

JOHN DEVINE,
Complainant,
VS.
GENIA DEVINE,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

This cause coming on to be heard was submitted upon the original Bill of Complaint, Decree Pro Confesso and Testimony as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

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 Complainant is forever divorced from the Respondent on the ground of voluntary abandonment.

IT IS FURTHER ORDERED that the Complainant be, and he is hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs herein taxed, for which execution may issue.

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

Dated at Monroeville, Monroe County, Alabama, this 7th day of July, 1938.

J. W. Starn

Judge of the Circuit Court of Baldwin County, Alabama.

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

GENIA DEVINE,

Route 1, Box 237, Castleberry, Ala.

of Conecuh

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

JOHN DEVINE,

against said

GENIA DEVINE,

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 18th day

of December 1937



Register

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

The State of Alabama,
Baldwin County.

{ No. 386 CIRCUIT COURT IN EQUITY.

JOHN DEVINE, Complainant

vs.

GENIA DEVINE, Defendant

In this cause it appears to the Register in Chancery

that a summons requiring the Defendant

Genia Devine

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 her

was served upon her by the Sheriff of Conecuh County, Alabama, on the 5th day of January 19 38

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of

BEEBE, HALL & BEEBE,

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

GENIA DEVINE,

Defendant aforesaid.

This 8th day of February 19 38

Register.

JOHN DEVINE,
Complainant,
VS.
GENIA DEVINE,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

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

Comes your Complainant, JOHN DEVINE, and humbly explaining against
the Respondent, GENIA DEVINE, respectfully represents and shows unto your Honor
and this Honorable Court as follows:

1. That your Complainant is over twenty-one years of age and a resident
of Baldwin County, Alabama; that the Respondent is over twenty-one years of age
and a resident of Baldwin County, Alabama, but at present residing at Castleberry,
Conecuh County, Alabama, her address being: C/o Mr. W. M. Chavers, Route 1, Box
257; that your Complainant has been a resident 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 Evergreen,
in Conecuh County, Alabama, on August 3rd, 1932, and lived together as husband
and wife until, to-wit, September, 1935.

3. That on to-wit, in September, 1935, the Respondent voluntarily
abandoned the bed and board of the Complainant and has remained away voluntarily
and continuously since that time.

WHEREFORE, the premises considered, Complainant prays that your Honor
will, by proper process, make the said GENIA DEVINE party respondent to this Bill
of Complaint, requiring her 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, this
Honorable Court will give and grant ^{unto him} a decree of absolute divorce, forever barring
the bonds of matrimony existing between him and the Respondent, GENIA DEVINE;
that your Honor will give and grant unto him such other, further, different or
general relief as he may be in equity and good conscience entitled to receive,
and as in duty bound he will ever pray.

Richard H. Hester
Solicitors for the Complainant.

BILL OF COMPLAINT

JOHN DEWANE

vs.

GENIA DEVINE

Respondent

IN THE CIRCUIT COURT OF

THE FIRST JUDICIAL CIRCUIT

IN FLORIDA

FILED
9/25/20
CLERK OF COURT

FOOT NOTE: The Respondent, GENIA DEVINE, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 8, inclusive, but not under oath, oath being hereby expressly waived.

Richard A. Raulo
Solicitors for the Complainant.

JOHN DEVINE,

Complainant,

VS.

GENIA DEVINE,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

Comes your Complainant, JOHN DEVINE, and humbly complaining against the Respondent, GENIA DEVINE, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant is over twenty-one years of age and a resident of Baldwin County, Alabama; that the Respondent is over twenty-one years of age and a resident of Baldwin County, Alabama, but at present residing at Castleberry, Conecuh County, Alabama, her address being: C/o Mr. W. M. Chavers, Route 1, Box 237; that your Complainant has been a resident 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 Evergreen, in Conecuh County, Alabama, on August 3rd, 1932, and lived together as husband and wife until, to-wit, September, 1935.

3. That on to-wit, in September, 1935, the Respondent voluntarily abandoned the bed and board of the Complainant and has remained away voluntarily and continuously since that time.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said GENIA DEVINE party respondent to this Bill of Complaint, requiring her 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, this Honorable Court will give and grant ^{unto him} a decree of absolute divorce, forever barring the bonds of matrimony existing between him and the Respondent, GENIA DEVINE; that your Honor will give and grant unto him such other, further, different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

Becher & Becher
Solicitors for the Complainant.

FOOT NOTE: The Respondent, GENIA DEVINE, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

Richard Lee Beebe
Solicitors for the Complainant.

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To O'BYRNE JONES,

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

JOHN DEVINE AND R. R. DEVINE

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

JOHN DEVINE,

Complainant

and GENIA DEVINE,

Defendant,

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

Witness 28th day of June 19 38

R. S. Dued

REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

Over
RECORDED 7-26-24

No. 386

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

JOHN DEVINE,

Complainant,

vs.

GENIA DEVINE,

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued February 8, 19 38

H. S. Duck
Register.

Moore Printing Company, Bay Minette, Ala.

Original

Genia Devine,
% W. W. Chavers,
Route 1, Box 237,
Castleberry, Alabama.

Circuit Court of Baldwin County
IN EQUITY

No. 386

SUMMONS

JOHN DEVINE,
Complainant,

vs.

