

The State of Alabama, }
Baldwin County.

No. 369. CIRCUIT COURT, IN EQUITY

Paris Benjamin Complainant

vs.

Eliza Benjamin 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 Paris Benjamin,

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 Paris Benjamin, 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 Eliza Benjamin

It is further ordered, adjudged and decreed that said Paris Benjamin shall not again marry except to said Eliza Benjamin

until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Eliza Benjamin during the pendency of said appeal

This 17th day of November 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.

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Paris Benjamin Complainant.
vs.

Eliza Benjamin Respondent.

I, T.W. Richerson,

as Commissioner

have called and caused to come before me Paris Benjamin and Silas Sims,

witnesses named in the Requirement for Oral Examination, on the 5th day of Nov

1924, at the office of Register

in Bay Minette, Alabama, and having first sworn said witness as to speak the truth, the

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

doth depose and say as follows:

Paris Benjamin, the Complainant testified as follows:

My name is Paris Benjamin and I am over the age of 21 years of age,
I have been a resident of Baldwin County, Alabama, for many years,
and I have been a bon afide resident of said County for more than
3 years/next before the filing of the bill in this case .

I was married to Eliza Benjamin/on May 24th, 1906, and we lived
together in Baldwin County Alabama as man and wife until the month
of May, 1920, when she left me and went to Mobile and she has n
ever come back to live with me .

She came back to my house in Febuary, 1922, and took off with
her the 3 girl children which she kept for about a month and
then returned them to me. After the said Eliza Benjamin had b
een away for 22 months and was living in Mobile she gave birth
to a child , during all that period of time I had never seen her
or touched her. I do not know who is the father of the child but I
know that I am not its father. Since she left me Eliza Benjamin
has been a resident of Mobile County and City, she is over the age
of 21 years.

Paris Benjamin
Paris Benjamin

Silas Sims, a witness for Complainant being duly sworn testified as follows: My name is Silas Sims and am over 50 years of age, I have known Paris Benjamin and Eliza Benjamin for many years they both lived in Baldwin County, Ala, Paris Still lives in Baldwin County and Eliza Benjamin lived in Baldwin County, until about 4 years ago, when she left Paris Benjamin and she has never come back to live with him I know they were married some time about the year 1906, and lived together as man and wife up to the time she left him in 1920, .During the period they lived together I saw them both frequently and knew they were living together as man and wife, I lived less than a quarter of a mile, from them and know that she has been away from him all the time from 1920, until now.

I know that Paris Benjamin has been a bon afide resident of Baldwin County Alabama, for more than 3 years next before the filing of this bill Paris Benjamin is over 50 years of age and Eliza Benjamin is over 21 years of age.

Silas Sims
witness

ORAL EXAMINATION.

I, T.W. Richerson,, as Commissioner

hereby certify that the foregoing deposition.....on Oral Examination...were..... taken down in writing by me in the words of the witnesses.. and read over to...them... and...they..... signed the same in the presence of...Myself and W.S. Anderson Atty, for Complainant

at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witnesss..... or had proof made before me of the identity of said witnesss...; 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...5th.....day of...November 1924...., 192...

T.W. Richerson

(L. S.)

No. 369, Page.....

The State of Alabama

Baldwin County

IN CIRCUIT COURT, IN EQUITY.

Paris Benjamin

vs. Complainant,

Eliza Benjamin,

Respondent.

ORAL DEPOSITION.

Filed Nov 5th, 1924., 192...

T.W. Richerson, Register.

Recorded in

Record

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....., Register.

Paris B. Benjamin,) In CIRCUIT COURT, BALDWIN COUNTY, ALABAMA.
 Complainant.)
 vs.) In Equity.
 Eliza Benjamin,)
 Defendant.)

To the HON. JOHN D. LEIGH, Judge of the Twenty-first Judicial Circuit of the State of Alabama:

1st. The Bill of Complaint of Paris B. Benjamin against Eliza Benjamin respectfully shows unto your Honor that he is a bona fide resident of Baldwin County, Alabama, and has been such resident for more than three years next before the filing of this Bill of Complaint, that he is over the age of Twenty-one years; That the defendant, Eliza Benjamin is over the age of twenty-one years, and is now a resident of Mobile County, Alabama, that the said Eliza Benjamin was also a resident of Baldwin County for many years and until on or about May 6th.1920, when she went to Mobile County, where she now resides.

2nd. Complainant shows unto your Honor that he and the said Eliza Benjamin were lawfully married on or about the 24th.day of May 1906, by Charles Green, a Methodist Preacher; that they lived together as man and wife in Baldwin County, Alabama, for many years and until on or about May 6th.1920, when she left his home and abandoned him, and went to live in Mobile County. Comolainant fur- shows unto your Honor, that he never saw the said Eliza Benjamin from the time she left him in May 1920 until some time in the month of February 1922, when she came to his house, and carried off with her the three girl children, which she kept for about a month when she returned them to him.

