

460

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

J.H. Sales, Complainant.  
vs.

Ruth Sales, Respondent.

I, T.W. Richerson,

as Register,

have called and caused to come before me J.H. Sales, Annie Mitchell, Henry Mitchell,

witness<sup>es</sup> named in the Requirement for Oral Examination, on the \_\_\_\_\_ day of \_\_\_\_\_,

1924, at the office of Register,

in Bay Minette, Alabama, and having first sworn said witness<sup>es</sup> to speak the truth, the

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

doth depose and say as follows:

J.H. Sales a witness for Complainant who being duly sworn testified as follows: My name is J.H. Sales, I am the Complainant<sup>ant</sup> in the case of J.H. Sales vs Ruth Sales, Circuit Court Baldwin Co, In Equity for divorce, numbered 460. I am a resident of Baldwin Co Ala, and have lived here continuously all my life up to this date I am 32 years old, Ruth Sales is over the age of 21 years and is a resident of Baldwin County Ala, I understand she is temporarily at Muscogee, Fla just across the line but that her permanent residence is in this State and County. She and I married at Pensacola, Fla Aug 17, 1921, we were both living in this County at that time, I was working close to the Florida line and it was more convenient for us to ~~go~~ <sup>to</sup> Pensacola than to come to Bay Minette, her father went with us. ~~we immediately came back to Baldwin County and lived together~~ as man and wife until Sept 30th, 1921. She got up that morning and said that she was going back home to see her parents, she said she never expected to come back, she left and has not returned to my bed and board since she left. ~~we, had not had any quarrels and she gave no reason for leaving me, She has remained away from me continuously for more than ~~three~~ <sup>2</sup> years -~~ next preceding the filing of this bill. She voluntarily abandoned me without cause or provocation.

*J.H. Sales*

Annie Mitcheell a witness for complainant who being duly sworn testified as follows: I know J.H.Sales and Ruth Sales, I am 25 years old and live in Baldwin County, I have known J.H.Sales and Ruth Sales ~~since~~ <sup>since</sup> ~~short~~ while before they married ~~about two weeks before they married~~

She left him on Sept 30th 1921, voluntarily and has remained away continuously since then, about 2 weeks before she left him she told me that when she married him she thought she loved him but that she had found out that she did not and that she was going to leave him. She did not accuse him of any misconduct or mistreatment, My <sup>husband</sup> was present when she told me this and heard the statement.

*Annie Mitchell*

Henry Mitchell a witness for Complainant/testified as follows:

My name is Henry Mitchell I am 26 years old and live in Baldwin County, I have known Ruth and J.H.Sales since a short while before they were married, they lived about one half mile from us at Moonville, in Baldwin County, they only lived together about a month, I do not remember the exact day she left, a few days before she left him she was at our <sup>house</sup> and I overheard her tell my wife Annie Mitchell, that she did not love J.H.Sales and was going to leave him.

She left in a few days and they have not lived together as husband and wife since then.

*Henry Mitchell*  
must,

ORAL EXAMINATION.

I, J. W. Reinson, as Commissioner

hereby certify that the foregoing deposition.....on Oral Examination was taken down in writing by me in the words of the witness u and read over to them and they signed the same in the presence of Myself Hon. W. B. Peake & J. H. Sales at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness u or had proof made before me of the identity of said witness u; that I am not of counsel or of kin to any of the parties to said cause, or in 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 17 day of Oct, 1924  
J. W. Reinson (L. S.)

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The State of Alabama

Baldwin ..... County

IN CIRCUIT COURT, IN EQUITY.

J. H. Sales,

vs. Complainant,

Ruth Sales,

Respondent.

ORAL DEPOSITION.

Filed Oct 17, 1924

J. W. Reinson Register.

Recorded in

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Register.

TO HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA. IN CHANCERY SITTING:

Comes your Orator, J. H. Sales, and humbly complaining against Ruth Sales, respectfully shows unto your Honor, as follows:

FIRST

That your Orator is a resident of Baldwin County, Alabama, and has been for more than three years next preceding the filing of this bill and that he is over the age of twenty-one years; that respondent is a resident of Baldwin County, Alabama, and is over twenty-one years of age.

