

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Horace Theodore Cole , Complainant

vs.

Mae Emily Cole Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on 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 Horace Theodore Cole is forever divorced from the said Mae Emily Cole for and on account of Voluntary Abandonment

It is further 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 further ordered that both parties be, and are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Horace Theodore Cole the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8 day of December, 1928

[Signature]

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. 4453 Page.....

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Horace Theodore Cole

Complainant.

Vs.

Mae Emily Cole

Respondent.

DIVORCE DECREE

FILED

DEC 8 1956

**ALICE J. DUCK, CLERK
REGISTER**

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama,
(In Equity)

Horace Theodorè Cole COMPLAINANT

vs.

Mae Emily Cole RESPONDENT

I, Leah Manuel

in the case of Cole Vs Cole
as Register and Commissioner

have called and caused to come before me Horace Theodore Cole

witness named in the requirement for Oral Examination, on the 15 day of October
1948, at the office of Reuben F. McKinley, Attorney

in Bay Minette, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Horace Theodore Cole

doth depose and say as follows:

That my name is Horace Theodore Cole and I am the Complainant in this cause. I married the Respondent on to wit June 3, 1944 and lived with her until on to wit February 3, 1957, when she voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time. There are no children as fruits of this marriage and no property to be divided.

Horace Theodore Cole

I, Leah Manuel as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and Robert F. McFarley, Attorney at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or of 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 ^{60 wit} 15 day of October 1944.

Leah Manuel (L. S.)

No. 4453 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Horace Theodore Cole

COMPLAINANT

Mae Emily Cole vs.

RESPONDENT

ORAL DEPOSITION

Filed FILED, 1944

NOV 31 1944

, Register.

MADE J. RECORDED
J. BOON, REGISTER

Record

Vol. Page

, Register

ORAL DEPOSITION

ORAL DEPOSITION

I, EDITH K. GOODMAN, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and Evelyn T. Derr at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or of 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 November, A. D. 1958.

A. D. 1958, at the office of Almond and Wood, Attorneys, 411 Industrial Trust Building, Wilmington, Delaware, and having signed and sworn to make the truth, the whole truth, and nothing but the truth, the said HARVEY E. SCHUYLER, doth depose and say as follows:

I know both parties in this and I know that they were married on June 3, 1948, and I know that they lived together until February 3, 1957. There is no property and no children involved and she voluntarily left him and has voluntarily stayed away continuously since that time.

Witnessed:

FILED

NOV 31 1958

ALICE J. DUCK, CLERK, REGISTER

ORAL DEPOSITION

ORAL DEPOSITION

THE STATE OF ALABAMA

Circuit Court of Baldwin County, Alabama
(In Equity)

BALDWIN COUNTY

HORACE THEODORE COLE,

Complainant

MAE EMILY COLE,

Respondent

I, Edith K. Goodman, as Register and Commissioner

in the case of COLE vs. COLE, have called and caused to come

before me, HARVEY E. SCHUYLER, witness named in the requirement
for Oral Examination, on the 6th day of November

A. D. 1958, at the office of Allmond and Wood, Attorneys,
411 Industrial Trust Building, Wilmington, Delaware, and having
first sworn said witness to speak the truth, the whole truth,
and nothing but the truth, the said HARVEY E. SCHUYLER, doth depose
and say as follows:

I know both parties in this and I know that they were
married on June 3, 1944, and I know that they lived together
until February 3, 1957. There is no property and no children
involved and she voluntarily left him and has voluntarily stayed
away continuously since that time.

Witnessed:

Evelyn J. Derr
Edith K. Goodman

Harvey E. Schuyler

NOTED BY DECK
RECEIVED
OCT 15 1958

FILED

MAE
EMILY
COLE

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Edith K. Goodman

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 Harvey E. Schuyler

a witnesses in behalf of the Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Horace Theodore Cole is

and Mae Emily Cole is Complainant

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

Witness 5th day of November, 1958

Alvin J. Alcock
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4453

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Horace Theodore Cole

Complainant

VS.

Mae Emily Cole

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Leah Manuel

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 Horace Theodore Cole

a witnesses in behalf of the Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Horace Theodore Cole is

and Mae Emily Cole is Complainant

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

Witness 14th day of October, 1958

Alvin J. Duck
Register.

Commissioner's Fee, \$-

Witness' Fees, \$-

No. 4453

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Horace Theodore Cole

Complainant

VS.

Mae Emily Cole

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

ORAL DEPOSITION

NOTICE TO DEPOSE

THE STATE OF ALABAMA

Circuit Court of Baldwin County, Alabama

BALDWIN COUNTY

(In Equity)

HORACE THEODORE COLE,

Complainant

MAE EMILY COLE,

Respondent

I, Edith K. Goodman, as Register and Commissioner

in the case of COLE vs. COLE, have called and caused to come I

before me, HARVEY E. SCHUYLER, witness named in the requirement

for Oral Examination, on the 14th day of November

A. D. 1958, at the office of Allmond and Wood, Attorneys,

411 Industrial Trust Building, Wilmington, Delaware, and having

first sworn said witness to speak the truth, the whole truth,

and nothing but the truth, the said HARVEY E. SCHUYLER, doth depose

and say as follows:

I know both parties in this and I know that they were married on June 3, 1944, and I know that they lived together until February 3, 1957. There is no property and no children involved and she voluntarily left him and has voluntarily stayed away continuously since that time.

