(313)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

LULA DENNIS, Complainant

vs.

ELBERT B. DENNIS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso on~~ ANSWER AND WAIVER and 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, and that the said LULA DENNIS is forever divorced from the said ELBERT B. DENNIS for and on account of CRUELTY

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that ELBERT B. DENNIS the RESPOND ENT pay the cost herein to be taxed, for which execution may issue.

This 2nd day of April, 19 37

F. W. HARE
Judge Circuit Court, In Equity.

I, ALICE J. DUCK Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file end enrolled in my office.

Witness my hand and seal this the 9th day of October, 19 51

Register of Circuit Court, In Equity.

©GDES 115

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LULA DENNIS Complainant

vs.

ELBERT B. DENNIS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Answer and Waiver ~~personal service~~ and 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, and that the said LULA DENNIS is forever divorced from the said ELBERT B. DENNIS for and on account of cruelty

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that LULA DENNIS and ELBERT B. DENNIS be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that ELBERT B. DENNIS the Respondent pay the cost herein to be taxed, for which execution may issue.

This 2nd day of April, 19 37

F. W. Hare
Judge Circuit Court, in Equity.

I, ..., Register of the Circuit Court for Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the ..... day of ....., 19.....

Register of Circuit Court, in Equity.

Code 1923—Sec. 7425-7426.

© GOES 115

SUMMONS—ORIGINAL

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 ELBERT B. DENNIS

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

LULA DENNIS

against said ELBERT B. DENNIS

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, Robert S. Duck, Register of said Circuit Court, this 2nd day

of April 1937

R. S. Duck Register

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

LULA DENNIS, Complainant, VS. ELBERT B. DENNIS, Respondent.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

And now comes the Respondent, ELBERT B. DENNIS, in his own proper person, and denies each and every allegation contained in the Complainant's Bill of Complaint and demands strict proof thereof.

The Respondent hereby expressly waives notice of the time of taking testimony on behalf of the Complainant, the right to examine the Complainant's witnesses and agrees that this cause be submitted forthwith for final decree without any further notice.

Elbert B Dennis
Respondent.

WITNESSES:
John W S Tyson

LULA DENNIS, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA,
ELBERT B. DENNIS, Respondent.	)	IN EQUITY:

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

Comes your Complainant, LULA DENNIS, and humbly complaining against the Respondent, ELBERT B. DENNIS, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That both your Complainant and Respondent are over twenty-one years of age and residents of Bon Secour, in Baldwin County, Alabama; that they have been bona fide residents of Baldwin County, Alabama, for more than three years next preceding the filing of this Bill of Complaint.

2. That your Complainant and the Respondent were married at Wetumpka, Alabama, on to-wit, December 15th, 1920, and lived together as husband and wife until on to-wit, March 19th, 1937.

3. That on to-wit, March 19th, 1937, and at various times prior thereto, the Respondent cursed, abused and threatened the Complainant; that the conduct of the Respondent was such as to cause the Complainant to have reasonable apprehension to believe and she did believe that if she continued to live with him, he would carry out his threats and do actual violence to her, which would endanger her life and health.

WHEREFORE, the premises considered, your Complainant prays that your Honor will, by proper process, make the said ELBERT B. DENNIS party respondent to this Bill of Complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of divorce, forever barring the bonds of matrimoney heretofore existing between her and the Respondent, ELBERT B. DENNIS; that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Lula Dennis
Complainant.

Burke Hall & Burke
Solicitors for the Complainant.

FOOT NOTE:

The Respondent, ELBERT B. DENNIS, is required to answereach and every allegation contained in the foregoing Bill of Complainant, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

Burke Hall & Burke
Sol for Complainant.

Lula Dennis
Solicitors for the Complainant.

RECORDED

Luca Dennis Duck
7-88

v

Elbert B Dennis

Answer and
Waiver

Filed Apr. 7. 1937
R. S. Duck.
Register

Duck
RECORDED
7-87

Serve on _____

Circuit Court of Baldwin County
IN EQUITY

No. _____

SUMMONS

Lula Dennis

vs.

Elbert B. Dennis

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this 2
day of March April, 1937

M. H. Wilkins
SHERIFF

Executed this 2 day of
March April 1937
by leaving a copy of the within Summons with
Elbert B. Dennis

Defendant

M. H. Wilkins
Sheriff

By C. N. Anderson
Deputy Sheriff

Duck
RECORDED
7-87

BILL OF COMPLAINT

LULA DENNIS,

Complainant,

VS.

ELBERT B. DENNIS,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed April 2, 1937.
R. S. Duck,
Register

Duck
RECORDED

No. ..... Page 2-266

The State of Alabama
Baldwin County

In Circuit Court, In Equity

LULA DENNIS

vs. Complainant.

