

Ex Parte Hilary Harville.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.  
BALDWIN COUNTY.

TO THE HONORABLE, the Circuit Court, Equity Side, and the Honorable John D. Leigh, Judge Thereof, Aitting in Equity:-

your petitioner, Hilary Harville, respectfully represents unto your Honor that a decree of divorce was granted by your Honor and this Honorable Court against your petitioner and in favor of Leila Harville on the twenty-first (21st) day of December, 1920, on the grounds of ~~crual~~ <sup>crual</sup>ty, said cause being numbered 215. That more than ~~eighteen~~ <sup>eighteen</sup>seventeen months have elapsed since said decree was granted as aforesaid, during all of which time your petitioner has been sober and industriuous and a peaceable citizen. That there is no reason, so far as your petitioner knows, why he should not be granted the right to remarry, wherefore:-

Petitioner prays that your Honor will take jurisdiction of this petition and that upon consideration of same and of the evidence submitted herewith that your petitioner may be granted the right to re-marry: AS in duty bound, etc.,

acted  
Matthews  
S.M. Sharp

Hilary <sup>Har</sup>Harville  
Petitioner  
mark

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me Frank S Stone a Notary Public in and for said State and County, personally appeared Tom Cattrett who is known to me and who being by me duly sworn doth depose and say under oath that he is personally acquainted with Hilary Harville and has known him intimately for more than 20 years, and that said Hilary Harville is an honest, sober industrious man and a good citizen; that he has several small children and that they need the care of some good woman to care for them; and that Hilary Harville is a man of good moral character and should be allowed to remarry.

*Tom Cattrett Jr*  
-----

Sworn to and subscribed before me

this May 30th, 1922

*Frank S Stone*  
-----

Notary Public Baldwin County. Ala.

State of Alabama.

Baldwin County.

Before me Frank S Stone a Notary Public in and for said State and County personally appeared Joseph Hall who is known to me and who after being by me duly sworn doth depose and say under oath that he is personall acquainted with Hilary Harville for more than 20 years and that he is a man of good moral character, sober and industrious and should be allowed to remarry so that his several small children can have the care of some good woman.

Joseph Hall

Sworn to and subscribed before me

this May 30th, 1922.

Frank S Stone

Notary Public Baldwin County. Ala.



THE STATE OF ALABAMA,  
BALDWIN County.

CIRCUIT COURT, IN EQUITY.

Ex Parte

No. ....

Hilary Harville

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

Hilary Harville

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

Hilary Harville

be and he is hereby granted permission to

again contract marriage.

It is further ordered, that the said petitioner Hilary Harville

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

This the first day of June 1922.

(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.

*Original* *4/11*

No. ....

COPY.

THE STATE OF ALABAMA,

*Baldwin* County.

CIRCUIT COURT, IN EQUITY.

EX PARTE

*Felix Horville*

DECREE.

Filed in office this the *24*

day of *June* 19*32*

Register.

**RECORDED**

State of Alabama, )  
Baldwin County .)

Before me, Thos. W. Richerson, Clerk of the Circuit Court of Baldwin County, Alabama, personally appeared S. C. Jenkins, who being by me first duly sworn, says that he is the solicitor for the complainant in the cause of William A Burrell vs ~~Katie~~ Burrell, No ~~344~~ and that he is informed and believes and upon such information and belief states that ~~Katie~~ Burrell is over the age of twenty one years and is a nonresident of the State of Alabama, residing in the State of Georgia and when last heard from was at ~~Egin Park~~ near the City of Atlanta in the said state of Georgia.

S. C. Jenkins

Solicitor for Complainant  
subscribed and sworn to before me this ~~19th~~ day of July  
1922.

T. W. Richerson

T. W. Richerson, Clerk of the Circuit Court of  
Baldwin County, Alabama.

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Bay Minette, Ala.,

7/22/22 ✓

M. J. W. Richardson

# THE BALDWIN TIMES

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Burrell Non Resident Notice 185 words 4 t

\$ 833

A. C. Jenkins Atty.

State of Alabama, )

Baldwin County . )

Before me, W. H. Hawkins, A Notary Public in and for said state and County, personally appeared William A Burell, who being by me first duly sworn, says upon oath, that he is the complainant in the cause of William A. Burell vs Katie Burell, No----- and that he is informed and believes - and upon such information and belief, states that Katie Burell is over the age of twenty one years and is a nonresident of the state of Alabama and resides in the state of Georgia at Egean, park, <sup>near</sup> Atlanta, Ga.

*W A Burell*

Subscribed and sworn to before me this 5 day of June, 1922.

*W H Hawkins*

Notary Public, Baldwin County, Alabama





RETURN AFTER FIVE DAYS TO

S. C. JENKINS

ATTORNEY-AT-LAW

BAY MINETTE, ALABAMA

In Circuit Court, Baldwin  
County, Ala

Wm A Burrell, Complainant

VS

Katie Burrell, Defendant

Depositions of J.A. Newell,

Henry Benefield, Wm Skinner

Witnesses for Complainant.

