(96)

ADA C. COX, Complainant. No.__

-V-

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

BERRY E. COX, Defendant.

To the Honorable, The Circuit Court of Baldwin County, Equity side, and the Hon. A. E. Gamble, Judge thereof, in Equity Sitting:-

Your Oratrix, Ada C. Cox, files this, her original Bill of Complaint for Divorce from the Bed and Board of Berry E. Cox and for maintenance and support and respectfully shows unto your Honor;

-FIRST-

That she is over the age of twenty-one years and is a bona fider resident of Baldwin County, State of Alabama, residing at Carpenters. That Berry E. Cox is also over the age of twenty-one years, a resident of Baldwin County, State of Alabama, residing at Carpenters.

-SECOND-

Your Oratrix and the said Berry E. Cox were married near Coffee - ville, in the State of Alabama in the year 1886 and they lived to-gether as man and wife until a short time ago, when Oratrix was compelled to leave the home of the said Berry E. Cox.

-THIRD-

That by said marriage there was born unto Oratrix and Berry E. Cox several children of whom two, Nettie Inez Cox and Lillie Allene Cox are now minors and reside with Oratrix.

-FOURTH-

That the said Berry E. Cox has treated Oratrix in a cruel and inhuman manner since their said marriage and before she was compelled to
leave him. That at different times he has committed actual violence on
her person, attended with danger to life and health. That because of
his conduct, which caused her reasonable apprehension of such violence
she was compelled to leave his house, to-gether with her children, and
go with them to live with her brother.

£ 16 0

-FIFTH-

That the said Berry E. Cox is possessed of a sufficient estate, and his earning especity is such as to real and personal. To enable him to pay Oratrix alimony "pendente lite" and to maintain and support Oratrix and their two minor children above named who are living with her, in a manner suitable to her condition in life. That the said Berry E. Cox has failed to so maintain and support she and the two minor children for many months past

-PRAYER FOR PROCESS-

The Premises considered, Cratrix prays that your Honor will caused to be issued out of this Honorable Court a summons to the said Berry E. Cox, requiring him to appear and plead, answer or demur, to this Bill of Complaint within the time required by law. That your Honor will order a reference to be held to ascertain the extent and value of the estate of the said Berry E. Cox, real and personal and also to ascertain what allowance will be proper for alimony "pendente lite" and also what allowance will be proper for the maintenance and support of Cratrix and said minor children above named and such other orders and decrees that are necessary and incident to the granting of the relief herein prayed.

-PRAYER FOR RELIEF-

Oratrix prays that Your Honor will grant unto her an allowance as alimony "pendente lite" for her maintenance and support during this cause and for the payment of her attorney's fees for the conducting of this suit. That upon a final hearing of this cause, Oratrix prays that Your Honor will grant unto her a Divorce from The Bed and Board of the said Berry E. Cox, but not an absolute divorce. That Your Honor will grant unto her the care, custody and control of the said minor children. That Your Honor will also grant unto her an allowance, consistent with the extent and value of the estate of Berry E. Cox and suitable to the condition in life of Oratrix and said minor children, out of the estate of said Berry E. Cox for the maintenance and support of Oratrix and for maintenance, support and education of the minor children and such other and further, or further and different relief as she may be in equity and good conscience entitled and which, to your Honor will seem meet and proper, And, as in duty bound, she will ever pray, etc., etc.,

Solicitors for complainant.

AGREEMENT FOR SUBMISSION IN VACATION.

ADA C. COX, Complainant.

-vs-

BERRY E. COX,
Defendant.

IN THE GIRCUIT COURT-EQUITY SIDE STATE OF ALABAMA BALDWIN COUNTY

It is agreed between Richarby, Austill & Beebe, Solicitors for Defendant, and Stone & Stone, Solicitors for Complainant, that this cause be submitted for final decree in vacation.

This September 9th, 1918.

SOLICITORS FOR COMPZAINANT

Micharly Qustill & Bull

The Reimon

AMENDMENT TO COMPLAINT

ADA C. COX, Complainant.

-VS-

BEHRY E. COX, Defendant.

DIVORCE PROCEEDINGS.

CINCUIT COURT-IN EQUITY STATE OF ALABAMA BALDWIN COUNTY

FILED IN THIS OFFICE THIS

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BRGTSTER.

STONE & STONE
ATTORNEYS
BAY MINETTE, ALABAMA

-Amendment to original Bill-

ADA C. COX, Complainant.

