

EX PARTE
PETITION OF TALMADGE PHILLIPPI

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 80.

DECREE GRANTING RIGHT TO RE-MARRY.

This cause coming on to be heard at this time, was submitted for decree upon the ex parte petition of Talmadge Phillippi for leave to again contract marriage, the ex parte affidavits of Talmadge Phillippi and W. R. Stuart and the decree of divorce in cause Number 80 of Sealey Phillippi v. Talmadge Phillippi rendered in this court on the 25th day of September 1934 ; and upon consideration thereof,

IT IS ORDERED, ADJUDGED AND DECREED that said petitioner is entitled to the relief prayed for in said petition, and,

That upon the payment of the costs herein accrued and the costs taxed against him in said decree of divorce, said petitioner be, and he is hereby granted leave to again contract marriage.

It is further ordered, adjudged and decreed, that said petitioner be taxed with, and pay, the costs herein accrued, for which execution may issue.

Done at Bay Minette, Alabama, on this the 14th day of April, 1938.

J. W. Hare
Judge of the Circuit Court of
Baldwin County, Alabama.

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

Your Petitioner, Talmadge Phillippi, who is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama, respectfully represents unto the Court and your Honor as follows:

1. He was named Respondent in that certain cause Number 80 heretofore pending in this Court wherein Sealey Phillippi was Complainant and he was Respondent, which proceeding was for a divorce.

2. A Decree was rendered in said cause on to-wit, September 25, 1934, dissolving the bonds of matrimony between the Complainant and the Respondent, a copy of which Decree is hereto attached, but in the said Decree this Petitioner was not given the right to re-marry.

3. Petitioner is an industrious, law abiding citizen, with a good reputation, is a young man, physically sound and desires to marry again. He files herewith an affidavit executed by a reliable citizen of Baldwin County, Alabama, showing that the affiant named therein has known Petitioner for a number of years and asks that your Honor will take said affidavit in consideration in connection with this Petition.

THE PREMISES CONSIDERED, your Petitioner prays that your Honor will enter a Decree designating how testimony may be taken to substantiate this Petition unless the affidavit attached hereto is sufficient and that your Honor will, upon final hearing, grant unto Petitioner the right to marry again.

Respectfully submitted,

Talmadge Phillippi

Petitioner.

J. B. Bladburn

Attorney for Petitioner.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared Talmadge Phillippi, who, after being by me first duly and legally sworn, deposes and says: That he has read over the foregoing Petition and that all of the allegations of fact contained therein are true.

Talmadge Phillippi

Sworn to and subscribed before me on this the 4th day of April, 1938.

Ora Simon

Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Ora Sirmon, a Notary Public, within and for said County in said State, personally appeared W. R. Stuart, who, being by me first duly and legally sworn deposes and says: That he is a bona fide resident of Baldwin County, Alabama, and that he has been such resident for more than five years; that he has known Talmadge Phillippi for more than three years and knows him to be an industrious law-abiding citizen and one who bears a good reputation. That affiant believes and so asserts that it is for the good of the public that the said Talmadge Phillippi be permitted to marry again, affiant believing that if he is so married that he will make a good husband.

W. R. Stuart

Sworn to and subscribed before me
on this the 14th day of April, 1938.

Ora Sirmon

Notary Public, Baldwin County, Alabama.

DECREE OF DIVORCE

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. 80

CIRCUIT COURT IN EQUITY

Sealey Phillippi

Complainant

VS.

TALMADGE PHILLIPPI

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 Abandonment

It is further ordered, that the said Sealey Phillippi be, and she 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 Talmadge Phillippi 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 Sealey Phillippi.

It is further ordered, adjudged and decreed that the said Sealey Phillippi shall not again marry except to said Talmadge Phillippi until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Talmadge Phillippi during the said pendency of appeal

This 25th day of September 1934.


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

STATE OF ALABAMA

BALDWIN COUNTY

I, R. S. Duck, 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 25th day of September, 1934, in the cause of Sealey Phillippi, Complainant vs. Talmadge Phillippi, Defendant as appears of record in said Court.

14 Witness my hand and the seal of said Court, this the day of April, 1938.


Register.

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