

HORTENSE S. MYERS,
Complainant

IN EQUITY,

IN THE CIRCUIT COURT OF

vs

BALDWIN COUNTY, ALABAMA.

FENTON S. MYERS,
Defendant

Comes the Defendant and accepts service and notice of demand for oral examination of complainant's witnesses. He further accepts service and notice of the time and place set for taking testimony of Complainant's witnesses and agrees that this cause may be submitted for final decree at any time on the pleadings and Complainant's evidence as noted by the Register.

Fenton S. Myers

HORTENSE S. MYERS,
Complainant
-vs-
FEMTON S. MYERS,
Respondent

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

TO MICHAEL W. RICKERSON ESQUIRE, REGISTER:

In the above styled cause an answer has been filed by the Respondent, together with a waiver of notice to take testimony, and the cause being ready to submit for final decree and no specific defense having been interposed, the Complainant by her Solicitor 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.

Blissie S. Rinsley
Solicitor for Complainant.

HORTENSE S. MYERS,
Complainant.

IN EQUITY.

vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

FENTON S. MYERS,
Defendant

Comes **Fenton S. Myers**, Defendant in the
above styled cause, and for answer to the bill of
complaint herein, says he denies each and every al-
legation of the same.

Having thus fully answered Defendant prays
that the bill may be dismissed and he be permitted to
go hence with his reasonable costs in this cause ex-
pended.

Fenton S. Myers

CERTIFICATE.

I, Janie^L Scott, the commissioner named in the attached commission issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in a case pending in the Equity side of said Court, wherein Hortense S. Myers is Complainant and Fenton S. Myers is Respondent, under and by virtue of the power conferred upon me by said commission, I caused the witnesses named in the commission, namely Hortense S. Myers, Camilla Crenshaw and Mrs. W. Schweer, who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in 905 Van Antwerp Building, in the city of Mobile, Alabama, on the 15th day of April, 1929, where the said witnesses after being first duly sworn by me, upon examination by E. S. Ricksby, Esquire, Solicitor for the Complainant, testified as is hereinbefore written. That their testimony was by me reduced to writing as given by them, as near as might be in their identical language, and after being so reduced to writing, was read over by the said witnesses, who assented to and signed the same in my presence.

I further certify that I am not of Counsel or of kin to either of the parties to the cause, or anywise interested in the results thereof.

In witness whereof, I hereunto set my hand and seal as Commissioner, this the 15th day of April, 1929.


.....
Commissioner

8581 NOTE OF TESTIMONY

HORTENSE S. MYERS

vs.

FENTON S. MYERS

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,.....
.....waiver of notice and Complainant's evidence by deposition

and in behalf of Defendant upon answer



Register.

The State of Alabama, Baldwin County.

No. 827

Circuit Court, in Equity.

HORTENSE S. MYERS

Complainant

vs.

FENTON S. MYERS

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, depositions, confessions 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.

The Complainant having lived separate and apart from the Defendant for more than five years prior to the filing of the bill without support from him and during which time she was a bona fide resident of the State of Alabama

It further ordered, that the said Hortense S. Myers be, and she 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 Hortense S. Myers 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 Hortense S Myers

It is further ordered, adjudged and decreed that said Hortense S. Myers shall not again marry except to said Fenton S. Myers until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Fenton S. Myers

during the said pendency of appeal

This 27th day of April 1929.

J. W. Hare Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, Baldwin County.

Circuit Court, in Equity.

I, Thomas W. Richerson 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 April 1929,

in the cause of Fenton 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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HORTENSE S. MYERS,)
Complainant,)
-vs-)
EMLTON S. MYERS,)
Defendant)

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

The depositions of Hortense S. Myers, Camille Crenshaw, and Mrs. W. Schweer, witnesses examined on behalf of the Complainant in the above entitled cause which is pending in the Honorable the Circuit Court of Baldwin County, Alabama.

The said witnesses appeared before me at the time and place hereinafter named, and after having been first duly sworn by me to speak the truth, the whole truth and nothing but the truth, did testify and say as follows: That is to say, Hortense S. Myers, Camille Crenshaw and Mrs. W. Schweer, being duly sworn, testified as follows:

HORTENSE S. MYERS.

I am the Complainant in this cause, and over the age of twenty-one years. I am now and have been for nearly seven years prior to this date, a bonafide resident of Fairhope, Alabama, my home being with my sisters in that town. Fenton S. Myers is also over the age of twenty-one years, and resides in Petersburg, Virginia. He and I were married in the village of Foces, Virginia on December 26, 1906, and lived together in the city of Petersburg in that State up to about seven years ago, during which time a daughter was born to us, and who is now with me at Fairhope, Alabama. On September 5, 1922, my daughter and I came home to my people because of Mr. Myers failure to support us, and since that date I have been a bonafide resident of Alabama and have lived entirely separate and apart from the bed and board of my said husband, without receiving any support from him during the whole of this time. As I said before, I have been a bonafide resident of the State of Alabama for more than five years, before the date when this suit was filed, and have not laid eyes on my husband in all this time. During this period, and in fact since I was compelled to leave my husband, I have been assisted by my family, but have supported myself.