No.-76-

-VS-

BERRY E. COX, Defendant. IN THE CIRCUIT COURT-EQUITY SIDE STATE OF ALABAMA BALDWIN COUNTY

Comes the Complainant, Ada C. Cox, by her Solicitors, Stone & Stone, and, by agreement with Solicitors for Defendant, amenes the Original Bill of Complaint in this cause filed as follows;

By striking from the Original Bill the entire "PRAYER FOR RE-LIEF" and inserting in lieu thereof the following prayer for relief; "-PRAYER FOR RELIEF-"

Oratrix prays that, upon a final hearing of this Cause, that Your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between 'Ada C. Cox, the Complainant, and Berry E. Cox, the Defendant, be forever dissolved; that Your Honor will grant unto her the care, custody and control of the said minor children; and that she be permitted to again contract marriage, and such other and further or further and different relief as she may in equity and good conscience be entitled to, And as in duty bound, she will ever pray etc., etc., "

-Verment to viribility-

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-SA-

BEERY E. COX, Defendant.

DIVORCE PROCESSINGS.

CIRCUIT COURT-IN EQUITY, STATH OF ALABAMA BALDMIN COUNTY

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PROTECHE

ВАУ МІИЕТТЕ, АСАВАМА ATTORNEYS STONE & STONE

-Agreement to amendment-

ADA C. COX, Complainant.

-72-

BERRY E. COX,
Defendant.

No. -76-

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

It is agreed in the above cause between Rickarby, Austill & Beebe, Solicitors for Defendant, and Stone & Stone, Solicitors for Complainant, that the original Bill of Complaint be amended as follows;

That the entire "PRAYER FOR RELIEF" in the Original Bill be stricken and the following Prayer for Relief be inserted in lieu thereof;

"-PRAYER FOR RELIEF-"

"Oratrix prays that, upon a final hearing of this Cause, that Your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between Ada C. Cox, the Complainant, and Berry E. Cox, the Defendant, be forever dissolved; that Your Honor will grant unto her the care custody, and control of the said minor children; and that she be permitted to again contract marriage, and such other and further or further and different relief as she may in equity and good conscience be entitled to, And as in duty bound, she will ever pray etc., etc.,"

Rickarby, Austill & Beebe, Solicitors for Defendant, waive further notice of this amended Bill of Complaint.

Dated this July 2d., 1918.

Solicitory for Defendant.

Solicitors for Complainant.

#76

THE STATE OF ALABAMA,	
Baldwin County.	CIRCUIT COURT IN TO
County)	CIRCUIT COURT, IN EQUITY.
Ada C. Cox,	
Completent	
Complainant.	
Complainant	Notice of application to be made before the Registe
08.	and the second s
	for Oral Examination of witnesses for
	Complainant.
Berry B C	
Berry E. Cox,	
Defendant	
The state of the state of	
Rickarby, Austill & Beebe, Solic	itama a a a
To Rickarby, Austill & Beebe, Solic	ruors of Record for Defendant.
Take notice that	
Solicitor of	one
Complainant.	No. of the control of
Solicitor of record for the Complainant. Ada C. Cox, Complainant: Wrong W.	in said cause, desire the evidence of
Chi	estnut. Nettie Cor
material witness for the Complainant	
material witness for the	
Register; and you are further notified that on the 5th application will be made before the Register.	to be taken orally before the
application will I	day of July 19.18
the stregister, at his office in	Bay Minotto
appoint a time for the taking of testime	Alabama, to
appoint a time for the taking of testimony of said witness Bay Minette	orally before the Register at his office in
Bay Minette. Alabama, to-wit: on the	75+4
eginning at 10:00	day of July 19 18
A.M., and to be continued f	om day to day if necessary
f said witnessis fully taken and completed as aforesaid.	mecessary, until the testimony
There are aforesaid.	
Witness this5th day ofJuly	
	J. D. 19.18
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	Solicitor for Complainant.
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		Nettle Cox.	Mrs. W. J. Chestnut.	Ada C. Cox, Comp'l'nt.	Witnesses for Complainant.	1.02.000.	W. W. Weelenson	July 7 4. D. 19 18.	Filed in office this	Defendant	Berry E. Cox,	vs.	Complainant	Ada C. Cox.		ness_98.for_Complainant.	Notice for Oral Examination of Wit-	Baldwin COUNTY.	CIRCUIT COURT OF	Baldwin County.	THE STATE OF ALABAMA,	No. HIO
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ADA C. COX, Complainant.

