

8581 NOTE OF TESTIMONY

934

Allie G. Cooper

.....

.....

vs.

Maurice Earl Cooper

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This cause is submitted in behalf of Complainant upon the original Bill of Complaint,
answer of Defendant and testimony of Allie G. Cooper and

~~Vada Baldwin and Maude Middleton,~~

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.....

.....

and in behalf of Defendant upon

.....

.....

.....

D. W. [Signature]

Register.

No. 934.

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Allie G. Cooper

VS

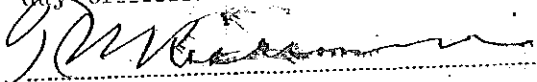
Maurice G. Cooper

NOTE OF TESTIMONY

Filed in Open Court this 28th

day of November

1930


Register

ALLIE G. COOPER,
Complainant,

vs

MAURICE EARL COOPER,
Respondent.

I N E Q U I T Y .

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

THE DEPOSITION OF VADA BALDWIN, MAUDE MIDDLETON; AND
ALLIE G. COOPER, WITNESSES EXAMINED IN BEHALF OF COMPLAINANT:

The said witnesses, named in the attached commission, appeared before the Commissioner at the time and place hereinafter stated and having been first sworn to tell the truth, the whole truth and nothing but the truth, upon examination by Elliott G. Rickarby, Esq., Solicitor for the Complainant, testified as follows:

M R S V A D A B A L D W I N .

I have been a resident of the Town of Robertsdale for the last eight years and have known Mrs Allie Cooper intimately for the last four years. For a year and two months she stayed at my home. This was up to two months ago. I therefore know of my own knowledge that in all this time she has not seen or heard from her husband. Had she done so I would have known it. Even before she came to live at my house I saw her practically every day. I can therefore state positively that she and her husband have been living separate and apart for the last four years and are still doing so. She works at the Robertsdale State Bank and supports herself without help from him and has not heard from him in that time.

Mrs. Vada Baldwin

MRS. ALLIE G. COOPER

I am the complainant in this case. I am over the age of twenty-one years and am now and have been all of my life, a bona fide resident of the state of Alabama, living in Baldwin County for the past four years.-- Maurice Cooper is over the age of twenty-five years but is not now a resident of Alabama. I do not know where

he lives but have heard that it is in Texas. He and I were married in Lucedale, Mississippi on August 11th, 1925 and lived together as husband and wife in Mobile County until about March 19th, 1936 when he went off and left me some months before our child was born and I have not laid eyes on him since. I do not know whether he left the state at once but he did leave and in all this time has not contributed a cent toward my support or that of our little daughter Myra Nell, who was born later and who has never seen her father. When he left me I was supported by my father till I was able to support my self and now support myself and child by stenographic and clerical work. My husband abandoned me for more than four years next before this bill was filed and this abandonment continues up to the present day without any lawful reason or excuse.

As I said before, I do not know where my husband is. Since this bill was filed, my lawyer has communicated with him through his mother who will not tell his whereabouts but who notified him of this divorce proceeding.

Mrs. Alice B. Cooper.

MRS. MAUDE MIDDLETON

I am a resident of Robertsdale and have lived here for the past ten years. I have known Mrs. Cooper intimately for the last three years. For one year of this time she stayed in my house and for another year lived next door. In all this three years she has lived separate and apart from her husband and in all that time he has never come near her or to the best of my knowledge ever set foot in Robertsdale. She has lived in Robertsdale for the past four years and supports herself by working in the Bank.

Mrs Maude Middleton

CERTIFICATE

I, Berniece Folmar, the commissioner named in the attached commission, hereby certify that pursuant to the authority vested in me I caused the witnesses named in said commission to appear before me at my office in Robertsdale Ala. on the 24th day of November 1930, when, after being first duly sworn they testified upon examination by complainant's solicitor as is herein set forth, that their testimony was by me reduced to writing and after being read over by them was signed by them in my presence.

I further certify that I am neither of counsel nor of kin to either party to the cause or in any wise interested in the result thereof.

Given under my hand and seal as commissioner this the twenty fourth day of November, 1930.

