

The State of Alabama, }  
Baldwin County.

No. 387.

CIRCUIT COURT, IN EQUITY

Howard Roper,

Complainant.....

vs.

Lula R Roper,

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 Howard Roper,

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 Howard Roper,

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 Lula R Roper,

It is further ordered, adjudged and decreed that said Howard Roper,

shall not again marry except to said Lula R Roper,

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

to said Howard Roper, during the pendency of said appeal.

This 31<sup>st</sup> day of July 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 ..... 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. 387.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.  
BALDWIN COUNTY, ALA.

Howard Roper,

Vs.

Lula R Roper,

DECREE OF DIVORCE.

Filed in office this 30th

day of August, 1923

*J. M. Richardson*  
Register.

E. O. M.

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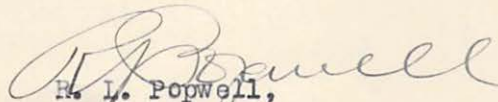
800 Liggett Building,  
Seattle, Washington,  
January 10, 1928.

County Clerk, Baldwin County,  
Bay Minette, Alabama.

Dear Sir:

Will you please search your records, to ascertain if there is on file proceedings in the case of Howard Roper vs Lula Roper, probably entered some four or five years ago, the nature of the action being that of divorce. If you find such an entry, will you please forward me certified copies of the decree of divorce together with the findings of fact and conclusions of law filed in connection with the decree. I will be pleased to mail you a check to cover the amount of the fees upon receipt of the information as to the amount.

Very truly yours,

  
H. L. Popwell,  
Attorney-at-law.

# THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE No. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

J. Hand, being duly sworn, deposes and says that he is the FOREMAN of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Howard Roper vs. Lula R. Roper the defendant and a non residence of the state of Ala. This notice has been duly published in the Baldwin Times in the following issues.

Was published in said Newspaper for 4 consecutive weeks

in the following issues:

Date of first publication	<u>May 17, 1923</u>	Vol. <u>34</u> No. <u>14</u>
“ “ second “	<u>May 24, 1923</u>	Vol. <u>34</u> No. <u>15</u>
“ “ third “	<u>May 31, 1923</u>	Vol. <u>34</u> No. <u>16</u>
“ “ fourth “	<u>June 7, 1923</u>	Vol. <u>34</u> No. <u>17</u>

Subscribed and sworn to before the undersigned

this 15th day of July 1923.

Baldwin Times.

J. Hand

Foreman.

T. W. Richardson  
Clerk Circuit Court.

**Notice to Non-Resident.**  
Howard Roper vs. Lula R. Roper. No. 387.  
The State of Alabama, Baldwin County. Circuit Court, In Equity. This the 12th day of May, 1923.  
In this cause it being made to by the affidavit of H. M. Hall, Atty appear to the Clerk of this Court for Complainant, that the Defendant, Lula Roper, is a non-resident of the State of Alabama and that he has made diligent inquiry and search and has been unable to ascertain the place of her residence, and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore ordered that publication be made in The Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring her the said Lula R. Roper, to answer or demur to the Bill of Complaint in this cause by the 17th day of June, 1923, or after thirty days therefrom a decree Pro Confesso may be taken against her.  
T. W. Richardson, Register.

H. M. Hall,  
Solicitor for Complainant.  
14-4

Largest Weekly Circulation in South Alabama

Bay Minette, Ala.,  
7/7/23.

M Howard Roper

**THE BALDWIN TIMES**

**FINE JOB PRINTING. BEST ADVERTISING MEDIUM**

**PROMPT SERVICE. LOWEST PRICES.**

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**All Bills Must Be Paid Within 30 Days**

Publication of non-residence notice  
Ran 4 times.

\$ 8. 46

HOWARD ROPER, )  
Complainant, )  
-vs- )  
LULIA R. ROPER, )  
Respondent. )

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

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

Your Orator Howard Roper, respectfully represents unto  
your Honor as follows:

FIRST

That he has been a resident of the state of Alabama  
for more than three years preceding the filing of this bill,  
and that he is at present a resident of Robertsdale, Baldwin  
County, Alabama, where he has resided for the past eighteen  
months, and that he is over twenty-one years of age; that  
the respondent is a non-resident of the state of Alabama, and  
her present address is unknown, and that she is over twenty-  
one years of age.

