

LODIS WADE,
Complainant

-vs-

JAMES EARL WADE,
RESPONDENT.

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

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

Comes your Complainant, LODIS WADE, and humbly complaining against the Respondent, James Earl Wade, respectfully represents and shows unto your Honor and this honorable Court as follows:

FIRST: That your Complainant and the Respondent are both over the age of twenty one years and that the Complainant is a resident of Summerdale, Baldwin County, Alabama, and the Respondent's address is unknown, and your Complainant states further that the Respondent deserted the United States Navy on September 2nd, 1938 and has not been heard from since that time.

SECOND: That your Complainant and the Respondent were married in Mobile, Alabama on, to-wit: February 6th, 1930 and lived together as husband and wife until April 1938.

THIRD: That the Respondent is a man of ungovernable temper; and on, to wit about the middle of April 1938 and various times prior thereto the Respondent has cursed, abused and threatened your Complainant; and on to-wit about the middle of April 1938 he did actual violence to her person by threatening and striking her, that his conduct is such that Complainant has every apprehension to believe and does actually believe, that if she continues to live with him he will continue to carry out his threats to do further violence to her person which will necessarily endanger her life and/or health.

FOURTH: Complainant shows further unto this Honorable Court that the Respondent has not and does not contribute to her support, that he is an able bodied man capable of working and supporting his wife and that she has and does feel that he is able to contribute to her support and that the Respondent at this time has deserted the United States Navy and cannot now be located. Previous to this time according to the letter which will be introduced as evidence Respondent maintained a home separate and apart from my home and also contributed to the support of another woman in California.

FIFTH: And there were born to Complainant and Respondent of the said marriage children whose names and ages and sexes are as follows:

Ollie Wade, age 8, a girl; Danny Wade, age 6, a boy; Earline Wade,

age 4, a girl; James O. Wade, age 2, a boy, which said children are now with your Complainant and have at all times been with her.

WHEREFORE, the PREMISES CONSIDERED, Complainant prays that your Honor will by proper process make the said James Earl Wade party respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time prescribed by the practice of this Honorable Court.

Complainant prays further that upon the final hearing of this cause, that this honorable Court will give and grant unto her a decree of absolute divorce forever barring the bonds of matrimony now existing between her and the Respondent James Earl Wade and that your Honor will grant unto her the care, control and custody of the children herein referred to in Paragraph Five of this bill of complaint; and your Complainant further prays that she be given the right to marry again should she so desire; and that your Honor will give and grant unto her such other, further, different and/or general relief as she may be in equity and good conscience entitled to receive and as in duty bound she will ever pray.

Lodis Wade
Complainant

[Signature]
Solicitor for Complainant

FOOT NOTE: The Respondent, James E. Wade is required to answer each and every paragraph and allegation contained in the foregoing complaint paragraphs numbering one to five inclusive but not under oath, oath being hereby expressly waived.

Lodis Wade
Complainant

[Signature]
Solicitor for Complainant.

STATE OF ALABAMA }
BALDWIN COUNTY }

AFFIDAVIT.

Before me personally appeared Lodis Wade, Complainant, who being duly sworn says that she is the Complainant in the case of Lodis Wade, Complainant, vs James Earl Wade, Respondent, that the Respondent, James Earl Wade's residence is not known, that on or about April 1938 the said James Earl Wade deserted your Complainant and also deserted the United States Navy on September 2, 1938 and he has not been heard of nor seen since that time and that your Complainant and also the United States Navy has searched for his whereabouts but he has not been located; that your Complainant, Lodis Wade and the Respondent James Earl Wade are both over the age of twenty one years and that they were married in Mobile, Alabama on February 6, 1930 and that your Complainant Lodis Wade is a resident of Summerdale, Baldwin County, Alabama.

Lodis Wade
AFFIANT

Subscribed to and sworn to before me this 19th day of August, 1939.

Wm. H. Brown
NOTARY PUBLIC, BALDWIN
COUNTY, ALABAMA.

My commission expires April 2nd,
1943.

Seal.

age 4, a girl; James O. Wade, age 2, a boy,
which said children are now with your Complainant and have at all times been
with her.

