

STATE OF ALABAMA.

IN EQUITY.

BALDWIN COUNTY. In The Circuit Court of Baldwin County. Ala.

HORACE WHITE

VS.

DIVORCE FOR ABANDONMENT.

CARRIE WHITE.

Before me Frank S Stone, a Notary Public in and for said County and State personally appeared Carrie White, who is known to me and who after being by me duly sworn doth depose and say under oath that she is defendant in divorce proceedings brought against her by Horace White, that she has no separate estate sufficient to maintain herself and four children and that she is unable to defend said suit or employ an attorney in said cause.

Sworn to and subscribed before me this Feby. 15th. 1918

Carrie White
mark.

Sworn to and subscribed before me this

Feby. 15th. 1918.

Frank Stone
Notary Public Baldwin County, Alabama

12t
MOTION FOR ALIMONY "PENDEN-
TE LITE" AND SOLICITORS FEE.

HORACE WHITE,
Complainant.

-vs-

CARRIE WHITE,
Defendant.

SUIT FOR DIVORCE.

CIRCUIT COURT,
BALDWIN COUNTY,
STATE OF ALABAMA.

-----EQUITY SIDE-----

No.-63-

Filed in this office this
February, 26, 1918.

T. W. Riccerson
Clerk.

STONE & STONE
ATTORNEYS
BAY MINETTE, ALABAMA

the Solicitors of the parties, to hold a reference for the purpose of ascertaining proper allowance that will be sufficient for the purposes aforesaid, and that, upon the filing of such report, a further order be made decreeing the payment of the sum shown proper by such reference.

Stone & Stone
Solicitors for Defendant
Carrie White.

We hereby acknowledge receipt of a copy of the above motion and waive further notice of the filing of the same.

Solicitors for Complainant
Horace White.

THE STATE OF ALABAMA,

No.

Baldwin County.

CIRCUIT COURT IN EQUITY.

Horace White

Complainant

vs.

Carrie White

Defendant

DEPOSITION OF Horace White and Fred Benbo

By virtue of the Commission hereto annexed, issued by the Register for said Court of said County, in the above stated cause pending in said Court of said County,

I, D. W. Richerson the Commissioner named in said Commission, have called and caused to come before me Horace White and Fred Benbo

the witness named in the Commission, 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 Horace White. I am over the age of 21 years and have lived in Baldwin County, Alabama for a period of more than the last three preceeding years. I resided at Lottie, Alabama. Carrie White lives at Perdido Station, Alabama and is over the age of 21 years. Carrie White and myself were married a number of years ago and lived together as man and wife until about to-wit: December 1st, 1915, at which time the said Carrie White voluntarily abandoned me and has not lived with me since. I am the plaintiff in this cause.

his
Horace X White
mark

Testimony of Fred Benbo.

My name is Fred Benbo. I live at Perdido Station, Alabama. I know Horace and Carrie White and knew them when living together as man and wife. They have not lived together since about December, 1915. Carrie White stopped by my house just a short time after they separated and she (Carrie White) told me that she did not want Horace any more and would not go back and live with him. I have known Horace and Carrie White for about 15 years.

Fred Benbo

I, T. W. Richmond the said Commissioner, hereby certify that the foregoing testimony was taken down in writing by Raymond in the words of the witness, and were read over to him, that he assented, swore to and subscribed the same in my presence, the 15th day of Oct 1918, at Raymond Alabama; that I have personal knowledge of, or had proof made before me of the identity of the witness, 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.

And I enclose the said Deposition, together with the Commission and Interrogatories, Direct and Cross, and documents which were deposed to, in an envelope properly indorsed and sealed and returned to the Register for said Court of said County.

Given under my hand and seal, this 15th day of Oct 1918

T. W. Richmond (L. S.)
Commissioner

WITNESS' FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

Witness.....	Days attendance at \$1.50 per day, \$.....
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,
.....	Days attendance at \$1.50 per day,
	Miles traveled at 5 cts. per mile,

COMMISSIONER'S FEES.