SECOND

That your Orator and respondent were married at Clanton,  
Alabama, on May 6th, 1906, and that they lived together as  
man and wife until February 20th, 1921.

THIRD

That on to-wit: February 20th, 1921 the said Lula R  
Roper voluntarily abandoned your Orator's bed and board, and  
that since that time she has remained away voluntarily and  
continuously.

PRAYER FOR PROCESS

WHEREFORE, the premises considered, Complainant prays that your Honor will take cognizance of the cause made by this bill and by appropriate process make the said Lula R. Roper, respondent to this bill of complaint and require her to plead, answer or demur to this bill of complaint within the time and under the penalties prescribed by law and the practice of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that upon the consideration of the cause your Honor will grant your Orator a decree of absolute divorce from the said Lula R. Roper, and that Complainant may have such other, further, different and general relief as the facts in equity and good conscience may entitle him to receive. And as in duty bound, Complainant will ever pray.

*J. M. Staele*  
Solicitor for Complainant.

Respondent is required to answer each paragraph of the foregoing bill of complaint numbered from one to three inclusive, but not under oath. Oath is hereby expressly waived.

*J. M. Staele*  
Solicitor for Complainant.

STATE OF ALABAMA )  
BALDWIN COUNTY )

Personally appeared before me, *J. M. Staele, Notary Public* ~~F. W. RICHMOND~~, Register in Chancery, in and for said state and county, Howard Roper, Complainant, who, being duly sworn, deposes and says, that he is informed and believes that Lula R. Roper, the Respondent in the above cause, is a non-resident of the state of Alabama, but that he has made diligent inquiry and search and has been unable to ascertain the place of her residence and that said Respondent is over twenty-one years of age.

*Howard Roper*

Subscribed and sworn to before me this the 12th day of May, 1923.

*J. M. Staele*  
Notary Public Baldwin Co. Ala.

The State of Alabama, }  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 387 Term, 1923

Howard Roper

Complainants

vs.

Lena B. Roper

Defendants

Motion is hereby made for a Decree Pro Confesso against

Lena B. Roper

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 23<sup>rd</sup> day of July 1923

746 Code.

Wm Hall

Solicitor.



No. 387

Page .....

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

*Howard Roper*

Complainants.

Vs.

*Lula A Roper*

Defendants.

MOTION FOR DECREE PRO  
CONFESSO ON PUBLICATION.

Filed July 23rd 1923

*D. M. Williams*

Register.

Recorded in **RECORDED** Record,

Vol. .... Page .....

Register.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

} CIRCUIT COURT, IN EQUITY.

No. 387. Vacation Term, 1923

Howard Roper, Complainant  
vs. Lula R Roper, Defendant

In this cause it appears to the Register that the order of publication here-  
tofore made in this cause, was published for four consecutive weeks, commencing on the 17th,  
May, 1923, in the Baldwin Times,  
a newspaper published in Bay Minette Baldwin County Alabama, that a copy of said order was posted at the Court  
House door in Baldwin County, on the 17th  
May, 1923, and

And it now further appearing to the Register T. W. Richerson, that the said  
Lula R Roper,

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-  
fore, on motion of Complainant, ordered and decreed by the Register that the  
Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said  
Lula R Roper,

This 23rd day of July, 1923

*T. W. Richerson*

Register.

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No. 387. Page

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY

Howard Roper,

vs.

Lula R. Roper,

RECORDED

DECREE PRO CONFESSO ON  
PUBLICATION.

Issued July 23rd, 1923

*W. M. Richardson*  
Register.

Recorded in Record

Vol. Page

Register.

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Howard Roper Complainant.

vs.

Lula R Roper, Respondent.

I T.W. Richerson, Commissioner,

as

have called and caused to come before me Howard Roper, John Thames, Miley Thames.

witnesses named in the Requirement for Oral Examination, on the 28th day of July, 1923, at the office of Bay Minette,

in Baldwin, 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:

Howard Roper, who being duly sworn testified as follows:

