

490

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY

M.A. Malone, Complainant.

vs.

Seola Malone, Respondent.

T.W. Richerson,

as Commissioner,

have called and caused to come before me M.A. Malone, and J.E. Malone,

witnesses named in the Requirement for Oral Examination, on the 19th day of January, 1925, at the office of Register of the Circuit Court in Equity, in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth, whole truth, and nothing but the truth, the said Witnesses,

doth depose and say as follows:

M.A. Malone the complainant who being duly sworn testified as follows

My name is M.A. Malone, I am a resident of Baldwin County Alabama, and have been for more than three years next before the filing of this bill and am over the age of 21 years the respondent Seola Malone is a resident of Mc David Fla and is over the age of 21 years, the respondent and Seola Malone and I were married at Mc David Fla on or about the 19th day of December 1907, we lived together as man and wife until on or about December 26th, 1922, On to wit: December 26th 1922, the respondent Seola Malone voluntarily abandoned my bed and board and since that time she has remained away voluntarily and continuously.

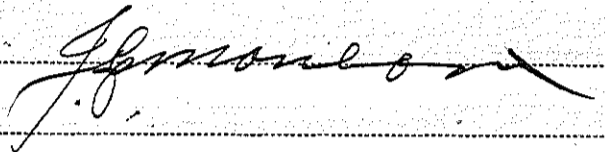
During the whole time we lived together as man and wife I <sup>no</sup> ~~did not~~ mistreated the respondent Seola Malone, nor at any time gave her any cause for going away and leaving me. I at all times cared and provided for her to the best of my ability, since the respondent went away she has at no time been back to live with me as my wife, and has repeatedly told me that she never intended living with me again,

*M.A. Malone*

J.E. Malone a witness for Complainant who being duly sworn testified follows:-

My name is J. E. Malone I am over 21 years of age, I remember the time when M.A. Malone and Seola Malone were married and have known both of them since the time they were married, and have lived near them the greater part of their married life, and have visited their place very frequently, during the many times I have visited their place I have no time seen M.A. Malone mistreat Seola Malone in any way, but have always found that he treated her as best he could and always provided for her to the best of his ability.

M.A. Malone and Seola Malone lived together as man and wife until about December 26th 1922, on which date Seola Malone went away and abandoned M.A. Malone voluntarily and has remained away ever since. I have been with M.A. Malone the greater part of the time since Seola Malone went away and know that they have not lived together as man and wife since she went away, I have talked with Seola Malone since she went away and left <sup>M.A.</sup> ~~Seola~~ Malone and she states that she never intended living with him again during the time they lived together as man and wife. I have never even heard of M.A. Malone mistreating Seola Malone.

A handwritten signature in cursive script, appearing to read "J. Malone", is written in the center of the page.

ORAL EXAMINATION.

I, T. W. Richardson, as Commissioner

hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness he and read over to them and they signed the same in the presence of myself and Hon Wm Hall, Atty for Complainant at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness he or had proof made before me of the identity of said witness he; 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.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 19th day of January, 1925  
T. W. Richardson (L. S.)

No. 490 Page

The State of Alabama

Blount County

IN CIRCUIT COURT, IN EQUITY.

W. A. Wallace

vs. Complainant,

Shelva Malone

Respondent.

ORAL DEPOSITION.

Filed Jan 19th, 1925

T. W. Richardson, Register.

Recorded in

Record

Vol. Page

Register.

The State of Alabama, }  
Baldwin County.

No. 490

CIRCUIT COURT, IN EQUITY

M. A. Malone,

Complainant.

vs.

J. E. Malone,

Defendant.

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the 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 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 Complainant is forever divorced from the Defendant.

on account of voluntary abandonment,

It is further ordered, that the said M. A. Malone,

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 M. A. Malone,

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 Seola Malone,

It is further ordered, adjudged and decreed that said M. A. Malone,

shall not again marry except to said Seola Malone,

until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to

said Seola Malone, during the pendency of said appeal

This 19<sup>th</sup> day of January, 1925

*John D. Leigh*  
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, \_\_\_\_\_ Register of said Circuit Court of said County

Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on

the \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_\_\_, in the cause of

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_\_\_

Register.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.  
BALDWIN COUNTY, ALA.

M. A. Malone,

vs.

Seola Malone,

DECREE OF DIVORCE.

Filed in office this

20th

day of

January, 1925

*D. W. Richardson*  
Register.

E. O. M.

RECORDED

No. 490.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.  
BALDWIN COUNTY, ALA.

M. A. Malone,

vs.

Seola Malone,

DECREE OF DIVORCE.