WHEREFORE, the PREMISES CONSIDERED, Complainant prays that your Honor
will by proper process make the said James Earl Wade party respondent to this
bill of complaint requiring him to plead, answer or demur to the same within
the time prescribed by the practice of this Honorable Court.

Complainant prays further that upon the final hearing of this cause,
that this honorable Court will give and grant unto her a decree of absolute
divorce forever barring the bonds of matrimony now existing between her and
the Respondent James Earl Wade and that your Honor will grant unto her the
care, control and custody of the children herein referred to in Paragraph Five
of this bill of complaint; and your Complainant further prays that she be
given the right to marry again should she so desire; and that your Honor will
give and grant unto her such other, further, different and/or general relief
as she may be in equity and good conscience entitled to receive and as in duty
bound she will ever pray.

Lodis Wade

Complainant

Wm. H. Brown

Solicitor for Complainant

FOOT NOTE: The Respondent, James E. Wade is required to answer each
and every paragraph and allegation contained in the foregoing complaint
paragraphs numbering one to five inclusive but not under oath, oath being
hereshy expressly waived.

Lodis Wade

Complainant

Wm. H. Brown

Solicitor for Complainant.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LODIS WADE Complainant

VS.

JAMES EARL WADE Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress 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 Lodis Wade is forever divorced from the said

James Earl Wade

for and on account of Cruelty and non-support

It is further ordered that the Complainant, Lodis Wade, be given the care and custody of the minor children whose names and ages are as follows: Ollie Wade, age 8, a girl, Danny Wade, age 6, a boy, Earline Wade, age 4, a girl, James O. Wade, age 2, a boy.

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 Lodis Wade be, and she is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that James Earl Wade the Respondent pay the cost herein to be taxed, for which execution may issue.

This 12th day of September 1940

[Signature]

Judge Circuit Court, in Equity.

I, R. S. Duck, 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 September, 1940

Register of Circuit Court, in Equity.

945 Allendale Street
Titusville, Florida
January 14, 1974

Clerk of the Circuit Court
Bayminete, Alabama

565

Dear Sir:

I wish to obtain a copy of my divorce papers. My case was filed and my uncontested divorce granted in Bayminete, Alabama in 1940. The plaintiff was myself; Lodis Depree Wade Maiden name was Grubbs; Vs. James Earl Wade.

I would appreciate an early reply. Please notify me of any and charges.

Yours Truly



Lodis Wade Dean

(Mrs John O. Dean)

945 Allendale Street
Titusville, Florida 32780

Mrs. Dean:

Our fee for this service is \$1.25 and self addressed, postage paid envelope.

Please forward your remittance by money order to: Eunice G. Tindal, Register, P. O. Box 489, Bay Minette, Alabama.

Thank you.



CHANCERY EXECUTION

BILL OF COSTS

No. 565 *Lodis Wade,* Vs. *Geo. Earle Wade* Plaintiff
Complainant *Respondent* Defendant

