

STATE OF ALABAMA.)  
BALDWIN COUNTY.)

CIRCUIT COURT-IN EQUITY no. 52

EMMA STARK DRATH, Complainant.

Vs-

CHARLES E. DRATH, Respondent.

By virtue of appointment to take the testimony orally of Witnesses named in said Request for Oral Examination, by the Solicitors filing the same, I, T. W. Richerson, Register of said Court of said County, have called and caused to come before me Mrs. C. J. Poos the witness named in the said request, and having first sworn the said witness to speak the truth, the whole truth and nothing but the truth, the said witness deposes and says as follows;

My name is Mrs. C. J. Poos. I am a resident of Baldwin County, Alabama. I know both Mrs. Emma Stark Drath and Charles E. Drath quite well. I know that they are man and wife and lived together as such at Robertsdale some years past.

I know that at one time Charles E. Drath did abuse Mrs. Emma Stark Drath in my presence.

Mrs C J Poos

I, T. W. RICHMOND, the said Register, hereby certify that the foregoing testimony was taken down in writing by me in the words of the witnesses and were read over to them and that they assented, swore to and subscribed the same in my presence; the thirtieth (30th) day of March, 1918 at Bay Minette, Alabama; and that I have personal knowledge of, or had proof made before me of the identity of the witnesses, and 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.

Given under my hand and seal this 30th day of March, 1918.

T. W. Richmond SEAL.

STATE OF ALABAMA. )  
BALDWIN COUNTY. )

CIRCUIT COURT-IN EQUITY. No. 52

EMMA STARK DRATH, Complainant.

\*vs-

CHARLES E. DRATH, Respondent.

By virtue of appointment to take the testimony orally of Witnesses named in said Request for Oral Examination, by the Solicitors filing the same, I, T. W. Richerson, Register of said Court of said County, have called and caused to come before me Emma Stark Drath the witness named in the said request, and having first sworn the said witness to speak the truth, the whole truth and nothing but the truth, the said witness deposes and says as follows;

My name is Mrs. Emma Stark Drath. I am a resident of Baldwin County, State of Alabama, where I have resided for more than three years past. I am over the age of twenty-one years. I know Charles E. Drath. He is over the age of twenty-one years and is a non-resident of the State of Alabama and when last heard from resided in Chicago, Ill. at 56 Grand Avenue.

The said Charles E. Drath and I were married in Detroit, Mich. on Jul 10th, 1909 and we lived together as man and wife until about April, 1916. While I lived with him as his wife, at Robertsdale, Alabama he was very cruel to me. He committed actual violence on my person at different times. At different times he kicked me, threatened me with a pair of heavy pliers and caused me to fear for my life while with him.

Emma Stark Drath.

# 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.

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

NOTICE TO NON RESIDENT

Baldwin County Circuit Court in Equity

Emma Stark Drath

VS

Charles E. Drath.

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication	October 18th, 1917	Vol.	28	No.	35
" " second	October 25th, 1917	Vol.	28	No.	36
" " third	November 1st, 1917	Vol.	28	No.	37
" " fourth	November 8th, 1917	Vol.	28	No.	38

Subscribed and sworn to before the undersigned.

this 10<sup>th</sup> day of Nov 1917.

T. W. Richerson  
Clerk Circuit Court

Abner J. Smith  
Publisher.

**Notice to Non-Resident:**  
 Emma Stark Drath, vs. Charles E. Drath. No. 52. State of Alabama, Baldwin County. Circuit Court. In Equity. This the 12th day of October, 1917.  
 In this cause, it being made to appear to the clerk of this Court by the affidavit of Emma Stark Drath, Complainant, that the Defendant, Charles E. Drath is a non-resident of the State of Alabama, and when last heard from resided in the City of Chicago, County of Cook, State of Illinois at No. 56 Grand Avenue, and further, that, in the belief of said Affiant, the defendant is over the age of twenty-one (21) years; it is; therefore, ordered that publication be made in the Baldwin Times a newspaper published in the County of Baldwin, State of Alabama, once a week for four consecutive weeks, requiring him the said Charles E. Drath, to answer or demur to the Bill of Complaint in this cause by the 15th day of November, 1917, or after thirty days therefrom a decree "pro confesso" may be taken against him.  
 T. W. Richerson,  
 Register in Chancery.  
 35-4t.

Largest Weekly Circulation in South Alabama

*Bay Minette, Ala.,* November 9th, 1917

*M* Emma Stark Drath,  
vs  
Charles E. Drath

Notice to Non-Resident,  
Circuit Court in Equity.

# **THE BALDWIN TIMES**

ABNER J. SMITH, PROPR.

**FINE JOB PRINTING. BEST ADVERTISING MEDIUM**

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

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To publishing above Notice to Non-Resident in The Baldwin  
Times in issues of October 18th and 25th and November  
1st and 8th, 1917:.....

\$3.50

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin

County.

No. 52

Fall Term

Term, 19

Emma Stark Drath

Complainant

vs.

