(1004)

NELLIE SHEPHERD

PLAINTIFF,

٧s

LAWRENCE E. SHEPHERD

DEFENDANT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

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

#### PART ONE.

your Oratrix Nellie Shepherd, a resident of the County of Bald-win and the State of Alabama and over the age of twenty-one (21) years, respectfully exhibits this her Bill of Complaint against Lawrence E. Shepherd who is also over the age of twenty-one (21) years but who is a non-resident of the State of Alabama, his place of residence being unknown to your oratrix.

#### PART TWO.

For complaint against the said Defendant your Oratrix represents as follows:

- 1. That your Oratrix and the Defendant were legally married in Pensacola, Florida on the 2nd day of March, 1927.
- 2. That for more than three (3) years last past, and ever since June 1927, your Oratrix has been a bona fide resident of Baldwin County Alabama, with the intention of making it her permanent home.
- That in the month of May, 1927, four (4) years ago and more than two (2) years next preceeding the filing of this Bill, said Defendant, without good cause, did voluntarily abandon your Oratrix and has been guilty of voluntary abandonment from bed and board for more than two (2) years next preceeding the filing of this Bill and by reason thereof Your Oratrix is entitled to an absolute divorce from said Defendant.
- 4. That the issue of the marriage between your Oratrix and the Defendant is one child Lawrence E. Shepherd Jr. aged three (3) years and that your Oratrix is and the Defendant is not a fit and suitable person to have the care, custody and control of said minor child.

#### PART THREE.

Wherefore your Oratrix prays that she may be granted an absolute decree of civorce from the Defendant; that she may be granted the exclusive care, custody and control of Lawrence E. Shepherd Jr. and that she may have such other and further relief as may be just and equitable.

#### PART FOUR.

And your Oratrix would further pray that Your Honor direct that the Registrar of this Court make out and superintend the appropriate order of publication to the non-resident Defendant, Lawrence E. Shepherd, commanding him within thirty (30) days after the period specified in the order of publication to appear before Your Honor in this Honorable Court and then and there to answer all and singular the premises and to stand to and abide by such order and decree therein as to this Honorable Court shall same meet; and your Oratrix shall ever pray &c.

Solicitor for Plaintiff.

The Defendant Lawrence E. Shepherd is hereby required to answer the allegations of Part Two of the above Bill from Section One to Section Four, inclusive, but not under oath, oath to answer being expressly waived.

STATE OF ALABAMA BALDWIN COUNTY.

day of Jane, 1931.

Before me, Lloyd A. Magney, a notary public in and for said County and State on the 17th day of June, 1931 personally appeared Nellie Shepherd who is known to me and whose name is signed to the foregoing Bill of Complaint and being sworn by me she stated that she has read the foregoing Bill of Complaint subscribed by her and knows the contents thereof and that the same are true of her own knowledge, except as to matters which are therein stated to be on her information and belief and as to those matters she is informed and believes them to be gtrue.

Subscribed in my presence and sworn to before me this 17th

IN THE CIRCUIT COURT OF

WELLIE-SHRPHERD

PLATINITEE,

VS

LAWKENCE B. SHEPHERD

Filed Capt 15 th 1931 DEFENDANT.

BILL OF COMPLAINT.

LLOYD A. MAGNEY

ATTORNEY AT LAW FOLEY ALABAMA NELLIE SHEPHERD

PLAINTIFF,

IN THE CIRCUIT COURT OF

VS

Paridia de

LAWRENCE E. SHEPHERD

DEFENDANT.

ALABAMA IN CHANCERY SITTING:

BILL OF COMPLAINT

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BAIDWIN COUNTY.

#### PART ONE

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- That the issue of the marriage between your Oratrix and the Defendant is one child Lawrence E. Shepherd Jr. aged three (3) years and that your Oratrix is and the Defendant is not a fit and suitable person to have the care, custody and control of said minor child.

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Soller for the Elexisticities

The Defendent Laurence E. Shephord is hereby required to enswer the allegations of Part Two of the above Bill from Section Che to Section Four, inclusive, but not under oath, oath to answer being expressly waived.

SOLICITOR FOR PLAINFILL.

STATE OF ALABAMA

BAIDWIN COUNTY.

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Subscribed in my presence and sworn to before me this 17th

day of Jane, 1931.

Notary Public.

IN THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA IN CHANCERY

NELLIE SHEPHERD

PLAINTIFF

Þ

LAWRENCE E. SHEPHERD

DEFFNDANT.

BILL OF COMPLAINT.

NELLIE SHEPHERD,

PLAINTIFF.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
IN CHANCERY

٧S

LAWRENCE E. SHEPHERD.

DEFENDANT

DEPOSITIONS OF WITNESSES FOR PLAINTIFF

Nellie Shepherd, being by me first duly sworn did depose and testify as follows:

#### TESTIMONY OF NELLIE SHEPHERD

My name is Nellie Shepherd and I am the wife of the Defendant Lawrence E. Shepherd and am the Plaintiff in this action for divorce.

