

**DIVORCE DECREE**

MOORE PRINTING COMPANY - EAY MINETTE, ALA.

**The State of Alabama, Baldwin County**

**CIRCUIT COURT, IN EQUITY**

MARY EMMONS

, Complainant

vs.

ROBERT EMMONS

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Declaratory Judgment~~ on answer and waiver 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

MARY EMMONS

is forever divorced from the

said ROBERT EMMONS

for and on account of

**CRUELTY**

And it is further ordered, adjudged and decreed that Complainant Mary Emons be and she hereby is awarded custody of the minor children, Joyce, 15 years old, Robert Charles, 14 years old, Gwin, 11 years old, and Judy, 9 years old, and that the Respondent, Robert Emons, pay the sum of \$25.00 per week as support to the said minor children beginning on the 14th day of February, 1959.

It is futher 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 futher ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is futher ordered that ROBERT EMMONS the RESPONDENT pay the cost herein to be taxed, for which executed may issue.

This 6 day of February 1959

H. M. HALL, Judge Circuit Court, In Equity.

I, \_\_\_\_\_, Register of the Circuit Court of 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.

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

FEB 5 1959

ALICE J. DUCK, CLERK  
REGISTERED

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARY EMMONS

Complainant

VS.

ROBERT EMMONS

Respondent

I, RUTH K. HOWELL

as ~~Register~~ and Commissioner

have called and caused to come before me MARY EMMONS and V. W. HADLEY

witness named in the Requirement for Oral Examination, on the 2nd day of FEBRUARY 1959, at the office of BAY MENETTE, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said MARY EMMONS and V. W. HADLEY doth depose and say as follows:

My name is Mary Emmons and I am the Complainant in this case. I was married to Robert Emmons on August 7, 1942 and we lived together until May 8, 1958. On May 8, 1958 and many times before during our marriage he committed actual violence on my person by striking me with his hands. I am afraid that he will committ other violence. We have four children, Joyce, 15 years old, Robert Charles, 14 years old, Gwin, 11 years old, and Judy, 9 years old. I believe that I am a good mother and can care for them the way they should be.

Mary Emmons

My name is V. W. Hadley I know the Complainant and the Respondent in this case, Mary and Robert Emmons. They are both over 21 years old and live in Baldwin County, Ala bama. Robert Emmons has made threats to do bodily harm to Mary Emmons. I believe that he has struck her on several occasions. I have seen her very up set from his treatment. Mary Emmons is a good mother and a proper person to have custody of their four children.

V. W. Hadley

ORAL EXAMINATION.

I, RUTH K. HOWELL, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness \_\_\_\_\_ 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 \_\_\_\_\_ or had proom made before me of the identity of said witness \_\_\_\_\_; that I am not of counsel or 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 6th day of FEBRUARY, 1959

Ruth K. Howell (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
MARY EMMONS	vs. Complainant
ROBERT EMMONS	Respondent.
Oral Deposition	
Filed _____	FILED _____, 195 _____
_____	Register.
_____	Record
Vol. _____	Page _____
_____	Register

Recorded  
ALICE J. DICK, REGISTER

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: RUTH K. HOWELL

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine MARY EMMONS and V. W. HADLEY

a witness in behalf of COMPLAINANT in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein MARY EMMONS is

, Complainant

and ROBERT EMMONS

Respondent

on oath, to be by you administered, upon her  
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 5<sup>th</sup> day of Feb

, 1959

Deirdre J. L. L. L.  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

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THE STATE OF ALABAMA  
Baldwin County

---

CIRCUIT COURT

---

MARY EMMONS

Complainant

VS.

ROBERT EMMONS

Defendant

---

COMMISSION TO TAKE DEPOSITION

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COMMISSIONER:

WITNESSES:

8581—NOTE OF TESTIMONY

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

Mary Emmons

vs.  
Robert Emmons

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,  
and Testimony a note, of Mary Emmons  
and C. H. Hobbie

and in behalf of Defendant upon

Anne W. Wanner

W. C. Hays  
Atty for Complaint

Alice J. Luck

Register.

No. 4444

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
Circuit Court of Baldwin County

VS.

**Note of Testimony**

Filed in Open Court this

**FILED**

day of \_\_\_\_\_, 19

**FEB 5 1959**

**ALICE J. DUCK,** CLERK  
REGISTER.



MARY EMMONS

COMPLAINANT

VS

ROBERT EMMONS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

.....

