

on service by Registered mail
~~on Personal Service.~~ 3107 Code

The State of Alabama,
Baldwin County.

} No. _____ **CIRCUIT COURT IN EQUITY.**

Horace Wilson

Complainant

vs.

Dorothy Miller Wilson

Defendant

Motion is hereby made for a Decree Pro Confesso against

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant *by Registered mail*; 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 *29th* day of *August* 19*40*

F. J. Maslburn, Jr. Solicitor.

HORACE WILSON,

vs.

DOROTHY MILLER WILSON

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 after service by registered mail; Testimony
of Horace Wilson and Lucille Leavins; Request for decree;

and in behalf of Defendant upon

R.S. Duch

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 643 Sept. Term, 193⁴⁰

HORACE WILSON

, Complainant

Vs.

DOROTHY MILLER WILSON

, Defendant

To R. S. DUCK, , 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 T. J. Mashburn, Jr.

_____ 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.

T. J. MASHBURN, JR.

Solicitor for Complainant.

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed Sept. 3, 1940, 193_____

R. S. Duda

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 3

day of September 1934

R. S. Duck

REGISTER

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Horace Wilson

vs.

Dorothy Miller Wilson

**MOTION FOR DECREE PRO
CONFESSO ON ~~PERSONAL SERVICE~~
*Registered mail***

Filed *Aug. 29* 19 *40*

R.S. Dyer
Register.

Recorded in _____ Record,
Vol. _____ Page _____

Register.

Post Office Inspected

REPLY FOR POSTAGE USE BY ADDRESSEE ONLY

SPECIAL BUSINESS

POSTAGE OF ADDRESSEE

REGISTERED ARTICLE

Stamp

No.

INSURED PARCEL

No.

DATE OF DELIVERY

Return to
(NAME OF SENDER)

Send and receive
at Post Office No.

Post Office at
State

Post Office at
State

RETURN RECEIPT.

Returned from the Postoffice the Registered or Insured article, and
name of article appears on the face of this Card.

.....
(Signature of sender or addressee)

.....
(Signature of Postoffice agent)

Date of return,

Postoffice,

Handwritten:
No. 1000 of 1894
No. 1000 of 1894

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO LESLIE HALL

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine HORACE WILSON and LUCILE LEVINS.

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

HORACE WILSON

Complainant
and DOROTHY MILLER WILSON

Defendant,
on oath to be by you administered, upon THEM

to take and certify the deposition^S of the witness^{ES} and return the same to our Court, with all convenient speed, under your hand.

Witness 29th day of August, 19 40

R. S. Dush

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

STATE OF ALABAMA,)
BALDWIN COUNTY.)

HORACE WILSON VS. DOROTHY MILLER WILSON.

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

AFFIDAVIT OF NON-RESIDENCE OF RESPONDENT.

NanAlice Thompson, Deputy
Before me, ~~#####~~, Register of the Circuit Court
in and for Baldwin County, Alabama, personally appeared T. J.
Mashburn, Jr., Solicitor for the Complainant, who, being duly
sworn, says on oath that DOROTHY MILLER WILSON, the Respon-
dent in the above styled cause, is not a resident of the State
of Alabama; that the said Respondent is a resident of the
State of Illinois; that her Post Office address is 2126 North
73rd Court, Elmwood Park, Illinois.

J. A. Mashburn, Jr.
Solicitor for the Complainant.

Subscribed and sworn to before me this the 17th day
June, 1940.

NanAlice Thompson
Deputy Clerk, Circuit Court
Baldwin Co., Ala.

HORACE WILSON,

vs.

DOROTHY WILSON

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 17th day of June, 1940, 192, a copy of the Bill of Complaint filed in this cause was sent to Dorothy Miller Wilson, Respondent, at 2126 N. 73rd Court, Elmwood Park, Ill.

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 29th day of July, 1940, 192, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Dorothy Miller Wilson Defendant

This the 29th day of August 1940 192

R. S. Durb Register.

STATE OF ALABAMA, }
BALDWIN COUNTY. }

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO ANY SHERIFF OF THE SAID STATE--GREETING:

You are hereby commanded to summon DOROTHY MILLER WILSON to appear and plead, answer, or demur, within thirty days from the service hereof, to a Bill of Complaint, filed in the Circuit Court in Equity for Baldwin County, of said State, at Bay Minette, against DOROTHY MILLER WILSON by HORACE WILSON, Complainant.

Witness my hand, this 17th day of June, 1940.

R. S. Duck

Register.

HORACE WILSON,

Complainant,

VS.

DOROTHY MILLER WILSON,

Respondent.

EQUITY NO. _____

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your Complainant, HORACE WILSON, and humbly complaining against the Respondent, DOROTHY MILLER WILSON, respectfully represents and shows unto your Honor and this Honorable Court the following facts as a basis for the relief hereinafter prayed:

1. That your Complainant is a bonafide resident citizen of the State of Alabama and has been for a period of more than three years, residing at Fairhope, Baldwin County, Alabama, and is over the age of twenty-one years; that DOROTHY MILLER WILSON, the Respondent, is a resident of the State of Illinois, residing at 2126 North 73rd Court, Elmwood Park, Illinois, and is over the age of twenty-one years.

2. That your Complainant and the Respondent are husband and wife, having intermarried at Mobile, Alabama, on to-wit: July 15, 1917; that they lived together as husband and wife in Fairhope, Baldwin County, Alabama, until on to-wit: July 15, 1929.

