

207

STATE OF ALABAMA,)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALA.
In Equity.

TO THE HONORABLE, JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA.

Your Orator, Arter Sims, respectfully represents and shows unto your Honor as follows:

FIRST.

That he is a bona fide resident of the County of Baldwin and State of Alabama, residing near Bay Minette in said County, and is over the age of twenty-one years.

That Estelle Sims is a resident of the County of Baldwin and State of Alabama, residing near Bay Minette in said County and is over the age of twenty-one years.

SECOND.

That your Orator and the said Estelle Sims were married about seven years ago and lived together as man and wife, until to-wit: September 1st, 1919; that on or about this time the said Estelle Sims committed adultery with one J. L. Phillips and that the said act of adultery was not condoned nor connived in by your Orator.

THIRD.

That there was born to your Orator and the said Estelle Sims the following named children: John Irwin Sims, Floyd Columbus Sims, William Davy Sims and Grace Sims all of them being under seven years of age; two of the said children are now living with and in the custody of your Orator and the other two are in the custody of the said Estelle Sims. Your Orator further shows unto the Court that the said Estelle Sims is not a suitable and proper person to have the custody and control and rearing of the said minor children, and that your Orator is a suitable and proper person to have the custody, control and rearing of the said children.

PRAYER FOR PROCESS.

The premises considered, your Orator respectfully

prays that the said Estelle Sims, Defendant, be made party respondent to this bill of complaint by the usual process of this Honorable Court, that she be required to demur, plead to, or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF..

That upon the final hearing of this cause your Honor will grant unto your Orator an absolute divorce from the said Estelle Sims, and that your Orator will be again allowed to contract marriage, and will grant unto him the care and control of the said children.

That if your Orator is mistaken in the relief prayed then your Honor will grant unto him such other, further, different and general relief as he may in justice and equity be entitled she will ever pray, etc.

P A G E & M O O R E R,

Solicitors for Complainant.

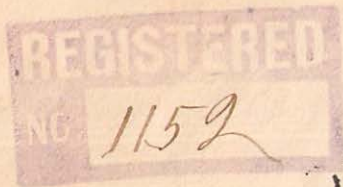
FOOT NOTE:

The Defendant, Estelle Sims, is required to answer each and every allegation of the foregoing bill of complaint, numbered from "FIRST" to "THIRD", both inclusive, but not under oath, answer under oath being hereby expressly waived.

P A G E & M O O R E R,

Solicitors for Complainant.

AFTER FIVE DAYS RETURN TO
T. W. RICHEYSON
CLERK AND REGISTER CIRCUIT COURT
BAY MINETTE, ALABAMA



RETURN TO WRITER.

(Return receipt demanded)

(Deliver to addressee only.)

RETURN TO WRITER.
~~Estelle Sims.~~

* : ~~Pascagoula, Miss.~~

unclaimed



STATE OF ALABAMA,)
BALDWIN COUNTY.)

IN THE CIRCUIT COURT,
BALDWIN COUNTY, ALA.
In Equity.

TO THE HONORABLE, JOHN DE LEIGH, JUDGE OF THE CIRCUIT COURT,
BALDWIN, COUNTY, ALABAMA.

Your Orator, Arter Sims, respectfully represents and shows unto your Honor as follows:

FIRST.

That he is a bona fide resident of the County of Baldwin and State of Alabama, residing near Bay Minette in said County, and is over the age of twenty-one years.

That Estelle ~~Sims~~ resident of the County of Baldwin and State of Alabama, residing near Bay Minette in said County and is over the age of twenty-one years.

SECOND.

That your Orator and the said Estelle Sims were married about seven years ago and lived together as man and wife, until to-wit: September 1st, 1919; that on or about this time the said Estelle Sims committed adultery with one J. L. Phillips and that the said act of adultery was not condoned nor connived in by your Orator.

THIRD.

That there was born to your Orator and the said Estelle Sims the following named children: John Irwin Sims, Floyd Columbus Sims, William Davy Sims and Grace Sims all of them being under seven years of age; two of the said children are now living with and in the custody of your Orator and the other two are in the custody of the said Estelle Sims. Your Orator further shows unto the Court that the said Estelle Sims is not a suitable and proper person to have the custody and control and rearing of the said minor children, and that your Orator is a suitable and proper person to have the custody, control and rearing of the said children.

PRAYER FOR PROCESS.

The premises considered, your Orator respectfully

prays that the said Estelle Sims, defendant, be made party respondent to this bill of complaint by the usual process of this Honorable Court, that she be required to demur, plead to, or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed.

PRAYER FOR ~~RELIEF~~.

That upon the final hearing of this cause your Honor will grant unto your Orator an absolute divorce from the said Estelle Sims, and that your Orator will be again allowed to contract marriage, and will grant unto him the care and control of the said children.

That if your Orator is mistaken in the relief prayed then your Honor will grant unto him such other, further, different and general relief as he may in justice and equity be entitled she will ever pray, etc.

P A G E & M O O R E R,

Solicitors for Complainant.

FOOT NOTE:

The Defendant, Estelle Sims, is required to answer each and every allegation of the foregoing bill of complaint, numbered from "FIRST" to "THIRD", both inclusive, but not under oath, answer under oath being hereby expressly waived.

P A G E & M O O R E R,

Solicitors for Complainant.

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 Estelle Sims

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

Arter Sims,

against said

Estelle Sims,

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 15th day of March

1921

T. W. Richerson

Register.

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

Original

Copy on *Estelle Sims*

Serve on

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No.

SUMMONS.

Arter Sims

vs.

Estelle Sims

RECORDED

Page and Moorer.

