

382

The State of Alabama, }  
Baldwin County.

No. 382. CIRCUIT COURT, IN EQUITY

Columbus M Carter, Complainant

vs.

Carleen Carter, 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 of Complainant by Defendant.

Columbus M Carter,

It is further ordered, that the said he, and he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

Columbus M Carter,

It is further ordered, that the said pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found,"

Carleen Carter,

then execution for such costs may issue against the said.

Columbus M Carter,

It is further ordered, adjudged and decreed that said

Carleen Carter,

shall not again marry except to said until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except

Carleen Carter,

to said during the pendency of said appeal.

This 21<sup>st</sup> day of May, 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. 382

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.  
BALDWIN COUNTY, ALA.

Columbus M. Carter,

Vs.

Carleen Carter,

DECREE OF DIVORCE.

Filed in office this 31st

day of May, 1923

*[Signature]*

Register.

E. O. M.

RECORDED

BOND

REGISTER

770

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

IN THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA.  
In Equity.

TO THE HONORABLE, JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA.---In Equity.

Your Orator Columbus M. Carter, respectfully represents and shows unto Your Honor as follows:

1. That he is a bona fide resident citizen of Baldwin County, Alabama, residing at Latham and that he is over the age of twenty-one years; that he has resided in Baldwin County, Alabama for a period of more than the last three years immediately preceeding the filing of this bill.

2. That Carleean Carter is over the age of twenty-one years and resides at Atmore, Escambia County, Alabama.

2. That your Orator and the said Carleean Carter were lawfully married on the to-wit: August 6th, 1919 and lived together as man and wife until to-wit: September 20th, 1920, at which time the said Carleean Carter voluntarily abandoned the bed and board of your Orator and has not returned to live with him since. *She left me when living in Baldwin County, Ala.*

PRAYER FOR PROCESS.

The premises considered your Orator prays that the said Carleean Carter be made party respondent to this bill of complaint by the usual process of this Honorable Court and that she be required to demur, plead to or answer the same within the time and under the penalties as provided by law or that the same be forever confessed.

PRAYER FOR PROCESS.

That upon the final hearing of this cause Your Honor will grant unto Orator an absolute divorce from the said Carleean Carter.

That if your Orator is mistaken in the relief prayed then Your Honor will grant unto him such other, further, dif-

ferent and general relief as he may ~~see~~ in justice and equity  
be entitled, he will ever pray, etc.

P A G E & M O O R E R ,  
Solicitors for Complainant.

FOOT NOTE:

The Respondent is required to answer each and  
every allegation contained in the foregoing bill of com-  
plaint from paragraph numbered 1 to 2, both inclusive,  
but not under oath, answer under oath being hereby express-  
ly waived.

P A G E & M O O R E R ,  
Solicitors for Complainant.

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Columbus M. Carter Complainant.

vs.

Carleen Carter Respondent.

I T. W. Picurson  
as Commissioner

have called and caused to come before me Columbus M. Carter and  
E. S. Tunstall.

witness 4 named in the Requirement for Oral Examination, on the 19th day of May,  
1923, at the office of Bayminette  
in Bayminette, Alabama, and having first sworn said witness to speak the truth, the  
whole truth, and nothing but the truth, the said Witnesses.

doth depose and say as follows:

Testimony of Columbus M. Carter:

My name is Columbus M. Carter. I have lived in Baldwin County all my life and I am over twenty-one years of age. I live near Latham in said County.

~~Carleen Carter is over twenty-one years of age and reside at Atmore, Escambia County, Alabama.~~

~~Carleen Carter and myself were lawfully married on August 6th, 1919 and lived together as man and wife until September 20th, 1920 at which time the said Carleen Carter voluntarily abandoned my bed and board and has not returned to live with me since. She had no cause whatever to leave me. I know of no reason why she left. She left me while we were living near Latham in Baldwin County, Alabama.~~

Columbus M. Carter

Sworn and subscribed to before me this 19th day of May, 1923.

T. W. Picurson  
Register.

Testimony of E. S. Tunstall:

My name is E. S. Tunstall. I lived until a short time ago near Columbus Carter or rather he lived near where I lived and I knew Columbus M. Carter and His wife Carleen Carter. I know of my own knowledge that Carleen Carter has not lived with Columbus M. Carter since about September 20th, 1920. I do not know why she left him--only know that they have not lived together since this time.