| | Dollars | Cents | | | |
|---|---------|-------|---|------|-------|
| FEES OF REGISTER | | | Brought Forward | \$ | 6 45 |
| Filing each bill and other papers | 6 | 00 | For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%. | | |
| Issuing each subpoena | | 50 | Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received. | | |
| Issuing each copy thereof | | 40 | Each notice sent by mail to creditor .. | 15 | |
| Entering each return thereof | | 15 | Filing, receipting for and docketing each claim, etc. | 25 | |
| For each order of publication | 1 | 00 | For all entries on subpoena docket, etc. | 50 | |
| Issuing writ of injunction | 1 | 50 | For all entries on commission docket, etc. | 50 | 50 |
| For each copy thereof | | 50 | Making final record, per 100 words .. | 15 | 3 50 |
| Entering each return thereof | | 15 | Certified copy of decree | 1 00 | 1 50 |
| Issuing Writ of Attachment | 1 | 00 | Report of divorce to State Health Office (Acts 1915) | 50 | 50 |
| Entering each return thereof | | 15 | <i>Corrected</i> Total Fees of Register | | 11 95 |
| Docketing each case | 1 | 00 | FEES OF SHERIFF | | |
| Entering each appearance | | 25 | Serving and returning subpoena on deft. \$1 | 50 | |
| Issuing each decree pro confesso on per. ser. | 1 | 00 | Serving and returning subpoena for witness | 65 | |
| Issuing each decree pro confesso on publica. | 1 | 00 | Levying attachment | 3 00 | |
| Each order appointing guardian | 1 | 00 | Entering and returning same | 25 | |
| Any other order by Register | | 50 | Selling property attached | | |
| Issuing commission to take testimony | | 50 | Impaneling Jury | 75 | |
| Receiving and filing | | 10 | Executing writ of possession | 2 50 | |
| Endorsing each package | | 10 | Collecting execution for costs | 1 50 | 1 50 |
| Entering order submitting cause | | 50 | Serving and returning sci. fa., each .. | 65 | |
| Entering any other order of court | | 25 | Serving and returning notice | 65 | |
| Noting all testimony | | 50 | Serving and returning writ of injunction | 1 50 | |
| Abstract of cause, etc. | 1 | 00 | Serving and returning writ of exeat .. | 1 50 | |
| Entering each decree | | 75 | Taking and approving bonds, each .. | 75 | |
| For every 100 words over 500 | | 15 | Collecting money on execution | | |
| Taking account, etc. | 3 | 00 | Making deed | 2 50 | |
| Taking testimony, etc. | | 15 | Serving and returning application, etc. | 1 00 | |
| Each report, 500 words or less | 2 | 50 | Serving attachment, contempt of court | 1 50 | 1 50 |
| For every 100 words over 500 | | 15 | Total Fees of Sheriff | | |
| Amount claimed less than \$500, etc. | 2 | 00 | | | 1 50 |
| Issuing each subpoena | | 25 | RECAPITULATION | | |
| Witness certificate, each | | 25 | Register's Fees | | 11 95 |
| Issuing execution, each | | 75 | Sheriff's Fees | | 1 50 |
| Entering each return | | 15 | Commissioner's Fees <i>Crenshaw</i> | | 5 00 |
| Taking and approving bond, each | 1 | 00 | Solicitor's Fees | | |
| Making copy of bill, etc. | | 15 | Witness Fees | | |
| Each notice not otherwise provided for .. | | 50 | Guardian Ad Litem | | |
| Each certificate or affidavit, with seal .. | | 50 | Printer's Fees <i>Baldwin Times</i> | | 7 83 |
| Each certificate or affidavit, no seal | | 25 | Trial Tax | 3 00 | 3 00 |
| Hearing and passing on application, etc. | 3 | 00 | Recording Decree in Probate Court .. | | |
| Each settlement with receiver, etc. | 3 | 00 | Total | | |
| Examining each voucher of Receiver, etc. | | 10 | | | 29 28 |
| Examining each answer, etc. | 3 | 00 | | | |
| Recording resignation, etc. | | 75 | | | |
| Entering each certificate to Supreme Court | | 50 | | | |
| Taking questions and answers, etc. | | 25 | | | |
| For all other ser relating to such proceedings | 1 | 00 | | | |
| For services in proceeding to relieve minors, etc. same fee as in similar cases. | | | | | |
| Commission on sales, etc: 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct. | | | | | |
| Sub Total Carried Forward | 6 | 45 | | | |

The State of Alabama, { No. 565
 Baldwin County. } Circuit Court, In Equity December Term, 1940
 To Any Sheriff of the State of Alabama—GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of Lodis Wade Defendant

you cause to be made the sum of Twenty-nine & 28/100 (\$29.28) Dollars,

which Lodis Wade Plaintiff

recovered of _____ on the 12 day of September 1940

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,

costs of suit, and have the same to render to the said _____ and make return of this Writ and the execution thereof, according to law.

Interest from _____ 193 to date of collection.

