

995

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
IN EQUITY

GREEN F. AMISON, Complainant.

vs.

BILL OF COMPLAINT.

BERTHA Z. AMISON, Defendant.

To the Honorable F. W. Hare, Judge of said Court:

Your Orator, humbly complaining, brings this bill of complaint against defendant above named and shows unto this Honorable Court and to Your Honor as follows:

That complainant is over the age of 21 years and that for more than three years immediately preceding the filing of this bill he has been, and now is, a bona fide resident of Baldwin County, Alabama;

That the defendant, Bertha Ziegler Amison, is over the age of 21 years and a resident of the state of Ohio at the town of Miller City therein;

That in Baldwin County, Alabama on February 14th, 1928, the complainant and defendant intermarried and ever since have been, and now are, lawful husband and wife;

That in Baldwin County, Alabama on April 18th, 1928, the defendant, without any just cause or excuse and without any fault on the part of complainant, willfully abandoned your orator and has ever since continued in such willful abandonment; that such abandonment of your orator, by the defendant, has been continuous for more than two years immediately preceding the date of the filing of this bill.

PRAYER FOR PROCESS AND FOR RELIEF.

The premises considered, your orator prays that by the usual process of this Honorable Court the defendant above named, Bertha Z. Amison, may be made party respondent to this bill of complaint and may be required

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EDWARD P. TOTTEN
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to answer, deny or plead to this bill within the time and under the penalties as provided by law or that the same be forever confessed.

Your orator further prays that, upon the final hearing of this cause, Your Honor will grant unto complainant an absolute divorce from the bonds of Matrimony heretofore and now subsisting between complainant and defendant and will grant unto complainant such other, further and different relief to which in equity and good conscience he may be entitled, if he has in anywise prayed or asked the same of this Honorable Court.

Dated this 21st day of August, 1931.

Edward P. Totten
Solicitor for Complainant.

FOOTNOTE:

The defendant, Bertha Z. Amison, is hereby required to answer each and every allegation contained in the foregoing bill of complaint, but not under oath as answer under oath is hereby expressly waived.

STATE OF ALABAMA)
COUNTY OF BALDWIN) ss.

Edward P. Totten, being by me first duly sworn on oath says: that he is solicitor for complainant in above entitled cause and that to the best of his knowledge, information and belief the allegations of such bill, including that as to residence of defendant, are true.

Edward P. Totten

Subscribed and sworn to before me this 21st day of August, 1931.

J. E. Perkins
Notary Public, Baldwin County, Ala.

GREEN F.. AMISON, Complainant

vs.

IN CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

BERTHA Z. AMISON, Defendant

T H E D E P O S I T I O N S

of Green F. Amison and Roy Amison, witnesses examined on behalf of the Complainant in the above-entitled action which is now pending in the Circuit Court of Baldwin County, Alabama.

The said witnesses appeared before me at the time and place hereinafter mentioned and after being sworn to tell the truth, the whole truth and nothing but the truth, did testify and say as follows:

My name is Green F. Amison, I am over twenty-six years of age and am the Complainant in this suit. I was born in Baldwin County, Alabama and have lived here all my life as a resident in good faith. The Defendant, Bertha Z. Amison is over twenty-one years old and lives and resides at Miller City, Ohio. We were married at Foley, Baldwin County, Alabama February 14th, 1928 and lived together as husband and wife for about two months after that. On April 18th, 1928 my ~~wife~~ wife left me and went North to Ohio, and I have not seen her since that date. I gave her no just cause or excuse for leaving me as I at all times treated her well while she was living with me in this County and she left me voluntarily and against my wishes. I have never heard from her since she left me in April, 1928 and her abandonment of me has been continuous since that time which was more than two years immediately preceeding the date of the filing of this Bill of Complaint in the month of August 1931. We were living in Baldwin County, Alabama during all of our married life together and at the time she left me in April, 1928.

Green F. Amison

Subscribed and sworn before me this 3rd, day of October, 1932

J. B. Tiffany
Commissioner

My name is Roy Amison, I am over twenty one years of age, I was born in Baldwin County, Alabama and have lived here all my life. I am personally well acquainted with the Complainant, Green F. Amison, have known him for many years, and am related to him as his nephew. I was well acquainted with Bertha Z. Amison at the time of her marriage to Complainant and know that she was over twenty-one years of age. They were married early in the year, 1928 and lived together in this county as husband and wife for a short time during that year. I was frequently at their home in this county during the time they were living together and know that the Complainant was a good husband to her, treated her well and gave her no just cause or excuse for leaving him and going away. She left him early in the spring of 1928 and has never returned to this county so far as I know and she has never lived with the Complainant since that time. Her abandonment of the Complainant was of her own accord, so far as my knowledge goes, and was against the desire of the Complainant. Such abandonment has been continuous to this date.

