

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 Ellen Jardine,

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

William Jardine,

against said

Ellen Jardine,

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

August, 1930.

T. W. Richerson Register.

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

2 Original
RECORDED

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

William Jardine

vs.

Ellen Jardine

(Kauai Hotel)

Fairhope Ala

Lloyd A. Magney.

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____

day of _____ 193 _____

Sheriff.

Executed this 8th day of

December 193 10

by leaving a copy of the within Summons with

Ellen Jardine

Defendant.

[Signature]
Sheriff.

By _____

[Signature]
Deputy Sheriff.

WILLIAM JARDINE,
Complainant,

-VS-

ELLEN JARDINE,
Respondent.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN CHANCERY SITTING:

PART ONE.

Your Orator, William Jardine, a resident of the County of Baldwin and State of ~~Nebraska~~ ^{Alabama}, and over the age of twenty-one years, respectfully exhibits this his Bill of Complaint against Ellen Jardine, who is also a resident of Baldwin County, Alabama, and over the age of twenty-one years.

PART TWO.

For complaint against the said Respondent, your Orator represents as follows:


- 1: That your Orator and the Respondent were legally married in Chicago, Illinois, in the year 1896.
- 2: That for more than three years last past, and ever since the year 1900, your Orator has been a bona fide resident of Baldwin County, Alabama, with the intention of making it his permanent home.
- 3: That in the year 1906, twenty-four years ago and more than two years next preceeding the filing of this bill, said Respondent ~~without good cause, did voluntarily abandon the bed and board of~~ your Orator and has been guilty of voluntary abandonment from bed and board for more than two years next preceeding the filing of this bill and by reason thereof your Orator is entitled to an absolute divorce from said Respondent.

PART THREE.

WHEREFORE, your Orator prays that he may be granted an absolute decree of divorce from the Respondant, and that he may have such other and further relief in the premises as may be just and equitable.

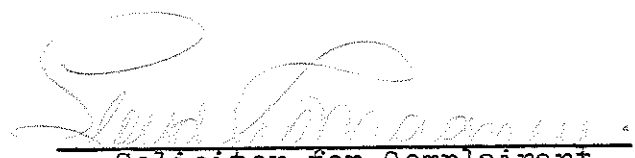
PART FOUR.

And your Orator does further pray, that your Honor will grant to him the writ of summons of the State of Alabama, directed to the said Ellen Jardine, thereby commanding her to personally appear before your Honor, within thirty days from the date of the service of the writ, then and there to answer all and singular the premises and to stand to and abide such order and decree therein as to this Honorable Court shall seem meet; and your Orator will ever pray, &c.

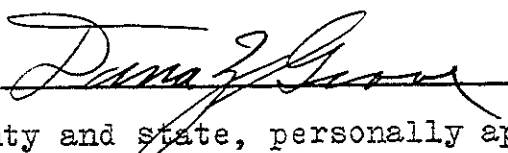

Solicitor for Complainant.

FOOT NOTE.

The Respondent, Ellen Jardine, is hereby required to answer the allegations of paragraphs numbered 1 to 3 inclusive, of Part Two of the foregoing Bill, but not under oath, oath to answer being expressly waived.


Solicitor for Complainant.

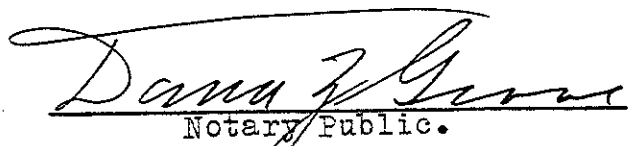
STATE OF ALABAMA)
)
BALDWIN COUNTY)

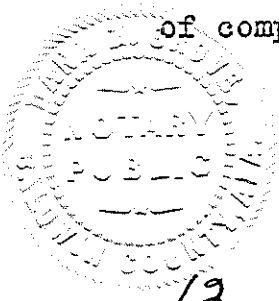
Before me  a notary public in and for said county and state, personally appeared William Jardine, who is known to me and being by me first duly sworn, deposed and said that he is the complainant in the above entitled action, that he has heard read and knows the contents of the foregoing bill of complaint, and that the same are true of his own knowledge.



Subscribed in my presence and sworn to before me, this

12 day of August, 1930.


Notary Public.



The State of Alabama, { No. 911.
Baldwin County.

Circuit Court, in Equity.

William Jardine,

Complainant

vs.

Ellen Jardine,

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,

William Jardine,

It further orderd, that the said 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 William Jardine, 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

Ellen Jardine,

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

during the said pendency of appeal

This 2nd day of

December

1931

J. M. 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

RECORDED

NO. 911.

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

William Jardine,

VS.

Ellen Jardine,

DECREE OF DIVORCE.

Filed in office this 3rd

day of Dec, 1923/

Register.

E. O. M.

8581 NOTE OF TESTIMONY

William Jardine

vs.

Ellen Jardine


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 William Jardine and Dana Z.

Grove.

and in behalf of Defendant upon



Register.

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RECORDED

No. 911.-----

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

William Jardine

VS

Ellen Jardine,

NOTE OF TESTIMONY

Filed in Open Court this 25th
day of November, 1931.

J. M. McInnis
Register

WILLIAM JARDINE,
PLAINTIFF

VS

ELLEN JARDINE,
DEFENDANT

STATE OF ALABAMA)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DEPOSITION OF WITNESSES
IN BEHALF OF PLAINTIFF.