I was married to the Defendant Lawrence E. Shepherd in Pensacola, Florida on the 2nd day of March, 1927. We lived together in Pensacola for about two (2) months and then my husband, the Defendant, told me that his business called him to Kansas City, Missouri, and that it was necessary for him to go there at once; that I should go home to my parents and he would go to Kansas City and provide a home and as soon as he had done so would send for me to join him there.

Accordingly I returned to the home of my parents in Baldwin County, Alabama in the first part of May, 1927 and I have resided continuously in Baldwin County, Alabama ever since May, 1927 and for more than four (4) years before the filing of this action for divorce.

For a month or two after we separated I received occasional letters from my husband but he never sent for me to come to him and the last letter I got from him was in September, 1927.

At that time he disappeared and I have never seen nor heard from him since. He abandoned me without any cause whatever and this voluntary abandonment on his part has been continued for more than four (4) years.

After my husband abandoned me, as I have stated, my baby was born and he is now more than three (3) years old. His name is Lawrence E. Shepherd, Jr. and his father, the Defendant, has never

seen him or contributed a cent for his support. I have supported myself and the baby by working as an office nurse in the offices of Drs. Beasley and Abernathy here in Foley and I am able to support myself and the baby and I ask that the court in its decree give me the exclusive care, custody and control of Lawrence E. Shepherd, Jr.

nellie Shepherd.

#### TESTIMONY OF SUSIE E. DUNSON

My name is Susie E. Dunson and my home is in Foley, Baldwin County, Alabama. I am the mother of Nellie Shepherd who is the Plaintiff in this divorce action.

She was married to Lawrence E. Shepherd in Pensacola, Florida in March, 1927. She and her husband lived togethed there for about two (2) months and then she came home stating that her husband had been called to Kansas City Missouri and was going to send for her a little later. They corresponded, I know, for a month or two and the last letter she received from him was in September, 1927. Since that time she has not heard from him and she does not know where he now is but since May, 1927 he has abandoned her and she has lived at home with me, separate and apart from her husband and without any support or help from him.

Her baby was born after he abandoned her and she has always worked and supported herself and the baby.

She has a position which enables her to support herself and the baby and it has always had the best of care and she is thoroughly competent to raise the baby and take care of it.

I am sure that my daughter gave her husband no reason for leaving her as he did and that his abandonment of her was willful and voluntary.

Surie E. Dunson.

STATE OF ALABAMA
BALDWIN COUNTY.

I, L. F. Farrell, do hereby certify that on the 18th day

of November, 1931 I was appointed by the Register of the Circuit Court of Baldwin County, Alabama, commissioner for the purpose of taking the testimony of Nellie Shepherd and Susie E. Dunson, witnesses in behalf of the Complainant in the foregoing cause, and attached herewith is the commission issued to me. That in accordance with the said commission I caused/before me in my office in Foley, Alabama on the 20th day of November, 1931 the said Nellie Shepherd and Susie E. Dunson 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 20th day of November, 1931.

Lucilly Farrell

## The State of Alabama, Baldwin County

CIRCUIT COURT

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# The State of Alabama, Baldwin County

CIRCUIT COURT

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IN THE CIRCUIT COURT OF BAIDWIN COUNTY, ALABAMA

NELLIE SHEPHERD,

PLAINTIFF,

ΨB

LAWRENCE E. SHEPHERD,

DEFENDANT,

DEPOSITIONS OF WITNESSES FOR PLAINTIFF

The man (2003)

LLOYD A. MAGNEY ATTORNEY AT LAW FOLEY, ALABAMA

### LLOYD A. MAGNEY ATTORNEY AND COUNSELLOR AT LAW FOLEY, ALABAMA

September 14, 1931.

Hon. T. W. Richerson, Register In Chancery, Bay Minette, Ala.

Dear Mr. Richerson:-

I enclose herewith the verified Bill of Complaint of Nellie Shepherd vs Lawrence E. Shepherd, an action for divorce.

As you will see from the bill the Defendant is a non-resident and his place of residence is unknown; hence it will be necessary to obtain service by publication

Please publish the required notice in the Baldwin County News at Robertsdale, and oblige.

Very truly yours,

lam/lff l encl.

Nellie Sheperd,	\ The St	ate of Alaba	ama,
		dw <b>in</b>	
Neces	Bar	<u> </u>	County.
vs.	Circuit	Court, in E	quity.
Lawrence Sheperd,		7 5 42.	
	This the	TOEU	day of
	Sept	ember,	192 31
	and the second s		
In this cause it being made to appear Nellie Sheperd,	ar to the Clerk of this C		
that the Defendant Lawrence E She		a.	
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to answer or demur to the Bill of Complaint in this	cause by the	Make th	day of
October 192 31 or after thirty d	ays therefrom a decr	ee Pro Conf	esso may be
taken against the said Lawrence E.She	perd,	Paix	
Lloyd A.Magney Atty for Complainant.		I W.C.	Register.