*Filed Nov 14th/922  
D W Richerson  
Register*

Hon. Thos. W. Richerson,

Clerk of the Circuit Court,  
of Baldwin County,

Bay Minette, Ala.

X  
Gulgrover  
Commissioner

X  
Gulgrover  
-Commissioner-

X  
Gulgrover  
Commissioner

William A Burrell )  
 Complainant ) In The Circuit Court of Baldwin County, Alabama.  
 vs )  
 Katie Burrell, ) In Equity .  
 Respondent )

Interrogatories to be propounded Henry Benerfield, J. A . Newell and W.M -  
 skinner, each of whom is a material witness for the Complainant in the -  
 above entitled cause and each of whom resides at Hopewell, Alabama in  
 Cleburne County, Alabama.

Interrogatory to Henry Benerfield.

Int. 1. What is your name and age ~~where~~ and where do you reside? How long  
 have you so resided? Do you know the complainant, William A Burrell and the  
 respondent, Katie Burrell ? Do you know whether or not they were married?   
 Do you know where they each now reside? if so, state the residence of each  
 party. Do you know how long William A Burrell and Katie Burrell lived together  
 as man and wife ? Where did they reside and live together as man and wife?  
 Do you know any circumstances of their separation ? Did they separate and  
 if so when or about when ? State any facts known to you with reference-  
 to the treatment of Katie Burrell by William A Burrell during the time you  
 knew them as living together as man and wife. State if Katie Burrell left or  
 abandoned William A Burrell without just cause or legal excuse and when or  
 about when .

Int. 2. If you state that Katie Burrell abandoned William A Burrell while  
 they were living together near Hopewell in Cleburne county the later part  
 of the year 1915 or in February 1916, state where she went to after she  
 abandoned him; if you state that during the year 1914 that William A Burrell  
 and Katie Burrell moved to Cleburne county near Hopewell to live, state ~~in~~  
 how long or about how long they lived together ~~xxx~~ as man and wife . If you  
 state that during the year 1915 that Katie Burrell abandoned William A Burrell  
 , while they were living near Hopewell, Alabama, state if she abandoned him  
 without just cause or lawful excuse . If you state that Katie Burrell left  
 or abandoned William A Burrell either in December 1915 or February 1916, -  
 state if she ever returned to Hopewell again to live with Complainant to your  
 knowledge .

Int. 3 If you state that Katie Burrell abandoned the bed and board of William  
 A Burrell while they were living near Hopewell, Alabama, state whether or not  
 she has remained away ever since said abandonment . State if she has failed  
 or refused ever since to resume marital relations with said William A Burrell,  
 since said abandonment.

State further any facts which you know of your own knowledge, which will be of benefit to the complainant in this cause.

Interrogatories to be propounded to J. A. Newell and

W. M. Skinner.

Int. 1. What is your name and where do you reside? Do you know William A Burrell and Katie Burrell, the complainant and respondent respectively in this cause? How long have you known them? Were you a neighbor or did you live at any time near where William A Burrell and Katie Burrell resided, when they lived near Hopewell in the years 1914 and 1915? Did they live together as man and wife and were they ever married? Do you know where each of said parties reside now, if so, state the present residence of each. Do you know how long they lived together as man and wife? If so state how long and when did they separate or cease to live together as man and wife.

Int. 2. Did or not Katie Burrell abandon the bed and board of William A Burrell? If so, state when and where did she abandon him? Was it without any fault on his part? If you state that she abandoned him about the later part of the year 1915 or in the year 1916, state what time of the year it was? State where she went after she left or abandoned William A Burrell. If you state that Katie Burrell left or abandoned William A Burrell, state if she has remained away ever since and had failed or refused to resume marital relations with him, the said William A Burrell, since said abandonment. State if she has done so without any fault on his part. State any further and other facts ~~which you know~~ (of your own knowledge) which you know that will be of benefit to the complainant in this cause.

*S. Jenkins*

Solicitor for the Complainant.

Foot Note: The name of George W Groover of Hopewell, Cleburne County, Alabama, is suggested as a suitable person to act as commissioner to take the depositions of the foregoing witnesses. He resides at Hopewell, Alabama and each of said witnesses resides at Hopewell, Alabama in Cleburne County.

*S. Jenkins*

Solicitor for the Complainant.

William A Burrell  
Complainant

vs.

Katie Burrell.

Interrogatories to be propounded  
to Witnesses.

filed

Oct 9th/1922

*W. H. ...*

Clerk of Circuit Court of  
Baldwin County, Alabama.

Solicitor for the Complainant.

Baldwin County.

Alabama and each of said witnesses resides at Hopedale, Alabama in  
take the depositions of the foregoing witnesses. He resides at Hopedale,  
Alabama, is suggested as a suitable person to act as commissioner to

Solicitor for the Complainant.

complainant in this case.

