(500)

DIVORCE DECREE — The Baldwin Times, Bay Minette, Ala.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ARBELL MOONEY, Complainant

VS.

CLARENCE MOONEY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on 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 Arbell Mooney is forever divorced from the said Clarence Mooney for and on account of Abandonment.

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 Arbell Mooney be, and ~~she is~~ hereby permitted to again contract marraige upon the payment of the cost of this suit.

It is further ordered that Arbell Mooney, the Complainant, pay the cost herein to be taxed, for which execution may issue.

This 2nd day of December, 19 38.

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.

SUMMONS — ORIGINAL.

THE BALDWIN TIMES, 500-7-38

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

CLARENCE MOONEY

of Escambia 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

ARBELL MOONEY

against said CLARENCE MOONEY,

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, R. S. Duck, Register of said Circuit Court, this 5th day of November, 1938.

R. S. DUCK
clerk, - register

By [signature] Deputy, 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

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

ARBELL MOONEY, COMPLAINANT

VS.

CLARENCE MOONEY, RESPONDENT

I, Mary F. Green,

as ~~Registered~~ Commissioner

have called and caused to come before me Arbell Mooney and C. M. Milstid

witness~~es~~ named in the requirement for Oral Examination, on the 19th day of December 193 8, at the office of Hybart & Chason,

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 Arbell Mooney and C. M. Milstid doth depose and say as follows:

COMMISSION TO TAKE DEPOSITIONS.

Moore Printing Co., Bay Minette, Ala.

The State of Alabama,
Baldwin County

CIRCUIT COURT

To Mary F. Green

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 Arbell Mooney and C. M. Milstid

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

is Complainant

and Clarence Mooney

is Defendant,

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

Witness 19th day of December, 19 38.

REGISTER

COMMISSIONER'S FEE, $

WITNESS' FEES, $

8604 Decree Pro Confesso on Personal Service. 3107 Code Moore Printing Company, Bay Minette, Ala.

The State of Alabama,
Baldwin County.

No. ..... CIRCUIT COURT IN EQUITY.

ARBELL MOONEY, Complainant

vs.

CLARENCE MOONEY, Defendant

In this cause it appears to the Register that a summons requiring the Defendant, Clarence Mooney, 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 him was served upon him by the Sheriff of Baldwin County, Alabama, on the 17th day of November, 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 Hybart & Chason, Solicitors 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 Clarence Mooney

Defendant aforesaid.

This 19th day of December 19 38.

Register.

By Pauline Thompson

ARBELL MOONEY, Complainant, -vs- CLARENCE MOONEY, Respondent.	)	IN THE CIRCUIT COURT--IN EQUITY STATE OF ALABAMA BALDWIN COUNTY.

TO THE HONORABLE THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND THE HON. FRANCIS W. HARE, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your Complainant, Arbell Mooney, and exhibits this, her Bill of Complaint in this cause for divorce against Clarence Mooney, and shows unto this Honorable Court and unto your Honor as follows:-

FIRST:

That your Complainant is over the age of twenty-one years and a resident of Perdido, Baldwin County, Alabama, having resided there all her life; that the Respondent is over the age of twenty-one years and a resident of McCullough, Escambia County, Alabama.

SECOND:

That your Complainant and the Respondent were married on, heretofore, to-wit, January, 1932, and lived together as man and wife until March, 1932, when the Respondent voluntarily deserted and abandoned your Complainant without just cause or legal excuse, and that he has failed and refused to live with your Complainant since that time. That said abandonment occurred more than two years next preceding the filing of this Bill of Complaint, and that your Complainant and Respondent have not lived together as man and wife since he abandoned your Complainant.

PRAYER FOR PROCESS AND RELIEF.

THE PREMISES CONSIDERED, your Complainant prays that all necessary notices, orders and decrees be issued to make the above named Clarence Mooney party defendant, requiring him to appear and plead, answer or demur, within the time and under the penalties prescribed by the rules of this Court and the statutes in such cases made and provided; that upon a final hearing hereof your Honor will order, adjudge and decree that the Bonds of matrimony heretofore existing between the Complainant and your Respondent be forever

dissolved, and that your Complainant be again permitted to contract the marriage relation should she so desire. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she is in equity and good conscience entitled, and as in duty bound she will ever pray.

Arbell Mooney,
Complainant.

FOOT NOTE:-

The Respondent, Clarence Mooney, is required to answer each and every paragraph of the foregoing Bill of Complaint, from "First" to "Second", inclusive, but not under oath, answer under oath being hereby expressly waived.

Herbert & Pearson
Solicitors for Complainant.

TESTIMONY OF ARBELL MOONEY.

My name is Arbell Mooney. I am twenty-five years of age and a resident of Perdido, Baldwin County, Alabama. I have resided at Perdido all my life. Clarence Mooney is now a resident of McCullough, Escambia County, Alabama, and he is over the age of twenty-one years. Clarence Mooney and I married in the month of January, 1932, and lived together as man and wife until March, 1932, when he voluntarily deserted and abandoned me without just cause or legal excuse, and he has failed and refused to live with me since that time. As above stated, this abandonment occurred more than two years next preceding the filing of my Complaint in this cause, and we have not lived together as man and wife since he abandoned me. That during the short period of time we lived together that it was necessary for my father to furnish all the groceries, as Clarence Mooney refused to do any work.