SECOND

That your Orator and the respondent are husband and wife, having intermarried at Pensacola, Florida on the 17th day of August, 1921, and lived together as man and wife until the 30th of September, 1921.

THIRD

That on to-wit: the 30th of September, 1921, more than two years before the filing of this bill, the said Ruth Sales, the respondent, voluntarily abandoned the bed and board of your Orator, and that since that time she has remained away voluntarily and continuously.

PRAYER

The premises considered, your Orator prays that a summons be issued directed to the said Ruth Sales requiring her to plead, answer or demur to your Orator's bill of complaint within the time required by law and the practice of this Honorable Court; and that upon the final hearing of said cause your Honor will grant unto your Orator a decree

of absolute divorce from the said Ruth Sales, and that such other, further and different relief may be granted unto your Orator as your Honor may deem proper.

*Rickaby Beebe & Wallace*  
Solicitors for Complainant

FOOT NOTE

The respondent, Ruth Sales, is required to answer each paragraph of the foregoing bill, numbered FIRST to THIRD, inclusive, but not under oath, oath being hereby expressly waived.

*Rickaby Beebe & Wallace*  
Solicitors for Complainant

# NOTE OF TESTIMONY

The State of Alabama,

J.H. Sales,

Complainant

VS.

Ruth Sales,

Respondent

No. 460.

In Circuit Court,  
In Equity

IN THIS CAUSE comes the Complainant,

by his solicitor and submits the same for final decree,

decree upon the Original Bill and exhibits thereto Answer of Deft,

, and upon the following testimony, to-wit:

J.H. Sales, Annie Mitchell and Henry Mitchell,

I hereby certify that the above note of Testimony is correct.

This 22nd day of October, 19 24

*D. W. [Signature]*

Register.

No. 460

**The State of Alabama**

Baldwin County

Circuit Court in Equity

J. H. Sales,

Complainant

vs.

Ruth Sales,

Respondent

**NOTE OF TESTIMONY**

Filed 22 day of Oct, 1924

*D. W. Williams* Register

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J. H. SALES

VS.

RUTH SALES

CIRCUIT COURT

BALDWIN COUNTY, ALABAMA.

IN EQUITY SITTING.

Comes Ruth Sales respondent to the above named cause by her Solicitor, Honorable Samuel C. Jenkins, and answering complain<sup>ant</sup>'s bill of complaint says::

First: She admits all of the allegations of paragraphs one and two.

Second: She denies all of the allegations of paragraph three, and demands strict proof of the same.

Now having fully answered she prays that she may go hence with her cost in this behalf expended.

S. C. Jenkins  
Solicitor for Respondent.

Respondent hereby waives notice of demand for all examination, notice of time and place of taking testimony, right to appear and cross-examine witnesses and consents that said case be set down for hearing upon motion of complainants solicitor.

S. C. Jenkins  
Solicitor for Respondent.



THE STATE OF ALABAMA,  
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 460. Vacation Term, 19<sup>24</sup>

J.H.Sales, Complainant.....

vs.

Ruth Sales, Defendant.....

To T.W.Richerson, Register:

In the above stated cause a Decree Pro Confesso having been taking 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 Rickarby Beebe and Hall,

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.

Rickarby, Beebe, and Hall.  
Solicitor for Complainant.

No. 460

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

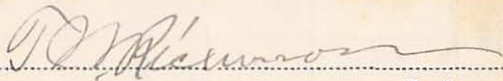
J.H. Sales,

vs.

Ruth Sales,

REQUEST FOR DECREE IN  
VACATION.

Filed October 22nd, 1914



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The State of Alabama, }  
Baldwin County.

No. 460

CIRCUIT COURT, IN EQUITY

J.H. Sales,

Complainant

vs.

Ruth Sales,

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 voluntary abandonment.

It is further ordered, that the said J.H. Sales,

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 J.H. Sales, 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 Ruth Sales,

It is further ordered, adjudged and decreed that said J.H. Sales, shall not again marry except to said Ruth Sales, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Ruth Sales, during the pendency of said appeal

This 24<sup>th</sup> day of October, 1924

*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.



