

THE STATE OF ALABAMA,

CIRCUIT COURT, IN EQUITY.

Baldwin County.

No.

Spring

Term, 19 18

Anna F. Schlieger

Complainant

vs.

George Schlieger

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 Brooks and Mc Millan, 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.



Solicitors for Complainant.

No. 67. Page.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Anna F Schlieger

vs.

George Schlieger.

REQUEST FOR DECREE IN
VACATION.

Filed 5/2 1918.

J W Reewer

Register.

Recorded in Record

Vol. Page.

Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

No. 67

CIRCUIT COURT, IN EQUITY.

Anna F. Schleiger

vs.

George Schleiger

Complainant.....

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

Anna F. Schleiger

is forever divorced from the said

George Schleiger

for and on account of

Voluntary abandonment,

as alleged in said Bill of Complaint;

It is further ordered, that the said Anna F. Schleiger 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 Anna F. Schleiger 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 George Schleiger

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

This 3rd day of May

1918.

Albany
Judge of the Circuit Court of Baldwin County.

No. 67

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

Anna F. Schleiger

vs.

George Schleiger

DECREE OF DIVORCE.

Filed in office this 4th

day of May 1918

J. W. Rinehart
Register.

E. O. M.

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 George Schleiger

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.....

Anna F Schleiger

against said

George Schleiger.

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.....2nd.....day of February.....

.....1918..



Register.

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

Serve on George Schleiger

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No. 67.

SUMMONS.

Anna F. Schleiger

vs.

George Schleiger.

Gairhope

Acu

Brooks & Mc Millan.

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this

3d

day of

Feb

1918

C E Eubanks

Sheriff.

Executed this

18th

day of

March

1918

by leaving a copy of the within Summons with

~~George Schleiger~~

George Schleiger

Defendant

C E Eubanks

Sheriff

By

O B Richardson

Deputy Sheriff.

TESTIMONY OF HENRY RATHJE

FIRST

I know both the complainant and the respondent and have known them for a long time. I have live at Fairhope and know that both of them have lived at Fairhope for more than three years.

Second.

They, at one time, lived to-gether as man and wife but have not lived to-gether for the past two or three years. I don't know the exact date they seperated. He left her and the place they had always lived to-gether at. I don't know personally the reason he left her but I knew them well while they were living to-gether and since. She is a woman of Good reputation and as far as I can see there was no reason for his abandon- ing her.

Signed Henry Rathje

CERTIFICATE.

ANNA F. SCHLEIGER
Complainant.

V.

GEORGE SCHLINGER
respondent.

#

I, John P. Lowell, the commissioner named in the commission hereto attached, do hereby certify that I am personally acquainted with the witnesses, Anna F. Schleiger and Henry Rathje, and know them to be the identical persons named in said commission; that they personally appeared before me in my office at Fairhope, in Baldwin County, Alabama. on the 26th day of April 1918, and were duly sworn by me to speak the truth, the whole truth and nothing but the truth, and were examined as above stated. That their evidence was taken down by me as near as might be in their own language and was subscribed by them in my presence on the 26th day of April 1918 at Fairhope, in Baldwin County, Alabama. I further certify that I am neither counsel nor of kin to any of the parties to this cause nor in any way interested in the result thereof.

Witness my hand and seal this 26th. day of April 1918.

John P. Lowell I.S.

Commissioner

THE STATE OF ALABAMA,

Baldwin

County. }

CIRCUIT COURT, IN EQUITY.

To Hon. John P. Lowell,

Fairhope, Alabama.

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commissioners, and by these presents do authorize you, ~~or any one or more of you~~, at such time and place as you may appoint, to call before you and examine Anna F. Schlieger, Henry Rathje

of Fairhope, Ala.

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

Anna F. Schlieger

is Complainant

and

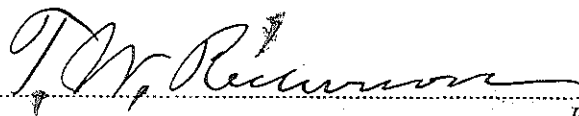
George Schlieger

is Respondent,

on oath to be by you administered, upon ~~interrogatories~~ Oral examination

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

Witness 24th day of April 1918.



Register.

DIRECTIONS FOR EXAMINATION OF WITNESSES UPON INTERROGATORIES.

1. If the time and place of executing the Commission are named therein, or in a notice appended thereto, the testimony must be taken at the time and place designated; if no time and place are designated, the Commissioners will call the witness before them at such time and place as they may appoint, and administer to him an oath to speak the truth, the whole truth, and nothing but the truth, in answer to the interrogatories to be propounded to him. The time and place of examining witnesses should be stated in the caption of the deposition.

2. The caption and deposition should be as follows:

THE STATE OF ALABAMA,

County.

