

197

D. F. Fowler, Complainant,

In the Circuit Court of Baldwin County,

VS.

Chancery Division.

Dannie Lee Fowler, Defendant.

STATE OF ALABAMA,
Baldwin County.

Before me, T. W. Richerson, Clerk of the Baldwin County Circuit Court, personally appeared ABNER J. SMITH, who is known to me, and who being by me first duly sworn, deposes and says; That he is the Attorney for J. D. Fowler, the complainant in the case of David L. Fowler versus Dannie Lee Fowler, defendant, and that the said Dannie Lee Fowler, the defendant in said cause is over the age of twenty-one years and is a non-resident of the State of Alabama; her place of residence and her post office address being to affiant unknown, and he has been unable to ascertain the same after diligent inquiry to that end, and this affidavit is made for the purpose of obtaining an order of publication against the said Dannie Lee Fowler, as a non-resident of the State of Alabama.

Abner J. Smith

Attorney for Complainant.

Sworn to and subscribed to before me this 16th, day of September 1919.

T. W. Richerson

Clerk Circuit Court,

to receive, and he will every pray etc.

Alvin J. Smith

Solicitor for Complainant.

FOOT NOTE;

The Defendant is required to answer each and every allegation of the foregoing Bill of complaint, but not under oath, her oath to the same being expressly waived.

Alvin J. Smith

Solicitor for Complainant.

David L. Fowler, Complainant,

VS.

IN THE CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA.

Dannie Lee Fowler, Defendant.

To the Honorable A. E. Gamble, Judge of
the Circuit Court, Baldwin County Alabama.

Your Orator David L. Fowler, respectfully shows unto your Honor that he is now, and has been a bona fide continuous resident of Baldwin County, Alabama, for more than three years next preceding the filing of this his Bill for Divorce in this case, and that he is also over the age of Twenty-One years. That his wife, Dannie Lee Fowler, is over the age of Twenty-One years, and is a non-resident of the State of Alabama, that her present place of residence and her post office address is unknown to complainant.

Orator further shows unto your Honor that he and the defendant, Dannie Lee Fowler were lawfully married in Baldwin County, Alabama on the 3rd. day of June 1909, at Bay Minette, and lived together as man and wife until the 6th. day of July 1909. Orator charges that in July 1909, in Baldwin County, Alabama, his said wife, Dannie Lee Fowler, without fault on his part and against his wishes, voluntarily abandoned his bed and board, and since that time they have lived separate and apart, and there has not been any marital intercourse between Orator and his said wife, Dannie Lee Fowler, now has there been any intercourse of any nature whatsoever between them since said abandonment occurred.

And this abandonment occurred more than two years next preceding the filing of this ^{his} Bill for Divorce in this case.

The premise considered, Orator prays your Honor to take jurisdiction of this, his Bill for Divorce, and that his said wife Dannie Lee Fowler, be made party defendant hereto, according to the rules of practice of this Honorable Court.

And upon the hearing of this, Orator prays your Honor to decree to him an absolute divorce from his said wife, Dannie Lee Fowler, with such other further and different relief as in Equity he may be entitled

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 Dannie Lee Fowler,

of Dallas 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

David L. Fowler.

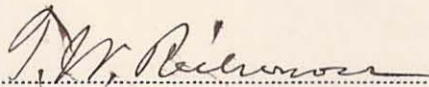
against said

Dannie Lee Fowler,

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 Oct

1919.



Register.

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

2nd Original

Copy
Serve on Dannie Lee Fowler

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

Ammy Hill

No.

SUMMONS.

David L. Fowler,

vs.

Dannie Lee Fowler,

Abner J. Smith,

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 21

day of Dec 1919

M. S. Staupie
Sheriff.

Executed this 21 day of

Dec 1919

by leaving a copy of the within Summons with

Dannie Lee Fowler

Defendant

M. S. Staupie

Sheriff

By A. S. Williams

Deputy Sheriff.