Comes now Respondent in the above styled cause and acknowledges services of a copy of the Complainant's Bill of Complaint and waives further notice and waives all further notices of taking of testimony and submission, and consent and agrees that this cause may be submitted for final decree immediately and without further notice, and for answer to the bill and each paragraph thereof, says:

1. Respondent admits to the allegations containing in paragraph I.
2. Respondent admits to the allegations to paragraph II.
3. Respondent denies the allegations containing in paragraph III and demands strict proof thereof.

Robert Emmons

Sworn to and subscribed before me this the 8<sup>TH</sup> day of Feb,

1958.

Wilson Hayes  
Wilson Hayes, Notary Public, State at Large

Ans. & Waiver

FILED

2-5-1959

AUDRE J. DUCK, CLERK  
REGISTER

MARY EMMONS

COMPLAINANT

VS

ROBERT EMMONS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: 4444

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA, IN EQUITY:

Comes now your Complainant, Mary Emmons, and represents and shows unto  
Your Honor as follows:

I

That your Complainant is over the age of 21 years and is a bona fide  
resident of Baldwin County, Alabama, and that Respondent is over 21 years of  
age and is a bona fide resident of Baldwin County, Alabama.

II

That Complainant and Respondent were married in Perdido, Alabama in  
August 7, 1942 and that they lived together as husband and wife until to-wit:  
May, 1958 and that they have not lived together as husband and wife since that  
date. There are four children born of this marriage, Joyce Emmons age 15,  
Robert Charles Emmons age 14, Gwen Emmons age 11 and Judy Emmons age 9, and  
that Complainant is a fit and proper person to have custody of the said children.

III

That on to-wit, May 8, 1958 and many times prior thereto, and since  
said marriage, the said Respondent committed actual violence to her person  
attended with danger to her life or health and that from his conduct and threats  
toward her at said time there was and is grave danger that he would commit  
further violence.

Now therefore, the premises considered, Complainant prays that this  
Honorable Court will cause process to issue to the said Respondent, Robert  
Emmons requiring her to plead, answer or demur to same within the time allowed  
by law.

And Complainant further prays that upon final hearing of this cause your  
Honor will grant to her an absolute divorce forever barring the bands of  
matrimony existing between Complainant and Respondent, granting to Complainant  
the custody of the said children, and that your Honor will grant such other,  
further, different or general relief to which Complainant may be in equity

and good conscience entitled.

Mary Emmons  
Complainant

W. L. Hayes  
Solicitor for Complainant

4444

*Bill of Complaint*

FILED

FEB 15 1959

ALICE J. DUCK, CLERK  
REGISTER

STATE OF ALABAMA

COUNTY OF BALDWIN

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Mary Emmons to appear within thirty days from the service of this writ in the circuit court to be held for said County at the place of holding same, then and there to answer the complaint of Robert Emmons.

Witness my hand, this the 26 day of Nov., 1958.

Alice J. Clark  
CLERK

*Executed  
Dec. 3, 1958  
on Mary Emmons.*

ROBERT EMMONS

COMPLAINANT

VS

MARY EMMONS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes now your Complainant, Robert Emmons, and represents and shows unto Your Honor as follows:

I

That your Complainant is over the age of 21 years and is a bona fide resident of Baldwin County, Alabama, and that Respondent is over 21 years of age and is a bona fide resident of Baldwin County, Alabama.

II

That Complainant and Respondent were married in Perdido, Alabama in April, 1942 and that they lived together as husband and wife until to-wit, May, 1958 and that they have not lived together as husband and wife since that date. There are four children born of this marriage, Joyce Emmons age 15, Robert Charles Emmons age 11, Gwen Emmons age 10 and Judy Emmons age 8, and that Respondent is a fit and proper person to have custody of the said children.

III

That on to-wit, May 8, 1958 and many times prior thereto, and since said marriage, the said Respondent committed actual violence to his person attended with danger to his life or health and that from her conduct and threats toward him at said time there was and is grave danger that she would commit further violence.

Now therefore, the premises considered, Complainant prays that this Honorable Court will cause process to issue to the said Respondent, Mary Emmons requiring her to plead, answer or demur to same within the time allowed by law.