Witness my hand, this 12 day of December 1940

R. S. Duck, Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO VIRGINIA E. CRENSHAW

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 Lodis Wade and Orus Wade

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

Lodis Wade

Complainant

and James Earl Wade

Defendant,

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

Witness 9th day of September, 19 40

R.S. Dush

REGISTER

Commissioner's Fee \$ 5.00

Witness' Fees, \$ _____

565

| | | |
|---|---|---|
| LODIS WADE, Complainant -vs- JAMES EARL WADE, RESPONDENT. | } | IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. |
|---|---|---|

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

Comes your Complainant, LODIS WADE, and humbly complaining against the Respondent, James Earl Wade, respectfully represents and shows unto your Honor and this honorable Court as follows:

FIRST: That your Complainant and the Respondent are both over the age of twenty one years and that the Complainant is a resident of Summerdale, Baldwin County, Alabama, and the Respondent's address is unknown, and your Complainant states further that the Respondent deserted the United States Navy on September 2nd, 1938 and has not been heard from since that time.

SECOND: That your Complainant and the Respondent were married in Mobile, Alabama on, to-wit: February 6th, 1936 and lived together as husband and wife until April 1938.

THIRD: That the Respondent is a man of ungovernable temper; and on, to wit about the middle of April 1938 and various times prior thereto the Respondent has cursed, abused and threatened your Complainant; and on to-wit about the middle of April 1938 he did actual violence to her person by threatening and striking her, that his conduct is such that Complainant has every apprehension to believe and does actually believe, that if she continues to live with him he will continue to carry out his threats to do further violence to her person which will necessarily endanger her life and/or health.

FOURTH: Complainant shows further unto this Honorable Court that the Respondent has not and does not contribute to her support, that he is an able bodied man capable of working and supporting his wife and that she has and does feel that he is able to contribute to her support and that the Respondent at this time has deserted the United States Navy and cannot now be located. Previous to this time according to the letter which will be introduced as evidence Respondent maintained a home separate and apart from my home and also contributed to the support of another woman in California.

FIFTH: And there were born to Complainant and Respondent of the said marriage children whose names and ages and sexes are as follows:

Ollie Wade, age 8, a girl; Danny Wade, age 6, a boy; Marline Wade,

The State of Alabama }
Baldwin County }

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

LODIS WADE

COMPLAINANT

VS.

JAMES EARL WADE

RESPONDENT

I, Virginia E. Crenshaw

as Register and Commissioner

have called and caused to come before me Lodis Wade and Orvis Dean

witnesses named in the requirement for Oral Examination, on the 7th day of September

1930, at the office of Orvis M. Brown

in Robertsdale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said witnesses

doth depose and say as follows:

TESTIMONY OF LODIS WADE

My name is Lodis Wade and I am the Complainant in this cause of action. The Respondent, James Earl Wade and I were married on February 6th, 1930 in Mobile, Alabama, and lived together as husband and wife until on or about April of 1938 at which time your Respondent deserted your Complainant and has not returned to her since that time. I am a resident of Summerdale, Baldwin County, Alabama but the residence of James Earl Wade is unknown to me. He deserted the United States Navy on September 2nd, 1938 and has not been heard from since that time. The Respondent, James Earl Wade is a man of ungovernable temper and on or about the middle of April, 1938 and various times prior to that time he cursed, abused and threatened me and on or about the middle of April 1938 he threatened me and actually struck me and I know if I should continue to live with him should he come back that he would continue to abuse me and would carry out his threats to do me harm that would endanger my life and health. The Respondent, James Earl Wade, has not and does not contribute to my support though he is a able bodied man capable of working and supporting his family. He deserted the United States Navy and cannot now be located. But previous to this time according to the letter which will be introduced as evidence the Respondent maintained a home separate and apart from my home and also contributed to the support of another woman in California.

There were several children born to us of this marriage and all of them are living with me and have been all the time. They are: Ollie Wade, age 8, a girl, Danny Wade, age 6, a boy; Earline Wade, age 4, a girl, James O. Wade, age 2, a boy. I have kept these children, cared for them and supported them with no help whatsoever from the Respondent. I now beg of the court that I be granted a divorce from the Respondent and that I be given the care and custody of these children born to us of this marriage.

Lodis Wade

ORAL EXAMINATION

I, Virginia E. Crenshaw as Register and Commissioner hereby certify that the foregoing deposition^s 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 Orvis M. Brown 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 7th day of September 1940.