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this *11th* *5th*

day of *March* 191*8*

W. K. Stewart

Sheriff.

Executed this *5th* day of

March 191*8*

by leaving a copy of the within Summons with

Estelle Sims

Defendant

W. K. Stewart

Sheriff

By

Deputy Sheriff.

RECORDED

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee.)

Del. to addressee only.

(Signature of addressee's agent.)

Date of delivery, -----, 191

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 1152

INSURED PARCEL

No. _____

Return to

T. M. Richerson
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at

Pyramette
State Ala.

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

Arter Sims,)
Complainant)
vs.)
Estelle Sims,)
Defendant.)

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

Comes Estelle Sims, named as defendant in this cause and for answer denies each and every allegation of the bill of Complaint and demands strict proof of same. She waives service by the Sheriff of Subpoena on said bill, notice of the filing of interrogatories, or any proceeding to take testimony on oral examination as well as the right to cross examine, and consents that this cause be submitted for decree on note of testimony made by the Register either in term time or vacation.

Dated this _____ day of August, 1919.

Estelle Sims

WITNESSES.

W. R. Stuart
Kenneth D. ...

207

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Ex Parte

Arter Sims

No.

THIS CAUSE coming on to be heard at this Term was submitted upon the Petition filed by said.....

Arter Sims

and the affidavits filed therewith; and, upon consideration thereof, the Court is of the opinion that the Petitioner is entitled to the relief prayed for in..... his said Petition;

IT IS, THEREFORE, Ordered, adjudged and decreed by the Court, that the said.....

Arter Sims

be and..... he is hereby granted permission to

again contract marriage.

It is further ordered, that the said petitioner..... Arter Sims.....

pay the costs herein taxed, for which execution may issue.

This the..... 10th..... day of..... November,..... 1923.....

(Signed)

John D. Leigh

Judge of the..... 21st..... Judicial Circuit of Alabama.

THE STATE OF ALABAMA,

County.

CIRCUIT COURT, IN EQUITY.

I,..... Register of the Circuit Court, in and for said

State and County, do hereby certify that the above is a true and correct copy of the Decree allowing the within named Petitioner to again contract marriage, rendered on this date in the cause; all of which appears of record in this Court.

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

Register of the Circuit Court in Equity for

County, Ala.

No.

COPY.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

EX PARTE

Artemus

DECREE.

Filed in office this the *12th*

day of *Nov* 19*23*

J. M. Wilson
Register.

RECORDED

RECORDED

Handwritten scribble

Handwritten scribble

STATE OF ALABAMA,)
BALDWIN COUNTY.)

CIRCUIT COURT,
BALDWIN COUNTY, ALA.

In Equity.

TO THE HONORABLE, JOHN D. LEIGH, JUDGE OF THE CIRCUIT
COURT, BALDWIN COUNTY, ALABAMA,--In Equity.

Your Petitioner, Arter Sims, Respectfully represents and
shows unto Your Honor as follows:

That petitioner is a citizen of Baldwin County,
Alabama, residing at or near Carney, Baldwin County,
Alabama, and over the age of Twenty-one years.

That on November 10th, 1922, Your Honor granted
unto Estelle Sims a decree of divorce from petitioner
for and on account of abandonment and that in the said
decree did not grant unto petitioner the right to re-
marry.

Your petitioner prays that Your Honor will Grant
unto him the right to re-marry upon the hearing of this
cause and if your said petitioner is mistaken in the re-
lief prayed then Your Honor will grant unto him such
other, further, different and general relief as he may
in justice and equity be entitled.

PAGE & MOORER,
Solicitors for Petitioner.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, Henry D. Moorer, a Notary Public in and for said County and State, personally appeared Henry B. White, who, being by me first duly sworn doth depose and say:

That he has known Arter Sims for a number of years and know him to be a hard working and industrious man; that he has known him to live a moral life and able to provide for a wife, by his labor.

Dated this 21st day of October, 1923.

Henry B. White

Sworn and subscribed to before me this ^{10th} ~~21st~~ day of ~~October~~, 1923.

Henry D. Moorer
Notary Public.

STATE OF ALABAMA,
BALDWIN COUNTY.

Before me, Henry D. Moorner, a Notary
Public in and for said County and State, personally ap-
peared H. H. Mixon, who, being by me
first duly sworn doth depose and say:

That he has known Arter Sims for a num-
ber of years and know him to be a hard working and in-
dustrious man; that he has known him to live a moral life
and able to provide for a wife, by his labor., that he is over
21 years of age and live at ir near Carney, Baldwin Co. Ala.
Dated this 21st day of October, 1923.

H. H. Mixon

Sworn and subscribed to before me this ~~10th~~
day of ~~October~~, 1923.

Henry D. Moorner
Notary Public.

The State of Alabama, }
Baldwin County.

No. _____ CIRCUIT COURT, IN EQUITY

Estelle Sims

Complainant

vs.

Arter Sims

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 the ground of abandonment

It is further ordered, that the said Estelle Sims

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 Estelle Sims

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 Arter Sims

It is further ordered, adjudged and decreed that said Estelle Sims

shall not again marry except to said Arter Sims

until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Arter Sims during the pendency of said appeal

This 10th day of November, 1923.

John D. Leigh

Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, T. W. Richerson 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 10th day of November, 1922, in the cause of

Estelle Sims

Complainant

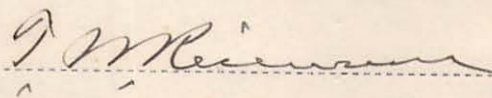
vs.

Arter Sims

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the 10th day of November, 1923.



Register.