William Jardine, being first duly sworn on his oath
deposes and says:

TESTIMONY OF WILLIAM JARDINE

My name is William Jardine and I am the Plaintiff in this
action for divorce. I was married to the Defendant Ellen Jardine in
Chicago, Illinois in the year 1896. We came to Baldwin County in
the year 1900 and I have been a bona fide resident of Baldwin County,
Alabama ever since that date.

The Defendant and I lived together as husband and wife
until the year 1906 and at that time she left me to go to Oklahoma
to visit her sister who lived there and she has never returned to
my home.

We had had no trouble up to that time and there was no reason
for her to leave except that she preferred to work for herself and
live in Town rather than to live on a farm with me.

Although more than twenty-four (24) years have elapsed
since that time she has ever since refused to liave with me and has
been guilty of voluntary abandonment for more than two (2) years
next preceeding the filing of this bill for divorce.

TESTIMONY OF DANA Z. GROVE.

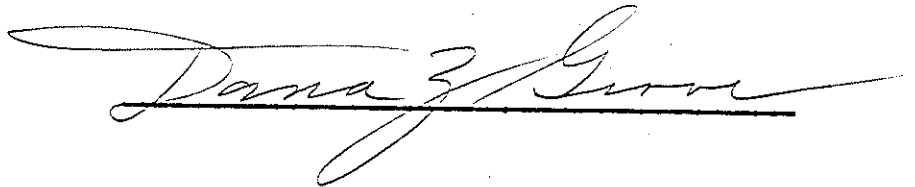
Dana Z. Grove, being first duly sworn on his oath, deposes
and says:

I have known William Jardine and his wife Ellen Jardine
ever since they came to Baldwin County more than thirty (30) years
ago. Their farm was about a mile and one-half from my home and I

was well acquainted with both of them.

They lived together on the farm as husband and wife for several years and so far as I knew had no trouble between themselves.

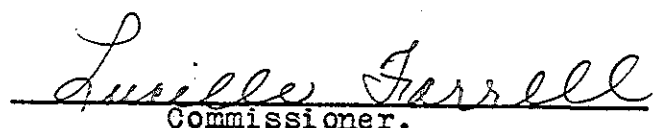
About twenty-five (25) years ago I know that Mrs. Jardine left him and that they have not lived together since. She has supported herself and for a number of years has operated a hotel in Fairhope and has not lived with him, ^{and} /so far as I know he gave her no cause for leaving him or refusing to live with him.



STATE OF ALABAMA)
)
BALDWIN COUNTY.)

I, L. F. Farrell, do hereby certify that on the 20th day of January, 1931 I was appointed by the Register of the Circuit Court of Baldwin County, Alabama, commissioner for the purpose of taking testimony of William Jardine and Dana Z. Grove, witnesses in behalf of Plaintiff in the foregoing cause, and attached herewith is the commission issued to me. That in accordance with the said commission issued to me I caused, before me in my office in Foley, Alabama on the 24th day of November, 1931 the said William Jardine and Dana Z. Grove and said witnesses were by me sworn to tell the truth, the whole truth and nothing but the truth and their testimony was reduced to writing by me, as near as may be in their own language, and subscribed by said witnesses. That I have personal knowledge of the identity of said witnesses and that I am not of counsel nor of kin to any of the parties to said cause and am not in any way interested in the outcome of said cause.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of November, 1931.


Commissioner.

The State of Alabama, {
Baldwin County

CIRCUIT COURT

Hon. L. F. Farrell,

To _____

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 William Jardine and Dana Z. Grove

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein _____

William Jardine

_____Complainant
_____and _____

_____Ellen Jardine,
_____Defendant,

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

Witness 20th day of January 1951

W. F. R. R.

REGISTER

COMMISSIONER'S FEE, \$ _____

WITNESS' FEES, \$ _____

WILLIAM JARDINE
Complainant

VS.

ELLEN JARDINE
Defendant

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

Comes Ellen Jardine moves that decree of divorce granted by this Honorable Court on the 2nd. day of December, 1931, by setting aside and having no force and effect and assigns the following grounds:

FIRST:

That the defendant Ellen Jardine made and entered into an agreement with William Jardine, the complainant in this cause in which the said William Jardine agreed to take no further steps in the said proceeding and to dismiss the said cause; that the said Ellen Jardine relied upon agreement made and entered into with the said William Jardine and contrary to said agreement the said William Jardine permitted his attorney to continue with the said proceeding thereby obtaining the decree of divorce fraudulently; that the said agreement was made and entered into during the first part of December, 1930, and immediately after service was had upon the said Ellen Jardine.


Attorney for Ellen Jardine.

The State of Alabama, }
Baldwin County.

No. 711

CIRCUIT COURT, IN EQUITY

William Jardine

Complainant...

vs.

Ellen Jardine

Defendant...

In this cause it appears to the
that a Summons requiring the Defendant

Register

Ellen Jardine

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

Ellen Jardine

was served upon her by the Sheriff of

Baldwin

County, Alabama, on the

8th

day of

Dec

1930

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

Lloyd K. Wagner, Atty

for Complainant

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

Ellen Jardine

Defendant... aforesaid.

This 12th day of

January 1931

T. W. Beeson

Register.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 911.

Vacation

Term, 19231

William Jardine,

, Complainant

vs.

Ellen Jardine,

, 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 Lloyd A. Magney,

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.


Solicitor for Complainant.

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RECORDED

No. 911.

Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

William Jardine

vs.

Ellen Jardine,

REQUEST FOR DECREE IN
VACATION

FILED

Nov 25th,

1931

W. R. [Signature]
Register

RECORDED IN RECORD

VOL. PAGE

Register