3. That on to-wit, July 15, 1929, the Respondent, DOROTHY MILLER WILSON, voluntarily abandoned the bed and board of your Complainant and since that time has not returned to live with him.

4. That said abandonment was without cause, fault or consent on the part of your Complainant.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said DOROTHY MILLER WILSON, party respondent to this Bill of Com-

plaint, requiring her to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this Cause, your Honor will give and grant unto him a decree of divorce forever barring the bonds of matrimony existing him and the Respondent, DOROTHY MILLER WILSON; Complainant prays such other, further, different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

J. A. Maslowski Jr.
Solicitor for the Complainant.

No. _____

**CIRCUIT COURT OF BALDWIN
COUNTY, ALA.**

In Equity.

HORACE WILSON,

vs.

DOROTHY WILSON

**Decree Pro Confesso After
Notice By Registered Mail.**

Filed in office this 29th day of

August, 1940, 192

R. S. Duct Register

Entered in O. B. _____ Page _____

Applicant

Filed June 17, 1940

R. S. Dineen, Registrar

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

HORACE WILSON

Complainant

vs.

DOROTHY MILLER WILSON

Defendant

Commission To Take Deposition

COMMISSIONER:

LESLIE HALL

Witnesses:

HORACE WILSON

LUCILE LEVINS.

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama,
(In Equity)

HORACE WILSON

COMPLAINANT

VS.

DOROTHY MILLER WILSON

RESPONDENT

LESLIE HALL

I,

as ~~Register~~ and Commissioner

have called and caused to come before me HORACE WILSON and LUCILE LEVINS

witness^{es} named in the Requirement for Oral Examination, on the 31st day of August
19 40, at the office of T. J. MASHBURN, JR.
in Bay Minette, Alabama, and having first sworn said witness^{es} to speak the truth,
the whole truth, and nothing but the truth, the said Horace Wilson

doth depose and say as follows:

My name is Horace Wilson. I am the Complainant in this cause and I am over the age of twenty-one years. Dorothy Miller Wilson, the Respondent in this cause, is over the age of twenty-one years. I have been, and I am, a resident citizen of the State of Alabama, residing at Fairhope, Baldwin County, Alabama, for more than twenty years next preceding the filing of the bill of Complaint in this cause. Dorothy Miller Wilson, the Respondent, was a resident citizen of the State of Alabama, residing at Fairhope, Alabama, at the time we married and continuing until the time she left me, but at the present time she is a resident of the State of Illinois. The Respondent and I were married at Mobile, Alabama, on about the 15th day of July, 1917. We lived together as husband and wife until about the 15th day of July, 1929, living at Fairhope, Baldwin County, Alabama. On, or about, the 15th day of July, 1929, the Respondent, Dorothy Miller Wilson, voluntarily abandoned my bed and board and since that time she has not returned to live with me. The abandonment was without cause or consent on my part.

Horace Wilson

ORAL EXAMINATION

I, Leslie Hall, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down in writing by me in the words of the witness es 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 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 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 31st day of August, 1940

Leslie Hall

As Commissioner. (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

Complainant _____

Vs. _____

Respondent _____

ORAL DEPOSITION

Filed August 31, 1940

A. S. Durbach, Register

RECORDED IN

Record _____

Vol. _____ Page _____

Register _____

The said Lucile Levins doth depose and say as follows:

"My name is Lucile Levins and I am a sister of the Complainant, Horace Wilson, and I am over the age of twenty-one years. I know that my brother and Dorothy Miller Wilson were married at Mobile, Alabama, about the 15th day of July, 1917. I know that they lived together as husband and wife at Fairhope, Alabama, until about the 15th day of July, 1929. I know that on, or about, the 15th day of July, 1929, Dorothy Miller Wilson, voluntarily abandoned my brother and since that time she has not returned to live with him. I am informed and I firmly believe that this abandonment was without cause, fault or consent on the part of my brother.

Lucile Levins

STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, in Equity, hereby certify that a copy of the Bill of Complaint in this cause, together with copy of Summons, was mailed to the Respondent, Dorothy Miller Wilson at 2126 North 73rd Court, Elmwood Park, Illinois, postage pre-paid, by registered mail with return receipt requested, and marked for delivery only to the person to whom addressed.

This 17th day of June, 1940.

R. S. Duck
R. S. DUCK, Register.

Re-sent July 20th, 1940
to 1930 N. 72nd Court,
Elmwood Park, Ill.

HORACE WILSON,

Complainant.

vs.

DOROTHY MILLER WILSON,

Respondent.

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

BILL OF COMPLAINT.

*Filed June 17, 1940
R. S. Duck, Register*

T. J. MASHBURN, JR.

LAWYER

BY MINETTE, ALABAMA

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

HORACE WILSON Complainant

VS.

DOROTHY MILLER WILSON Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on Service by Registered mail and Testimony as noted by the Register, and upon consideration thereof, the Court is of the 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 that the said HORACE WILSON is forever divorced from the said

DOROTHY MILLER WILSON

for and on account of Voluntary Abandonment

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that HORACE WILSON, and DOROTHY MILLER WILSON be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that HORACE WILSON the Complainant pay the cost herein to be taxed, for which execution may issue.

This 4th day of September 19 40

[Signature] Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19 _____

Register of Circuit Court, in Equity.

Original

No. **RECORDED** Page.....

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

.....
.....
vs. Complainant.

.....
.....
Respondent.

DIVORCE DECREE

Filed September 5, 1940
R.S. Duch, Register