben Sunday witness for Complainant who testified as follows:

My name is Ben Sunday I over 21 years of age and a resident of Baldwin County, Ala all my life, I know Carl Mason and Hattie Barlow Mason, she left him and ran away with another man over 2 years ago, and has not lived with him since as ^{she} went to South Carolina and has never returned to live with him, I have known Carl Mason for the last 8 years, she left him without any cause on the part Carl Mason as he was good and kind to her and supported her as a wife should be supported.

Ben Sunday

ORAL EXAMINATION.

I, T. W. Williams, 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 he and read over to them and they signed the same in the presense of myself And Hon. F. F. Wilson at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness he 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 29 day of May 1929.

T. W. Williams (L. S.)

NO. 805

PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Carl McLean

vs. Complainant

Stacie Barbero Patten

Respondent.

Oral Deposition

Filed May 29, 1929.

T. W. Williams Register.

Recorded in

Record

Vol. Page

Register

- DIVORCE-BILL OF.-

STATE OF ALABAMA)
COUNTY OF BALDWIN)

IN THE CHANCERY DIVISION
CIRCUIT COURT, BALDWIN COUNTY,
ALABAMA-----IN EQUITY.

CARL MASON,
Complainant
Vs
HETTIE BARLOW MASON
Respondent.

BEFORE THE HONORABLE FRANCES M. HARE, JUDGE OF THE CIRCUIT
COURT, BALDWIN COUNTY, ALABAMA-----IN EQUITY.

Your Complainant, Carl Mason, a resident of Baldwin County, Alabama, over the age of twenty-one years (21), respectfully shows unto your Honor that about the year 1922 Complainant intermarried with said Hettie Barlow Mason, in the Town of Milton, County of Escambia, State of Florida, and that they lived together for several years as man and wife, most of the time residing in Baldwin County, Alabama, and Complainant has been a bona fide resident of Baldwin County for more than three years.

2. That more than two (2) years ago the said Hettie Barlow Mason abandoned voluntarily your complainant's bed and board, and left your Complainant ^{and} in company with another man, namely one Henderson, ~~and~~ went to the State of South Carolina, and has since that time continuously remained away. Your Complainant states that the said Hettie Barlow Mason, is a resident of Chesterfield, South Carolina, as he is informed and believes, and is over the age of twenty-one (21) years; and is not within the jurisdiction of this court; and he charges her with voluntary abandonment; That the Respondent (Hettie Barlow Mason) left your Complainant on the 10th day of July, 1925; and without cause, fault or concert upon the part of your Complainant.

3. That to the said marriage one child was born, Evelyn Sumter Mason, at present age four (4) years; Your complainant is informed and believes that the child is not in the jurisdiction of this court, and is in a foreign state;

PRAYER FOR PROCESS.

Wherefore premises considered; your Complainant respectfully prays; that the said Hettie Barlow Mason, be made a 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 prefect service on the said Hettie Barlow Mason, and that she be required to demur, plead or answer to the same within the time, and under the penalties 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 Complainant an absolute divorce from the said Hettie Barlow Mason.

That if Your Complainant 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.

F. J. Nelson

ATTORNEY FOR COMPLAINANT.

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

F. J. Nelson

ATTORNEY FOR COMPLAINANT.

- AFFIDAVIT -

STATE OF ALABAMA)
COUNTY OF BALDWIN)

CARL MASON,
Complainant.
VS

HETTIE BARLOW MASON)
Defendant.)

IN THE CIRCUIT COURT - - IN EQUITY.

Before me James W. Luther Notary Public in and for said County and State, personally appeared Carl Mason, who being duly sworn on oath, deposes and says; that Hettie Barlow Mason, the Defendant in this cause, according to my best knowledge, information and belief, is a resident of Chesterfield, South Carolina; that when last heard from she was living in the town of Chesterfield, and in the State of South Carolina, and that her post office address is Chesterfield, South Carolina; and that the Defendant (Hettie Barlow Mason) is over the age of twenty-one (21) years; and that service of process can not be had by the Court in this State and that the Defendant is not within the Jurisdiction of this Court, and that the Defendant has been absent from the State of Alabama for more than two (2) years last past; that it is one of the cases made and provided under the statute of Alabama whereby service can be had by publication; and that this is a suit brought in the Circuit Court of Baldwin County, Equity Division, on the grounds of abandonment.

Further Affiant saith not.

Subscribed and sworn to before me
on this the 23rd day of March, 1929.

Carl Mason
Mark

James W. Luther
NOTARY PUBLIC.