ELBERT B. DENNIS

Respondent.

DIVORCE DECREE

Filed April 2, 1937
R. S. Duck, Register

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

_____

_____

Complainant

vs.

_____

_____

Respondent

DIVORCE DECREE

(3)

ORAL DEPOSITION Moore Ptg. Co., Bay Minette

The State of Alabama Baldwin County } Circuit Court of Baldwin County, Alabama, (In Equity)

LULA DENNIS COMPLAINANT

VS.

ELBERT B. DENNIS RESPONDENT

I, R. S. DUCK

as Register and Commissioner

have called and caused to come before me Lula Dennis, Bertha Johnson and W. R. Johnson

witness es named in the requirement for Oral Examination, on the _____ day of April 1937, at the office of Register of the Circuit Court of Baldwin County, Alabama, in Bay Minette, _____, Alabama, and having first sworn said witness es to speak the truth, the whole truth, and nothing but the truth, the said Lula Dennis _____ doth depose and say as follows:

My name is Lula Dennis. I am the Complainant in the above styled cause. Elbert B. Dennis and I are both over twenty-one years of age and residents of Bon Secour, in Baldwin County, Alabama. We have been residents of Baldwin County, Alabama, for more than three years next preceding the filing of this Bill of Complaint.

Elbert B. Dennis, the Respondent, and I were married at Wetumpka, Alabama, on December 15th, 1920. We lived together as husband and wife until March 19th, 1937.

Sometime about a year ago the Respondent began to abuse me in various ways and curse me and often threaten to do violence to my person. This condition grew worse until on March 19th, 1937, it became unbearable. His conduct was such that I had every reasonable apprehension to believe and did actually believe that if I continued to live with him, he would carry out his threats and do actual violence to my person, which would necessarily endanger my life and health. I have been in bad health for quite sometime and the conduct of the Respondent was such that I absolutely cannot live with him.

Lula Dennis

ORAL EXAMINTAION

I, R. S. DUCK as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down in writing by me in the words of the witness~~es~~ and read over to them and they signed the same in the presence of myself and _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ~~es~~ or had proof made before me of the identity of said witness~~es~~; 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 2nd day of April 1937.

R. S. Duck (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

LULA DENNIS
COMPLAINANT

vs.

ELBERT B. DENNIS
RESPONDENT

ORAL DEPOSITION

Filed April 2, 1937
R. S. Duck, Register.

RECORDED IN

_____ Record

Vol. _____ Page _____

_____, Register

BERTHA JOHNSON, a witness for the Complainant being first duly sworn, deposes and says:

My name is Bertha Johnson. I live at Bon Secour, in Baldwin County, Alabama. I am the mother of the Complainant, Lula Dennis. Lula and her husband, Elbert B. Dennis, lived right near our place for quite sometime and until just recently when they moved away to property of their own. I know that very often the Respondent abused my daughter and on various times left her alone at the house for various lengths of time. She is in bad health. The conduct of the Respondent was such and his threats and abuses so bad, that it was impossible for my daughter to live with him as his wife.

Mrs. W. R. Johnson

W. R. JOHNSON, a witness for the Complainant being first duly sworn, deposes and says:

My name is W. R. Johnson. I am the father of Lula Dennis, the Complainant in the above styled cause. I know that the Respondent, Elbert B. Dennis, has during the past year cursed, abused and threatened my daughter, Lula, and, in fact, it has grown so bad that it is impossible for her to live with him as his wife. I know that the conduct of the Respondent is such as to render it impossible for her to live with him.

W. R. Johnson

(2)

8581. NOTE OF TESTIMONY

MOORE PRINTING CO., BAY MINETTE, ALA.

LULA DENNIS

Complainant,

vs.

ELBERT B. DENNIS,

Respondent

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, and on the testimony of Lula Dennis, Bertha Johnson and W. R. Johnson

and in behalf of Defendant upon Answer and Waiver.

R. S. Duck
Register.

RECORDED
Duck
7-88

No. _____ Page _____

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

LULA DENNIS,

Vs.

ELBERT B. DENNIS

REQUEST FOR DECREE IN VACATION

Filed April 2, 1937

R. S. Duck.

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Ptg. Co. Bay Minette

CIRCUIT COURT, BALDWIN COUNTY, ALA.
IN EQUITY

No. 313

Lula Dennis — PLAINTIFF

VS.

