

1016

Glenn W. Phillips,

Complainant

vs.

Lula Phillips,

Respondent .

In The Circuit Court of Baldwin County,
Alabama.

In Equity .

To the Honorable Francis W Hare, Judge of the Twenty First Judicial
Circuit of Alabama, which includes Baldwin County :

Humbly complaining, Your Orator, Glenn W. Phillips, respectfully represents
unto your Honor as follows:-

1. Your Orator, Glenn W. Phillips, and Lula Phillips were married in the
City of Pensacola Florida, on to wit, August 10th, 1929, and lived together
for two weeks as man and wife at Cantonment, Florida, when said Lula Phil-
lips, respondent, abandoned your Orator at Cantonment, Florida aforesaid
on or about , to wit August 24th, 1929, without lawful excuse therefor and
more than two years before the filing of this Bill and since said abandon-
ment they have not lived together .

2. That your Orator, said Glenn W Phillips and respondent, the said Lula
Phillips are each over the age of twenty one years and over and your Orator
now resides at Lowley , Alabama and respondent, said Lula Phillips, re-
sides at Robertsdale , Alabama.

3. Your Orator , said Glen W Phillips, in 1928 came to Baldwin County,
Alabama and resided at Robertsdale in said County and has always claimed
Baldwin County, Alabama, as his residence and home and from time to time
lived at Cantonment Florida to secure work there. For the past three year
s and more, your Orator has been a bona fide resident of the State of
Alabama, and has resided in Baldwin County for more than two years, since his
wife, Lula Phillips abandoned him at Cantonment, Florida, in August, 1929.

4. That said Lula Phillips, respondent, not only abandoned your orator on
to wit August 24th, 1929, while they were residing temporarily at Canton-
ment Florida, but she has failed and refused to resume marital relations
with your Orator and since said abandonment of your Orator aforesaid, she
has remained away from the bed and board of your Orator; that said abandon-
ment was without any cause or lawful excuse on the part of your Orator

thereby as to mistreatment in any respect whatsoever of respondent, said Lula -
Phillips .

Wherefore, the premises considered, Your Orator prays a subpoena be issued and directed to the said Lula Phillips, respondent, in this cause, that she be brought before this Honorable Court and directed to answer the charges herein made against her under the rules of this Honorable Court; that she be made a party defendant or respondent to this Bill of Complaint and that upon a final hearing of the evidence your Honor will order, adjudge and decree that the bonds of matrimony heretofore existing between your Orator and the said Lula Phillips be forever dissolved and that your Orator be permitted to marry again and that he be granted such other and further relief as may in equity and good conscience seem proper and meet to your Honor.

And Your Orator will ever pray etc .

S Jenkins

Solicitor for Complainant .

Foot Note:

The respondent is required to answer each and every paragraph of the foregoing Bill from 1 to 4 inclusive, but her oath to said answer is hereby expressly waived .

S C Jenkins

Solicitor for Complainant .

RECORDED
Clen W Phillips,
Complainant

vs

Kula Phillips,

Respondent.

*Filed Dec 16th 1931
J. W. Dickinson
Register*

The State of Alabama,
Baldwin County.

{ No. 1016 CIRCUIT COURT IN EQUITY.

GLEN W. PHILLIPS

Complainant

vs.

LULA PHILLIPS

Defendant

Motion is hereby made for a Decree Pro Confesso against LULA PHILLIPS

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 2nd day of February 1933

S. C. JENKINS

Solicitor,

No. 1016

Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

GLEN W. PHILLIPS

vs.

LULA PHILLIPS

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed January 2, 1933

D. M. Richmond

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

The State of Alabama, {
Baldwin County.

No. 1016

CIRCUIT COURT, IN EQUITY

GLEN W. PHILLIPS

Complainant

vs.

LULA PHILLIPS

Defendant

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

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 LULA PHILLIPS
 was served upon HER by the Sheriff of BALDWIN County, Alabama, on the
8th day of January 19 32

And the said Defendant LULA PHILLIPS having failed to demur, plead to or answer the said Bill of Complaint
 or answer after demurrer was overruled, Aug 15th, 1932,
 to this date, it is now, therefore, on motion of HON. S.C. HENKINS, solicitor 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 Lula Phillips

Defendant aforesaid.

This 2nd day of February 19 33

J. W. Robinson

Register.

No. 1016

Page

The State of Alabama,
Baldwin County

Circuit Court In Equity


GLEN W. PHILLIPS

VS.

LULA PHILLIPS

Decree Pro Confesso On
Personal Service.

Issued January 2, 1933


Register.

GLENN W. PHILLIPS,

Complainant,

VS.

LULA PHILLIPS,

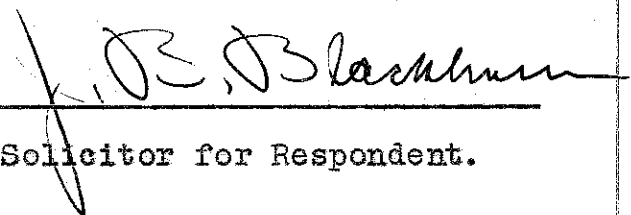
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 1016.

DEMURRERS.

Comes the Respondent in the above entitled cause and demurs to the Bill of Complaint for the following separate and several reasons, to-wit:

First: Because there is no equity in the Bill.


Solicitor for Respondent.

Original

DEMURRERS.

GLENN W. PHILLIPS,
Complainant,
vs.

LULA PHILLIPS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 1016.

