

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 518 March Term, 1939

MABEL S. BRYANT, Complainant

Vs.

GROVER C. BRYANT, 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 ELLIOT G. RICKARBY, JR.,

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.

ELLIOT G. RICKARBY, JR.

Solicitor for Complainant.

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed March 9, 1939

R. S. DUCK

clerk, register Register.

By *Handwritten Signature*
Deputy

Recorded in _____ Record

Vol. _____ Page _____

Register.

[Faint, mostly illegible text, possibly bleed-through from the reverse side of the page]

RECORDED

Duck
2-436

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

MABEL S. BRYANT,

Complainant,

vs.

GROVER C. BRYANT,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of March 193 9

R. S. DUCK

clerk, - register

By *Rudolph S. Duck* REGISTER

MOORE PRINTING CO., EAY MINETTE, ALA. Deputy

Foley, Ala., _____, 193

BARCHARD PUBLISHING CO.

Mrs. Mabel S. Bryant

HIGH QUALITY JOB PRINTING

Brought Forward

Legal

7

92

*Paid 3/24/39
Barchard Co.*

Fairhope Alabama March 8, 1939. 19

RECEIVED from Mrs Mabel S. Bryant

----- T W O and 50/100 ----- Dollars

in full for Commissioner's fee in case of Bryant Vs Bryant,

\$2.50

Joseph T. Lee

518

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MABEL S. BRYANT,

Complainant

VS.

GROVER C. BRYANT,

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decrees Pro Confesso on _____ Publication; _____ 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 MABEL S. BRYANT, _____ is forever divorced from the said _____

GROVER C. BRYANT,

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 MABEL S. BRYANT, _____ be, and she hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that MABEL S. BRYANT, _____ the Complainant, _____ pay the cost herein to be taxed, for which execution may issue.

This 10th day of March, 19 39

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.

Joseph Pose
REAL ESTATE
Fairhope, Ala.

Fairhope, Ala, March 8, 1939.

Miss Nan Alice Thompson,
Deputy Register,
Bay Minette, Alabama,

Dear Miss Thompson:

Mr E. G. Rickarby, Jr, who is now spending a large part of his time in Mobile, has asked me in sending to you the depositions which I took as Commissioner in the case of Bryant vs Bryant to ask you to submit this case for final decree to Judge Hare. These depositions should reach you by this mail.

I am also requested to tell you that the bill for advertising the notice and my fee as commissioner are both paid by the Complainant direct and that the agreed fee of ten dollars for your costs is ready as soon as notice of the decree is received. If you will let Mr Rickarby know about this as soon as the file is returned to you, the matter will receive immediate attention.

Respectfully,



Joseph Pose.

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

Comes MABEL S. BRYANT and by this her bill of complaint shows the following facts as the basis for the relief prayed against GROVER C. BRYANT.

FIRST: That the Complainant and Defendant are both over the age of twenty-one years and that the Complainant is a Bona Fide resident of Baldwin county, Alabama and has been for more than three years next preceeding the the filing this her bill of complaint. That the Defendant is a non-resident of the State of Alabama and when last heard from was travelling from place to place in the State of Mississippi and that his present whereabouts and post office address is unknown to this Complainant and that she can not ascertain them with dilligent search and inquiry.

SECOND: That the Complainant and the Defendant were married in Clarke County, Alabama on the twenty-second day of December, 1914 and lived together as husband and wife until June 1928 when they separated while living in Mobile County because of his failure to support her, and since that time they have lived separate and apart and he has done nothing for her support since 1928.

THIRD: That the Complainant came to Baldwin County in June 1929 and has kept a kept a continued and bona fide residence in this county since that time, without support from the defendant.

PREMISES CONSIDERED, Complainant prays that the said GROVER C. BRYANT be made a party defendant to this bill by publication in accordance with the statutes in such cases requiring him to answer within the time required by law.

COMPLAINANT FURTHER PRAYS that upon a further hearing of this cause a decree be rendered forever divorcing her from the said defendant.

And she further prays for such other further or different relief as she may have shown herself entitled.

SOLICITOR FOR COMPLAINANT.

FOOT NOTE: The defendant is required to answer each and every paragraph of this bill but not under oath, oath being hereby expressly waived.

SOLICITOR FOR COMPLAINANT.



The London & Lancashire Insurance Co. Ltd.

OF LONDON, ENGLAND,

EASTERN DEPARTMENT, HARTFORD, CONN.

JOSEPH POSE, AGENT

FAIRHOPE, ALABAMA

Fairhope, March 4, 1939.

Mr Robert S. Duck,
Register,
Bay Minette, Alabama,

Dear Mr Duck:

Mr E.G.Rickarby, Jr wishes me to act as Commissioner in the case of Bryant vs Bryant now in your Court and as he is in Mobile this week, wants me to send on to you two of the papers in the case. which I now do.

