

4477

GEORGE A. HENDERSON, JR.,	¶	
Complainant,	¶	IN THE CIRCUIT COURT OF
-VS-	¶	
EMMA LUE HENDERSON,	¶	BALDWIN COUNTY, ALABAMA,
Respondent.	¶	IN EQUITY.

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

Comes GEORGE A. HENDERSON, JR. by this his Bill of Complaint presented against EMMA LUE HENDERSON, and respectfully shows:

FIRST: That the Complainant and Respondent are both over the age of twenty-one years and both are now, and have been for three years next preceding the filing of this Bill of Complaint bona fide residents of Baldwin County, Alabama, the Complainant now residing in Daphne, Baldwin County, Alabama, and Respondent now residing in Summerdale, Baldwin County, Alabama.

SECOND: Complainant and Respondent were married on, or about the 2nd day of July, 1957, in Lucedale, Mississippi, and have lived together until about the 9th day of October, 1957.

THIRD: That the Respondent, EMMA LUE HENDERSON, voluntarily abandoned the bed and board of the Complainant on, or about the 9th of October, 1957, without just cause or legal excuse, and that said abandonment has been continuous.

FOURTH: That there have been no children born to this marriage.

WHEREFORE, THE PREMISES CONSIDERED, Complainant prays that EMMA LUE HENDERSON be made party defendant to this cause, and by proper process required to plead, answer or demur within the time prescribed by law.

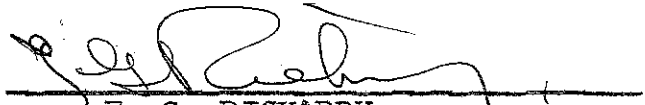
Complainant further prays that on a final hearing of this cause, a decree of divorce from the bonds of matrimony be rendered, forever divorcing him from the said EMMA LUE HENDERSON.

Cont'd Bill of Complaint,

Henderson vs. Henderson.

Complainant further prays that the Court will grant him such other different or further relief as to Equity may seem meet.

filed Jan. 12, 1959
Alice G. Luck, Reg.
Executed Jan. 13, 1959:



E. G. RICKABY,
Solicitor for Complainant.

GEORGE A HENDERSON, JR.,

Complainant,

-VS-

EMMA LUE HENDERSON,

Respondent.

BILL OF COMPLAINT

FILED

12 1957

Leigfrewer

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. _____

_____ TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Emma Lou Henderson

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

Emma Lou Henderson, Defendant

by George A. Henderson, Plaintiff

Witness my hand this 12th day of January 19 59

Bev. J. Smith, Clerk

The State of Alabama
Baldwin County

CIRCUIT COURT

G ORGE A. HENDERSON

Plaintiffs

vs.

EMMA LOU HENDERSON

Defendants

Summons and Complaint

Filed 1-12- 1959

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Sumner Hill

Received In Office

Jan 12 1958

_____, Sheriff

I have executed this summons

this Jan 13 1959

by leaving a copy with

Emma Lou Henderson

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

Taylor Wilkins, Sheriff

BY _____
DEPUTY SHERIFF

Taylor Wilkins Sheriff

Earl H. ... Deputy Sheriff

Sumner Hill

The State of Alabama, }
BALDWIN COUNTY.

No. 4477 CIRCUIT COURT IN EQUITY.

GEORGE A. HENDERSON, JR. Complainant...

vs.

EMMA LUE HENDERSON, Defendant...

Motion is hereby made for a Decree Pro Confesso against EMMA LUE HENDERSON

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..... ha^S failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This day of February 1959

Boyer

Solicitor.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

GEORGE A HENDERSON, JR.
Complainant,

Vs.

EMMA LUE HENDERSON,
Respondent.

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed _____ 192_____

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

Baldwin Times Print, Bay Minette.

E. G. RICKARBY,
Solicitor for Complainant.

The State of Alabama, }
BALDWIN COUNTY.

No. 4477 CIRCUIT COURT IN EQUITY.

GEORGE A. HENDERSON, JR. Complainant

vs.

EMMA LUE HENDERSON, Defendant

Motion is hereby made for a Decree Pro Confesso against EMMA LUE HENDERSON

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.....ha^s failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This day of February 1959.

Solicitor.

No. 4394

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

GEORGE A HENDERSON, JR.

Complainant,

Vs.

EMMA LUE HENDERSON,

Respondent.

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed

2-18

1929

Deepest Duck
Register.