Deposition of Richard Howe, a witness sworn (or affirmed, as the case may be) on the.....day of.....19.....
at.....in said State and County, under and by virtue of a commission issued out of the.....
Court of.....in a certain cause therein pending between James Jones, the plaintiff (or complainant),
and Samuel Young, defendant (or respondent). The said Richard Howe, being first duly sworn to speak the truth, the whole
truth, and nothing but the truth, doth depose and say as follows:

To the first interrogatory he saith: (Here write the answer of the witness as nearly as may be in the language of the wit-
ness, using the first person where he uses it).

To the second direct interrogatory he saith: (Write the answer to this interrogatory, and all others, as directed above).

If there are cross or rebutting interrogatories, go through with them in the same manner, thus:

To the first cross interrogatory he saith, etc.

To the second cross interrogatory he saith, etc.

To the first rebutting interrogatory he saith, etc.

Neither party should be permitted to put to the witness, during his examination, any verbal question or suggestion; and if
anything of the kind is done by either party, the Commissioner should write it down in the deposition just as it occurred.

The testimony may be written down by any one or more of the Commissioners, by the witness himself, or by any disinterested
third party in the presence of the Commissioners, and be read over to the witness if he desire it, and must be subscribed by him.

3. The Commissioners must then add their certificate, as follows:

We, (or I, if only one acts), the undersigned, Commissioners in said commission named, hereby certify that we are not of
counsel or of kin to any of the parties to this cause, nor in any manner interested in the result thereof; that we are personally
acquainted with said witness, J——K——, and know him to be the identical person named in said commission (or have had proof
made before us of the personal identity of the witness, and that he is the identical person named in said commission); that he was
sworn and examined as above stated; and that his evidence was taken down, as near as might be, in his own language, and was sub-
scribed by him in our presence on the.....day of.....19....., at the place above stated.

[L. S.]

[L. S.]

E. F.
G. H.
Commissioners.

If the Commissioners are not personally acquainted with the witness, they must have proof made before them that he is the
identical person named in the commission, and so certify.

If the witness claims for his attendance, the Commissioners should state in their certificate the number of miles traveled, the
number of days the witness attended, ferriage paid, if any, etc.

4. If any exhibits, writings, or papers are produced and used as evidence by the witness, they shall be annexed to the deposi-
tion to which they relate, and shall be identified by suitable letters or marks.

If the testimony cannot be taken in one day, the Commissioners, noting the same, may continue from day to day until com-
pleted.

5. The Commissioners will fold the depositions, commission, interrogatories, and exhibits, in a packet sealed with three seals.
They will write their name or names across each seal, and direct thus:

Mailed the.....day of.....19.....

A B

vs.

C D

Depositions of J K and L M

To (give name and style of Clerk, Register, or Judge of Probate, as the case may be).

E. F.
G. H.

County, Alabama.

If sent by private conveyance, should be endorsed: "Forwarded by R A, the.....day of.....19.....
The package must be delivered to the officer to whom it is directed. The person bringing the deposition will be required to take an
oath that it has not been opened or altered since he received it.

The Commissioner must return the commission.

No. 67

THE STATE OF ALABAMA,

Baldwin

County.

CIRCUIT COURT, IN EQUITY.

Anna F Schlieger

Complainant

vs.

George Schlieger,

Defendant

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONERS:

Hon. John P. Lowell

WITNESSES:

Anna F Schlieger

Henry Rathje.

ANNA F. SCHLEIGER
Complainant.

v.

GEORGE SCHLEIGER
Respondent.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, Ala.

IN EQUITY.

Personally appeared before me, J. P. Lowell, the commissioner named in the commission hereto attached, Anna F. Schleiger and Henry Rathje, material witnesses for the complainant in the above entitled cause, who being by me first sworn, on oral examination by complainant depose and says as follows:

TESTIMONY OF ANNA F. SCHLEIGER.

FIRST.

I am complainant in this suit and know respondent; I am 60 years of age and the respondent, George Schleiger, is about the same age; both of us reside in Fairhope, in Baldwin County, Alabama; I have lived there for six years last past and George Schleiger has lived there for 4 years last past.

Second.

George Schleiger and I were married to each other January 13th. 1915, and we lived to-gether as man and wife for ten months but we have not lived to-gether for more than two years before this bill of complaint was filed and he has had nothing to do with me in any way during that time.

THIRD.

More than two years before this bill of complaint was filed, George Schleiger voluntarily abandoned me and my home. He never did provide a home for me but while we lived to-gether in the marriage state he lived at my own place. Since his abandonment more than two years before this bill of complaint was filed he has continuously ^{away} remained from me and my home. He has not provided in any way to my support but abandoned me entirely, and this was wholly without fault on my part.

Signed Anna F. Schleiger

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Anna F. Schleiger

vs.

Complainant.

George Schleiger

Defendant.

No. 67

Now comes the Complainant by Brooks & McMillan

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, who reside within the State of Alabama:

NAME OF WITNESS.

RESIDENCE OF WITNESS.

Anna F. Schleiger

Fairhope, Alabama.

Henry Rathje

Fairhope, Alabama.