Charles E. Drath

Defendant

In this cause it appears to the Register T. W. Richerson, that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 18th day of October 19 17, in the Baldwin Times a newspaper published in Bay Minette, Baldwin Co., Alabama, that a copy of said order was posted at the Court House door in \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, and that another copy was sent by mail on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, to \_\_\_\_\_

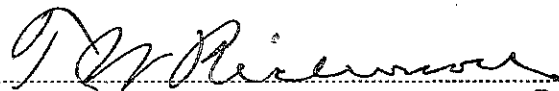
And it now further appearing to the Register T. W. Richerson that the said

Charles E. Drath

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant \_\_\_\_\_, ordered and decreed by the Register T.W. Richerson that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said \_\_\_\_\_

Charles E. Drath.

This 10th day of December 19 17.



Register.

No. 52 Page

THE STATE OF ALABAMA,

Barwin County.

CIRCUIT COURT, IN EQUITY.

Emma Stark Drath

vs.

Charles B. Drath

DECREE PRO CONFESSO ON  
PUBLICATION.

Issued Dec. 10th 1917

*J. Williams*  
Register

Recorded in Record

Vol. Page

Register

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin County.

No. 52 Fall Term, 19 17.

Emma Stark Drath

Complainants

vs.

Charles E. Drath

Defendants

Motion is hereby made for a Decree Pro Confesso against Charles E. Drath

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 10th day of December 1917, on Monday.

Stone & Stone

Solicitor. S



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No. 58 Page

THE STATE OF ALABAMA,  
Balwin County.

CIRCUIT COURT, IN EQUITY.

Ernie Stark Dwyer

Complainants.  
vs.

Charles E. Dwyer

Defendants.

MOTION FOR DECREE PRO  
CONFESSO ON PUBLICATION.

Filed Dec. 10th, 19 17

*D W McInnis*  
Register.

Recorded in Record,

Vol. Page

Register.

8550 REQUEST FOR DECREE IN VACATION.

FOR SALE BY GEO. D. BARNARD & CO., ST. LOUIS. 3

THE STATE OF ALABAMA,  
 Baldwin County. }

SUPERIOR COURT IN EQUITY

No. -52- Fall Term, 19

Emma Stark Drath,

Complainant.

vs.

Charles F. Drath,

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 Stone & Stone

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.

Stone & Stone

Solicitors for Complainant.

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No. .... Page .....

THE STATE OF ALABAMA,

Baldwin ..... County.

CIRCUIT COURT, IN EQUITY.

Emma Strak Drath,

vs.

Charles E. Drath.

REQUEST FOR DECREE IN  
VACATION.

Filed 2/30 1918

*T. W. R. ...*  
Register.

Recorded in ..... Record

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

Register.

Emma Stark Drath.

THE STATE OF ALABAMA,

Baldwin County.

vs.

IN EQUITY,

Charles E. Drath.

CIRCUIT COURT OF

Baldwin COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, affidavit of non-residence of defendant, Affidavit of publication, Decree pro confesso, application for oral testimony, and testimony of Mrs. Emma Stark Drath and Mrs. C. J. Poos.

and in behalf of Defendant upon

T. W. Reardon  
Proponent

9

No. 52

THE STATE OF ALABAMA,

Baldwin County.

IN EQUITY,  
CIRCUIT COURT OF

Baldwin COUNTY,

Emma Stark Drath,

vs.

Charles E. Drath.

NOTE OF TESTIMONY.

Filed in Open Court this 20th

day of November 1918

Wm. H. Harrison  
Register.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Emma Stark Drath

Complainant

vs.

Charles E. Drath,

Defendant

No. 52

Now comes the Complainant by Stone & Stone

Solicitor of Record, and makes application to the Register of said Court to issue a Commission to take the testimony in said cause, or oral examination, of the following named witness...es, who reside within the State of Alabama:

NAME OF WITNESS.

RESIDENCE OF WITNESS.

Mrs. Emma Stark Drath

Robertsdale, Ala.

Mrs. C. J. Poos,

Robertsdale, Ala.

And they suggests the name of T. W. Richerson, Register.

who resides at Bay Minette, Ala. as a suitable person to be appointed Commissioner to take the testimony of said witness.

This 30th day of March, 1918. 19

Stone & Stone

Solicitor for Complainant.

The Applicant for said Oral Examination is hereby required to give in writing 10 days notice thereof, before the examination is taken, to the adverse party, or to his Solicitor of Record, if either reside in this District, but if neither reside therein, the notice may be given by entry on the Order Book of the

Clerk.

T. W. Richerson

Register.

No. -52-

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

APPLICATION FOR ORAL  
EXAMINATION.

Emma Stark Drath.

vs.

Charles N. Drath.

Filed in office this *20th*

day of *December*, 19*18*

*O. P. Beckman*  
Register.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me Frank S Stone a Notary Public in and for said County and State personally appeared Emma Sank Drath, who after being by me duly sworn doth depose and say under oath that she is over the age of 21 years, a bona fide resident of Baldwin County Alabama, and is the complainant in a certain cause pending in the Chancery side of the Circuit Court for Baldwin County Alabama, 2nd. Judicial Circuit, against Charles Ernest Drath, that said Charles Ernest Drath is over the age of 21 years and is a non resident of the State of Alabama, that he resides at 56 Grand Avenue in the City of Chicago, State of Illinois, and that service by publication is necessary in order to make him party respondent to her bill of complaint for divorce.

