

The State of Alabama, }
Baldwin County.

No. 377

CIRCUIT COURT, IN EQUITY

Elijah A. Bishop

Complainant

vs.

Elaine E. Bishop

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 Elijah A. Bishop 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 Elijah A. Bishop 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 Elaine E. Bishop

It is further ordered, adjudged and decreed that said Elijah A. Bishop shall not again marry except to said Elaine E. Bishop until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Elaine E. Bishop during the pendency of said appeal.

This 7th day of April 1923

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 1923, 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 1923

Register.

No. 377

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

Elijah A. Bishop

Vs.

Elaine E. Bishop

DECREE OF DIVORCE.

Filed in office this 9th

day of April, 1923

J. M. Ricusson

Register.

E. O. M.

RECORDED

RECORDED
ELIJAH A. BISHOP
ELAINE E. BISHOP

BALDWIN COUNTY

THE STATE OF ALABAMA
BALDWIN COUNTY
I, the undersigned, Clerk of the Circuit Court of Baldwin 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 _____, 1923, in the case of
Elijah A. Bishop
vs.
Elaine E. Bishop
and that the same is a true and correct copy of the original decree on file in the office of the Clerk of said Court.
I, _____
Clerk of the Circuit Court of Baldwin County, Alabama.

Elijah A Bishop,)

Complainant,)

vs)

Elaine E. Bishop,)

Respondent .

To the Honorable John D. Leigh, Judge of the Twenty First Judicial Circuit of Alabama :

In The Circuit Court of Baldwin,

County, Alabama.

In Equity .

The Bill of Complaint of Elijah A Bishop, exhibited against Elaine E Bishop, respectfully represents unto your Honor as follows :-

First. That your Orator and Elaine E Bishop were lawfully married in the City of Pascagoula, Mississippi, on the 17th day of April, 1920 and immediately thereafter went to live in the City of Mobile, in the State Of Alabama, where he had work in the Ship Yards; that after living together in said City of Mobile for six (6) days as man and wife, said Elaine E Bishop left the place where they so resided and then and there with out any just cause on her part abandoned your orator and has not since returned, although your ^{Orator} went to her mother' home where she had gone after said abandonment and tried to get her to return and live with your Orator.

Second. That your Orator is now and has been for more than three years ^{next} before the filing of the Bill in this cause, a bona fide resident of Baldwin County, Alabama, residing near Barnwell in said county, in which said county your orator has lived all his life, except when from time to time at short periods he went off to work in the City of Mobile and other places, where work was obtainable. That for the past two years he has resided continuously at Barnwell in said Baldwin County, the county of his birth, home and residence and has always claimed said county as his residence, residing at Barnwell, Ala, where his mother has always resided and where she resides now .

Third. Your Orator and respondent, the said Elaine E Bishop are both over ^{one} the age of twenty years and respondent resides at Foley, Alabama, in said County of Baldwin .

Fourth. That without legal cause or good excuse, the respondent, the said Elaine E Bishop, on to wit, the 23rd day of April, 1920, did abandon the bed and board of your Orator in the City of Mobile, Alabama, and has remained away ever since and over two years next before the filing of the Bill in this cause and has failed and refused to resume marital relations with your Orator and without any fault on his part .

Wherefore your Orator prays that your Honor will take jurisdiction of the cause made by this bill and that the said Elaine E Bishop be made a party respondent to the same and that said Elaine E Bishope by the -

RECORDED

appropriate process to be served and issued upon her be made to answer this Bill. And that it may please your Honor on the Hearing of said cause to decree that the bonds of matrimony existing between your Orator and the said Elaine E Bishop be dissolved, and that your Orator may be permitted to marry again and for such other and further or different relief as to equity may seem meet and Your Orator will ever pray etc.

S C Jenkins

Solicitor for Complainant .

Note: The respondent is required to answer all the allegations of the foregoing Bill, but ~~not~~ under oath her oath is hereby expressly waived .

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*Filed
Feb 21/92
M. H. ...
Jen*

S C Jenkins

Solicitor for Complainant.

RECORDED

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 Elaine E Bishop,

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

Elijah A Bishop,

against said

Elaine E Bishop,

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 21st day of February,

1923.



Register.