Berniece Folmar
Commissioner

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Miss Berniece Folmar, Robertsdale Alabama,

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 Mrs. Vada Baldwin, Thomas F. Rickart, Allie G. Wooper, and
Mrs Maude Middleton,

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

Allie G. Cooper,

Complainant

and

Maurice Earl Cooper,

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 17th, day of November, 19 30



REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

NO. _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Allie G. Cooper,

Complainant

vs.

Maurice E. Cooper,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Miss Berniece Tolmar
Robertsdale Alabama.

WITNESSES:

Mrs. Uada Baldwin
Thomas F. Rickart,

Alice G. Cooper,
Maud Middleton
Robertsdale Ala.

Commissioner's Fee \$5.00
Not Paid

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

Comes ALLIE G. COOPER, and by this, her Bill of
Complaint presented against MAURICE EARL COOPER, respectfully
shows:

FIRST: That she is over the age of twenty-one
years, and has been for more than three years next prior to the
filing of this Bill a bona fide resident of Baldwin County, Ala-
bama; that Maurice Earl Cooper is also over the age of twenty-one
years, but is a non-resident of the State of Alabama, his present
address being unknown to Complainant.

SECOND: That on August 11, 1925, Complainant and
the said Maurice Earl Cooper were married at Lucedale, Mississippi,
and lived together as husband and wife in Mobile County, up to
about the 19th. day of March, 1926, when the said Defendant will-
fully abandoned the bed and board of Complainant, which abandon-
ment has continued up to the present time, during which period
Complainant has not seen him nor resumed marital relations.

THIRD: That there was born of said marriage a
daughter, MYRA NELL, now four years of age, who is living with
Complainant's mother and supported by Complainant without any as-
sistance whatsoever from the child's father.

THE PREMISES CONSIDERED Complainant prays that
the said Maurice Earl Cooper be made a party Defendant to this
Bill, and by proper process of publication or registered mail be
notified of same and required to answer within the time prescribed
by law.

Complainant further prays that upon the hearing
of this cause a decree be rendered forever divorcing her from
the said Maurice Earl Cooper, granting her the right to marry
again should she so desire, the sole and exclusive custody of
the child of said marriage, and such other, further or different

NO. _____

The State of Alabama

BALDWIN COUNTY

CIRCUIT COURT

Allie G. Cooper,

Complainant—

vs.

Maurice E. Cooper,

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Miss Berniece Folmar
Robertsdale Alabama.

WITNESSES:

Mrs. Uada Baldwin
Thomas F. Rickart,

Alice G. Cooper,
Maud Middleton
Robertsdale Ala.

Commissioners Fee \$5.00
Not Paid

relief as to Equity may seem meet.

Elliot B. Rinsley
Solicitor for Complainant.

NOTE: The Defendant is required to answer each paragraph of the foregoing Bill, but not under oath.

Elliot B. Rinsley
Solicitor for Complainant.

ALLIE G. COOPER,
Complainant.

VS

MAURICE EARL COOPER,
Respondent.

IN EQUITY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes the Respondent and accepts service and notice of demand for oral examination of Complainant's witnesses. He further waives 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.

Maurice Earl Cooper

I hereby certify that I am the mother of Maurice Earl Cooper and know that the name signed above is his genuine signature signed by him voluntarily and sent by him to me to be filed in this cause

Mrs Eula Cooper

RECORDED RECORDED

ALLIE G. COOPER,
Complainant.

-VS-

MAURICE E. COOPER,
Respondent.

Filed Nov 15th 1930
D. W. McArthur
Register

WAIVER OF NOTICE.

Handwritten notes and signatures in the right margin, including names like "McArthur" and "Register".

ELLIOTT G. RICKARBY, JR.
LAWYER
1014 VAN ANTWERP BUILDING
MOBILE, ALA.

Nov 27 1920

Dear Judge:-

Cooper is Cooper:- When my son took the answer to Mr Tompkins to get him to sign it, that gentleman said he had only been consulted by the defendant's mother as to her son's liability and had made her no charge and did not feel that he had any authority to appear. My son then saw the mother who works in the general office of the S. M. & N. R. R. and she signed a certificate on the bottoms of both answer and waiver affirming that the signature is genuine. As this meets your requirement that there be some evidence from a responsible person in this jurisdiction who can be held liable in the event that the defendant denies his signature, I trust that you will see your way clear to giving the cause consideration and taking the submission.

With thanks for your helpful attitude and the hope that your Thanksgiving will be as pleasant as possible away from home -
Sincerely
Elliott G. Rickarby.