Filed on this the 6th day of February, 1932.

W. B. Riceman
Register

alia
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 Lula Phillips

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

Glenn W. Phillips

against said Lula Phillips,

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 8th day of

Jan 193²

T. W. Richerson Register.

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

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Glenn Phillips

vs.

Lula Phillips,

S.C.Jenkins.

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

193 2

by leaving a copy of the within Summons with

Lula Phillips

Defendant.

Sheriff.

Deputy Sheriff.

By _____

1/8/32

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

Glen W. Phillips

COMPLAINANT

VS.

Lula Phillips.

RESPONDENT

I, T.W. Richerson,

as Register and Commissioner

have called and caused to come before me Glen Phillips, Laurie De Vine,
and Leon Devine

witness named in the requirement for Oral Examination, on the 7th day of January
1935, at the office of Register,
Bay Minette
in Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said witnesses,

doth depose and say as follows:

Glenn W. Phillips, the Complainant being duly sworn testified as follows:-

My name is Glen W. Phillips and I reside at Loxley Alabama, I and am a bon afide resident of Baldwin County, Alabama and have been so for the last six years, I am the Complainant in this cause, On Aug 10th 1929, Lula Phillips and myself were lawfully married in the City of Pensacola Fla, We went to Cantonment Flam, and lived there together as man and wife for two weeks, and the said Lula Phillips at that thime did abandon your Orator and went to live at Robertsdale Alabama, where she has since resided there with her mother Mrs. Nancy Tollen, I went to Robertsdale to see Lula Phillips and tried to get her to come and live with me and she refused to do so this was a short time after she abandoned me. Lula Phillips is over the age of 21 years and for the past three years or more has been a bon afide resident of Baldwin County, Ala, Your Orator is over the age of 21 years and has been a bon a fide resident of Baldwin County Alabama for the past three years, The said Lula Phillips, the Respondent not only abandoned your Orator on Aug 24th 1929. but she has failed and refused to resume marital relations, and since said abandonment, has remained away from the bed and board of your Orator, that said abandonment by the said Lula Phillips from your Orator was without any just cause or law -ful excuse therefor, or for any mistreatment of her in any respect whatever by your Orator.

Glen W. Phillips
Laurie Devine a witness for complainant who being duly sworn testified as follows:

My name is Laurie Devine and I live at Loxley Baldwin Co, Ala, and have lived there for 12 years and have known Lula Phillips for twelve years, and I have known Glen W. Phillips for more than three years, Glen W. Phillips has been a bon afide resident of Baldwin County Ala for more than three years and resides at Loxley Ala and his wife lives at Robertsdale Alabama, they are both over 21 years of age, they have lived separate and apart for more than three years, They were lawfully married August 10th 1929, and live together about

about two weeks when Lula abandoned Glen Phillips and went to live with her mother Nancy Toler at Robertsdale, Alabama, She had been married once before and had lived with her husband only one week, but after marrying Glen Phillips she lived with him ~~two~~ weeks, This abandonment of Glen Phillips by Lula Phillips was without any just cause of legal excuse therefor, Glen W. Phillips ~~and~~ is an honest hard working man, and treated his wife well as long as she lived with him,

Leon Devine who being duly sworn testified as follows:- *Laurie Devine*

My name is Leon Devine, I know Glen W. Phillips and Lula Phillips they were lawfully married Aug 10th 1929 and lived together until Aug 24th 1929, and Lula Phillips abandoned the said Glen W. Phillips and went to live with her mother at Robertsdale Alama, where she has lived ~~ever~~ since, She abandoned her husband Glen W. Phillips, without just cause or lawful excuse therefor, and she told me that she would not live with Glen W. Phillips under no consideration, I ~~know~~ know that they have been living separate and apart for more than 3 years and lived separate and apart for more than 2 years before the filing of the bill in this cause, Glen W. Phillips is over 21 years of age and lives in Baldwin County, Alabama, and so is Lula Phillips, over 21 years of age.

Leon Devine

ORAL EXAMINATION

I, D. W. Beckman as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness he and read over to them and they signed the same in the presence of myself and And Hon S C Jenkins They for Compliment at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness he or had proof made before me of the identity of said witness he; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 7th day of January 1933.

D. W. Beckman (L. S.)

No. 1016.

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THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Glen W. Phillips,

v. D.

COMPLAINANT

vs.

Lula Phillips,

I D.

RESPONDENT

ORAL DEPOSITION

Filed January 7th 3, 193

D. W. Beckman, Register.

RECORDED IN

Record

Vol. Page

, Register

THE STATE OF ALABAMA.

BALDWIN COUNTY.

NO. 1016. CIRCUIT COURT, IN EQUITY.

GLEN W. PHILLIPS,

Complainant,

vs.

LULA PHILLIPS.,

Respondent.

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 the 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 on account of voluntary abandonment.

IT IS FURTHER ORDERED, that the said GLEN W. PHILLIPS 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 GLEN W. PHILLIPS 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 LULA PHILLIPS.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said GLEN W. PHILLIPS shall not again marry except to said LULA PHILLIPS until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said LULA PHILLIPS during the said pendency of appeal.

This the 15th day of January, 1933.

J. W. Hare
JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY.

RECORDED
ORIGINAL

DECREE OF DIVORCE.

GLEN W. PHILLIPS,

Complainant,

vs.

LULA PHILLIPS.,

Respondent.

FINAL DECREE.

Filed January 11th,
1933.

Wm. D. Williams
REGISTER.