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

Original 2

Serve on -----

Circuit Court of Baldwin County
In Equity

No. -----

SUMMONS

Elijah A Bishop,

vs.

Elaine E Bishop.

Foley aka

Hon. S. C. Jenkins,

Solicitor for Complainant

Recorded in Vol. ----- Page -----

RECORDED

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this -----
day of ----- 192.

Sheriff

Executed this 5 day of
March 192.

by leaving a copy of the within summons with

Elaine Bishop

Defendant

H. R. Stuart

Sheriff

By *B. C. Higgins*
Deputy Sheriff

The State of Alabama, }
BALDWIN COUNTY.

No. 377 CIRCUIT COURT IN EQUITY.

Elijah A Bishop

Complainant...

vs.

Clarine E Bishop

Defendant...

Motion is hereby made for a Decree Pro Confesso against *Clarine E Bishop*
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.....ha..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 5th day of April 1923

S. C. Jenkins
Solicitor.

No. Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Clara A. Bishop

Vs.

Clara E. Bishop.

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed *Apr 5th* 192*3*

D. McIlwain

Register.

Recorded in Record,

Vol. Page.....

Register.

Baldwin Times Print, Bay Minette.

RECORDED

Eugene A Bishop

vs.

Elaine E Bishop

THE STATE OF ALABAMA,
Baldwin COUNTY.

CIRCUIT COURT OF
Baldwin COUNTY,

IN EQUITY.

In this cause it being made to appear to the Court that a Summons was served upon the Defendant.....

Elaine E Bishop

by the Sheriff of *Baldwin* County, on the *5th* day of

March 19*23*, requiring *her* to appear and plead, answer or demur to the

Bill of Complaint in his cause within thirty days from the service of said Summons, and the said Defendant.....

having failed to plead, answer or demur to the said Bill to the date hereof. It is now, therefore, on motion of

Complainant, 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 *Elaine E Bishop*

Defendant.....aforesaid.

This *6th* day of *April* 19*23*

R. M. Peterson
Register of the Circuit Court of
Baldwin County.

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No. 377

IN EQUITY.

CIRCUIT COURT OF

Baldwin COUNTY,

Clara A. Bishop

vs.

Clara E. Bishop

DECREE OF PRO CONFESSO.

Filed in office this 6th day of

April 1923

D. W. Richardson

Register.

E. O. M.

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 377 .. Vacation Term, 19123

Elyah A Bishop

Complainant.....

vs.

Elaine E Bishop

Defendant.....

To *D W Robinson*, 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 *B. C. Jenkins*

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.

B C Jenkins

Solicitor for Complainant.

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No. 377

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

Eliza A Bishop

vs.

Eliza A Bishop

REQUEST FOR DECREE IN
VACATION.

Filed *April 7 to 23* 191*3*

J. W. McQuinn
Register

Recorded in Record

Vol. Page

Register

RECORDED

Elisha A Bishop

vs.

Elaine E Bishop

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 E. A. Bishop,
Mrs Clifford Bishop and Grace Stevens*

and in behalf of Defendant upon

J. W. Williams

Register

No. 377

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Eligah A Bishop.

vs.

Elaine E Bishop

NOTE OF TESTIMONY.

Filed in Open Court this 7th

day of April 1923

R. M. Cannon

Register

RECORDED

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Elijah A. Bishop Complainant

vs.

Elaine E. Bishop Defendant

Oral examination before the Register of the following witnesses:

Elijah A Bishop, Mrs. Clifford Bishop, Grace Peters,

who reside in Alabama, said examination being conducted in Bay Minette Alabama,

on this the 7th day of April, and there being present

Hon. S.C. Jenkins Atty for Complainant.

