

WILLIAM BISHOP,
Complainant,

EQUITY.

CIRCUIT COURT OF BALDWIN COUNTY,

vs

ALABAMA.

THELMA MAE BISHOP,
Defendant.

DEPOSITION OF WILLIAM BISHOP AND WOODROW W. BISHOP, witnesses
for Complainant.

The said witnesses, who are known to me, appearing before me,
the Commissioner named in the attached commission at the time and place
hereinafter stated and after having been sworn to tell the truth, testi-
fied as follows,

WILLIAM BISHOP.

I am the complainant in this cause and over the age of twenty-one
years and a resident of Baldwin County Alabama where I was born and raised
For more than nineteen years I was a member of the United States Coast Guard
and in performance of my duties have served in a number of places mostly
in the South. On June 12th, 1931 I married Thelma Mae Testonea, the defend-
ant in this case and who was more than twenty-one when I met her. We lived
together for a number of years but toward the last did not get on well to-
gether. In June 1936 we had a good deal of friction and while I did all
that I could for her and provided for her well, she was not satisfied and
finally told me to go off and leave her, which I finally did and since
that time I have not seen her or had anything to do with her but have lived
separate and apart. We could not get along together and I did not want to
continue to live with a woman who did not want me and wanted me to leave
so there was nothing else for me to do. I have been out of the Service now
going on two years and am back in my old home at Barnwell where all of my
people live. I have an honorable discharge for physical disability. After
she made me leave I lost track of her whereabouts .

William Bishop
.....

WOODROW W. BISHOP.

I am a brother of the Complainant and, like him am more than twenty-one years of age. His wife is also over the age of twenty-one years but I do not know where she lives now since she left her husband about three and a half years ago. He has been a member of the U. S. Coast Guard for more than nineteen years and while he has been all this time and still is a resident of Baldwin County, he has been stationed in different places throughout the Country. In June 1931 he married Thelma Mae Testone, his wife in Camden County Georgia and the pair of them lived together until something over three years when they separated, she making him leave, and they have lived separate and apart ever since. In that time he has not seen her or had anything to do with her. He is now on legal retirement from the United States Service and staying back home here all the time. If they had been back together I would have known it. He has not been in Alabama all of the time for the past three years but he has been back and forth and I have been actively in touch with him all this time and hence know that since she sent him away she has not had him back and that this has lasted more than three years.

Woodrow Bishop.

I, Joseph Pose, the Commissioner named in the attached commission, do hereby certify that in a case pending in the Circuit Court of Baldwin County in Equity, wherein William Bishop is Complainant and Thelma Mae Bishop is defendant, by virtue of the power conferred on me by said commission I caused William Bishop and Woodrow W. Bishop, the witnesses named therein, who are known to me to come before me in my office in Fairhope on the 30th day of December 1939, where, after being duly sworn, they testified as is above set forth upon examination by Complainant. That their testimony was reduced to writing as near as might be in the language of the witnesses and read over and signed by them in my presence.

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

In witness whereof I hereto set my hand and seal as Commissioner this the 30th day of December, 1939.


Commissioner.

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO -----JOSEPH POSE-----

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

William Bishop and Woodrow W. Bishop

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

WILLIAM BISHOP

IS Complainant

and THELMA MAE BISHOP,

is Respondent ~~Defendant~~

on oath to be by you administered, upon them

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 29th day of December, 19 39

R. S. Dush

REGISTER

Commissioner's Fee \$ 3.00

Witness' Fees, \$

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 578 December Term, 19239

WILLIAM BISHOP Complainant

THELMA MAE BISHOP Defendant

vs.

In this cause it appears to the Register that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the

5th day of October-1939 ~~1938~~, in the FAIRHOPE COURIER

a newspaper published in Fairhope Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 5th day of October, 1939 ~~1938~~, and

And it now further appearing to the Register, that the said

THELMA MAE BISHOP

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

that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said THELMA MAE BISHOP

This 29th day of December -1939 ~~1938~~

R.S. Duch

Register.

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

Comes WILLIAM BISHOP and by this his bill of complaint presented against ~~THELMAMAE~~ BISHOP, respectfully shows:

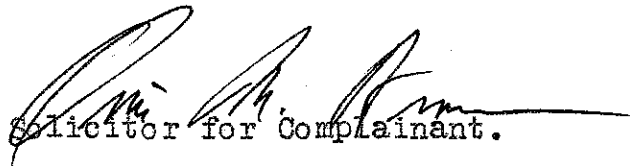
FIRST: That Complainant and Defendant are both over the age of twenty-one years; that he is now and has been all of his life a bona fide resident of Baldwin County, Alabama, though physically absent much of the last ten years or more because of service in the United States Coast Guard, but now since his discharge a permanent resident for the past six months; that Thelma Mae Bishop, when last heard of resided in the State of Massachusetts but her present whereabouts and address are unknown to Complainant.