-VS-

BERRY E. COX, Defendant. IN THE CIRCUIT COURT-EQUITY
STATE OF ALABAMA
BALDWIN COUNTY

This cause is submitted upon behalf of the Complainant upon Original Bill, Amended Bill, Motion for oral testimony, Order granting oral taking of testimony, and testimony of Mrs. ida C. Cox, the Complainant, Mrs. C. J. Chestnut and Nettie Cox.

and on behalf of the Defendant upon answer to the Amend-

This 10th day of September, 1918.

REGISTER.

TO HON. T. W. RICHERSON? REGISTER IN CHANCERY;

Application is hereby made that you deliver to the Judge of this Court the foregoing note of testimony, to-gether with all the papers and depostions in said cause, a request for submission of said cause upon the pleadings and proof mentioned in said note of testimony. This loth day of September, 1918.

Edo C Cox. Berry & Cox West. note of Lectemony and request for submission Feld 9/10/18. Miching Register

	No. #1	76
	THE STATE OF	
	Baldwin	
	CIRCUIT CO	OURT OF
3	Baldwin	
Noti	ice for Oral Exa	mination of Wit
ness	es for Compl	ainant.
	Ada C. Cox	
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	Co	mplainant
	<i>v</i> a,	
	Berry E.	UUX,
		Defendant
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Mne	•	
Mrs. W	. J. Chestn	ut.

hereby accept and acknowledge
legal and sufficient service of the within
notice.
Dated thisday of
19
Solicitor for

We, hereby accept and acknowledge legal and sufficient service of the within notice and agree that testimony may be taken on this 5th day of July, 1918, without further notice to us.

July 5th, 1918.

Solicitors for Defendant.

ADA-CCOX,	x 	
Complainan		
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-VS-	0	IN THE CIRCUIT COURT-Equity side.
	0	
BERRY E. COX,	0	STATE OF ALABAMA
Defendan	t. 0	BALDWIN COUNCY.
	0	

Comes the Defendant, Berry E. Cox, and for answer to the Bill of Complaint, and to each and every paragraph thereof, denies the allegations therein, and demands strict proof thereof.

Hickory autic Becker

Filed 1/2-18 TW Neienmon Register

THE STATE OF ALABAMA,	}	
Baldwin Coun	$\{ circuit \ C$	OURT, IN EQUITY.
Ada C. Cox,		
vs.	Complainant	(30 76
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Berry E. Cox,	Defendant) .
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Solicitor of Record, and makes application to the I		
mony in said cause, or oral examination, of the following	llowing named witne	ess es ., who reside within the State of
Alabama:		
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NAME OF WITNESS.	R	ESIDENCE OF WITNESS.
Ada C. Complainant.		montona (30%
Mrs. W. J. Chestnut,	Caj	penters, Alabama.
Rettie Cox,		
		penders, Alabama.
		•
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And we suggests the name of	T. W. Ri	cherson. Register
		•
who resides at Bay Minette, Ala.	as a suitable per	son to be appointed Commissioner to take
the testimony of said witness 9.8		
This 5th 7 c	Tm 1	
This 5th day of	JULY	1918
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	Solieite	,, for Complainant.
The Applicant for said Oral Examination is R		
thereof, before the examination is taken, to the adver-	rse party, or to	heir 115 Solicitor s. of Record if either
esidein this District, but if neither reside therein		,
Clerk.	00000	1
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		Property Co.

No. 76
THE STATE OF ALABAMA,
Baldwin County.
CIRCUIT COURT, IN EQUITY.
APPLICATION FOR ORAL EXAMINATION.
Ada C. Cox.
Complainant.
vs.
Berry E. Cox.
Defendant.
Filed in office this
lay of July 19 18
Register.

