8558 DECREE OF DIVORCE. Gill P. Co., Mobile

The State of Alabama,
Baldwin County.

No. 458. CIRCUIT COURT, IN EQUITY

Robert Moseley,
Complainant

vs.

Josephine Moseley,
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 account of abandonment,

It is further ordered, that the said Robert Moseley, be, and he 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 Robert Moseley 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 Josephine Moseley

It is further ordered, adjudged and decreed that said Robert Moseley shall not again marry except to said Josephine Moeseley until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Josephine Moseley, during the pendency of said appeal

This 14th day of February 1927

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, 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 day of 192, in the cause of

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the day of 192

Register.

No. 458.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Robert Moseley

vs.

Josephine Moseley.

DECREE OF DIVORCE.

Filed in office this 14th

day of February, 1927

T. N. Nicholson
Register.

E. O. M.

ROBERT MOSLEY,
Complainant.

-vs-

JOSEPHINE MOSLEY,
Defendant.

IN THE CIRCUIT COURT
EQUITY SIDE

STATE OF ALABAMA
BALDWIN COUNTY

Comes the defendant by her Solicitor, Henry D. Moorer and for answer to the bill of complaint in this cause filed says that t-

Defendant denies each and every allegation under each and every paragraph and demands strict proof thereof.

Henry D. Moorer
Solicitor for Defendant.

ROBERT MOSLEY, Complainant -vs- JOSEPHINE MOSLEY, Defendant.	IN THE CIRCUIT COURT, EQUITY SIDE, STATE OF ALABAMA. BALDWIN COUNTY.

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, STATE OF ALABAMA, EQUITY SIDE, AND THE HONORABLE JOHN D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY.

Comes your complainant, Robert Mosley, and exhibits this, his bill of complaint for divorce, against the defendant, Josephine Mosley, and for grounds thereof shows unto your Honor and un to this Court as follows:-

FIRST.

That your complainant and the defendant are both over the age of twenty one (21) years; that your complainant is a bona fide resident of the State of Alabama, where he has resided for more than three years next immediately preceeding the filing of this bill of complaint; that the defendant is a resident of Baldwin County, Alabama, residing near Bay Minette, Alabama.

SECOND.

That your complainant and the defendant were married on, to-wit:- December, 1904, and lived to-gether as man and wife until, to wit:- November, 1921.

THIRD.

That on to-wit:- about November, 1921, the defendant, Josephine Mosley, without just cause or logal excuse, voluntarily deserted and abandoned your complainant and has continued to so desert and abandon him since that time andhas never returned to live with him. That said desertion and abandonment took place more than two years before the filing of this bill of complaint and in Baldwin County, Alabama.

FOURTH.

That there was born to your complainant and the defendant by said marriage the following children who are now in the custody of the defendant, viz:- Viola, a daughter, aged 14 years; Annie Lee, a daughter, aged 10 years; Robert, a son, aged 7 years; Mary, a

daughter, aged 3 years; that the defendant is not a fit and proper person to have the custody and control of said children; that your complainant is a fit and proper person to have the custody and control of said children and that he is able to care for, support and maintain them; that the best interest of said children will be served by placing them in the custody of your complainant.

THE PREMISES CONSIDERED:- Complainant prays that such orders, decrees, notices and subpoenas be made and issued as are necessary to make the defendant party respondent to this bill of complaint, requiring her to appear and plead, answer or demur, to this complaint within the time required by law, under the pains and penalties of this Honorable Court.

PRAYER FOR RELIEF.

UPON THE FINAL HEARING OF THIS CAUSE, complainant prays that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the complainant, Robert Mosley, and the defendant, Josephine Mosley be forever dissolved and that your complainant be again permitted to contract the marriage relation should he so desire; that your Honor will furthdr render, adjudge and decree that the said children be placed in the custody and under the control of your complainant and that he be awarded such custody and control of said children. And, as in duty bound, he will ever pray, etc.,

STONE & STONE.
Solicitors for Complainant.

FOOT NOTE:- The defendant, Josephine Mosley, is required to answer each and every paragraph of the foregoing bill of complaint from "FIRST" to "FOURTH", both inclusive, but not under oath, answer under oath being hereby expressly waived.

STONE & STONE .
Solicitors for Complainant.

DEPOSITION.

ORAL DEPOSITION.

IN THE CIRCUIT COURT, BALDWIN COUNTY, IN EQUITY.

Robert Moseley, Complainant.
vs.
Josephine Moseley, Defendant.

I.T.W.Richerson, Commissioner, have called and caused to come before me Sarah Tompkins and Robert Moseley, witnesses named in the requirement for oral examination, on the 22nd, day of January, 1927, at the Office of Register of the Circuit Court, at Bay Minette, 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:-

Filed Jan 22nd, 1927.
T.W. Richerson Register.