THE STATE OF ALABAMA, }
Baldwin County. } No. 197. CIRCUIT COURT IN EQUITY.

David I. Fowler Complainant

vs.

Dannie Lee Fowler Defendant

Motion is hereby made for a Decree Pro Confesso against

Dannie Lee Fowler, 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 January 19 20

Abner J Smith
Solicitor.

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No. 197. Page

THE STATE OF ALABAMA,

Baldwin County,

CIRCUIT COURT, IN EQUITY.

David Lee Fowler

vs.

Dannie Lee Fowler

MOTION FOR DECREE
PRO CONFESSO ON
PERSONAL SERVICE.

Filed Jan 19th 1920

D. McCreary
Register.

Recorded in Record

Vol. Page

Register.

THE STATE OF ALABAMA,

No. 197.

Baldwin County.

CIRCUIT COURT, IN EQUITY.

David L. Fowler, Complainant

vs.

Dannie Lee Fowler, Defendant

In this cause it appears to the Register

that a Summons requiring the Defendant Dannie Lee Fowler

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 Dannie Lee Fowler

was served upon her by the Sheriff of Dallas County County, Alabama, on the

21st day of October 1919. 19, 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 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 Dannie Lee Fowler,

Defendant aforesaid.

This 19th day of January 1920 19

[Handwritten Signature]

Register.

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No. 197. Page.....

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

David L Fowler,

vs.

Dannie Lee Fowler,

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued Jan. 19th 1920.

J. W. Beckwith

Register.

Recorded in.....Record,

Vol.....Page.....

Register.

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

David L Fowler, Complainant

vs.

Dannie Lee Fowler, Defendant

Oral examination before the Register of the following witnesses:

Eugene Fowler,

who reside in Alabama, said examination being conducted in Bay Minette, Alabama,

on this the 27th day of January, 1920, and there being present

myself

The said witness, being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

My name is Eugene Fowler, I know David L Fowler and Dannie Lee Fowler his wife th ey were mairied in June 1909, at Bay Minette, Baldwin county, Alabama, and lived together as man and wife until on or about July 6th, 1909, Dannie Lee Fowler/abandoned the/Board of David L Fowler voluntarily Bed and without fault on the part of David L Fowler, said seperation was over 2 years/next before the filing of this bill.and they have not lived together as man and wife since said abandonment of his bed and board.

David L Folwer and Dannie Lee Fowler are over the age of 21 years and were both residents of Baldwin county,Alabama at the time of their marriage and seperation.

Subscribed and sworn to before me this 27th day of January, 1920.

Eugene Fowler

[Signature]

Register.

I, D. McClellan, as Register

hereby certify that the foregoing deposition..... on oral examination was taken down by me in writing in the words of the witness..... and read over to him and her signed the same in the presence of myself, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the said witness....., or had proof made before me of the identity of said witness.....; that I am not of counsel or of kin to any of the parties to said cause; or in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the 27 day of Jan, 1920
D. McClellan (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....
..... days' attendance at \$1.50 per day..... \$.....

REGISTER'S FEES.

..... days at \$1.50 per day..... \$.....
..... words at 20 cents per hundred..... \$.....

The State of Alabama,

Barren COUNTY.

IN CIRCUIT COURT, IN EQUITY.

David L Fowler

vs. Complainant,

Samuel Lee Fowler.

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of Witness

for Complainant

Filed 27 day of June, 1920

Published by order of the Court, _____

day of _____, 19____

D. L. Richardson
Register.

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

David L. Fowler Complainant

vs.