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Baldwin County.	
Ada C. Cox,	
vs.	
Berry E. Cox,	Defendant
DEPOSITION OF Ada C. Cox,	
Order to take oral tes By virtue of the XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
the above stated cause pending in said Court of said County	Printinga against this and a construction of the action of the con-
I. T. W. Richerson, Register	the Commissioner named in said Commission,
have called and caused to come before me	
Ada C. Cox,	
above order	
the witness named in the Commission , and having first swor	
truth and nothing but the truth, the said witness deposes and	says as follows:
My name is Ada C Cox, I am the wife	
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complainant in divorce proceedings	in the Circuit Court of this
County, I and the said Barry E Co	k, are both over the age of
21 years and resided at Carpebters	
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proceedings were commenced and had h	
years, I and Berry E Cox, were marrie	
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live with him any longer, for fear o	f actual violence on my
person.	
By our marriage there we	me-born several children,
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By our marriage there were, born several children, only two of these children are now minors that are living with me. Their names are & Nettime Inez Cox and Lillie Alline Cox, they are living with me now at Carpenters, Ala.

ada e eof

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•	foregoing testimony was taken of the witness, and	were read over to	that A	assented,	issioner, hereby c	ubscribed the
,	same in my presence, the	3: It day of	12	a g		19. / -5 , at
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	said cause, or in any manner inter	rested in the result thereof.	and thee I dill in	or or comiser or	or kin to any or	the parties to
	And I enclose the said De	position, together with the	Commission and	l Interrogatories	Direct and Cro	ss, and docu-
	ments which were deposed to, in said County.	an envelope properly indor	sed and scaled a	and returned to t	he Register for	said Court of
	Given under my hand and	seal, this 6	day of		cly	191 8
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	I hereby certify that the fe	ollowing named witnesses a	are entitled to the	e amounts stated	below:	
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THE STATE OF ALABAMA,	No
Baldwin County.	CIRCUIT COURT IN EQUITY.
Ada C. Cox,	Complainant
Berry E. Cox	Defendant
DEPOSITION OF Nottion	Cox,
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By virtue of the	r to take oral testimony assued by the Register for said Court of said County, i
the above stated cause pending in said Court of said	County
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T. W. Richerson	the Commissioner named in said Commission
ave called and caused to come before me	
Nettle Cox,	<u> </u>
order he witness named in the Contracts, and having fi	irst sworn the said witness to speak the truth, the whol
•	
ruth and nothing but the truth, the said witness dep	oses and says as follows:
My name is Nettie Inex Cox. My	father is Berry E. Cox and my
mother is Ada C. Cox. We live	at Carpenters, Alabama, and have
	years as well as I can remeber.
	Acain so well as a cam lemener.
I am fourteen years old and	d have lived with my mather and
father all my life patil chart :	February 1918, when I left with my
	represely rate, when I rere with my
mother and went to my Unices to	live. Weleft because my father g
us such cruel treatment that we	could not stay at home.
	•
He threatened to heat me	other to death and at one time he

He threatened to beat my mother to death and at one time he bit her on the arm. He ran my brother off, threatening to kill him. He told us all the time he would be glad if we all left.

My mother tried to treat him right but he wouln'd bear good treatment, he was too cruel.

I and my sister, Lillie Allene, who is elemen years old, live my/m/ with my mother now.

Mettie Cox

I I Marce	m	th	e said Commissioner, h	
foregoing testimony was taken down in w in the words of the witness, and were read	riting by	agree of	Assented swore to	and subscribed the
in the words of the witness, and were read same in my presence, the	over to day of	, that	assented, swore to	19 6 5 at
Reg	much	Alaba	ama; that I have perso	
had proof made before me of the identity		that I am not o	f counsel or of kin to	any of the parties to
said cause, or in any manner interested in t And I enclose the said Deposition,	he result thereot.	nmission and Ir	nterrogatories, Direct	and Cross, and docu-
ments which were deposed to, in an envelo	pe properly indorsed	and sealed and	returned to the Regis	ter for said Court of
said County. Given under my hand and seal, this	<u></u>	day of	Meeure	(T. 0.5°
gruenkage attatibite uning grown in deservice	· · · · · · · · · · · · · · · · · · ·		R	Commissioner.
	WITNESS		,	Telen
I hereby certify that the following	named witnesses are	entitled to the a	mounts stated below:	70 don 6
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			Days attendance at \$1.	
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ļ	THE STATE OF ALABARA
-	THE STATE OF ALABAMA, No
	Baldwin County. CIRCUIT COURT IN EQUITY.
	Ada C. Cox, vs. Complainant
The second second	
	Berry E. Cox, Defendant
	DEPOSITION OF Mrs. W. J. Chestnut.
A CONTRACTOR OF THE PARTY OF TH	By virtue of the ***********************************
	the above stated cause pending in said Court of said County,
A Commence of the Commence of	I
	have called and caused to come before me.
40 Company of the com	
	Mrs. W. J. Chestnut.
Change of the same	Order shows
and the same of th	the witness named in the CANANSIAN and having first sworn the said witness to speak the truth, the whole
The same of the sa	truth and nothing but the truth, the said witness deposes and says as follows:
I	y name is Mrs. W.J. Chestnut, I am a resident of Baldwin County,
A	labama, I know personally Mrs. Ada C Cox, and Berry E Cox her
n	dspand, and have known them for about five years or nearly from
t	he time they first moved near me at Carpenters, They are bothr
(over twenty-one years old.
	Although I have never seen Berry E Cox commit actual violence
1	on Ada C Cox, I have heard continually for the past 5 or 6 months
د مد	the community in which they and I lived that Berry have
ā:	id not treat her as he should but that he was cruel and continually
tl	reatening her.
	That is his general reputation in the community in
wI	ilch they and I lived.