Recorded in Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

E. G. RICKARBY,
Solicitor for Complainant.

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

February 23, 1959

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

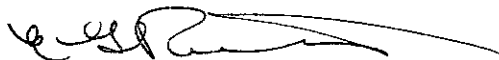
Dear Mrs. Duck:

Inre: Henderson vs. Henderson
Our File: 4394

Enclosed find Motion for Decree Pro Confesso
in the case of Henderson vs. Henderson.

Please file and request commission for Mrs.
Tillie K. Stephens to take the testimony of
George A. Henderson, Jr. and George A. Hender-
son, Sr., and date the Decree Pro Confesso
for the 18th or 19th because we signed the
testimony today.

Yours very truly,



EGR/ts
Encl.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

GEORGE A. HENDERSON, JR., Complainant

vs.

EMMA LUE HENDERSON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Note of evidence 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

GEORGE A. HENDERSON, JR. is forever divorced from the said EMMA LUE HENDERSON for and on account of

Voluntary abandonment

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 GEORGE A. HENDERSON, JR., the Complainant pay the cost herein to be taxed, for which executed may issue.

This 3 day of March 19 59

7 Hubert M. Moore

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

GEORGE A. HENDERSON, JR.

Complainant

vs.

EMMA LUE HENDERSON

Respondent

DIVORCE DECREE

E. G. RICKARBY,
Solicitor for Complain-
ant.

FILED
MAR 2 1914

ALICE J. DUCK, CLERK
RECORDED

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

January 9, 1959

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

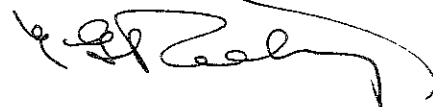
Dear Mrs. Duck:

Inre: Henderson vs. Henderson
Our File: 4394

Enclosed please find original Bill of Complaint,
together with deposit for costs in the sum of
\$15.00.

Please process and when service has been given,
advise. Thanks.

Yours very truly,



ts
Encl.
2/6/59

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

February 26, 1959

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Henderson vs. Henderson
Our File: 4394

With this we are handing you Note of Evidence, Decree of Divorce and depositions of the witnesses in the above mentioned cause.

Please ask Judge Hall to sign the Decree and if there are any additional costs to those already submitted, please advise.

Thanks.

Yours very truly,



EGR/ts
Encl.

GEORGE A. HENDERSON, JR.,
Complainant,
-VS-
EMMA LUE HENDERSON,
Respondent.

Y
Y
Y
Y
Y

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

I, TILLIE K. STEPHENS, Commissioner, acting under commission in the divorce suit of GEORGE A. HENDERSON, JR. VS. EMMA LUE HENDERSON, pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have caused the witnesses in this cause, namely, GEORGE A. HENDERSON, JR. AND GEORGE A. HENDERSON, SR., who were made known to me and known to be the identical witnesses called by the parties, to come to my office in the old bank building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. Rickarby, Esquire, Solicitor for the Complainant, did testify as shown by the attached testimonies and that their testimonies were, by me reduced to writing as given by them as near as might be in their identical language and, after being so reduced to writing, were read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, nor anywise interested in the results thereof.

IN WITNESS, I hereunto set my hand as Commissioner on this the 20th day of February, 1959.

Tillie K. Stephens
COMMISSIONER

GEORGE A. HENDERSON, JR.,		
Complainant,		IN THE CIRCUIT COURT OF
-VS-		BALDWIN COUNTY, ALABAMA,
EMMA LUE HENDERSON,		IN EQUITY.
Respondent.		

TESTIMONY OF GEORGE A. HENDERSON, JR., COMPLAINANT:

GEORGE A HENDERSON, JR., being first duly sworn, deposes and says as follows, to-wit:

My name is GEORGE A. HENDERSON, JR., and I am filing this suit of divorce against my wife, EMMA LUE HENDERSON. Both of us are over twenty-one years old. I have been living here in Baldwin County since I was sixteen years old, that is, since about 1940, when I moved here and established a residence here with my parents just outside of Daphne, Baldwin County, Alabama, except for a time between 1951 and 1956, when I temporarily moved to St. Petersburg, Florida.

My wife, EMMA LUE HENDERSON, came from Andalusia, Alabama in about 1955, and she has lived here in Baldwin County, Alabama all that time and is now living over in Summerdale, Alabama.

We were married on the 2nd day of July, 1957, when we went over to Lucedale, Mississippi to get married, and we only stayed together until about the 9th day of October, 1957. On about the 9th of October, 1957, my wife left me. I had always been a good husband to her and was kind to her and never mistreated her. She voluntarily left me, and after that time I tried to get her to come back but she would not. I do not know of any reason I gave for her leaving me, and since the 9th of October, 1957, we have lived separate and apart. Although I have seen her since then, we have never been together since the 9th of October, 1957, and we are still separated.