Virginia E. Crenshaw (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

LODIS WADE

COMPLAINANT

vs.

JAMES EARL WADE

RESPONDENT

ORAL DEPOSITION

Filed September 9, 1940

R. S. Douthett, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

ALABAMA

STATE OF ALABAMA

CHANCELLERY COURT

Before me personally appeared James Earl Wade, Complainant, who being duly sworn says that she is the Complainant in the case of John A. Wade, Complainant, vs James Earl Wade, Respondent, that the Respondent, James Earl Wade, residence is not known, that on or about early 1938 he said James Earl Wade deserted your Complainant and also deserted the United States Navy on September 2, 1938 and he has not been heard of nor seen since that time and that your Complainant and also the United States Navy are searched for his whereabouts but he has not been located; that your Complainant, John A. Wade and the Respondent James Earl Wade are both over twenty one years and that they were married in Mobile, Alabama on January 1, 1938 and that your Complainant John A. Wade is a resident of Mobile, Alabama County, Alabama.

Applicant

Filed August 21, 1938
R. S. Ditch, Registrar
by - Pauline Thompson, Deputy

Subscribed to and sworn to before me this 21st day of August, 1938.

Y. H. HAYES, CHANCELLER
 COUNTY, ALABAMA

My commission expires July 20, 1941.

original
No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

.....
LODIS WADE

vs. Complainant.

.....
JAMES EARL WADE

.....
Respondent.

DIVORCE DECREE

*Filed September 12, 1940
R.S. Duch, Registrar*

RECORDED

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

LODIS WADE

Complainant

VS.

JAMES EARL WADE

Defendant

Commission To Take Deposition

COMMISSIONER:

VIRGINIA E. CRENSHAW

Witnesses:

LODIS WADE

ORUS DEAN

o. 565

The State of Alabama,
Baldwin County.

Circuit Court, In Equity.

Ledisi Wade,
Complainant
vs.

James Earle Wade,
Respondent

CHANCERY EXECUTION
Fi. Fa.

\$ 29.28

Total \$ 29.28

Fee Book Consolidated Page 565

Execution Docket " " Page " "

Orino M. Brown
Complainant's Solicitor.

The State of Alabama,
Baldwin County.

ha. duly waived right
to the exemption of personal property as to
the collection of the debt for which this execu-
tion is issued.

Register.

Received in office this 12

day of December 1941.

W.R. Stuart
Sheriff

Execution Docket Page
Returned this 19th day of Feb.
1941 no property of the com-
plainant found in Baldwin Co.
W.R. Stuart Sheriff
By M.B. Hamilton
Deputy Sheriff

The State of Alabama, }
Baldwin County.

By virtue of the within execution I have levied

Vertical lines for recording details of the execution.

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

R. P. Vail

LEGAL NOTICE

In the Circuit Court of Baldwin County, Alabama. In Equity. Dated 21st day of August, 1939.

LODIS WADE, Complainant,
Vs. JAMES EARL WADE, Respondent.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Lodis Wade, Complainant, that the Respondent James Earl Wade is a non-resident of the State of Alabama and that service of summons cannot be had in the State of Alabama, and further, that, in the belief of the said affiant the Respondent is over the age of twenty one years, it is therefore, ordered that publication in Baldwin County, Alabama be made in the Baldwin Times, a newspaper published in said County, for four consecutive weeks, requiring James Earl Wade, the said Respondent, to answer, plead or demur to the bill of complaint in this cause by September 18th, 1939 or thirty days therefrom a decree pro confesso may be taken against the said James Earl Wade.

R. S. DUCK, Register, Circuit Court.
ORVIS M. BROWN, Attorney for Complainant. 30-4t

BAY MINETTE, ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner 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

Lodis Wade vs James Earl Wade

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

| | | |
|----------------------------|--------------------------|------------------------------|
| Date of first publication | <i>August 24, 1939</i> | Vol. <i>50</i> No. <i>30</i> |
| Date of second publication | <i>" 31, 1939</i> | Vol. <i>50</i> No. <i>31</i> |
| Date of third publication | <i>September 7, 1939</i> | Vol. <i>50</i> No. <i>32</i> |
| Date of fourth publication | <i>" 14, 1939</i> | Vol. <i>50</i> No. <i>33</i> |

Subscribed and sworn before the undersigned this 18 day of

Sept 1939
G. Moe Smith
W. O. Beckwith

J. H. Faulkner
Publisher

LODIS WADE

VS.