Cox, left her home , taking with her her children Nettie and Lillie Alline , and went to the home of her brother near by, Mrs, Cox told me at the time that she left because she was unable to live with her husband owing to his cruel treatment.

Mrs. Cox has 2 small girls for whom she is caring

their mames are Nettie and Lillie Alline,

I know of no cause that Mrs. Cox gave Mr Cox to justify him in treating her as he did.

Mas H. f. Chestrul,

	I,	<i>/</i>	U)	V	C	~	w	~~~~	7-		the s	said Comm	issioner,	hereby cer	tify that
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	and the second seco									-6	14	277			b
									•		* /			Commissi	oner.
								WITN	ESS'	FEES.		•			
	I	hereby	certif	y that	the fo	llowing	g named	l witnesses	are e	entitled to	the amo	unts stated	l below:		
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THE STATE OF ALABAMA, BALDWIN COUNTY.	No CIRCUIT COURT, IN EQUITY
Ada	C. Cox, Complainant
	vs. 7. E. Cox. Defendant.
	m, was submitted upon the Bill of Complaint, derived pro Konfask
	ant,
	consideration thereof, the Court is of opinion that the Complainant
	her
	· ·
	said bill.
	decreed by the Court, that the bonds of matrimony heretofore
	, and the same are hereby dissolved, and the said
	is forever divorced from the said
Berry E. Cox	for and on account of
actual violenece, attended with	n danger to life and limb, or because
•	as alleged in said Bill of Complaint;
It is further ordered, that the said	Ada C. Cox.
It is further ordered, that the said	Berry E. Cox, issue, and if such execution is returned "no property found,"
then execution for such costs may issue against the sa	Ada C. Cox,
It is further ordered, adjudged and decreed	that said Ada C. Cox
hall not again marry except to said	Berry E. Cox,
	al is taken within sixty days she shall not marry again except
	during the pendency of said appeal.
J. O	·>
This 13 day of Sef	

No76-
THE STATE OF ALABAMA, BALDWIN COUNTY.
CIRCUIT COURT IN EQUITY. BALDWIN COUNTY, ALA.
Ada C. Cox.
Complainant.
vs.
Berry E. Cox.
Defendant. Decree of divorce.
Filed in office this \$1400
day of Alfred 1918
Register.
E. O. M
Recorded on Secular

No76=
THE STATE OF ALABAMA, BALDWIN COUNTY.
CIRCUIT COURT IN EQUITY. BALDWIN COUNTY, ALA.
Ada C. Cox.
Complainant.
Vs.
Berry E. Cox,
Defendant.
DECREE OF DIVORCE.
Filed in office this \$4400
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TW Recurror
C. O. M.
recorded on Secular
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ORIGINAL BILL.

Ada C. Cox. Complainant.

*vs-

Berry E. Cox. Defendant.

IN EQUITY

CIR CUIT COURT-STATE OF ALABAMA BALDWIN COUNTY.

Filed in this office this April 456 1918.

Register.

STONE & STONE
ATTORNEYS

BAY MINETTE, ALABAMA

FOOT NOTE:-

The Defendant, Berry E. Cox, is required to answer each and every paragraph of the above bill of Complaint from "FIRST" to "FIFTH", both inclusive, but not under oath, answer under oath being hereby expressly waived.

Solicitors for Complainant.

I, BERRY E. COX, respondent named in the foregoing bill of complaint, do hereby accept service of said bill this Ninth day of April, Nineteen Hundred Eighteen.

Respondeni.