#### STATE OF ALABAMA County of Baldwin

is the publisher of THE BALDWIN COUNTY NEWS, a newspaper publisher Alabama, in th win County, Ala

	lished every Thursday at Robertsdale, Baldwin County, Alabama, in th English language and of general circulation in said Baldwin County, Ala
	bama; that the notice hereto-attached of
NOTICES'	Motree to non Resident
NON-RESIDENT	Nillie Shepherd Vs Laurence Shepherd
s. Lawrence Sheperd, pama,	in it is a second of the secon
Equity.	Circuit Court in Eguity
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nce E. Sheperd is a ne State of Alabama	Date of first publication Sept (7-1931 Vol. 10 No. 73
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aid Affiant the De- he age of 21 years;	Date of third publication Oct / 1931 Vol. 10 No. 25
rdered that publica- The Baldwin News-	Date of fourth publication Oct 8 1931 Vol. 10 No. 26
per published in iwin County, Ala- eek for four conse-	And said affiant further states that these is no contract, agreement o
uring the said Law- to answer or de-	understanding between himself and
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Register.	A De O A TOUR AREA
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Atty, for Compl

Cost of Publication \$7.70

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LEGAL NOTICE TO Nellie Sheperd, v. The State of Alal Baldwin County. Circuit Court, in

This the 15th da In this cause in pear to the Clerk affidavit of Nellie Defendant Lawren non-resident of th whose present place known to affiant in the belief of s fendant is over t it is, therefore, or tion be made in Herald, a newspa Herald, a newspa Robertsdale, Bald bama, once a we cutive weeks, requ rence E. Sheperd, mur to the Bill o cause by the 17th or or after thirty da cree Pro Confesso

LLOYD A. MAG

st the said Lawre

	OF ALABAMA	CIRCUIT COURT, IN No. 1005. Vacation	N EQUITY. 1, Term, 192
		Nellie Sheperd,	, Complainant
		vs. Lawrence E.Sheperd,	, Defendant
<u></u>	Richerson,	, Register:	

and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Ilogd 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. Lloyd A. Magney, ...

Solicitor for Complainant.

1005.	Page
THE STATE OF A BALDWIN CO CIRCUIT COURT,	ALABAMA OUNTY
Nellie Sheperd,	
vs.	
Lawrence E.Sh	eperd,
REQUEST FOR VACA	DECREE IN
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BALDWIN COUNTY

IN EQUITY, Lawrence E. Sheperd, 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 Nellie Sheperd, Susie E. Dunson, and in behalf of Defendant upon

Register.



No1005.	The state of the s
THE STATE OF ALABAM BALDWIN COUNTY	A
IN EQUITY, CIRCUIT COURT OF BALDWIN	COUNTY.
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	; ;
Lawrence E.Sheperd,	
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NOTE OF TESTIMONY	armined about the skiller
Filed in Open Court this 24th	
day of November,	
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The State of Ala Baldwin County.		CIRCL	JIT COURT	r, In EQUI	TY. On Term, 192
~	Nellie S	heperd,			Complainant
vs	Lawrence	Sheperd			Defendant
In this cause it appears	to the Registe	er:	~======================================	that t	the order of public
cation heretofore made in this	cause, was pu	blished for f	our consecut	tive weeks, co	ommencing on the
16th, day of Septe	ember,	., 192, in	the Bald	lwin Cour	ty News
a newspaper published in Rob	ertsdale,	Alab	ama, that a	copy of said	order was posted
at the Court House door in	Baldwin		County, o	n the]	6thday of
September					
And it now further appear	uring to the H	Register	.= - ~ • • • • • • • • • • • •		that the said
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having to the date hereof failed	to demur, ple	ad to or answ	ver the Bill (	of Complaint	in this cause it
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		1200 B	Leser	wo	Register,

		The State of Alabama,  Baldwin County.  CIRCUIT COURT, IN EQUITY.  Nellie Sheperd,  Vs.  Lawrence E. Sheperd,  Lawrence E. Sheperd,  DECREE PRO CONFESSO ON PUBLICATION  Issued November Editor Register.  Page  Vol. Page  Record  Vol. Page  Record
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RECORD

The State of Alah Baldwin County.	No. 1004.	- Circuit Court, in Equity.
	Nollie Shenera	
	Nellie Sheperd,	Complainant
	vs.	
	Lawrence E.Sheperd,	Defendant
Court is of opinion that the Comp IT IS. THEREFORE. Ord	mony as noted by the Register; plainant is entitled to the relief ered, adjudged and decreed by a the Complainant and Defenda	the Court, that the bonds of matrint he and the same are hereby dis-
on account of volunta	ry abandonment,	
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	said Nellie Sheperd	
Court in this cause.		ge, upon the payment of the costs of
It is further ordered, that	the said Rellie Shep	erd,
pay the costs herein taxed, for wh	hich execution may issue, and	if such execution is returned "no
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CIRCUIT COURT, IN EQUITY, RECORDED THE STATE OF ALABAMA BALDWIN COUNTY, ALA, DECREE OF DIVORCE. Filed in office this .... The Moore Printing Co. :::: Bay Minette, Ala, BALDWIN COUNTY Lawrence E. Sheperd, E, O, M.

Nellie Sheperd

day of....