And Complainant further prays that upon final hearing of this cause your Honor will grant to him an absolute divorce forever barring the bonds of matrimony existing between Complainant and Respondent, granting to Respondent the custody of the said children, and that your Honor will grant such other, further, different or general relief to which Complainant may be in equity and good conscience entitled.

*Robert Emmons*  
COMPLAINANT  
*Hubert M. Hall*  
Solicitor for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me Ruth K. Howell, a Notary Public in and for said County and State personally appeared Robert Emmons, who being known to me, and by me duly sworn, deposes and says on oath: That he is the Complainant in the above styled cause, and has personal knowledge of the facts stated in the foregoing <sup>complaint</sup> ~~plea~~ and that the said statements of fact therein contained are true.

Robert Emmons

Sworn to and subscribed before me on this the 26<sup>th</sup> day  
of November, 1958.

Ruth K. Howell



ROBERT EMMONS

COMPLAINANT

VS

MARY EMMONS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: 4444

SUMMONS and COMPLAINT

FILED

NOV 26 1958

ALICE J. DUCK, Register

Received 26 day of Nov 1958

and on 3 day of Dec 1958

I served a copy of the within ACC

on Mary Emons

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. A. Talbert D.

Rabon

Sheriff claims 22 miles at

Ten Cents per mile Total \$ 2.20

TAYLOR WILKINS, Sheriff

BY Talbert  
DEPUTY SHERIFF

MARY EMMONS

Complainant

VS

ROBERT EMMONS

Respondent

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

.....

This day came Mary Emmons and filed herein her verified petition praying that Robert Emmons be required to appear and show cause, if any he have, why he should not be punished as for a contempt in regard to the nature of things set out in the verified petition; and upon consideration of the said petition it is.

ORDERED, ADJUDGED and DECREED by the court that the said Robert Emmons be and appear before the court at 10 A.M. on the 29 day of October, 1959 in the Court room of the Circuit Court of Baldwin County at Bay Minette, Alabama and show cause, if any he have, why he should not be punished as for a contempt.

Let a copy of said petition and of this rule to show cause be served forthwith, personally upon the said Robert Emmons by the Sheriff of Baldwin County, Alabama.

Done the 14 day of October, 1959.

Hubert M. Hall  
H. M. HALL, JUDGE OF THE CIRCUIT COURT

4444

Received 14 day of Oct 1959  
and on 29 day of Oct 1959  
served a copy of the within Order  
n Robert Commons  
y service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By W. A. Zolbert D. S.  
Rendicks

Sheriff claims 26 miles at  
Ten Cents per mile Total \$ 2.60  
TAYLOR WILKINS, Sheriff  
BY Zolbert  
DEPUTY SHERIFF

m

RULE TO SHOW CAUSE

MARY EMMONS

Complainant

VS

ROBERT EMMONS

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

This day came Mary Emmons and filed herein her verified petition praying that Robert Emmons be required to appear and show cause, if any he have, why he should not be punished as for a contempt in regard to the nature of things set out in the verified petition; and upon consideration of the said petition it is.

ORDERED, ADJUDGED and DECREED by the court that the said Robert Emmons be and appear before the court at 9 A.M. on the 8 day of August, 1959 in the Court room of the Circuit Court of Baldwin County at Bay Minette, Alabama and show cause, if any he have, why he should not be punished as for a contempt.

Let a copy of said petition and of this rule to show cause be served forthwith, personally upon the said Robert Emmons by the Sheriff of Baldwin County, Alabama.

Done the 1<sup>st</sup> day of August, 1959.

**FILED**

**AUG 1 1959**

**ALICE L. DICK** CLERK  
**REGISTER**

H. M. Hall  
H. M. Hall, Circuit Judge

MARY EMMONS

VS

Complainant

ROBERT EMMONS

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

Comes now your petitioner, Mary Emmons, who is over the age of twenty-one years and respectfully shows unto your Honor as follows:

(1) That on the 5th day of February 1959, in the above styled cause a final decree was made and entered divorcing your petitioner, as complainant, from Robert Emmons, her husband, as respondent; and that said decree directed the said Robert Emmons to pay, on the 14th day of February, 1959, and weekly thereafter, the sum of \$25.00 per week as support for the children of the parties.

(2) That the said Robert Emmons has failed for the past six months to make the said payments as required by the said decree, although having sufficient means to comply with said decree, and has wilfully and contemptuously refused to obey said decree.