ALLIE G. COOPER,
Complainant.

vs

MAURICE EARL COOPER,
Respondent.

IN EQUITY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes MAURICE EARL COOPER, Respondent in the above
styled cause, and for answer to the bill of complaint herein, says
that he denies each and every allegation of the same.

Having thus fully answered, Respondent prays that
the bill may be dismissed and he be permitted to go hence with
his reasonable costs in this cause expended.

Witness

A. L. Christian

W. E. DuPuy

Maurice Earl Cooper

I hereby certify that I am the mother of
Maurice Earl Cooper and know that the name
signed above is his genuine signature and signed
by him voluntarily and sent by him to me
to be filed in this cause

Mrs Eula Cooper

ALLIE G. COOPER
Complainant

vs.

MAURICE EARL COOPER
Respondent

NO.
IN EQUITY
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALA.

This cause coming on to be heard at this Term and being submitted upon the Bill of Complaint, Answer of Respondent, waiver of notice and testimony of Complainant as noted by the Register, upon consideration thereof the Court is of the opinion that the Complainant is entitled to the relief prayed for by her in her bill.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of Matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the said Allie G. Cooper is forever divorced from the said Maurice Earl Cooper for and on account of his abandonment of her for more than two years next prior to the filing of the bill of complaint as alleged therein.

IT IS FURTHER ORDERED that the said Allie G. Cooper be, and she hereby is permitted to again contract marriage upon the payment of the costs of the Court in this cause.

It is further ordered that the Complainant retain and continue to have the sole care and custody of Myra Nell Cooper, the infant child of this marriage, but that Respondent may visit and see said child at reasonable hours.

IT IS FURTHER ORDERED that Complainant shall not marry again, except to Respondent until sixty days after the rendition of this decree, and if an appeal be taken within said sixty days she shall not marry again except to said Respondent during the pendency of said appeal.

It IS FURTHER ORDERED That Complainant pay the costs of this cause for which execution may issue.

Done at Bay Minette in Term Time this the 28th day of November 1930.

J. W. Ware
Judge.

Recorded

ALLIE G. COOPER,
Complainant,

vs

MAURICE E. COOPER,
Respondent.

D E C R E E .

Given Nov 28th 1930
J. W. Williams

RECORDED

ALLIE G. COOPER,
Complainant.

-VS-

MAURICE E. COOPER,
Respondent.

Filed Nov 15/30
D. M. Williams
Register

A N S W E R

Handwritten notes and signatures in the right margin, including a large signature at the top and several smaller ones below.

Handwritten notes in the right margin, including a large signature at the top and several smaller ones below.

Baldwin
The State of Alabama, ~~Mobile~~ County

ALLIE G. COOPER, Complainant

No. VS.

MAURICE EARL COOPER, Defendant

Baldwin
Circuit Court of ~~Mobile~~ County

IN EQUITY

The Complainant

requests the oral examination of the following named witnesses

on her behalf, viz:

Mrs. Vada Baldwin,

Thomas F. Rickert,

Allie G. Cooper,

said witnesses reside in the County of Baldwin,

State of Alabama

Berniece Folmar,

who resides at Robertsdale, Alabama,

is suggested as a suitable person to be appointed Commissioner to take deposition of

said witnesses on such oral examination

Elliott B. Riebel

Solicitor for Complainant.

No.....

Circuit Court of Mobile County

Bay Minettes
Mobile, Alabama

IN EQUITY

ALLIE G. COOPER,

vs.

MAURICE E. COOPER?

DEMAND FOR ORAL EXAMINATION

Filed November 17th 1930

J. W. Richmond

Register

Robertson & Co.
A. F. WESLEY
REALTOR
ROBERTSDALE, ALA.



Oliver D. Cooper
Complainant

Maurice E. Cooper
Respondent

Deputies of
Nada Balkum - Mail - Minute
Oliver D. Cooper - Respondent
Complainant

Received
11/15/1911
By
James W. Richardson

James W. Richardson, Esq.
Register Circuit Court
Bay Minette, Ala.



Oct 5th 1862
Dear John
I have just received
your letter of the 27th inst.
and am glad to hear
of your success.

B. Price Tolman
Commissioner

B. Price Tolman
Commissioner

B. Price Tolman
Commissioner