There have been no children born to this marriage, and I am asking for this divorce.

George A. Henderson, Jr.
 GEORGE A. HENDERSON, JR.

Subscribed and sworn to before me on this the 20th day of Feb., 1959.

Lillian K. Stephens
 COMMISSIONER

GEORGE A. HENDERSON, JR.

Complainant,

-VS-

EMMA LUE HENDERSON,

Respondent.

TESTIMONY

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

GEORGE A. HENDERSON, JR.,
Complainant,
-VS-
EMMA LUE HENDERSON,
Respondent.

I
I
I
I
I
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

TESTIMONY OF GEORGE A. HENDERSON, SR., A WITNESS ON BEHALF OF
THE COMPLAINANT:

GEORGE A. HENDERSON, SR., being first duly sworn, deposes
and says as follows, to-wit:

My name is GEORGE A. HENDERSON, SR., and I live just
out of Daphne, Baldwin County, Alabama, and I am testifying for
my son, GEORGE A. HENDERSON, JR.'s divorce case.

My son has lived here in Baldwin County, Alabama for the
last three years, and he is still living here in Baldwin County.
He and his wife are both over the age of twenty-one years, and I
know that they were married about the middle of 1957 and lived to-
gether as husband and wife until the first part of October, 1957.
At that time he was driving a transfer truck and would be away
from home for several days, and I know that when he was away from
home she used to leave quite a bit.

He was away from home on the 9th of October, 1957, and
on that day she left his home and left her two children there at
the home. These were her two children by a former marriage. The
children have since that time been taken care of by her sister-
in-law, as far as we know.

I know of nothing my son did that could cause her to
leave him like that, because it appeared that he was always a
good husband to her. They have been separated ever since the 9th
of October, 1957, and are still separated, and my son, GEORGE A.
HENDERSON, JR. and EMMA LUE HENDERSON have no children.

(X his mark) George A. Henderson, Sr.
GEORGE A. HENDERSON, SR.

Subscribed and sworn to before me on this the 20th day of Feb.
1959.

Lillie B. Stephens
COMMISSIONER

GEORGE A. HENDERSON, JR.

Complainant,

-VS-

EMMA LUE HENDERSON,

Respondent.

T E S T I M O N Y

FILED
MAR 31 1953
ALICE I. DUCK, CLERK
REGISTER

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

GEORGE A. HENDERSON, JR.,
Complainant,
-VS-
EMMA LUE HENDERSON,
Respondent.

I
I
I
I
I

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

I, TILLIE K. STEPHENS, Commissioner, acting under commission in the divorce suit of GEORGE A. HENDERSON, JR. VS. EMMA LUE HENDERSON, pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have caused the witnesses in this cause, namely, GEORGE A. HENDERSON, JR. AND GEORGE A. HENDERSON, SR., who were made known to me and known to be the identical witnesses called by the parties, to come to my office in the old bank building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. Rickarby, Esquire, Solicitor for the Complainant, did testify as shown by the attached testimonies and that their testimonies were, by me reduced to writing as given by them as near as might be in their identical language and, after being so reduced to writing, were read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, nor anywise interested in the results thereof.

IN WITNESS, I hereunto set my hand as Commissioner on this the 20th day of February, 1959.


Tillie K. Stephens
COMMISSIONER

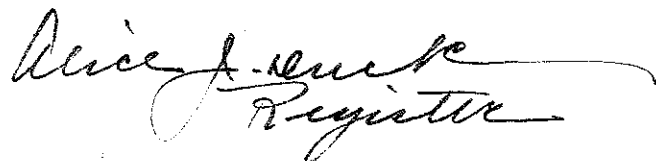
GEORGE A. HENDERSON, JR., I
Complainant, I
-VS- I
EMMA LUE HENDERSON, I
Respondent. I

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

NOTE OF EVIDENCE

This cause is submitted for final decree on Complainant's bill, Decree Pro Confesso, and depositions of Complainant and George A. Henderson, Sr.


E. G. RICKARBY
Solicitor for Complainant


Alice J. Smith
Register

GEORGE A. HENDERSON, JR.

Complainant,

-VS-

EMMA LUE HENDERSON,

Respondent.

4477

NOTE OF EVIDENCE

FILED

MAR 3 1959

ALICE J. DUCK, CLERK
REGISTER

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