Mrs Bryant was in town this morning and tells us that under Mr Rickarby's instruction, she sent the "Foley Onlooker" a check for the advertising bill with instructions to send receipt and proof of publication to Mr Rickarby on the 22nd. So far, however, the latter has not received the proof of publication so presumes that it was sent direct to you. Please therefore send me the commission to take the testimony at once as there is a possibility that two of the witnesses may leave in a few days to make the trip through Natchez now advertised. If the proof of publication is not yet in your hands, Mr Rickarby says that he will see that it gets there by the time the case is ready for submission.

Very truly yours,

Joseph Pose.

MABEL S. BRYANT,
COMPLAINANT

VS

GROVER C. BRYANT,
DEFENDANT.

EQUITY SIDE OF THE

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

No 518.

Comes the Complainant in the above styled cause and shows to the Register that an order of publication was made on the 10th day of January, 1939 and duly published once a week for four successive weeks in the Foley "Onlooker" directed to Grover C. Bryant, the Defendant in this cause and which required the said Defendant to answer or demur to the bill of complaint within thirty days after the 2nd day of February, 1939 and which the defendant has to this date failed to do, wherefore Complainant moves the Register to grant a decree pro confesso against the said Defendant.

Elliott S. R. Raulby Jr.
Solicitor for Complainant.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
No. 518 March Term, 1939

MABEL S. BRYANT, Complainant

vs. GROVER C. BRYANT, Defendant

In this cause it appears to the Register R. S. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 12th day of January, 1939, in the Foley Onlooker, a newspaper published in Baldwin Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 12th day of January -1939, and

And it now further appearing to the Register R. S. Duck, that the said

GROVER C. BRYANT,

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register R. S. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said GROVER C. BRYANT,

This 8th day of March, 1939

R. S. DUCK

Register.

Deputy

MABEL S. BRYANT,
Complainant,

I N E Q U I T Y .

versus

CIRCUIT COURT OF BALDWIN COUNTY,

GROVER C. BRYANT,
Defendant.

ALABAMA.

DEPOSITIONS OF MESDAMES MABEL S. BRYANT, ETHEL M. CLARKE AND
ELLA M MALONE, WITNESSES FOR COMPLAINANT.

The witnesses above named, appeared before me, the undersigned
Commissioner at the time and place hereinafter stated and, being
duly sworn, testified as follows:

M R S M A B E L S . B R Y A N T .

I am the Complainant in this cause and am now and have been since
June 1929 a bona fide resident of Baldwin County. I am over the age of
twenty-one years and on December 22, 1914 married Grover C. Bryant at
Jackson Alabama with whom I lived as his wife in Mobile until June
1928 when I had to leave him because of non-support and his unfaithful-
ness. A year later I came to Montrose in Baldwin County where I have
lived since except for short absences. Since that time I have seen
nothing of him and for the last few years do not even know his where-
abouts. When last heard of he was in Mississippi. I have been a bona fide
resident of Alabama for far more than five years before this bill was
filed, have lived separate and apart from my husband all this time and
during this period have received no support from him, supporting my-
self by my own work as a trained nurse.

Mabel S. Bryant
.....

M R S E T H E L M . C L A R K E ,

I am a resident of Montrose Alabama and have known Mrs Mabel Bryant
well for the past ten years or more. In this time she has been almost
continually a resident of my home where she was in attendance on my
husband, the late Judge Norborne R. Clarke in the long illness preced-
ing his death and even since then she has been with my sister and me
and still is. I can therefore readily testify that she and her husband
have lived apart for more than two years and that in this time she has
had no support from him and has been a bona fide resident of Alabama.
As a matter of fact it is about ten years that to my knowledge these
conditions have existed.

Ethel M. Clarke
.....

M R S E L L A M . M A L O N E .

I am a sister of Mrs Clarke and have spent a great part of the past
ten years with her at Montrose and so can bear witness to the facts as
given by her as to Mrs Bryant's separation from her husband. My testi-
mony as to this is the same as hers, though I was often away from Mont-
rose with my late husband and Mrs Clarke was there continuously. Mrs

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

MABEL S. BRYANT,

Complainant

vs.

GROVER C. BRYANT.

Defendant

COMMISSION TO TAKE DEPOSITION

JOSEPH POSE,

COMMISSIONER:

MABEL S. BRYANT,

ETHEL M. CLARKE,
ELIA M. MALONE,

WITNESSES:

Bryant was and still is, a member of my sister's household and we are both thoroughly familiar with her marital status and know of her long separation from her husband for far more than the last two years also that during all this period she has supported herself without the least assistance from her husband.

Ella M. Malone
.....

