

The State of Alabama, }
Baldwin County.

No. 390. CIRCUIT COURT, IN EQUITY

Devine
Robert B Davis, Complainant.....

vs.
Devine
Lula Davis, 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.

Voluntary abandonment,

It is further ordered, that the said *Devine* Robert B Davis, 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 *Devine* Robert B Davis, 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 *Devine* Lula Davis,

It is further ordered, adjudged and decreed that said *Devine* Robert B Davis, shall not again marry except to said *Devine* Lula Davis, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said *Devine* Lula Davis, during the pendency of said appeal.

This *31st* 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. 390.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

Devine
Robert B ~~Davis~~,

Vs.
Devine
Lula ~~Davis~~,

RECORDED

DECREE OF DIVORCE.

Filed in office this *1st*

day of *July*, 192*3*.

D. W. Rice

Register.

RECORDED

E. O. M.

Robert B Devine,)
Complainant,)
vs

In The Circuit Court of Baldwin County,
Alabama.
In Equity.

Lula Devine, Respondent.
To The Honorable John D Leigh, Judge of the Twenty First Judicial Cir-
-cuit of Alabama:

The Bill of Complaint of Robert B Devine, exhibited against Lula Devine,
respectfully represents unto your Honor as follows:

First. That your Orator and Lula Devine were lawfully married at Roberts-
dale, Alabama, on the 18th day of May, 1921 and went to live immediately
at or near Loxley, Alabama; that after living together at said place for
a period of four days as man and wife, said Lula Devine left the place -
where they so resided and then and there without any just cause on her -
part abandoned your Orator and has not since returned; said abandonment
by respondent was without any fault on part of 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 Loxley, Alabama, in said county and
state.

Third. Your Orator and respondent, the said Lula Devine, are both over
the age of twenty one years and respondent resides at Robertsdale, -
Alabama in Baldwin County.

Fourth. That without legal cause or good excuse, the respondent, the said
Lula Devine, on to wit, the 22nd, 1921, did abandon the bed and board of
your Orator at the place where ^{they} were then living together near Loxley
Alabama in said Baldwin County 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 part of your Orator.

Wherefore your Orator prays that your Honor will take jurisdiction of the
cause made by this Bill and that the said Lula Devine be made a party re-
spondent to the same and that said Lula Devine by 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 -
Lula Devine be dissolved; and that your Orator may be permitted to
marry again and for such other and further 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 fore-
going Bill, but not under oath, her oath is hereby expressly waived.

S. C. Jenkins
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 Lula Devine,

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

Robert B Devine,

against said Lula Devine,

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 11th, day of June,

1923

T. W. Richerson

Register.

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

2nd Original

Serve on _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Robert B Devine,

vs.

Lula Devine.

S.C. Jenkins,

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this _____

day of _____ 192

Sheriff

Executed this *29* day of

January 192*3*

by leaving a copy of the within summons with

Lula Devine

Defendant

W. K. Smith

Sheriff

By *J. L. Robinson*

Deputy Sheriff

RECORDED

RECORDED

[Faint vertical text and markings on the right side of the page]

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Robert B Devine, Complainant.

vs.

Lula Devine. Respondent.

I T.W. Richerson,

as Commissioner.

have called and caused to come before me Robert Devine, Mrs. M.F. Devine,

Mrs. Lizzie Devine,

witnesses named in the Requirement for Oral Examination, on the 3rd day of July,

1923 at the office of Bay Minette

in Bay Minette, 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:

Robert B Devine witness for complainant who being duly sworn

testified as follows:-

Lula Devine and myself were lawfully married at Robertsdale Ala, May 18th, 1921, we went to live at my mothers home near Loxley Baldwin Co, Ala, whre we lived as man and wife for four days.

The end of said period 4 days she left me and the place where we then resided and then and there abandoned me and has not since returned. Said abandonment by the said Lula Devine was without any fault on my part, while she lived with me I treated her right as a dutiful husband should.

For the past three ^{years} next before the filing of the bill in this cause I have been a bon afide resident of Baldwin County Alabama, residing near Loxley Baldwin County, Alabama.

Lula Devine the Respondent and myself are both over the age of 21 years and said Lula Devine the Respondent in this cause resides near Robertsdale ~~Ala~~ living with her mother whose name is Nancy Toler,.