SARAH TOMPKINS, A WITNESS FOR COMPLAINANT BEING DULY SWORN TESTIFIES AS FOLLOWS:-

My name is Sarah Tompkins, I am about 56 years of age and reside in Baldwin County, Alabama, where I have lived continuously for the past 35 or 40 years.

I am the motherof Robert Mosley, the husband of Josephine Mosley; I know Josephine Mosley, having known her for the past 20 years or more. Both Robert Mosley and Josephine Mosley were over 21 years of age on July 25th, 1924; Robert Mosley was on said date a bona-fide resident of Alabama, where he has resided for more than 3 years, next immediately preceeding said date Josephine Mosley was on said date a resident of Bay Minette, Baldwin County, Alabama, I know that Robert and Josephine were married about 22 years age and thy lived together until about 5 years ago; during the latter part of 1921, Josephine Mosley voluntarily deserted and abandoned Robert Mosley and I know of no just cause or legal excuse that she had for doing this; that this desertion took place more than two years before July 25th, 1924 and has continued without interruption since said date

Sarah Tompkins

Subscribed and sworn to
before me this 17th day of
January, 1927.

T. W. Richerson
Clerk Circuit Court, Baldwin Co, Ala.

ROBERT MOSELEY, thecomplainantand a witness for complainant, being duly sworn, testifies as follows:-

My name is Robert Moseley and I am the complainant in this cause wherein Josephine Moseley is the defendant. Both I and the defendant are over the age of 21 years. I am a bona-fide resident of Alabama and had been such a bona fide resident for more than three years next immediately preceding the July 25th., 1924, the date when this suit was instituted; that the defendant, Josephine Moseley at the time and resides now in Baldwin County, Alabama.

That I and the defendant were married in December 1904 and we lived to-gether as man and wife until the month of November, 1921, when the defendant, Josephine Moseley without just cause or legal excuse voluntarily deserted and abandoned me and has continued to so desert and abandon me since that time. That said desertion took place in Baldwin County, Alabama more than two years before the filing of the complaint in this case and has continued without interruption up to this time.

Robert Mosley

I.T.W.Richerson, as Commissioner,hereby certify that the foregoing deposition on oral Examination was taken down in in writing by me in words ~~and~~ of the witness es and read over to them and they sighed the same in the presence of myself and Hon.N.C.Stone, Atty for Complainant,at the time and place herein mentioned ; that I have personal knowledge of the personal idenity of said witnesses that I am not of Counsel or of kin to any of the parties to said cause,or in any any manner interested in the ~~result~~ result thereof.

I enclose the said Oral examination in an envelope to the Register of said Court.

Given under my hand and seal.this 22nd,day of Jan 1927.

T.W.Richerson Register.

8581 NOTE OF TESTIMONY

Robert Moseley

vs.

Josephine Moseley

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, answer of Defendant and testimony of Sarah Tompkins and Robert Moseley,

and in behalf of Defendant upon

T. W. Richerson
Register.

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RECORDED

No. 458

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Robert Moseley

vs

Josephine Moseley.

RECORDED

NOTE OF TESTIMONY

Filed in Open Court this 24th

day of January, 1927

D. W. Rimmer

Register

MOORE PTG CO

RECORDED

8550 REQUEST FOR DECREE IN VACATION. MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 458 Vacation Term, 1927

Robert Moseley, Complainant

vs.

Josephine Moseley, Defendant

To T.W.Richerson, 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 Norborne Stone, 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.

Norborne Stone,
Solicitor for Complainant.

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No. 458 Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Robert Moseley

RECORDED

vs.

Josephine Moseley,

REQUEST FOR DECREE IN
VACATION

FILED Jan 28th 1927

D W Richmon
Register

RECORDED

RECORDED IN RECORD

VOL. PAGE

Register

MOORE PTG. CO

8587 SUMMONS—Original. Gill Ptg. Co., Mobile

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 Josephine Mosley,

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

Robert Mosley,

against said Josephine Mosley,

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 25th, day of July, 1924.

T. W. Richerson
Register.

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

2 Original

Serve on

Circuit Court of Baldwin County
In Equity

No.

SUMMONS

Robert Mosley,

vs.

Josephine Mosley.

Over or at
Our Clothing
White House Fish
Road.

Stone & Stone.
Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this

day of 192

Sheriff.

Executed this 20th day of
September 192 4
by leaving a copy of the within summons with
Josephine Mosely

Defendant.

W. R. Stuart
Sheriff.

By

Deputy Sheriff.

RECORDED
RECORDED
RECORDED
RECORDED
RECORDED