Arbell Mooney

TESTIMONY OF C. M. MILSTID.

My name is C. M. Milstid. I am over the age of twenty-one years and reside near Perdido, Alabama. I am personally acquainted with Arbell Mooney and Clarence Mooney. I have known Arbell Mooney all her life, and have known Clarence Mooney for the past eight years. The said Arbell Mooney has resided in Baldwin County, Alabama, all her life, and said Clarence Mooney is now residing in Escambia County, Alabama. The said Arbell Mooney and Clarence Mooney were married in the month of January, 1932, and lived together as man and wife until March, 1932, when the said Clarence Mooney voluntarily deserted and abandoned Arbell Mooney without just cause or legal excuse, and he has failed and refused to live with her since that time.

I am not related to either Arbell Mooney or Clarence Mooney by blood or marriage, and have no interest in this proceeding.

C M Milstid

ORAL EXAMINTAION

I, Mary F. Green 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~~es~~ and read over to ~~them~~ and ~~they~~ signed the same in the presence of myself and John Chason 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 19th day of December 19 38.

Mary F. Green. (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Ruth Warren
COMPLAINANT

vs.

Clarence Warren
RESPONDENT

ORAL DEPOSITION

Filed December 30, 1938

R. S. DUCK
Clerk, Register, Register.

By Charlie Richardson
Deputy.

Record

Vol. _____ Page _____

_____, Register

RECORDED

No. ..... Page .....

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

ARBELL MOONEY,

Complainant,

vs.

CLARENCE MOONEY,

Defendant.

DECREE PRO CONFESSO ON PERSONAL SERVICE

Issued December 19, 1935

R. S. DUCK

clerk, register

Register.

Noellie Thompson

Deputy

Moore Printing Company, Bay Minette, Ala.

RECORDED

NO. 1

The State of Alabama

BALDWIN COUNTY

CIRCUIT COURT

ARBELL MOONEY,

Complainant

VS.

CLARENCE MOONEY,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

original

McCullough, Alabama.

((Escambia County) RECORDED

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 500 206

Summons

ARBELL MOONEY,

Complainant,

VS.

CLARENCE MOONEY,

Respondent

HYBART & CHASON,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of _____, 193__

_____
Sheriff.

Executed this 17 day of

Nov, 1938

by leaving a copy of the Summons with

Clarence Mooney

_____
Defendant

J. R. Rudy
Sheriff
Escambia County Ala

By _____
Deputy Sheriff

RECORDED Decree 2-407

No. ..... Page .....

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

ARBELL MOONEY,

vs. Complainant.

CLARENCE MOONEY,

Respondent.

DIVORCE DECREE

Filed December 22, 1938

R. S. DUCK

clerk, - register

By Nadine Thompson

Deputy

8550 REQUEST FOR DECREE IN VACATION. Moore Ptg. Co.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No._____ _____Term, 193____

ARBELL MOONEY, Complainant

Vs.

CLARENCE MOONEY, 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 Hybart & Chason _____ 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.

Hybart & Chason
Solicitor for Complainant.

8600 Motion for Decree Pro Confesso on Personal Service. 3107 Code

The State of Alabama,
Baldwin County.

No. _____ CIRCUIT COURT IN EQUITY.

ARBELL MOONEY, _____ Complainant

vs.

CLARENCE MOONEY _____ Defendant

Motion is hereby made for a Decree Pro Confesso against Clarence Mooney, the _____ 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 19th day of December, 19 38.

Hybart & Mason Solicitor.

8581. NOTE OF TESTIMONY

MOORE PRINTING CO., BAY MINETTE, ALA.

ARBELL MOONEY,

Complainant,

vs.

CLARENCE MOONEY,

Defendant.

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, Summons with Sheriff's Writ thereon; Motion for Decree Pro Confesso on Personal Service; Decree Pro Confesso on Personal Service; Request for Decree in Vacation; Testimony of Arbell Mooney and C. M. Milstid,

and in behalf of Defendant upon

R. M. DITTE

Register.

By Nellie Thompson
Deputy

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

ARBELL MOONEY,

Complainant,

vs.

CLARENCE MOONEY,

Defendant.

NOTE OF TESTIMONY

Filed in Open Court this 20th

day of December 1935

R. S. DUCK

clerk, - REGISTER

By Geneline Langan

Deputy

RECORDED

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The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

ARBELL MOONEY,

Complainant,

vs.

CLARENCE MOONEY,

Defendant.

MOTION FOR DECREE PRO CONFESSO ON PERSONAL SERVICE

Filed December 19 1938

R. S. DUCK

Clerk, Probate Register.

By Nellie Thompson

Deputy

Recorded in ..... Record,

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Register.

Moore Printing Company, Bay Minette, Ala.

RECORDED

No. _____ Page _____

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

ARBELL MOONEY,

Complainant,

Vs.

CLARENCE MOONEY,

Defendant.

REQUEST FOR DECREE IN VACATION

Filed December 23, 1935

Register.

Recorded in _____ Record

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Register.

Moore Ptg. Co. Bay Minette