The said witnesses being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

Elijah A Bishop witness for Complainant testified as follows:

My name is Elijah A. Bishop, I reside in Baldwin County, Ala., at Barnwell. I have been a bona fide resident citizen of Baldwin County Ala., all my life. I resided in said County for more than three years before the filing of this bill in this cause. In the Spring of 1920 in April, I was working in Mobile and living there temporarily. And before this I had lived a short time at Pascagoula Miss., where I had worked and where I was married. I always claimed Barnwell, Ala., as my home and residence. I was born there, my mother lives there with whom I make my home. Respondent Elaine E. Bishop and myself were married in the City of Pascagoula, Miss., on the 17th day of April, 1920, and immediately we moved from there to Mobile, after we married where I then was working. We lived together as man and wife for six days, when Respondent Elaine E. Bishop without any cause or fault on my part abandoned me. She abandoned me without legal cause or good excuse on the 23rd day of April 1920; at this time she abandoned my bed and board, and has remained away ever since, and over two years before the filing of the bill in this cause. I want to see her and talked with her about coming back but she has failed and refused to resume marital relations with me, and without any fault on my part. Your complainant, Elijah A. Bishop and Elaine E. Bishop, respondent in this cause, are both over the age of twenty-one years and both residents of Baldwin County, Alabama, and have been for more than three years before the filing of this bill in this cause. I have lived as a bona fide citizen at Barnwell, Ala., and respondent Elaine E. Bishop has resided at Folwy, Ala., all during this time.

Elijah A. Bishop

Mrs. Clifford Bishop witness for Complainant testified as follows:

My name is Mrs. Clifford Bishop, and reside in Barnwell Ala, I have been living there thirty (30) years. I am the mother of Elijah A. Bishop, Complainant in this cause. He has lived at my home at Barnwell all his life except when he was off at work temporarily from time to time, up until he married. On or about the 17th of April 1920, at which time he was living at Mobile, Ala., and where he had worked (Bishop at that time. On said/Elaine E. Bishop respondent in this cause, married E.A. Complainant and Respondent lived together as man and wife for six days, when she abandoned him, on or about the 23rd of April, 1920. I was in Mobile at the home of Elaine E. Bishop on the day that she deserted him, and I know that she abandoned him without any cause or legal excuse. She left his bed and board at said time and has remained away ever since and over 2 years next before the filing of the Bill in this cause, and without any fault on the part of E.A. Bishop, Since said abandonment on the 23rd, day of April 1920, Elijah A Bishop has resided most of the time at my home in Baldwin County, at times he would be off at work but I know where his whereabouts have been and respondent in this cause has failed to resume marital relations with him. I have known Elaine E Bishop all her life since she was a little girl, she is at present a resident at Foley, Alabama, where she has resided most of her life she is living with Reuben Ard and her mother at Foley, Reuben Ard is my brother and I am familiar with his family,

When Eliane E Bishop abandoned the bed and board of E.A. Bishop, the next day E.A. Bishop came to my house rented a car and went to Foley to try and get his wife to come back and live with him, and she refused and failed to do so, he came back from Foley to my house and I know that she did not return with him.

For the past 3 years before the filing of the bill in this cause E.A. Bishop has resided continuously at my home in Baldwin County, just as he did before he married, when he married he went to Mobile and went to housekeeping but lived there only a short while.

Mrs Clifford Bishop

Grace Peters a witness for Complainant testified as follows:

My name is Grace Peters, I was living in Mobile just before E.A. Bishop and Eliane E Bishop ~~2117th 177777~~ were married, I have known both of them all their life, I live now at Summerdale Alabama, I know when Elijah A Bishop and Elaine E Bishop were married they lived together as man and wife about six days in Mobile, At the time they married they went to live in Mobile and lived there as man and wife, after the separation E.A. Bishop went to Barnwell to live with his mother where he has lived ever since, I do not know the cause of the separation except that she just left him and refused to go back and live with him.

Grace Peters

I, T.W. Richerson, as Register

hereby certify that the foregoing deposition..... on oral examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the said witnesses, or had proof made before me of the identity of said witnesses; 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, and placed the same on file in my office.

Given under my hand and seal this the 7th day of April, 1923

T. W. Richerson (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$
.....	days' attendance at \$1.50 per day	\$

REGISTER'S FEES.

.....	days at \$1.50 per day	\$
.....	words at 20 cents per hundred	

No. Page

The State of Alabama,

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Elijah A. Bishop

vs. Complainant,

Elaine E. Bishop.

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of **witnesses**

for **Complainant**

Filed **7th** day of **April**, 19**23**

Published by order of the **Council** ~~Court~~, **7th**

day of **April**, 19**23**

D W Reelion
Register.

MARSHALL & BRUCE CO. OF SAVILLE
RECORDED