Emma Sank Drath

Subscribed and Sworn to  
before me this April 7th. 1917.

Frank S Stone

Notary Public Baldwin County. Alabama.





Ms. 2

Filed 10/12/1914  
J. M. [unclear]  
[unclear]

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

No. -52-

CIRCUIT COURT, IN EQUITY.

Emma Stark Drath Complainant  
vs.  
Charles E. Drath Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso

and 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

her 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 said

Emma Stark Drath is forever divorced from the said

Charles E. Drath for and on account of

Actual violence committed on her person with danger to life and health and for conduct that cause her apprehension for her life and health

as alleged in said Bill of Complaint;

It is further ordered, that the said Emma Stark Drath be, and she 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 Emma Stark Drath 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 Emma Stark Drath

It is further ordered, adjudged and decreed that said Emma Stark Drath shall not again marry except to said Charles E. Drath until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Charles E. Drath during the pendency of said appeal.

This 2nd day of April 1918  
A. E. Gable  
Judge of the Circuit Court of Baldwin County.

No. 52

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY,  
BALDWIN COUNTY, ALA.

Emma Stark Draith

vs.

Charles B. Draith

DECREE OF DIVORCE.

Filed in office this

3rd

day of

April

1918

T. W. Dickinson

Register.

E. O. M.

page #2.

end to this, her bill of complaint for divorce.

-PRAYER FOR PROCESS-

THE PREMISES CONSIDERED, may it please Your Honor, upon a final hearing of this cause, to decree to Oratrix an absolute divorce for actual violence, attended with danger to life and health, from the said Charles E. Drath, and such other and further relief as she may in equity and justice be entitled to. And as in duty bound she will ever pray, etc.,

Emma Stark Drath  
By Stone + Stone  
Her Solicitors.

FOOT NOTE--The Respondent is required to answer each and every paragraph of the foregoing bill of complaint, from "First" to "Second" inc., but not under oath, as oath is hereby expressly waived.

Emma Stark Drath  
By Stone + Stone  
Her Solicitors.

ns.

SECRET

CONFIDENTIAL

SECRET

SECRET

Received  
10/21/1914  
J. M. Peckham  
Register

no. 1

SECRET

EMMA STARK DRATH, )  
Complainant., )  
-vse )  
CHARLES E. DRATH, )  
Defendant. )

IN THE CIRCUIT COURT OF BALDWIN COUNTY-ALABAMA  
---EQUITY-SIDE---

-----TO THE HONORABLE A. E. GAMBLE, JUDGE OF THE CIRCUIT COURT, "2d"  
JUDICIAL CIRCUIT, SITTING IN EQUITY, at Bay Minette, State of Alabama.

Your oratrix, Emma Stark Drath, exhibits, this, her bill of com-  
plaint for divorce against Charles E. Drath for actual violence on her  
person attended with danger to life and health and from his conduct which  
causes a reasonable apprehension of such danger.

Humbly complaining, Oratrix shows unto your honor that she is a  
"bona fide" resident of the State of Alabama, County of Baldwin, re-  
siding at Robertsdale, and has been for more than three years next pre-  
ceding the filing of this her bill of complaint; she is over the age  
of twenty-one (21) years; that Defendant, Charles E. Drath is over t  
the age of Twenty-one (21) years; that he is a non-resident of the  
state of Alabama and when last heard from resided in the City of Chi-  
cago, State of Illinois, at 56 Grand Avenue.

ORATRIX CHARGES:-

FIRST-That she and the Defendant, Charles E. Drath, were  
married in the City of Detroit on to-wit; month of July, 1909.  
and consorted to-gether as man and wife until on to-wit, April, 1916.

SECOND-That while residing to-gether as man and wife at  
Robertsdale, Baldwin County, State of Alabama, that the said defend-  
ant, Charles E. Drath, did commit actual violence on her person by  
kicking her, attened with danger to lif e or health and that he threat-  
ened to kill her with a pair of heavy pliers which causes reasonable  
apprehension on her part that she, if she resides with him, will be  
in danger of life and health

-PRAYER FOR PROCESS-

THE PREMISES CONSIDERED, Oratrix prays that your Honor  
will make and cause to be issued such order, decrees and subpoenas  
as will be necessary to make the said Charles E. Drath party respond-

7  
TESTIMONY.

Oral testimony of Mrs.  
Emma Stark Drath and Mrs.  
O. J. Poos, Witnesses for  
the Complainant.

EMMA STARK DRATH,  
Complainant.

vs.

CHARLES E. DRATH,  
Respondent.

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DIVORCE PROCEEDINGS.

\*\*\*\*\*

*Filed 3/30/18.*

*J. W. McCann  
Register*