My name is Howard Roper, I am the Complainant in cause of Howard Roper vs Lula R Roper, I have been a resident of the State of Alabama all my life, I am now thirty five years of age, I am at present a resident of Baldwin County, Alabama, I moved from Jemison, Ala. to Robertsdale Alabama on September 1st, 1921, where I have resided continuously since Sept 1st 1921, The Respondent Lula R Roper, and I were married at Clanton, Alabama, on May 6th, 1906, and we lived together as man and wife until on or about February 20th, 1921. The Respondent Lula R Roper, on February 20th, 1921, left my home in Jemison, Alabama, and went first to Thomasville Alabama and stayed awhile and later went to Seattle Washington, and has remained away ever since, Mrs. Lula R Roper is a non resident of the State of Alabama, I do not know her present address, I have made inquiry about her address, and have been unable to learn the same. She is over 21 years of age. I never have mistreated the Respondent, or did ever give her any cause to leave home. She has remained away from me and my home voluntarily, and continuously since February 20th, 1921, over two years before the filing of this bill

Howard Roper

John Thames, who being duly sworn testified as follows:

My name is John Thames, I live at Robertsdale, Alabama,

I have known Mr. Roper for about 18 years, I lived near where Mr. & Mrs. Roper lived in Jemison, Alabama, for about four years, I saw them very often and visited their home several times, during the whole time I never knew of Mr. Roper mistreating Mrs. Roper, or giving her any cause to leave home, nor did I ever hear anyone say anything about his ever mistreating her, Mrs. Roper left Jemison more than 2 years next before the filing of the bill in this cause, and I have never heard anything <sup>since she left Mr. Roper,</sup> from her, nor have I ever seen her since she left Jemison, It is generally known around Jemison and Clanton that she is a non resident of the State of Alabama, living somewhere in the State of Washington, She is over 21 years of age.

I remember when Mr. Roper came to Robertsedale about September 1921, he has lived there since that time, he is over 21 years of age.

*John James*

Miley Thames, a witness who being duly sworn testified as follows:

My name is Miley Thames and I at present live at Robertsedale Alabama, I have known Mr. Roper about twelve years, and lived near him at Jemison Alabama, about 4 or 5 years, I knew Mr and Mrs. Roper while they were living together as man and wife and visited their home several times, during my whole acquaintance I never knew Mr. Roper mistreating Mrs. Roper or giving her any cause for leaving home.

nor did I ever hear anyone say anything about his mistreating her her in any way. I remember about the time Mrs. Roper let the home of Mr. Roper in Jemison, Ala, it was more than 2 years <sup>next preceding</sup> before ~~the filing of this bill~~ the filing of this bill. I have heard nothing from Mrs. Roper since that time. She is at present a non-resident of the State of Alabama, living so I am informed in the State of Washington, her correct address I do not know. Mrs. Roper has not returned to Mr Ropers home since she went away, she is over 21 years of age.

Mr. Roper is over the age of 21 years and has been a resident of Baldwin County, Alabama, since Sept 1921. and has continuously resided in Baldwin County.

*Miley Thames*

ORAL EXAMINATION.

I, T.W. Richerson, as Commissioner,

hereby certify that the foregoing deposition.....on Oral Examination.....was..... 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,

at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness...es..... or had proof made before me of the identity of said witness...es; 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 28th, day of July, 1923

T. W. Richerson (L. S.)

No. 287 Page 4

**The State of Alabama**

Baldwin County

**IN CIRCUIT COURT, IN EQUITY.**

Howard Roper

vs. Complainant,

Inla R Roper,

Respondent.

**ORAL DEPOSITION.**

Filed July 28th, 1923

T. W. Richerson, Register.

Recorded in

**RECORDED**

Record

Vol. .... Page .....

Register.

Howard Roper,

vs.

Lula R Roper,

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 confesson, and testimony of Hoawrd Roper, John Thames, and Miles Thames,

and in behalf of Defendant upon

*T. W. Richardson*

Register

5-  
No. 387.

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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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Howard Roper,

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vs.

Lula R Roper,

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RECORDED

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NOTE OF TESTIMONY.

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Filed in Open Court this 28th,

day of July, 1923, --191--

*J. M. Rice*

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Register

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THE STATE OF ALABAMA,  
BALDWIN COUNTY.

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CIRCUIT COURT, IN EQUITY.

No. 396..... Vacation..... Term, 19123...

Howard Roper,

Complainant.....

vs.

Lula R Roper,

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 Hon. H. M. Hall, one of the

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 M Hall*

Solicitor for Complainant.

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No. 387, ..... Page .....

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

Howard Roper, .....

vs.

Lula R Roper, .....

REQUEST FOR DECREE IN  
VACATION.

Filed July 28th, 191<sup>23</sup> .....

*D. M. Roper*  
Register

RECORDED

Recorded in ..... Record

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Register