GENIA DEVINE,
Respondent,

BERBE, HALL & BERBE,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

RECORDED 364

THE STATE OF ALABAMA,

BALDWIN COUNTY

Received in office this _____

day of _____, 193_____

SHERIFF

Executed this 14th day of Feb

1938

by leaving a copy of the within Summons with

Sam H. Burdick

Defendant

Sheriff

Deputy Sheriff

By W. G. Moore
J. H. Moore

*Check
2-372*

RECORDED

FINAL DECREE:

JOHN DEVLINE,
Complainant,

VS.

GENIA DEVLINE,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Filed this *1* day of *July* 19*35*
P. S. Devlin
Clerk-Register

BILL OF COMPLAINT

JOHN DEVINE,

Complainant,

VS.

GENIA DEVINE,

Respondent.

1/2

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Review please being hereby expressly waived. Allegations contained in the foregoing Bill of Complaint, in paragraphs 1 to 5, were based on the sworn testimony of witnesses at the hearing and every effort was made to give the Respondent a fair opportunity to be heard.

Filed this 18 day of December 1910
P. S. Devine
Clerk of the Court

John Devine
Attorney for the Complainant

RECORDED *Quick*
NO. *7-484*

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Complainant _____
vs.

Defendant _____

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

Bill
RECORDED

7-364

BILL OF COMPLAINT

JOHN DEVINE,

Complainant,

VS.

GENIA DEVINE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

18 JAN 1937
W. S. DUCK
Clerk-Register

The State of Alabama }
Baldwin County

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

JOHN DEVINE,

COMPLAINANT

vs.

GENIA DEVINE,

RESPONDENT

I, O'BYRNE JONES

as ~~Register and~~ Commissioner

have called and caused to come before me John Devine and R. R. Devine

witnesses named in the Requirement for Oral Examination, on the 29th day of June
19 38, at the office of Clerk of the Circuit Court of Baldwin County, Alabama,
in Bay Minette, Alabama, and having first sworn said witnesses to speak the
truth, the whole truth, and nothing but the truth, the said John Devine

doth depose and say as follows:

My name is John Devine. I am over twenty-one years of age and a resident of Baldwin County, Alabama, living at Loxley. The Respondent, Genia Devine is over twenty-one years of age and a resident of Baldwin County, Alabama, but at present residing at Castleberry, in Conecuh County, Alabama. I have been a resident of Baldwin County, Alabama, for more than three years next preceding the filing of this Bill of Complaint.

Genia Devine and I were married at Evergreen, in Conecuh County, Alabama, on August 3rd, 1932. We lived together as husband and wife until in September, 1935.

In September, 1935, Genia Devine voluntarily left me and has remained away voluntarily and continuously since that time. She absolutely refuses to live with me as my wife. We have no children. I have often talked with her, that is, written her, with reference to our living together and she says it is absolutely impossible. There is nothing I can do to get her to come back and live with me. We had no property.

John Devine

R. R. DEVINE, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is R. R. Devine. I live at Loxley, in Baldwin County, Alabama. I am a brother of the Complainant, John Devine.

I know that in September, 1935, the Respondent, Genia Devine, the wife of John Devine, voluntarily abandoned her husband and has remained away voluntarily and continuously since that time. During the time that she has been away, my brother, John Devine, has lived with or near me and I have had occasion to see him every day or practically every day, and personally know that Genia Devine has not lived with him as his wife.

R. R. Devine

ORAL EXAMINATION

I, O'Byrne Jones, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition s 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 Hubert M. Hall

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 29th day of June 19 38.

O'Byrne Jones (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

JOHN DEVINE

COMPLAINANT

VS.

GENIA DEVINE

RESPONDENT

ORAL DEPOSITION

Filed July 6, 1938

A. S. Duck, Register

RECORDED IN

Record

Vol. _____ Page _____

Register

386

RECORDED ^{Duch} 2 373

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

JOHN DEVINE,

Complainant,

vs.

GENIA DEVINE,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 6th

day of July 1938

R. S. Duch

REGISTER

RECORDED

Duch
7-484

No. _____

Page _____

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

JOHN DEVINE,

Vs. Complainant,

GENIA DEVINE,

Respondent

**REQUEST FOR DECREE IN
VACATION**

Filed July 6, _____, 193 8

R. S. Duch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

Asst
7-392

No. 386

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

JOHN DEVINE,

Complainant,

vs.

GENIA DEVINE,

Respondent

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

Filed February 8, 1938

R. S. Duck

Register.

Recorded in Record,

Vol. Page

Register.

The State of Alabama,
Baldwin County.

} No. 386 CIRCUIT COURT IN EQUITY.

JOHN DEVINE

Complainant

vs.

GENIA DEVINE,

Defendant

Motion is hereby made for a Decree Pro Confesso against GENIA DEVINE

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 8th day of February 19 38

BEEBE, HALL & BEEBE, Solicitor.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 386 July Term, 193 8

JOHN DEVINE, Complainant

Vs.

GENIA DEVINE, Defendant

To R. S. DUCK, 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 BEEBE, HALL & BEEBE,

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.

BEEBE, HALL & BEEBE,
Solicitor for Complainant.

JOHN DEVINE,
 Complainant,
 vs.
 GENIA DEVINE,
 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, _____
 Decree Pro Confesse on personal service; Testimony of John
 Devine; Testimony of R. R. Devine.

and in behalf of Defendant upon _____

R. S. Duck

Register.