SECOND: That Complainant and Defendant were married in the Town of Woodbine, Georgia on June 12th, 1930 and after that date resided in various places, including the city of Roxbury Massachusetts, according to Complainant's moves made in the service in which he was engaged, and in which last named place Defendant abandoned the bed and board of Complainant and which abandonment has continued to the present time, he not having seen her in this period. About six months prior to this date Complainant left the Coast Guard Service and returned to resume his home at Barnewall in Baldwin County, where he now lives. Said abandonment took place on June 2nd, 1936.

THE PREMISES CONSIDERED, Complainant prays that Thelma Mae Bishop be made party defendant to this cause, that she, being a non-resident of this State and her address being unknown to Complainant, who has made diligent search and inquiry to ascertain same, it is necessary that notice of this proceeding be given her by process of publication, for which he now prays an order that she may be so notified and require to answer this bill within the time prescribed by law and abide by such orders and decrees as may be made in the premises.

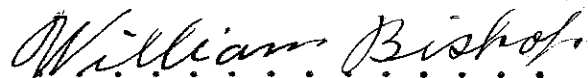
COMPLAINANT FURTHER PRAYS, that upon the hearing of this cause a decree be rendered forever divorcing him from the said Thelma Mae Bishop granting him the right to marry again should he so desire, and such

other, further or different relief as to equity may seem meet.

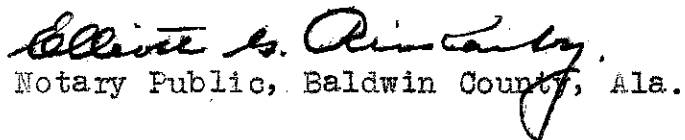

Solicitor for Complainant.

STATE OF ALABAMA:
COUNTY OF BALDWIN:

Before me, the undersigned notary, personally appeared William Bishop, who, being sworn says that Thelma Mae Bishop, the Defendant in the above styled cause, is over the age of twenty-one years and when last heard from was in the town of Roxbury, Massachusetts, though he has since heard that she has removed therefrom to parts unknown to affiant who after diligent effort is unable to come in contact with any one of whom to obtain more definite information. Wherefore affiant now avers that the present whereabouts of the Defendant are unknown and that process of publication is necessary to secure notice of this proceeding to her.


William Bishop

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


Notary Public, Baldwin County, Ala.

CHANCERY EXECUTION

BILL OF COSTS

No. 578

VS.

PLAINTIFF

DEFENDANT

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$ 5 05
Filing each bill and other papers	40	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
For each copy thereof	50		Making final record, per 100 words	15
Entering each return thereof	15		Certified copy of decree	1 00
Issuing Writ of Attachment	1 00		Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof	15		TOTAL FEES OF REGISTER..	10 90
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
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
For every 100 words over 500	15		TOTAL FEES OF SHERIFF..	
Amount claimed less than \$500, etc	2 00		RECAPITULATION	
Issuing each subpoena	25		Register's Fees	10 90
Witness certificate, each	25		Sheriff's Fees	
Issuing execution, each	75		Commissioner's Fees	5 00
Entering each return	15		Solicitor's Fees	
Taking and approving bond, each	1 00		Witness Fees	
Making copy of bill, etc	15		Guardian Ad Litem	
Each notice not otherwise provided for	50		Printer's Fees	7 75
Each certificate or affidavit, with seal	50		Trial Tax	3 00
Each certificate or affidavit, no seal	25		Recording Decree in Probate Court	
Hearing and passing on application, etc.	3 00		TOTAL	26 65
Each settlement with Receiver, etc.	3 00			
Examining each voucher of Receiver, etc	10			
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 cent; all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent				
Sub Total Carried Forward				

The State of Alabama, Baldwin County, Circuit Court, In Equity, Term, 193

To any Sheriff of the State of Alabama—GREETING:
 You are hereby commanded, That of the goods and chattels, lands and tenements of _____ Defendant _____
 you cause to be made the sum of _____ Dollars,
 which _____ Plaintiff _____
 recovered of _____ on the _____ day of _____ 193____
 by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _____ Dollars,
 costs o' 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 _____ day of _____ 193____
 _____ Register

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

WILLIAM BISHOP

Complainant

vs.

THELMA MAE BISHOP

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree 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 WILLIAM BISHOP is forever divorced from the said

THELMA MAE BISHOP

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 WILLIAM BISHOP be, and he is hereby permitted to again contract marriage upon the payment of the cost of this suit.

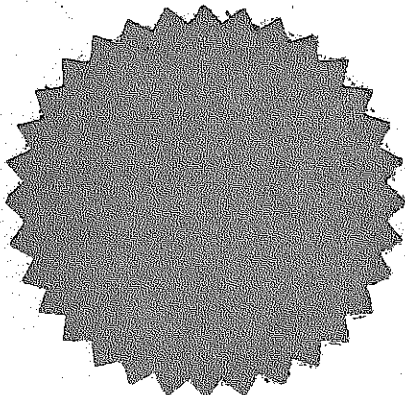
It is further ordered that WILLIAM BISHOP the Complainant pay the cost herein to be taxed, for which execution may issue.