Elbert B. Dennis — DEFENDANT

BILL OF COSTS

FEES OF REGISTER		Dollars	Cents
Filing each bill and other papers 5	$ 10		50
Issuing each subpoena	50		50
Issuing each copy thereof	40		40
Entering each return thereof	15		15
For each order of publication	1 00		
Issuing Writ of injunction	1 50		
For each copy thereof	50		
Entering each return thereof	15		
Issuing Writ of Attachment	1 00		
Entering each return thereof	15		
Docketing each case	1 00	1	00
Entering each appearance	25		25
Issuing each decree pro confesso on per ser.	1 00		
Issuing each decree pro confesso on publica	1 00		
Each order appointing guardian	1 00		
Any other order by Register	50		50
Issuing Commission to take testimony	50		
Receiving and filing	10		10
Endorsing each package	10		10
Entering order submitting cause	50		50
Entering any other order of court	25		
Noting all testimony	50		50
Abstract of cause, etc.	1 00		
Entering each decree	75		75
For every 100 words over 500	15		
Taking account, etc.	3 00		
Taking testimony, etc	15	5	25
Each report, 500 words or less	2 50		
For every 100 words over 500	15		
Amount claimed less than $500, etc	2 00		
Issuing each subpoena	25		
Witness certificate, each	25		
Issuing execution, each	75		
Entering each return	15		
Taking and approving bond, each	1 00		
Making copy of bill, etc	15		
Each notice not otherwise provided for	50		
Each certificate or affidavit, with seal	50		
Each certificate or affidavit, no seal	25		
Hearing and passing on application, etc.	3 00		
Each settlement with Receiver, etc.	3 00		
Examing each voucher of Receiver, etc	10		
Examing each answer, etc.	3 00		
Recording resignation, etc	75		
Entering each certificate to SupremeCourt	50		
Taking questions and answers, etc	25		
For all other ser relating to such proceedings	1 00		
For services in proceeding to relieve minors, etc., same fee as in similar cases.			
Commission on sales, etc: 1st $100, 2 per cent: all over $100 and not exceeding $1,000, 1 1-2 per cent; all over $1,000, and not exceeding $20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.			
Sub Total Carried Forward			

		$	Cents
Brought Forward		$ 5	25
For Receiving, keeping and paying out or distributing money, etc.: 1st $1,000, 1%, all over $1,000, and not over $5,000, 3-4 of 1%; all over $5,000 and not exceeding $10,000, 1-2 of 1%, all over $10,000 1-4 of 1%.			
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.			
Each notice sent by mail to creditor	15		
Filing receipting for and docketing each claim, etc.	25		
For all entries on subpoena docket, etc.	50		
For all entries on commission docket, etc.	50		50
Making final record. per 100 words	15	3	00
Certified copy of decree	1 00	2	00
Report of divorce to State Health Office (Acts 1915)	50		50
TOTAL FEES OF REGISTER		11	25
FEES OF SHERIFF			
Serving and returning subpoena on deft.	$1 50	1	50
Serving and returning subpoena for witness	65		
Levying attachment	1 50		
Entering and returning same	25		
Selling property attached			
Impaneling Jury	75		
Executing Writ of possession	2 50		
Collecting execution for costs	1 50		
Serving and returning sci. fa., each	65		
Serving and returning notice	65		
Serving and returning writ of injunction	1 50		
Serving and returning writ of exeat	1 50		
Taking and approving bonds, each	75		
Collecting money on execution			
Making Deed	2 50		
Serving and returning application, etc.	1 00		
Serving attachment, contempt of court	1 50	1	50
TOTAL FEES OF SHERIFF			
RECAPITULATION			
Register's Fees		11	25
Sheriff's Fees		1	50
Commissioner's Fees		5	00
Solicitor's Fees			
Witness Fees			
Guardian Ad Litem			
Printer's Fees			
Trial Tax	3 00	3	00
Recording Decree in Probate Court			
TOTAL		20	75

Received payment this _____ day of _____ 193____

_____
Register.

(2)

8581. NOTE OF TESTIMONY

MOORE PRINTING CO., BAY MINETTE, ALA.

LULA DENNIS

Complainant,

vs.

ELBERT B. DENNIS,

Respondent

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, and on the testimony of Lula Dennis, Bertha Johnson and W. R. Johnson

and in behalf of Defendant upon Answer and Waiver.

R. S. Duck
Register.

RECORDED
Duck
7-88

No. _____ Page _____

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

LULA DENNIS,

Vs.

ELBERT B. DENNIS

REQUEST FOR DECREE IN VACATION

Filed April 2, 1937

R. S. Duck.

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Ptg. Co. Bay Minette

Circuit Court, Baldwin County, Ala.
In Equity.

No _____

VS.

COST BILL

Paid _____, 193____

_____
Register.

MOORE PRINTING CO., BAY MINETTE, ALA.