Witnessed:

Evelyn J. Derr

Harvey E. Schuyler

Edith K. Goodman

NOTICE TO DEPOSE
I, the undersigned, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the within and foregoing is a true and correct copy of the deposition of the within and foregoing parties, as the same appears from the original deposition on file in my office.
WITNESSED my hand and the seal of said Court this 14th day of November, 1958.
CLERK OF THE COURT
BALDWIN COUNTY, ALABAMA

ORAL DEPOSITION

NOTICE TO TAKE DEPOSITION

I, EDITH K. GOODMAN, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and Evelyn T. Derr at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; that I am not of counsel or of 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 November, A.D. 1958.

Edith K. Goodman (L.S.)

I know both parties in this and I know that they were married on June 3, 1944, and I know that they lived together until February 3, 1957. There is no property and no children between them and she voluntarily left him and has voluntarily stayed away from him since that time.

Witness my hand and seal this 6th day of November, 1958.

THE STATE OF ALABAMA
Baldwin County

In Circuit Court, In Equity

Horace Theodore Cole

COMPLAINANT

vs.

MAE EMILY COLE

RESPONDENT

ORAL DEPOSITION

Filed

, 19

Register.

RECORDED IN

FILED Record

NOV 31 1958

Vol.

ALICE J. DUCK, CLERK
REGISTER

Horace Theodore Cole

Mae Emily Cole

vs.

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
Oral Deposition

and in behalf of Defendant upon Answer and Waiver

Reuben F. McTear
Solicitor for Complainant

Alice L. Buck
Register.

No.

4453

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Horace Theodore Cole

vs.

Mae Emily Cole

NOTE OF TESTIMONY

Filed in Open Court this

day of

, 194

NOV 31

ALICE J. DUCK, CLERK

Register.

Printed by the Baldwin Times

Horace Theodore Cole
Complainant

Vs

Mae Emily Cole
Respondent

In the Circuit Court of
Baldwin County, Alabama
At Law. No. _____

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, residence and marriage, but denies all other allegations contained in the Bill of Complaint and demands strict proof of the same.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

X Mae Emily Cole

State of Delaware
County of Newcastle

I, Paul H. Short, a Notary Public, in and for said County, in said State, hereby certify that Mae Emily, whose name is signed to the foregoing document and who is known to me, acknowledged before me on this day that being informed of the contents of this document, she executed the same voluntarily on the day the same bears date.

Paul H. Short
Notary Public, Newcastle County, Delaware

Horace Theodore Cole
Complainant

Vs
Mae Emily Cole
Respondent

In the Circuit Court of
Baldwin County, Alabama
At Law. No. _____

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, residence and marriage, but denies all other allegations contained in the Bill of Complaint and demands strict proof of the same.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

X Mae Emily Cole

State of Delaware
County of Newcastle

I, Paul H. Short, a Notary Public, in and for said County, in said State, hereby certify that Mae Emily Cole, whose name is signed to the foregoing document and who is known to me, acknowledged before me on this day that being informed of the contents of this document, she executed the same voluntarily on the day the same bears date.

Paul H. Short
Notary Public, Newcastle County, Delaware

4453

Horace Theodore Cole

Complainant

Vs

Mae Emily Cole

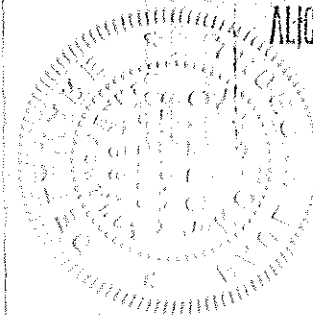
Respondent

Answer and Waiver

FILED

NOV 31 1953

ALICE J. DUCK, CLERK
REGISTER



Horace Theodore Cole

Complainant

Vs

Mae Emily Cole

Respondent

In the Circuit Court of
Baldwin County, Alabama
In Equity. No. _____

To Hon. Hubert M. Hall, Judge of the Circuit Court of
Baldwin County, Alabama, In Equity:

Your Complainant, Horace Theodore Cole, respectfully represents
unto your Honor and this Honorable Court as follows;

1.

Both the Complainant and Respondent are over the age of twenty
one years. The Complainant has resided in Alabama for the statutory
period and the Respondent is a resident of the State of Delaware.
Both parties submit themselves to the jurisdiction of this court,
as required by Statute.

2.

Your Complainant and the Respondent married on to wit, June 3,
1944 and lived together until on to wit February 3, 1957, when they
seperated because of the voluntary abandonment of the Complainant
by the Respondent.

3.

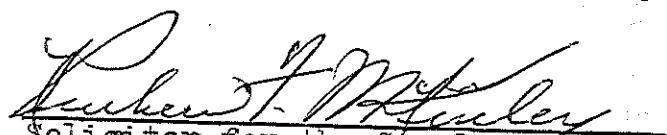
That on to wit February 3, 1944, the Respondent voluntarily
abandoned the bed and board of the Complainant and has remained
away voluntarily and continuously since that time.

4.

That there are no children as fruits of this marriage and no
property to be divided.

Wherefore, the premises considered, your Complainant prays that
your Honor will by proper process make the said Mae Emily Cole party
Respondent to this Bill of Complaint, requiring her to plead, answer
or demur to the same within the time and under the penalties required
by law and the practices of this Honorable court.

Your Complainant further prays that upon a final hearing hereof,
Your Honor will grant to him an absolute divorce, forever barring
the bonds of matrimony existing between Your Complainant and Respondent
and your Complainant prays for such other further, different or
general relief as he may in Equity and good conscience be entitled
to receive.


Solicitor for the Complainant

4453

TO THE COURT OF THE
COUNTY OF ...

SHIRLEY ...
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4453

Horace Theodore Cole
Complainant
Vs
Mae Emily Cole
Respondent

Summons and Complaint

FILED

NOV 31 1958

ALICE J. DUCK, CLERK
REGISTER