Commissioner.....	Days at \$1.50 per day, \$.....
	Words at 20c per 100,

No. Page.....

THE STATE OF ALABAMA,
County.....

CIRCUIT COURT, IN EQUITY.

vs.

DEPOSITION TAKEN BEFORE
COMMISSIONER

DEPOSITION OF

for.....

Filed..... 19.....

Published by order of Court,
**..... 19.....

Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

No. CIRCUIT COURT, IN EQUITY.

..... Horace White Complainant.....
vs.
..... Carrie White 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 his
..... 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

..... Horace White is forever divorced from the said
..... Carrie White for and on account of

..... Voluntary abandonment

..... as alleged in said Bill of Complaint;

It is further ordered, that the said Horace White
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 Horace White
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 Carrie White

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

This 18th day of October 1918

W. H. Galloway
.....
Judge of the Circuit Court of Baldwin County.

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

Horace White

vs.

Carrie White

DECREE OF DIVORCE.

Filed in *the* *1st* *district*

day of *Oct* 191*8*

D. M. [Signature]
Register.

E. O. M.

Your Petitioner further moves that an order of reference be made, requiring the Register of this Court, after proper notice to the defense of this suit.

and also a proper and reasonable sum as Solicitor's fees for her such sum as alimony "pendente lite" as to the Court shall seem proper, and also requiring the Complainant, the said Horace White, to pay to

WHEREFORE Your Petitioner moves the Court that an order to pay counsel fees for her defense of this suit.

to her sufficient sums of money to support her and her children and White, is possessed of sufficient estate to enable him to advance

Your Petitioner further represents that the said Horace nor to enable her to employ and pay counsel for her defence of same.

her to support herself and children during the pendency of this suit Court that she does not possess sufficient separate estate to enable

Your Petitioner further represents unto this Honorable Court that she does not possess sufficient separate estate to enable

unfairly abandoned and deserted that said Horace White. all of the allegations of the said bill and denying that she vol-

That she has ^{FILED} her answer to the bill of complaint answering your Petitioner has been duly served with a summons in said cause.

Petitioner of the said Horace White, the said Complainant. That cause of the alleged voluntarily desertion and abandonment by your

decree dissolving the marriage between him and your Petitioner be- filed his bill in this court against your petitioner to obtain a

Horace White, the Complainant in the above styled cause, has lately styled cause respectfully represents unto this Honorable Court that

Your Petitioner, Carrie White, the defendant in the above Second Judicial Circuit, Baldwin County, State of Alabama, sitting in Equity;

To the Hon. A. B. Gamble, Judge of the Circuit Court for

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

Number-63-
HORACE WHITE,
Complainant.
-vs-
CARRIE WHITE,
Defendant.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

Carrie White

of _____

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

Horace White

against said

Carrie White

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 _____ day of _____

Jan 8 1918

Register.

T. W. Richerson

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

Original
Copy
Serve on Carrie White

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 63

SUMMONS.

Horace White

vs.

Carrie White,

Page and Moorer.

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this 5

day of Jan 1918
O. B. Eubanks
Sheriff.

Executed this 5 day of
Feb 1918

by leaving a copy of the within Summons with
Carrie White
Defendant

O. B. Eubanks
Sheriff

By _____
Deputy Sheriff.

3
ANSWER AND CROSS-BILL.

HORACE WHITE,
Complainant.

-v-

CARRIE WHITE,
Respondent.

CIRCUIT COURT,
BALDWIN COUNTY,
~~STATE OF ALABAMA.~~

IN EQUITY-

Suit for Divorce.

Filed in this office this
February 26th, 1918.

J. W. R. R. CLERK.


STONE & STONE
ATTORNEYS
BAY MINETTE, ALABAMA

or that the same be forever confessed.

PRAYER FOR RELIEF.

That upon a final hearing of this cause your Honor will grant unto Respondent, Carrie White, a separation or divorce from bed and board, but not an absolute divorce from the said Horace White.