Said Lula Devine without legal cause or excuse on the 22nd day of May, 1921, did abandon the bed and board of myself at the place where we were then living near Lox ley in Baldwin Co, Ala, Said abandonment occurred more than 2 years ^{next} before the filing of the bill in this cause.

and has remained away ever since, and has failed and refused to resume marital relations with me, and without any fault on my part, though I have been to see her three times in the effort to get her to resume the same.

Robert B. Devine

Mrs. M. F. Devine a witness for Complainant testified as follows:

My name is Mary F Devine and I live near Loxley Alabama, and live about $\frac{1}{2}$ mile from where Robert Devine lives, ~~on~~ May 1921, I lived at the same place where Robert B Devine and his wife Lula Devine lived I know when they were married which was on the 18th day of May, 1921, near Robertsdale Baldwin County, Alabama, they lived together as man and wife 4 days after they were married.

when Lula Devine left Robert Devine and the place where they were living and she left him without any cause on earth to leave him.

I was living there at the time and saw them every day and know their relation and conduct toward each other, they are both over 21 years of age and bon afide residents of Baldwin County, Alabama.

Robert Devine is now living near Loxley Baldwin Co, Ala, and Lula Devine is living near Robertsdale Alabama. On ~~may~~ 22nd 1921, said

Lula Devine without legal cause or good excuse abandoned the bed and board of Robert B Devine, at the place where they were then living near Loxley Baldwin County Alabama and failed ~~or~~ refused to resume marital relations with, him without any fault on the part of the said Robert B Devine. Since said abandonment which occurred on the 22nd day of May 1921, Lula Devine has remained away ever since. and over 2 year next before the filing of the bill in this cause.

Mrs. Mary F. Devine

Mrs. Lizzie Devine a witness for Complainant testified as follows:

I live near Loxley Alabama and live in the same house with Robert Devine, I am his Mother, I was not present at the wedding but know that Robert B Devine and Lula Devine were legally married and that they lived together as man and wife they are both residents of Baldwin County, Alabama and are both over the age of 21 years of age, after they were married they ^{lived} at the same place where *L*

was living in 1921, she lived with him as his wife for four days and she left. She made the statement when she left that she did not want to live a married life. My son Robert B Devine went to see his wife Lula Devine 3 times to get her to come back and live with him but she failed and refused to do so.

Lula Devine about the 22nd day of May 1921 abandoned the bed and board of Robert B Devine where they were then living near Loxley Baldwin County, 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 Robert B Devine ever since and without any fault on his part, and without legal cause or good excuse, on her part she abandoned him.

Mr
Mrs Lizzie X Devine
mark.

ORAL EXAMINATION.

I, T.W. Richerson, as Register,

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 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.

Given under my hand and seal, this 3rd, day of July, 1923

T.W. Richerson (L.S.)



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The State of Alabama

Delawin County

IN CIRCUIT COURT, IN EQUITY.

Robert B Devine,

vs. Complainant,

Lula Devine.

Respondent.

ORAL DEPOSITION.

Filed July 3rd, 1923

T.W. Richerson, Register.

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Register.

RECORDED

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47th

Robert B Devine,

vs.

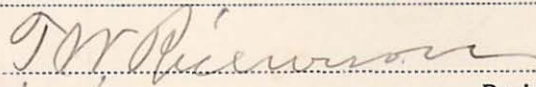
Lula Devine.

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,
~~Answer~~ of Deft, Service on Deft and testimony of Mary F Devine,
Robert B Devine and Lizzie Devine.

and in behalf of Defendant upon.....



Register

5th

No. 390.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Robert B Devine

vs.

Lula Devine.

NOTE OF TESTIMONY.

Filed in Open Court this 3rd,

day of July 1923.

J. W. Risler

Register

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

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CIRCUIT COURT, IN EQUITY.

No. 390 Vacation Term, 1913

Robert B Devine, Complainant.....

vs.

Iula Devine, 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 S.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.

S. C. Jenkins

Solicitor for Complainant.

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

Robert B Devine

vs.

Lula Devine,

REQUEST FOR DECREE IN
VACATION.

Filed July 3rd, 1923. 191

J. W. Peterson

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