Your own knowledge) which you know that will be of benefit to the  
part. State any further and other facts which may be of benefit to  
since said abandonment. State if she has done so without any fault on his  
Burrell, state if she has remained away ever since she had failed or  
Burrell, if you state that Katie Burrell left or abandoned William A

you live at any time near where William A Burrell and Katie Burrell re-  
in this county how long have you known them? Were you a neighbor or did  
Burrell and Katie Burrell, the complainant and respondent respectively -  
int. J. What is your name and where do you reside? Do you know William  
W. M. Skinner.

Interrogatories to be propounded to J. A. Burrell and

be of benefit to the complainant in this case.

State further any facts which you know of your own knowledge, which will

The State of Alabama, }  
Baldwin County

CIRCUIT COURT.

To George W Groover, of Hopewell, Cleburne County, Alabama,

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commission-  
er, and by these presents do authorize you, at such time and place as you may appoint, to call before you and  
examine Henry Benefield, J.A. Newell, and W.M. Skinner,

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

William A Burrell,

is Complainant

and Katie Burrell.

is Defendant,

on oath to be by you administered, upon interrogatories propounded by Complainant.  
to take and certify the deposition of the witnesses and return the same to our Court, with all convenient  
speed, under your hand.

Witness 9th day of October, 1922

*J.W. Rice*  
Register.

Commissioners Fee \$ 5.00

3 at 50c each  
Witness Fee's \$ 1.50 paid

Oct 28 - 1922

No.....

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

William A. Burrell,

Complainant.....

vs.

Katie Burrell,

Defendant.....

COMMISSION TO TAKE DEPOSITION  
ON INTERROGATORIES.

COMMISSIONER:

Hon. George W. Groover

WITNESSES:

Mary Benefield,

J. A. Newell,

W. M. Skinner.

Hopewell Cal. Oct 11-1922

Ans to J. G. Newell's Interrogatories

Int 1. J. G. Newell and his Reside at Hopewell Cal. in Cleburne Co. I do. I know them when they lived at Hopewell Cal. in 1914 and 15. yes I lived near them, they lived together as man and wife and I presumed they were married, I do not. they lived together as man and wife here about 18 months. about 18 months and they separated the first part of 1916 I do not remember the exact date.

Int 2. Katie Russell did abandon the Bed and Board of William A. Russell. the first part of 1916 at Hopewell Cal. I do not know of any fault on his part. it was the first part of 1916 when she left him. I do not remember the exact date. Katie Russell went home with her father near Atlanta Ga. I do state she left him and the said Katie Russell has remained away ever since so far as I know she never came back while William A. Russell lived here. she has so far as I know. I do not know at any.

J. A. Newell

I have propounded the questions and wrote his answer on oath

This the 11 day Oct 1922

G. W. Groves

Commissioner



Ans E. W. M. Affirmes Louis Hapwood

Ans I. W. M. Affirmes Louis Hapwood

Telephone Co. S. S. I know William

in Buwell, but do not know what

Buwell, I know William & Buwell

on year 1916 + 1917, no a did not,

I do not know, I do not,

I do not, William & Buwell find

by him self near Hopedale S. S.

William I know him in 1916 + 1917.

Ans. I do not know, I do not

know, I know William & Buwell

the father part of 1916 + 1917 and he find

by him self then. And he find

by him self from the time

I know him tell he went to

The Army, I do not know of any

think that would be of any help

to William & Buwell. for a never

seen later Buwell the woman

they say to be his wife

W M Stearnes

I have responded the questions

and wrote his answer on his own

language on both

this 16 May 1922

W. M. Stearnes

Commissioner

Hopewell Ala Oct 11 - 1922

Ans to Interrogatories of Henry Benefield.

Int 1. J. Henry Benefield. Hopewell.

Telebune Co. Ala. 45 Years. I do. they lived together as man and wife. I do not. About 1 1/2 years. At Hopewell

Telebune Co. Ala. yes she went to visit her folks and never came back. yes they separated about the

first of 1916. William A. Bussell gave Katie Bussell as good treatment as he well could. yes Katie Bussell

left William A. Bussell with out just cause or legal excuse. first part of 1916

Int 2. I do state that Katie Bussell

abandoned William A. Bussell while

they lived together near Hopewell in Clebune Co Ala. in the first of the

year 1916. She went to her father

near Atlanta Ga. yes William A. Bussell

and Katie Bussell moved to Telebune

Co near Hopewell Ala. in 1914 and

lived together about 18 months.

She left him the first of the year 1916.

and she left him with out

just cause or lawful excuse.

Katie Bussell did abandon William A.

Bussell the first part of 1916. and she

never did return to live with him

again.

Int 3 I do state that Bob Bussell

abandoned the Bed and Board of

1 William A Bussell While living near  
2 Hopewell Ok. and she has Remained  
3 away ever since said abandonment  
4 yes she has failed ever since to Resume  
5 marital Relations With said William A.  
6 Bussell since said abandonment.  
7 the said William A Bussell Sent Katis  
8 Bussell money to come home on when  
9 she was gone a short time and when  
10 she received the money she wrote  
11 him she was not going to live  
12 with him again

J Henry Benefield