Hortense S. Myers

MRS. CAMILLA GREENSHAW

I am a sister of the Complainant in this cause and have been in constant touch with her for the last seven years. I know that she has been a bonafide resident of the town of Fairhope, Alabama for more than five years prior to this date. I further know that Mr. and Mrs. Myers have been separated for more than five years, namely, since September, 1922. I further know that Mr. Myers has not contributed to Mrs. Myers support, and to my personal knowledge they have lived separate and apart during this entire period.

Camilla Greenshaw.

MRS. W. SCHNEER.

I am a personal friend of Mrs. Hortense S. Myers the Complainant in this cause, and have knowledge of the facts in the case.

I know that Mrs. Myers has been a bonafide resident of Weirhope, Alabama, for more than five years prior to this date. I further know that Mr. and Mrs. Myers have been separated for more than five years, namely, since September, 1922. I further know that Mr. Myers has not contributed to Mrs. Myer's support, and to my personal knowledge they have lived separate and apart during this entire period.

Mary B. Schneer

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY.

Comes HORTENSE S. MAYERS, and by this her bill of complaint presented against FENTON S. MAYERS, respectfully shows:

FIRST: That she is a resident of Fairhope, Baldwin County, Alabama, and over the age of twenty-one years. That Fenton S. Myers is also over the age of twenty-one years, and resides in the city of Petersburg, Virginia.

SECOND: That Complainant and the said Fenton S. Myers were married in FACES, Virginia, on December 26, 1906, and lived together in Petersburg, Virginia up to about seven years prior to this date, at which time Complainant removed to Baldwin County, Alabama, where she for the last seven years has been and is now a bona-fide resident.

THIRD: That since her removal to Baldwin County, Alabama, seven years prior to the date of the filing of this bill, she has lived separate and apart from the bed and board of the said Fenton S. Myers, and without support from him during the whole of this time, and has been a bonafide resident of the State of Alabama during said period.

THE PREMISES CONSIDERED, Complainant prays that Fenton S. Myers be made a party defendant to this bill, and being a non-resident so that personal service can not be had upon him, that notice of this proceeding be given to him by registered mail, as prescribed by law, and he be required to answer this bill and abide by such orders and decrees as may be made in the premises.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from the said Fenton S. Myers, granting her the right to marry again, should she so desire, and such other further or different relief as to Equity may seem meet.

Elliot B. Rinkley
Solicitor for Complainant

NOTE+-

The Defendant is required to answer each paragraph of the fore-

going bill of complaint, but not under oath.

Clifford S. Pinkney
Solicitor for Complainant.

STATE OF LOUISIANA,)
PARISH OF ORLEANS.)

Before me the undersigned Notary Public, personally appeared this day, Hortense S. Myers, who is known to me, and who being sworn says that she is the Complainant in the foregoing bill, that she knows of her personal knowledge that the said Fenton S. Myers is over the age of twenty-one years of age, a non-resident of the State of Alabama, and that his address is 205 North Jefferson Street, Petersburg, Virginia, and that personal service of notice of this cause can not be had upon him because of his non-residence.

Hortense S. Myers

4th Subscribed and sworn to before me on this the
.4....day of April, 1929.

Alfred Lett

Notary Public, Parish of Orleans, La

NO. 807

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,
BALDWIN COUNTY, ALA.

HORTENSE S. MYERS

vs.

FENTON S. MYERS

DECREE OF DIVORCE.

Filed in office this 27th

day of April, 1929

J. W. Pickens
Register.

E. O. M.

Moore Printing Co. Bay Minette, Ala.

RECORDED

Fred April 10/1925
T. Whittman
Regent

No. _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

HORTENSE S. MYERS

Complainant

vs

BENTON S. MYERS

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 23

day of April 1929

J. W. Brien

Register

HORTENSE S. MYERS,
Complainant

vs

PEETON S. MYERS,
Defendant

ANSWER.

*Filed Apr 8/1929
D W Hickman
Register*

HORRACE S. MYERS,
Complainant

-vs-

FRANCIS S. MYERS,
Respondent

REQUEST FOR SUBMISSION IN
VACATION.

Filed Apr 18/1929
W. M. [unclear]
Regist.

Elliott G. Rickaby,
Attorney for Respondent

HORTENSE S. MYERS
complainant

vs

FENTON S. MYERS,
Defendant

WAIVER OF NOTICE

Filed Apr 8/1929
J. M. Miller
Register