(3) That it has been necessary to employ Wilson Hayes, an attorney, to prosecute this, her cause, and that petitioner is unable to pay a reasonable attorney's fee and that the said Robert Emmons is able to do so.

The premises considered your petitioner prays that a rule be issued to the said Robert Emmons requiring him at a time and place to be therein stated, to appear before the court and show cause, if any he have, why he should not be punished as for a contempt.

And petitioner prays for such other, further and different relief complainant may be in equity and good conscience entitled.

Mary Emmons

STATE OF ALABAMA  
BALDWIN COUNTY

Before me Ruth K. Howell, a Notary Public in and for said County and State personally appeared Mary Emmons, who being known to me, and by me duly sworn, deposes and says on oath: That she is the complainant in the above styled cause, and has personal knowledge of the facts stated in the foregoing petition and that the said statements of fact therein contained are true.

Mary Emmons

Sworn to and subscribed before me on this 31st day of July, 1959.

FILED

JUL 31 1959

ALICE J. DUCK, Register

W. L. Hayes  
Notary Public, Baldwin County, Ala.

MARY EMMONS

COMPLAINANT

VS

ROBERT EMMONS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

This cause coming on to be heard upon the sworn petition of Mary Emmons filed in this cause on August 1, 1959 and testimony by Mary Emmons, Petitioner and Robert Emmons Respondent being heard in open court and upon the same being considered, it is therefore:

ORDERED, ADJUDGED and DECREED that the said Robert Emmons is in arrears of payments as ordered in the decree rendered in this cause on February 5, 1959 in the amount of \$750.00, and it is further:

ORDERED, ADJUDGED and DECREED that the said Robert Emmons pay the sum of \$5.00 per week in addition to the said payments ordered in the said decree of February 5, 1959 to the said Mary Emmons until a total of \$750.00 is paid.

Done this 24 day of August 1959.

FILED

1959

ALICE J. DUCK, CLERK  
REGISTER

H. M. Hall  
H. M. HALL, JUDGE OF THE CIRCUIT COURT  
IN EQUITY

MARY EMMONS

Complainant

VS

ROBERT EMMONS

Respondent

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: \_\_\_\_\_

..-.-.-..

Comes now your Petitioner, Mary Emmons, who is over the age of twenty-one years and respectfully shows unto Your Honor as follows:

(1) That on the 5th day of February 1959, in the above styled cause a final decree was made and entered divorcing your Petitioner, as complainant, from Robert Emmons, her husband, as respondent; and that said decree directed the said Robert Emmons to pay, on the 14th day of February, 1959, and monthly thereafter, the sum of \$25.00 per week as support for the children of the parties.

(2) That the said Robert Emmons has failed for the past six months to make the said payments as required by the said decree, although having sufficient means to comply with said decree, and has wilfully and contemptuously refused to obey said decree.

(3) That it has been necessary to employ Wilson Hayes, an attorney, to prosecute this, her cause, and that petitioner is unable to pay a reasonable attorney's fee and that the said Robert Emmons is able to do so.

The premises considered your Petitioner prays that a rule be issued to the said Robert Emmons requiring him at a time and place to be therein stated, to appear before the court and show cause, if any he have, why he should not be punished as for a contempt.

And petitioner prays for such other, further and different relief Complainant may be in equity and good conscience entitled.

Mary Emmons

STATE OF ALABAMA  
BALDWIN COUNTY

Before me Ruth K. Howell, a Notary Public in and for said County and State personally appeared Mary Emmons, who, being known to me, and by me duly sworn, deposes and says on oath: That she is the Complainant in the above styled cause, and has personal knowledge of the facts stated in the foregoing petition and that the said statements of fact therein contained are true.

Mary Emmons

Sworn to and subscribed before me on this the 14th day of October, 1959.

**FILED**

OCT 14 1959

ALICE J. DUCK, CLERK  
REGISTER

Ruth K. Howell  
Notary Public, Baldwin County, Alabama

Received 14 day of Oct 1959  
and on 19 day of Oct 1959  
I served a copy of the within Petition  
on Robert Emmons

By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. O. Talbot D. S.

Pendle

Sheriff claims 26 miles at

Ten Cents per mile Total \$ 2.60

TAYLOR WILKINS, Sheriff

BY Talbot  
DEPUTY SHERIFF

4444

Mary Emmons

vs

Robert Emmons