That your Honor will order a reference to ascertain a reasonable amount as permanent alimony to be paid to the respondent, Carrie White to maintain herself and children, from the estate of the said Horace White, suitable to their condition in life, and such other and further or other and different relief as she may in justice and good conscience be entitled; and as in duty bound, she will ever pray, etc., etc.,


SOLICITORS FOR CARRIE WHITE.

FOOT NOTE----The Complainant Horace White, who is respondent to the above cross bill, is required to answer each paragraph of the above cross bill from "FIRST" to "THIRD", inclusive, but not under oath, answer under oath being expressly waived.


SOLICITORS FOR CARRIE WHITE.

to answer, plead or demur to this cross bill as provided by law or
all manner of this court and that the said Horace White be required
ent to this cross bill, that subpoenas issue in the regular and us-
be made and issued as will make the said Horace White party respond-
against her by the said Horace White and that such orders and decrees
as her cross-bill and answer to the Original Bill of Complaint filed
The premises considered, Respondent prays that this be taken

PRAYER FOR PROCESS.

White.

in feeble health and supports four of the minor children of Horace
she has as often refused. She is a woman forty-six years of age;
and has sent others to get her consent; but, after consulting counsel
That said Horace White has often asked her to agree to a divorce

I H I R D.

ty on March 6th, 1916 for assault and battery;
said Horace White was convicted in the County Court of Baldwin Coun-
not leave his house. That as a result of one of these assaults the
with a gun and on numerous occasions threatened her life if she did
blind in said eye. That the said Horace struck her over the head
eration which resulted in the removal of said eye and leaving her
her eye caused by said lightwood knot necessitating a surgical op-
flicting severe injuries to her leg, arm and her eye, the injury to
said Horace White assaulted and beat her with a lightwood knot, in-
when she was enceinte; that on or about December 1st, 1915, the
four times struck and beat her; that he kicked her in the stomach
his house and seek safety with her brother; that Horace White at ver-
of respondent, endangering her life and health, forced her to leave
That Horace White, by reason of his cruel and inhuman treatment

S E C O N D

twelve children were born to them.
me a number of years ago and lived to-gether as man and wife until
That she and Horace White were married in Baldwin County, Alaba-

F I R S T.

as follows;

Humbly complaining Carrie White represents and shows unto Your Honor

resident of Baldwin County, Alabama, and over the age of twenty-one
mensa et thora" against Horace White and alleges that he is also a
age of twenty-one years, brings this, her cross-bill for divorce "a
Carrie White, a resident of Baldwin County, Alabama, and over the
-----Cross Bill for Divorce for Cruelty.-----

cease his cruel treatment towards her.
tally and that she is ready and willing to live with him if he will
has lived separate and apart from said Horace White, but not volun-
agreement was made on March 6th, 1916, and that since that time she
and respondent mutually agreed to live separate and apart; that this
White to leave his house and that thereafter the said Horace White
endangering her life and health, she was forced by the said Horace
alleges that by reason of his cruel and inhuman conduct towards her,
serted Complaint, as alleged in said original bill, but Respondent
Respondent denies that she ever voluntarily abandoned and de-
cause, "bona fide" residents of Baldwin County, Alabama.

years next preceding the filing of this bill of complaint in this
both she and said Horace White, are now, and have been for the three
age of twenty-one years; that they were married as alleged; and that
admits that both she and Horace White, the complainant, are over the
from "First" to "Second", inclusive, Carrie White, the respondent,
Answering the said bill of complaint, and each paragraph thereof
County, State of Alabama, sitting in Equity;

To The Hon. A. E. Gamble, Judge of the Circuit Court of Baldwin
-----X-----
ant;
final Bill of Complaint in this cause filed by Horace White, complain-
Cross Bill and Petition for Permanent Alimony in answer to the Orig-
Comes the Respondent Carrie White and files this her answer and

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

Number
63

-----X-----
HORACE WHITE,
Complainant.
-vs-
CARRIE WHITE,
Respondent.
-----X-----