Dannie Lee. Fowler Defendant

Oral examination before the Register of the following witnesses:

J.D. Fowler,

who reside in Alabama, said examination being conducted in Bay Minette, Alabama, on this the 19th day of February, and there being present

The said witness being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

My name is J.D. Fowler, I know David L Fowler and Dannie Lee Fowler his wife they were married at Bay Minette, Ala about June 9th, 1909, they lived together as man and wife near Stapleton Alabama until on or about July 6th, 1909, Dannie Lee Fowler voluntarily abandoned the bed and board of David L Fowler on or about July 6th, 1909 without fault on the part of David L Fowler, said seperation was 2 years next before the filing of this bill, and they have not lived together as man and wife since said abandonment of his bed and board, .

David L Fowler and Dannie Lee Fowler are both over the age of 21 years and were both residents of Baldwin County, Alabama at the time of their marriage and at the time the wife abandoned her husband.

Subscribed and sworn to before me this 19th February 1920.

J. W. Recursion clerk circuit court.

J. D. Fowler

I, D. M. Rice, as Register

hereby certify that the foregoing deposition..... on oral examination taken down by me in writing in the words of the witness..... and read over to him and her signed the same in the presence of myself....., at the time and place herein mentioned; that I have personal knowledge of the personal identity of the said witness....., or had proof made before me of the identity of said witness.....; that I am not of counsel or of kin to any of the parties to said cause; or in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the 17th day of February, 1920
D. M. Rice (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

- days' attendance at \$1.50 per day..... \$
- days' attendance at \$1.50 per day..... \$
- days' attendance at \$1.50 per day..... \$
- days' attendance at \$1.50 per day..... \$
- days' attendance at \$1.50 per day..... \$
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- days' attendance at \$1.50 per day..... \$
- days' attendance at \$1.50 per day..... \$
- days' attendance at \$1.50 per day..... \$

REGISTER'S FEES.

- days at \$1.50 per day..... \$
- words at 20 cents per hundred..... \$

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No. _____ Page _____

The State of Alabama,

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

David L Fowler

vs. Complainant,

Dannie Lee Fowler

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of *D L Fowler*

for *Complainant*

Filed *19* day of *Feb*, 19*20*

Published by order of the Court, _____

day of _____, 19____

J. M. ...
Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 197. Spring Term, 1910

David L. Fowler Complainant

vs.

Dannie Lee Fowler, Defendant

To T.W. Richerson, 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 Abner J. Smith,

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.

Abner J. Smith
Solicitor for Complainant.

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No. 197.

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

David L Fowler

vs.

Dannie Lee Fowler,

REQUEST FOR DECREE IN
VACATION.

Filed February 19th 1920

D. M. Richardson

Register

Recorded in Record

Vol. Page

Register

.....David L. Fowler.....

.....vs.

.....Dannie Lee Fowler,.....

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,

Sedecree pro confesso ,and testimony of 2 witnesses

.....and in behalf of Defendant upon.....

.....*D. W. Richardson*.....

Register

8th

No. *197*

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

David L. Fowler

vs.

Samuel Lee Fowler

NOTE OF TESTIMONY.

Filed in Open Court this *19th*

day of *February* 191*20*

J. M. Stevenson

Register

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE NO. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

ABNER J. SMITH, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Notice to Non-Resident

David L. Fowler, Complainant, vs. Dannie Lee Fowler, Respondent. The State of Alabama, Baldwin County. In Equity. Circuit Court of Baldwin County.

In this cause it being made to appear to the Register of this Court, in Term time, by the affidavit of Abner J. Smith, agent of Complainant, that the Defendant, Dannie Lee Fowler, is a non-resident of the State of Alabama her present address being unknown to affiant, and further, that in the belief of said affiant the Defendant is over the age of 21 years; it is therefore ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Dannie Lee Fowler to answer or demur to the Bill of Complaint in this cause by the 20th day of October, 1919, or after thirty days therefrom a decree Pro Confesso may be taken against her.

This 17th day of September, 1919.

T. W. Richerson,

Register of the Circuit Court of Baldwin County, Ala.

Abner J. Smith,

Atty. for Complainant.

31-4t

Notice to Non-Resident

David L. Fowler, Complainant, vs. Dannie Lee Fowler, Respondent. The State of Alabama, Baldwin County. In Equity. Circuit Court of Baldwin County.