I, Joseph Pose, the Commissioner named in the attached commission issued by the Circuit Court of Baldwin County Alabama in the cause of Mabel S. Bryant vs Grover C. Bryant, pending therein on the Equity Side, do hereby verify that under the power conferred on me by said commission, I caused the witnesses named therein, Namely Mesdames Mabel S. Bryant, Ethel M. Clarke and Ella M. Malone, all of whom are known to me, to appear before me at their residence in Montrose, where after being first duly sworn, upon examination they testified as is set forth above and that their testimony, having been reduced to writing, was read over, assented to and signed by them in my presence on this the seventh day of March, 1939.

I further certify that I am not of counsel or of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as Commissioner this the Seventh day of March, 1939.

Joseph Pose

Commissioner.

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

MABEL S. BRYANT,

Complainant

vs.

GROVER C. BRYANT.

Defendant

COMMISSION TO TAKE DEPOSITION

JOSEPH POSE,

COMMISSIONER:

MABEL S. BRYANT,

ETHEL M. CLARKE,
ELLA M. MALONE,

WITNESSES:

No. 518.

E Q U I T Y .

MABEL S. BRYANT,
Complainant,

vs

GROVER C. BRYANT,
Defendant.

DEPOSITIONS OF

MABEL S. BRYANT, ETHEL M. CLARKE
and ELLA M. MALONE, witnesses
for Complainant.

COMMISSIONER'S FEE \$2.50
Paid.

No.

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The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

vs.

**DECREE PRO CONFESSO
OF PUBLICATION**

Issued March 8, 1939 192

R. S. DUCK,

Register.

Recorded in Record

Vol. Page

Register.

No. 518.

E Q U I T Y .

MABEL S. BRYANT,
Complainant,

versus

GROVER C. BRYANT,
Defendant.

MOTION FOR DECREE PRO
CONFESSO.

Filed March 6, 1938

R. S. Luck, Register

By-Charles H. Thompson, Deputy

No. 518 Page.....

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

MABEL S. BRYANT,
vs. Complainant.

GROVER C. BRYANT,
Respondent.

DIVORCE DECREE

Filed March 13, 1939,
R. S. DUCK, Register,
By: *Randall Chapman*
Deputy Register.

The State of Alabama Circuit Court
Baldwin County

Foley, Ala., _____, 193

BARCHARD PUBLISHING CO.

Mrs. Mabel S. Bryant

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Legal				
<i>Paid 7/24/39 Barbard Inc Co mmB</i>				

AFFIDAVIT OF PUBLICATION

NOTICE TO NON-RESIDENT

State of Alabama, } Circuit Court
Baldwin County, } Jan., 1939.

Mabel S. Bryant, complainant
No. 518 vs. Grover C. Bryant, re-
spondent.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Mabel S. Bryant, that the Defendant Grover C. Bryant, is a non-resident of the State of Alabama; that his present place of residence and post-office address is unknown; 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 Foley Onlooker, a newspaper published in Foley, Alabama, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Grover C. Bryant, to answer or demur to the Bill of Complaint in this cause by the 2nd day of February, 1939, or after thirty days therefrom a decree Pro Confesso may be taken against him.

R. S. DUCK, Register
By Nan Alice Thompson

I, Frank V. Barchard

Editor of The Onlooker, published at

Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, com-

mencing with the issue dated Jan. 12, 19 39, and

ending with the issue dated Feb. 2, 1939.

Frank V. Barchard

Subscribed and sworn to before me this 10 day

of February, 1939.

Nan Alice Thompson

Foley, Ala., _____, 193

BARCHARD PUBLISHING CO.

Nan Alice Thompson, Deputy

R. S. Duck, Register, Bay Minette, Ala.

HIGH QUALITY JOB PRINTING

Brought Forward

Legal

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Bryant vs Bryant

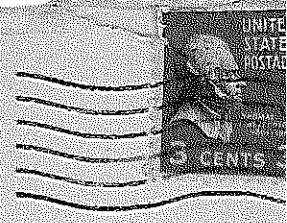
Affidavit of Publisher

*Filed Feb. 10, 1938
H.S. Dancy, Register*

VS
GROVER C. BRYANT,
Deft.
DEPOSITIONS OF MABEL S. BRYANT,
ETHEL M. CLARKE and ELLA M. MALONE,
Witnesses for Complainant.

Filed March 9 1939
R. S. Duck, Register
By - Andrew Thompson, Deputy Register

FROM
JOSEPH POSE,
Fairhope, Ala.



ROBERT S. DUCK, ESQ.,
Register Circuit Court,
Bay Minette,
Alabama.

Fairhope Alabama March 8, 1939. 19

RECEIVED from Mrs Mabel S. Bryant

----- T W O and 50/100 ----- Dollars

in full for Commissioner's fee in case of Bryant Vs Bryant,

\$2.50

Joseph Pose