My commission expires on the
_____ day of _____ 19____.

8581 NOTE OF TESTIMONY

Carl Mason

vs.

Hattie Barlow Mason

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 Carl Mason and

Ben. Sunday,

and in behalf of Defendant upon

[Handwritten Signature]
Register.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 805 May 28th, 1929

Carl Mason

Complainant

Hattie Barlow Mason

vs.

Defendant

In this cause it appears to the Register that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 28th day of March, 1929, in the Baldwin County News, a newspaper published in ~~Dayton~~ ^{Robertsdale} Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 28th day of March 1929

And it now further appearing to the Register, that the said Hattie Barlow Mason

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register T.W. Richerson, that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Hattie Barlow Mason

This 27th day of May 1929

T.W. Richerson Register.

The State of Alabama, }

BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 805 May 28th 1929

~~Hattie Barlow Mason~~

Complainants

Carl Mason

vs.

Hattie Barlow Mason,

Defendants

Motion is hereby made for a Decree Pro Confesso against

Hattie Barlow Mason

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 27th day of May 1929

746 Code.

F.F. Nelson

Solicitor.

- AFFIDAVIT -

STATE OF ALABAMA)
COUNTY OF BALDWIN)

CARL MASON,
Complainant.
VS

HETTIE BARLOW MASON)
Defendant.)

IN THE CIRCUIT COURT - - IN EQUITY.

Before me James W. Luster Notary Public in and for said County and State, personally appeared Carl Mason, who being duly sworn on oath, deposes and says; that Hettie Barlow Mason, the Defendaht in this cause, according to my best knowledge, information and belief, is a resident of Chesterfield, South Carolina; that when last heard from she was living in the town of Chesterfield, and in the State of South Carolina, and that her post office address is Chesterfield, South Carolina; and that the Defendant (Hettie Barlow Mason) is over the age of twenty-one (21) years; and that service of process can not be had by the Court in this State and that the Defendant is not within the Jurisdiction of this Court, and that the Defendaht has been absent from the State of Alabama for more than two (2) years last past; that it is one of the cases made and provided under the statute of Alabama whereby service can be had by publication; and that this is a suit brought in the Circuit Court of Baldwin County, Equity Division, ^{For Olovel} on the grounds of abandonment.

Further Affiant saith not.

His
Carl X Mason

Subscribed and sworn to before me on this the 23rd day of March, 1929.

James W. Luster
NOTARY PUBLIC.

16th My commission expires on the day of August 1930.

Witness: W. R. Dickworth
Jerre Ard

DECREE OF DIVORCE

THE STATE OF ALABAMA)
BALDWIN COUNTY)

NO. 805

CIRCUIT COURT, IN EQUITY.

CARL MASON

Complainant

VS

HATTIE BARLOW MASON

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 by Hattie Barlow Mason of the of the bed and board of Carl Mason.

It further ordered, that the said Carl Mason 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 Carl Mason 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 Hattie Barlow Mason.

It is further ordered, adjudged and decreed that said Carl Mason, shall not again marry except to said Hattie Barlow Mason until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Hattie Barlow Mason during the said pendency of appeal. It is further ordered that Carl Mason have the care custody and control of Evelyn Sumter Mason a girl child 4 years of age born of this marriage, until further orders of this court.

This first day of June 1929.

/s/ F. W. Hare
Judge of the Circuit Court of
Baldwin County, Alabama

The State of Alabama, } No. 805
Baldwin County.

Circuit Court, in Equity.

Carl Mason Complainant

vs.

Hattie Barlow Mason, 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 by Hattie Barlow Mason of the of the bed and board of Carl Mason.

It further orderd, that the said Carl Mason, be, and he is hererby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Carl Mason 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 Hattie Barlow Mason,

It is further ordered, adjudged and decreed that said Carl Mason, shall not again marry except to said Hattie Barlow Mason until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Hattie Barlow Mason

It is further ordered that Karl Mason have the care, custody and control of Evelyn Sumter Mason^a girl child 4 years of age born of this marriage, until further orders of this Court

This first day of June 1929

A. W. Hare

Judge of the Circuit Court of Baldwin County.

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. 805

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,
BALDWIN COUNTY, ALA.

Carl Mason

vs.

Hattie Barlow Mason,

DECREE OF DIVORCE.

Filed in office this *3rd*
day of *June*, 192*9*
D. M. Williams
Register.

E. O. M.

Moore Printing Co. Bay Minette, Ala.

RECORDED