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication	September 18th, 1919	Vol.	30	No.	31
“ “ second “	September 25th, 1919	Vol.	30	No.	32
“ “ third “	October 2nd, 1919	Vol.	30	No.	33
“ “ fourth “	October 9th, 1919	Vol.	30	No.	34

Subscribed and sworn to before the undersigned

this 21 day of Oct 1919.

T. W. Richerson
Clerk Circuit Court.

Abner J. Smith
Publisher.

D. L. Fowler
Complainant,
vs.

Dannie L. Fowler
Respondent.

State of Alabama,

Mobile County.

Before me, Henry D. Dumas, a Notary Public
in and for said State and County, personally appeared D. L. Fowler
Fowler, who is known to me, and who being by me first duly sworn,
deposes and says that he is the Complainant in the above entitled
cause; that Dannie L. Fowler is the defendant; that she
is a woman, and is now residing in Selma, Dallas County,
Alabama, and that she is engaged in civil pursuit, and is not in
the military service of the United States Government.

D. L. Fowler

Subscribed & sworn to before me

this 1st day of November, 1919.

Henry D. Dumas

Notary Public, Da _____ County, Alabama.

Journal of the
D. T. Miller

Friend Nov 2/1919
J. W. Reesman
Register

D. T. Miller

Journal of the
D. T. Miller
D. T. Miller

THE STATE OF ALABAMA,
BALDWIN COUNTY.

No. 197. CIRCUIT COURT, IN EQUITY.

David L. Fowler Complainant

vs.

Dannie Lee Fowler, Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso

and 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

his 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 said

David L. Fowler is forever divorced from the said

Dannie Lee Fowler, for and on account of

Voluntary abandonment,

as alleged in said Bill of Complaint;

It is further ordered, that the said David L. Fowler,

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 David L. Fowler

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 Dannie Lee Fowler

It is further ordered, adjudged and decreed that said David L. Fowler

shall not again marry except to said Dannie Lee Fowler,

until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except

to said Dannie Lee Fowler, during the pendency of said appeal.

This 27 day of February 1920

John L. Leigh
Judge of the Circuit Court of Baldwin County,
Alabama.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, 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 day of 191, in the cause of

Complainant

vs

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the day of 191

Register.

No. 197.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

David L. Fowler,

vs.

Dannie Lee Fowler,

DECREE OF DIVORCE.

Filed in office this

13th

day of

March 1920.

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D. W. Williams

Register.

E. O. M.

*Decree Recorded on
Minutes*

David L Fowler

Complainant.

No. 197.

vs.

Dannie Lee Fowler, Respondent.

THE STATE OF ALABAMA,
Baldwin COUNTY.

IN EQUITY.

CIRCUIT COURT OF
Baldwin COUNTY.

In this cause it being made to appear to the ~~Judge~~^{Register,} of this Court, in Term time, by the affidavit.....of

Abner J Smith,

agent of Complainant,

that the Defendant

Dannie Lee Fowler,

is a non-resident.....of the State of Alabama

her present address being unknown to

affiant.

and further, that in the belief of said affiant.....the Defendant..... is over the age of 21 years;

it is therefore ordered that publication be made in the Baldwin Times,

a newspaper published in Bay Minette, Baldwin Co, Alabama, once a week for four consecutive

weeks, requiring the said Dannie Lee Fowler,

to answer or demur to the Bill of Complaint in this cause by the 20th day of October 19 19

or after thirty days therefrom a decree Pro Confesso may be taken against her

This 17th day of September 19 19.

Abner J Smith,
Atty for Complainant.

J. McIlwain
Register, ~~Judge~~
Baldwin, County, Ala.

No. 197

vs.

ORDER OF PUBLICATION.

CIRCUIT COURT,

County.

Filed in office this 17 day of

Sept 1917

T. W. Keenan

Clerk.