JAMES EARL WADE

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, _____
Motion for Decree Pro Confesso by Publication, Decree Pro Confesso By
Publication, Testimony of Lodis Wade and Orus Dean, Request for Decree in
Vacation

and in behalf of Defendant upon _____

A. S. Durb

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

LODIS WADE _____, Complainant

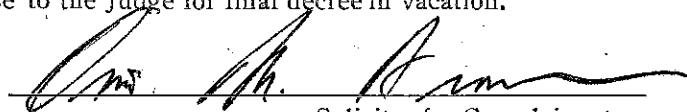
Vs.

JAMES EARL WADE _____, Defendant

To **R. S. DICK** _____, 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 **ORVIS M. BROWN** _____

_____ 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.


Solicitor for Complainant.

IN REPLY
REFER TO NAS/P13
(63-My)
Address
Commanding Officer
Naval Air Station

U. S. NAVAL AIR STATION
Naval Operating Base,
Norfolk, Virginia

Mrs. Loris Wade,
Summerdale, Ala.

Dear Madam:

Your letter in regards to your husband James Earl Wade is hereby acknowledged.

I will try to answer as many of your questions as possible as I feel the deep concern you must have for his welfare. Your allotment will naturally be stopped, for as a deserter he is earning no money. In addition to your allotment he had an allotment of twenty dollars payable to Isabel E. Dunn of San Diego, California, to cover a loan of four hundred dollars. He was making small payments, on other loans, to the Local Finance Corp., of San Diego and the Southern Savings Bank of Norfolk, Virginia. He did not own an automobile and at times he lived on the Station, although it is believed he did maintain a home in Norfolk. We have not notified his sister in Tennessee as it is customary to notify only the next of kin.

A search of his locker disclosed the fact that he apparently took all his winter clothes. There is no knowledge of a group of airplanes arriving on Pensacola, Florida, from this Station on or about 10 September, 1938, as you mentioned in your letter. You would not be of any assistance if you came here as your husband's records have been forwarded to the Navy Department and any future action in his case would be handled from that end.

It is apparent that your husband did not make an earnest effort to live within his means and was contracting debts beyond his ability to pay.

Very truly yours,



P. N. L. BELLINGER,
Captain, U. S. Navy,
Commanding.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____, Term, 193__

----- **LODIS WADE** -----, Complainant

Vs.

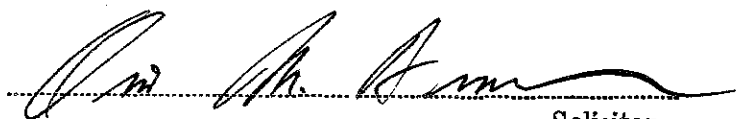
----- **JAMES EARL WADE** ----- Defendant

Motion is hereby made for a Decree Pro Confesso against **James Earl Wade**

----- Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof,

This 9th day of September 1940



Solicitor.

IN REPLY
REFER TO _____

Address
Commanding Officer
Naval Air Station

U. S. NAVAL AIR STATION
Naval Operating Base,
Norfolk, Virginia

12 September, 1938.

Mrs. Lodis Wade,
Summerdale, Ala.

Dear Madam:-

I regret the necessity of informing you that your husband, James Earl Wade, Aviation Carpenter's Mate First Class, who enlisted in the Navy at Naval Operating Base, Norfolk, Va., on 4 February, 1937, and was attached to this station, has been absent without leave since 9:10 a.m., 2 September, 1938, and is being declared a deserter from the naval service from 2 September, 1938.

Should you know of the whereabouts of your husband, it is suggested that you urge him to surrender to the nearest naval activity as soon as practicable, because his punishment will be less severe if he voluntarily surrenders himself than if he is apprehended and delivered by the civil authorities.

Yours sincerely,



P. N. L. BELLINGER,
Captain, U. S. Navy,
Commanding.