This 6th day of January, 1940



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.

NO. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

WILLIAM BISHOP,

Complainant

VS.

THEMMA WAB BISHOP,

Defendant

Commission To Take Deposition

COMMISSIONER:

JOSEPH POSE,

Witnesses:

WILLIAM BISHOP

WOODROW W. BISHOP,

COMMISSIONER'S FEE \$3.00. Not Paid.

RECORDED

No.

Page

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

VS.

**DECREE PRO CONFESSO
OF PUBLICATION**

Issued *December 29, 1938* 192

R. S. Quirk

Register.

Recorded in Record

Vol. Page

Register.

Moore Printing Company, Bay Minette, Ala.

Bill & Complaint

RECORDED

Filed October 10, 1939

R.S. Dunt, Register

By - Charles Thompson, Deputy

No. 578

Page

The State of Alabama

Baldwin County

In Circuit Court, In Equity

WILLIAM BISHOP,
vs. Complainant.

THELMA MAE BISHOP,
Respondent.

DIVORCE DECREE

Filed this the 9th day
of January, 1940.

R. S. Dull
Register.

THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

FAIRHOPE, ALABAMA

Dec., 26, 1939

This is to certify that the
attached legal notice appeared
in the following issues of the
Fairhope Courier: Oct., 26, Nov.,
2, 9, 16.

Frances Gaston Crawford

Frances Gaston Crawford, Ed.,

Subscribed and sworn to before me this
27th. day of December 1939.

G. E. Perkins

Notary Public

Legal Notice

WILLIAM BISHOP, Complainant
THELMA MAE BISHOP Respond-
ent
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.

Dated this 5th day of October, 1939

In this cause it being made to appear to the Clerk of this Court by the affidavit of William Bishop, Complainant, that the Respondent, Thelma Mae Bishop 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 "Fairhope Courier", a newspaper published in said County for four consecutive weeks requiring Thelma Mae Bishop, said Respondent, to answer, plead or demur to the Bill of Complaint in this cause by November 17, 1939, or 30 days thereafter a decree pro confesso may be taken against the said Thelma Mae Bishop.

R. S. Duck, Register Circuit Court

Orvis M. Brown

Attorney for Complainant.

13-4t.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 578 December, Term, 1939

WILLIAM BISHOP, Complainant.

Vs.

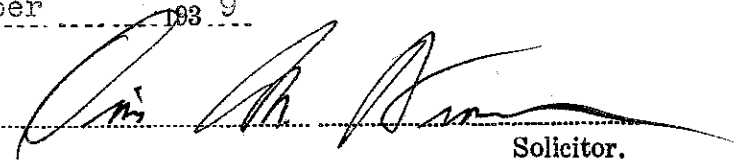
THELMA MAE BISHOP, Defendant.

Motion is hereby made for a Decree Pro Confesso against Thelma Mae Bishop,

Respondent ~~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 29th day of December 1939


Solicitor.

STATE OF ALABAMA,
BALDWIN COUNTY

}

CIRCUIT COURT, IN EQUITY.

No.

578

January

Term, 1940

WILLIAM BISHOP

, Complainant

Vs.

THELMA BISHOP

, 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 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.

ORVIS M. BROWN,

Solicitor for Complainant.

WILLIAM BISHOP,
Complainant,

vs.

THELMA MAE BISHOP,
Respondent.

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, _____
Decree Pro Confesso on Publication; Testimony of William Bishop
and W. W. Bishop;

and in behalf of Defendant upon _____

R. S. Duck

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

WILLIAM BISHOP,

Complainant,

vs.

THELMA MAE BISHOP,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 5th
day of January, , 1940 ~~###~~ 193

R.S. Duch

REGISTER

RECORDED

No. _____ Page _____

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

WILLIAM BISHOP,

Complainant,

Vs.

THELMA MAE BISHOP,

Respondent

**REQUEST FOR DECREE IN
VACATION**

Filed January 5, 1940
~~October 10, 1939~~, 193_____

R. S. Decker

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

No. ----- Page -----

**State of Alabama,
Baldwin County.**

CIRCUIT COURT, IN EQUITY.

Complainant

Vs.

Defendant

**Motion for Decree Pro Confesso
On Publication.**

Filed December 29th, 1939, 193-----



Register.

Recorded in ----- Record,

Vol. ----- Page -----

Register.

FAIRHOPE, ALABAMA

Jan 22 / 1940

M

R. S. Dink - Registered

IN ACCOUNT WITH

THE FAIRHOPE COURIER

E. B. GASTON ESTATE Publisher

Fairhope Courier

Advertising - Commercial Printing

RATES ON APPLICATION

Legal notice of
Bishop vs. Bishop

\$7.78

Paid Jan 22, 1940.
R. S. Dink

172 wrd legal
notice Re. Bishop
vs. Bishop in issues
of Oct. 26, Nov 2, 9-16-

\$7.78