E. S. Tunstall

Sworn and subscribed to before me this 19th day of May, 1923.

T. W. Picurson  
Register.

ORAL EXAMINATION.

I, D. W. Peirson, as Commissioner

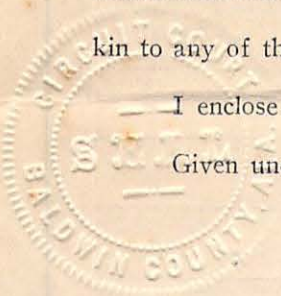
hereby certify that the foregoing deposition.....on Oral Examination was taken down in writing by me in the words of the witness as and read over to them and they signed the same in the presence of myself

at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness as or had proof made before me of the identity of said witness as; 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 19th day of May, 1923

D. W. Peirson (L. S.)



No. 382

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The State of Alabama

Maclure Comdty

IN CIRCUIT COURT, IN EQUITY.

William Fisher Carter

vs. Complainant.

Franklin Carter

Respondent.

ORAL DEPOSITION.

Filed May 19th, 1923

D. W. Peirson Register.

Recorded in

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Register.

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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 Carleean Carter,

of Atmore Ala. County to be and appear before the Judge of the Circuit Court of Bald-

win 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

Columbus M Carter,

against said

Carleean Carter,

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 14th, day of March,

1923.

*T. W. Richerson*

Register.

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

*Original*

Serve on -----

Circuit Court of Baldwin County  
In Equity

No. -----

SUMMONS

*Columbus M Carter*

~~The Sheriff~~

*Cookin for H.H. Patterson*  
*Attorney at Law*

vs.

*Barlean Carter*  
*Atmore, Ala*

*Cookin for Mr. H.H. Patterson*

*Page and Moore,*  
Solicitor for Complainant

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THE STATE OF ALABAMA  
BALDWIN COUNTY

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

Sheriff

Executed this *11th* day of  
*April* 192-

by leaving a copy of the within summons with  
*Barlean Carter*

Defendant

X

Sheriff

By *C. J. Wiley*  
Deputy Sheriff

~~I have not had it on~~  
~~Last night this here~~  
~~same where~~



Columbus M Carter,

vs.

Carleen Carter.

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 Columbus M Carter and

E.S. Tunstall.

and in behalf of Defendant upon.....

*J. W. Richardson*

Register

No. 388.

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

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IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

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Columbus M Carter

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vs.

Carleen Carter,

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NOTE OF TESTIMONY.

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Filed in Open Court this 21st,

day of May 1923.

*T. W. Keim*

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Register

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The State of Alabama, }  
Baldwin County.

No. 382, ..... CIRCUIT COURT, IN EQUITY

Columbus M Carter ..... Complainant.....

vs.

Carleen Carter ..... Defendant.....

In this cause it appears to the Register  
that a Summons requiring the Defendant Carleen Carter

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 Carleen Carter

was served upon her by the Sheriff of Baldwin County, Alabama, on the

11 day of April 1923

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 H D Monroe atty for

Compliment

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 Carleen Carter

Defendant... aforesaid.

This 14 day of May 1923

H. D. Monroe  
Register.

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THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

Columbus Carter

Vs.

Barbara Carter

DECREE PRO CONFESSO ON  
PERSONAL SERVICE.

Issued May 14 1923

D. W. Ricumson

Register.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 382. .... Vacation Term, 1913

Columbus M Carter,

Complainant.....

vs.

Carleen Carter,

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. H. D. Moorner, Atty for Complainant.

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.

H. D. Moorner,

Solicitor for Complainant.

No. ....

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

Columbus M Carter

vs.

Carleen Carter,

REQUEST FOR DECREE IN  
VACATION.

Filed May 21st, 1912

*T. M. ...*

Register

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The State of Alabama, }  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 382 Vacation Term, 1923

Rolampus M. Carter

Complainants

vs.

Carleen Carter

Defendants

Motion is hereby made for a Decree Pro Confesso against Carleen Carter

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 14<sup>th</sup> day of May 1923

746 Code.

Ray P. ...

Solicitor.

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STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Boleemus M Carter

Complainants.

Vs.

Carben Carter

Defendants.

MOTION FOR DECREE PRO  
CONFESSO ON PUBLICATION.

Filed May 11<sup>th</sup> 1923

J W Riceman

Register.

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