Roy Amison

Subscribed and sworn before me this 3rd day of October, 1932

J. B. Tiffany
Commissioner

CERTIFICATE OF COMMISSIONER

I, J. B. Tiffany, the Commissioner named in the attached Commission, hereby certify that, in pursuance thereof, I did, on Monday, the 3rd day of October, 1932, call and accuse to come before me, at the office of Edward P. Totten, in the Bank of Fairhope Building, at Fairhope, Alabama, in the county of Baldwin, the said witnesses, Green F. Amison and Roy Amison, and that the said witnesses, after having been first duly sworn did testify in answer to oral interrogatories propounded to them by Edward P. Totten, Esq., Solicitor for Complainant, as set down above their signatures, and that the answers of said witnesses are set down as near as might be in their own language and that they subscribed their names thereto in my presence after having heard the same read to them.

I further certify that I am neither of counsel nor of kin to any of the parties to this suit, nor am I in any manner interested in the result thereof.

Witness my hand at Fairhope, Ala., on this 3rd day of October, 1932.

J. B. Tiffany
COMMISSIONER

Green F. Amison.

vs.

Bertha Z. Amison,

CIRCUIT COURT OF
Baldwin County.

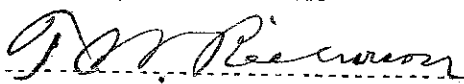
IN EQUITY.

In this cause it being made to appear to the Register that on the 24th
day of August, 1922, a copy of the Bill of Complaint filed in this cause was
sent to Bertha Z. Amison

.....
Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom
addressed," and return receipt demanded addressed to the Register of this Court; and that on the
31st day of August, 1922, such receipt was duly
received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer
or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered,
adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all
things taken as confessed against the said Bertha Z. Amison,

Defendant.

This the 3rd day of October, 1922.
 Register.

No. 995

CIRCUIT COURT OF BALDWIN
COUNTY, ALA.

In Equity.

Green F. Amison

vs.

Bertha Z. Amison

Decree Pro Confesso After
Notice By Registered Mail.

Filed in office this 3rd day of

Oct 1918

Register

Entered in O. B. Page

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To J. B. TIFFANY

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

Green F. Amison and

Roy Amison

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

Green F. Amison

Complainant

and _____

Bertha Z. Amison,

Defendant,

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

Witness 3rd day of October 1932

COMMISSIONER'S FEE, \$ 2.50

WITNESS' FEES, \$ ✓

REGISTER

NO. 996

The State of Alabama

BALDWIN COUNTY

CIRCUIT COURT

GREEN F. AMISON

Complainant

vs.

BERTHA Z. AMISON

Defendant

COMMISSION TO TAKE DEPOSITION

J. B. TIFFANY

COMMISSIONER:

GREEN J. B. TIFFANY

ROY AMISON

WITNESSES:

GREEN F. AMISON

ROY AMISON

Green F. Amison

vs.

Bertha Z. Amison

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

[illegible]

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.....

Register:

No. 995.

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

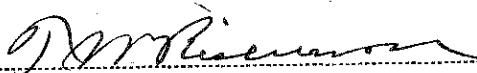
Green F. Amison

VS

Bertha Z. Amison,

NOTE OF TESTIMONY

Filed in Open Court this 6th
day of October 1932



Register

The State of Alabama, { No. 995, Circuit Court, in Equity.
Baldwin County.

Green F. Amison Complainant.

vs.

Bertha Z. Amison, 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 further ordered, that the said Green F. Amison 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 Green F. Amison 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

Bertha Z. Amison,

It is further ordered, adjudged and decreed that said Green F. Amison shall not again marry except to said Bertha Z. Amison, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said ~~Bertha Z. Amison~~ Bertha Z. Amison,

during the said pendency of appeal

This 7th day of October, 1932.

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

STATE OF ALABAMA, { Circuit Court, in Equity.
Baldwin County.

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
on minutes

RECORDED

995.

NO.

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Green F. Amison

vs.

Bertha Z. Amison,

DECREE OF DIVORCE.

Filed in office this

day of October, 1923

Wm. Pickens

Register.

E. O. M.

Moore Printing Co. :::: Bay Minette, Ala.

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 Bertha Z. Amison
Miller City, Ohio

of Miller City, Ohio ~~XXXXXX~~ 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 Green F. Amison

against said Bertha Z. Amison

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 24th day of August 193 1

T. W. Richerson Register.

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

(Original)

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Green F. Amison

vs.

Bertha Z. Amison

Edward P. Totten

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____

day of _____ 193

Sheriff.

Executed this _____ day of _____

193

by leaving a copy of the within Summons with _____

Defendant.

Sheriff.

By _____ Deputy Sheriff.

*Copy of Baldwin County
Totten vs. Bill
Agitation Dept*

*W. H. Amison
Proctor*

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 995 Vacation Term, 1932

Green F. Amison , Complainant

vs.

Bertha Z. Amison, , 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 Edward P. Totten

..... 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.

Edward P. Totten

.....
Solicitor for Complainant.

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 1234

INSURED PARCEL

No. 5678

Return to _____

Break and Markings
in Post Office Box

Post Office at _____

SEEKING POST OFFICE TO AVOID PAYMENT OF POSTAGE 1911