And Complainant suggests the name of John P. Lowell

who resides at Fairhope, Alabama, as a suitable person to be appointed Commissioner to take the testimony of said witness.

This 23rd day of April 1916

Solicitor for

The Applicant for said Oral Examination is hereby required to give in writing days notice thereof, before the examination is taken, to the adverse party, or to 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.

Register.

No.

THE STATE OF ALABAMA,

County.

CIRCUIT COURT, IN EQUITY.

APPLICATION FOR ORAL
EXAMINATION.

vs.

Filed in office this 4/24
day of 1918

Register.

Wm. W. ...

STEWART BROOKS

B. F. McMillan, Jr.

Brooks & McMillan
Attorneys at Law
Mobile

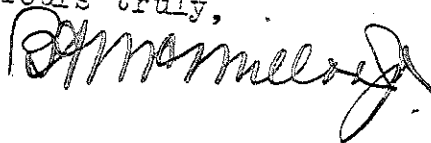
April 10, 1918.

T. W. Richerson,
Bay Minette, Ala.

Dear Tom:

As soon as my 30 days from the date of service expire I want a decree pro confesso in the case of Anna F. Schleiger v. George Schlieger and as soon as this decree is rendered I want to take the testimony of Mrs. Schleiger and Henry Rathje. Send me any papers that you wish me to sign for this purpose and I will have the same duly attended to. I will want to name Mr. John P. Lowell as commissioner.

Yours truly,



McM/D

THE STATE OF ALABAMA,

Baldwin

County.

No. 67. CIRCUIT COURT IN EQUITY.

Complainant

Anna F Schlieger
vs.

George Schlieger,

Defendant

Motion is hereby made for a Decree Pro Confesso against George Schlieger

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; 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

10th

day of

April

1918

[Signature]
Solicitor.

No. 67. Page

THE STATE OF ALABAMA,

Baldwin County,

CIRCUIT COURT, IN EQUITY.

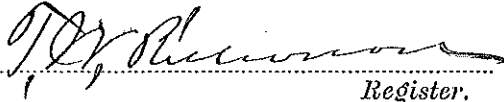
Anna F Schlieger

vs.

George Schlieger,

MOTION FOR DECREE
PRO CONFESSO ON
PERSONAL SERVICE.

Filed April 20th 19 18


Register.

Recorded in Record

Vol. Page

Register.

THE STATE OF ALABAMA,

Baldwin

County.

No. 67.

CIRCUIT COURT, IN EQUITY.

Anna F. Schlieger

Complainant

vs.

George Schlieger

Defendant

In this cause it appears to the Register,
 that a Summons requiring the Defendant George Schlieger, ~~to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon him~~

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon George Schlieger
 was served upon him by the Sheriff of Baldwin County, Alabama, on the
 18th day of March 19 18, and the said Defendant having
 failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of
 Complainant,
 ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said George Schlieger

Defendant aforesaid.

This 22nd, day of April 19 18.



Register.

No. 67. Page.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Anna F Schlieger

vs.

George Schlieger.

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued April 22nd, 1918.

J. W. McIlwain
Register.

Recorded in Record,

Vol. Page.

Register.

412

said cause your Honor will grant to complainant a decree dissolving the bonds of matrimony heretofore existing between complainant and said respondent; that complainant be permitted to marry again should she so desire; and that your Honor will grant her such other, further and different relief as in equity and good conscience may be due her in the premises.

And in duty bound your complainant will ever pray, &c.,

Anna T. Selliger
Complainant

Brooks & McMillen
Solicitors for Complainant.

Respondent is required to answer each allegation herein made against him but his oath thereto is hereby expressly waived.

Brooks & McMillen
Solicitors for Complainant.

F.R.

Filed 2/2/18
J. P. Nicholson
Register

67

ANNA F. SCHLEIGER,
Complainant,

v.

GEORGE SCHLEIGER,
Respondent.

*
* IN THE CIRCUIT COURT OF BALDWIN
* COUNTY.
*
*
*

*
* IN EQUITY.
*
*

TO THE HONORABLE A. E. GAMBLE, JUDGE:

Humbly complaining your orator, Anna F. Schleiger, as complainant brings this bill of complaint against George Schleiger, as respondent, and respectfully shows:

FIRST

That the complainant and respondent are each over the age of 21 years; that complainant and respondent reside in Fairhope, Baldwin County, Alabama, and have resided there for more than 3 years last past.

SECOND

That complainant and respondent were married to each other on January 16, 1915, and lived together as man and wife for sometime thereafter but have not lived together within the past two years.

THIRD

And complainant charges that more than 2 years ago the said respondent voluntarily abandoned complainant and has continuously remained away from her since that time and she now charges him with voluntary abandonment for more than 2 years last past.

PRAYER FOR PROCESS

The premises considered complainant prays that the said George Schleiger be made a party respondent to this bill and be required to answer the charges herein made against him within the time and in all things in accordance with the rules and practice of this honorable court.

PRAYER FOR RELIEF.

And complainant prays that upon hearing the evidence in