3rd. Complainant further shows unto your Honor, that although the said Eliza Benjamin was away from him for about twenty-two months and he never saw her or touched her in all that time, nevertheless she gave birth to a child in the latter part of February or the first part of March 1922. He does not know who the father of the child is, but he knows, he is not the father of said child; he therefore charges that she is guilty of adultery, with some one whose name is to him unknown.

Prayer for Process.

He therefore prays that the States writ of subpoena may issue ~~to~~ the said Eliza Benjamin commanding her to plead answer or demur

to this his Bill of Complaint against her, within such time as may be required by the laws of this State and the rules of this Honorable Court.

Prayer for Relief.

The premises considered Complainant prays that your Honor will take jurisdiction of this cause and on the coming in of the evidence, your Honor will order and decree that the bonds of matrimony heretofore existing between him and said Eliza Benjamin may be forever dissolved, and that Complainant may have the right to marry again, and for such other or further relief as your Honor may find he is entitled to in the premises.

W. S. Anderson

Solicitor for Complainant.

Note.

Defendant is required to answer each paragraph of the Bill from Paragraph 1st. to Paragraph 3rd. both inclusive, but not under oath, her oath being hereby expressly waived.

W. S. Anderson

Solicitor for Complainant.

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 Eliza Benjamin,
356.N.Bayou ,St,Mobile Alabama,

356,N.Bayou St,Mobile,Ala,
of Mobile, 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

Paris Benjamin,

against said

Eliza Benjamin,

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 29th, day of Sept,

1924.

T. W. Richerson
Register.

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

Clear Original 72

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THE STATE OF ALABAMA
BALDWIN COUNTY

Serve on _____
Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Paris B. Benjamin,

vs.

Eliza Benjamin,
356 N. Bayou St
Mobile Ala

Wm S. Anderson,
Solicitor for Complainant.

Recorded in Vol. _____ Page _____

Received in office this 30th day of September 1924

Paul G. Rogers
Sheriff

Executed this 30th day of September 1924

by leaving a copy of the within summons with _____

Eliza Benjamin
Defendant.

Paul G. Rogers
Sheriff.

By *John Rogers*
Deputy Sheriff.

RECORDED

RECORDED

The State of Alabama, }
BALDWIN COUNTY.

No. CIRCUIT COURT IN EQUITY.

Paris B. Benjamin, Complainant...

vs.

Eliza Benjamin, Defendant...

Motion is hereby made for a Decree Pro Confesso against Eliza Benjamin,

..... Defendant....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant.....; and that said summons was duly served according to law, and that said Defendant.....has..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 1st. day of November 1924.

M. J. Anderson
Solicitor for Complainant.

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STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Paris B. Benjamin

Vs.

Eliza Benjamin

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed November 1st. 1924.

J. M. McCreary

Register.

Recorded in Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

RECORDED

The State of Alabama, }
Baldwin County.

No. CIRCUIT COURT, IN EQUITY

Paris B. Benjamin Complainant.....

vs.

Eliza Benjamin Defendant.....

In this cause it appears to the Register
that a Summons requiring the Defendant Eliza Benjamin

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said
Summons upon her said Eliza Benjamin ; and it appearing that said Summons
was served upon her by the Sheriff of Mobile County, Alabama, on the
30th. day of September 1924

And the said Defendant..... having failed to demur, plead to or answer the said Bill of Complaint to this date,
it is now, therefore, on motion of the Complainant by his Solicitor, ~~it is~~
ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed
against the said Eliza Benjamin

Defendant... aforesaid.

This 3rd. day of November 1924.

T. W. Robinson
Register.

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THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

Paris B. Benjamin

Vs.

Eliza Benjamin

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued November 3rd, 1924.

J. M. Williams

Register.

RECORDED

BOND

HAWKINS

Paris Benjamin

.....
.....
.....

vs.

Eliza Benjamin,

.....
~~Silas Sims~~
.....
.....

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 and testimony of Paris Benjamin and Silas Sims.

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.....
.....

and in behalf of Defendant upon.....

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.....
.....

T. W. [Signature]

Register

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No. 369

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Paris Benjamin,

vs.

Eliza Benjamin,

NOTE OF TESTIMONY.

Filed in Open Court this 6th

day of Nov 1912

J. W. Rice

Register

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 369 Vacation Term, 191²⁴

Paris Benjamin

Complainant.....

vs.

Eliza Benjamin

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 Hon W.S. Anderson, Atty.

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.

W. S. Anderson

Solicitor for Complainant.

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

Paris Benjamin

vs.

Eliza Benjamin

REQUEST FOR DECREE IN
VACATION.

Filed Nov 6th, 1912

T. W. Ricurro

Register

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Recorded in Record

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