Filed in office this 20<sup>th</sup>

day of January, 1925

D. W. Richardson  
Register.

E. O. M.

RECORDED

# NOTE OF TESTIMONY

The State of Alabama,

M.A. Malone

\_\_\_\_\_

\_\_\_\_\_

Complainant

vs.

J.B. Malone,

\_\_\_\_\_

Respondent

No. 490.

In Circuit Court

In

IN THIS CAUSE comes the Complainant,

by his solicitor and submits the same for final decree,

decree upon the Original Bill and exhibits thereto Answer of Defendant,

, and upon the following testimony, to-wit:

Testimony of M.A. Malone and J.B. Malone,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that the above note of Testimony is correct.

This 19th day of January, 1925.

*D. W. Rice*

Register.

**The State of Alabama**

Baldwin County

Circuit Court in Equity

M. A. Malone

Complainant

vs.

J. E. Malone,

**RECORDED**

Respondent

**NOTE OF TESTIMONY**

Filed 19th day of Jan, 1925.

*D. Williams* Register

Record Page



STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 490

*Vacation* Term, 192*5*

*M. A. Malone*, Complainant.

vs.

*Seola Malone*, Defendant.

To *J. W. Crenshaw*, 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 *Rick Kirby, Beebe & Hall*.

..... 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.

*Rick Kirby Beebe & Hall*  
Solicitors for Complainant.

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

*M. A. Malone*

VS.

*Hesla Malone*

REQUEST FOR DECREE IN  
VACATION

FILED *Jan 1 1925* 1925

*J. W. Richardson*  
Register

RECORDED

RECORDED IN ..... RECORD

VOL. .... PAGE .....

Register

Jan 23, 1925

Mr J W Richardson

Dear Sir

Kind Enclose one dollar as  
which send me by Return mail  
a copy of the done that I  
might get mine

Yours truly

Mrs Julia Malone

Mc. Baird Tex

TO HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN CHANCERY.

Comes the complainant M. A. Malone and humbly complaining against Seola Malone, the respondent, respectfully shown to your Honor the following:

First: That the complainant is a resident of Baldwin County, Alabama, and has been for more than three years next preceeding the filing of this bill and that he is over the age of twenty-one years; that the respondent, Seola Malone, is a resident of McDavid, Florida, and is over the age of Twenty-one years.

Second: That the complainant M. A. Malone and the respondent Seola Malone are husband and wife, having intermarried at McDavid, Florida, on the 19th day of December 1907; that they lived together as man and wife until on or about December 26, 1922.

Third: That on to-wit, December 26, 1922, more than two years before the filing of this bill, the respondent, Seola Malone, voluntarily abandoned the bed and board of your complainant and that since that time she has remained away voluntarily and continuously.

PRAYER.

The premises considered your complainant prays that a summons be issued directed to the said Seola Malone, the respondent, requesting her to plead, answer or demur to your complainant's bill of complaint within the time required by law and the practice of this honorable court; that upon the final hearing of said cause your honor will grant unto the complainant a decree of absolute divorce from the said Seola Malone and that such other further and different relief may be granted unto your complainant as your honor may deem proper.

Riccarby Beebe & Hall  
Solicitors for complainant.

FOOT NOTE:

The respondent, Seola Malone, is requested to answer each paragraph of the foregoing bill, first to third inclusive, but not under oath, Oath is hereby expressly waived.

Riccarby Beebe & Hall  
Solicitors for complainant.

1st

Original

M. A. Malone

vs

Debra Malone

xxx

Filed January 7<sup>th</sup>

1975

W. P. McClellan

= Register =

RECORDED

M. A. Malone, complainant

vs

IN THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA. IN CHANCERY.

Seola Malone, respondent

Comes the respondent in the above styled cause and denies all the allegations contained in said bill of complaint and demands strict proof thereof.

Seola Malone  
Respondent.

STATE OF FLORIDA

COUNTY OF

I, W. Y. Gordon a Justice of the Peace in and for said state and county hereby certify that Seola Malone whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument, she signed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 10<sup>th</sup> day of January, 1925.

W. Y. Gordon  
Justice of the Peace

I, Seola Malone, the respondent in the above styled cause, do hereby accept service and notice of the demand for oral examination ~~of witnesses~~ of witnesses on behalf of complainant; <sup>waiver</sup> notice of taking testimony; right to cross examine witnesses and agree that the cause may be submitted for final decree upon the motions, pleadings and evidence <sup>on behalf</sup> of the complainant.

Seola Malone

2

Filed Jan 19<sup>th</sup> 1925  
DOR, Receiver  
Register.

RECORDED