

500

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Emma Howell Covey. Complainant.

vs.

Henry Covey. Respondent.

I T.W. Richerson,

as Commissioner,

have called and caused to come before me Fred Howell and Emma Howell Covey,

witness ES named in the Requirement for Oral Examination, on the 4th day of August,

1926, at the office of Register,

in Bay Minette, Alabama, and having first sworn said witness ES to speak the truth, the

whole truth, and nothing but the truth, the said Witnesses.

doth depose and say as follows: Emma Howell Covey a witness for complainant who had
been duly sworn according to law; testified as follows:-

My name is Emma Covey and I am the complainant in this cause wherein
Henry Covey is the defendant; both I and Henry Covey are over 21 years
of age and were on February 24th., 1926 and I am a resident of Ten-
saw, Baldwin County, and have been a bona fide resident in Alabama
for more than three years next immediately preceding February 24th.,
1926; that Henry Covey is a resident of Alabama, residing in Mobile
County and was such a resident when the Bill was filed in this cause.

That Henry Covey and I were married at Tensaw in Baldwin County
during the year 1913 and we lived together as man and wife until the
month of May, 1921, when the said Henry Covey, with just cause or
legal excuse ^{Voluntarily} deserted and abandoned me of his own accord; that such
desertion took place more than two years before the filing of the
Bill in this cause and has continued without interruption since said
time; the said Henry Covey had no reason or excuse to leave me as he
did.

Emma Howell Covey

FRED HOWELL, a witness for complainant, being duly sworn, testifies
as follows: My name is Fred Howell and I live at Tensaw, in Bal-
dwin County, Alabama, where I have lived all of my life; I am 54 years

of age: I know Emma Howell Covey and her husband Henry Covey and I have known them all of their life; They were married at Tensaw in 1913. I was at the wedding. They lived to-gether until sometime in 1921, when Henry Covey left Emma Howell Covey and that they have never lived to-gether as man and wife since that time.

They are both over 21 years of age and Emma Howell Covey resides at Tensaw, in Baldwin County, Alabama, where she has been a bona fide resident for more than three years next immediately preceding February 24th., 1926. Henry Covey, I understand, lived in Alabama, and somewhere in Mobile County.

This desertion by Henry Covey of Emma Howell Covey took place more than two years before February 24th., 1926 and has continued without interruption since 1921, and I know of no just cause or legal excuse that he had for leaving her.

*Robert
M. Stone*

*his
Fred X Howell
munk*

ORAL EXAMINATION.

I, T.W. Richerson, as Commissioner,

hereby certify that the foregoing deposition.....on Oral Examination.....was..... taken down in writing by me in the words of the witnesses.. and read over to.....them.. and.....they..... signed the same in the presence of.....Myself and Hon. N.C. Stone Atty for Complainant,.....

at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witnesses..... or had proof made before me of the identity of said witnesses; 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 4th day of August, 1926.

T.W. Richerson (L. S.)

No. 570. Page.....

The State of Alabama

Edwin Grundy

IN CIRCUIT COURT, IN EQUITY.

Emma Howell Covey.

vs. Complainant,

Henry Covey.

Respondent.

ORAL DEPOSITION.

Filed August 4th, 1926.

T.W. Richerson, Register.

Recorded in

Record

Vol. Page.....

Register.

The State of Alabama,
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama—GREETING :

WE COMMAND YOU, That you summon
Henry Covey,

~~Henry Covey~~

Mobile

of _____ County, to be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by
Emma Howell Covey,

Henry Covey,

against said _____

and further to do and perform what said Judge shall order and direct in that behalf. And this the
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this _____ 24th, _____ day of
February, 1926.

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T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

Deputy

SERVE ON _____
Circuit Court of Baldwin County
In Equity.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

No. _____

Received in office this _____
day of _____ 192_____

SUMMONS

Sheriff

EMMA HOWELL GOVEY

Executed this _____ day of _____ 192_____

Wm. H. Howell
Deputy Sheriff

by leaving a copy of the within Summons with

vs.

Defendant.

HENRY GOVEY

Sheriff

By _____ Deputy Sheriff.

Serve on Henry Govey
W. H. Howell

W. F. Groundward
to Plato

Stone & Stone
Solicitor for Complainant

Recorded in Vol. _____ Page _____

Howell

The State of Alabama, }
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama—GREETING :

WE COMMAND YOU, That you summon ~~Emma Howell Covey~~

Henry Covey,

of Mobile County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Emma Howell Covey,

against said Henry Covey,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 24th day of February, 1926.

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

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SERVE ON

Circuit Court of Baldwin County
In Equity.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

No. _____

Received in office this _____

day of _____ 192_____

SUMMONS

Emma Howell Covey.

Sheriff.

Executed this _____ day of _____

192_____

by leaving a copy of the within Summons with _____

vs.

Henry Covey.

Defendant.

Sheriff.

By _____

Deputy Sheriff.

*Received March 11th,
1926, and Henry
Covey "Not found
in my county"*

*David Scheriff
~~W. C. N. Kessler~~
(9) '26*

Stone & Stone.

Solicitor for Complainant

Recorded in Vol. _____ Page _____

Kessler 3/11/26

The State of Alabama, }
Baldwin County.

No. 570. CIRCUIT COURT, IN EQUITY

Emma Howell Covey, Complainant

vs.

Henry Covey, 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 abandonment,

It is further ordered, that the said Emma Howell Covey,

be, and she 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 Emma Howell Covey, 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 Henry Covey,

It is further ordered, adjudged and decreed that said Emma Howell Covey, shall not again marry except to said Henry Covey,

until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Henry Covey, during the pendency of said appeal

This 11th day of September, 1926
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.

No. 570.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Emma Howell Covey.

vs.

Henry Covey.

DECREE OF DIVORCE.

Filed in office this

13th

day of

Sept

, 192

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T. W. Richardson

Register.

E. O. M.

STATE OF ALABAMA.

BALDWIN COUNTY.

EMMA HOWELL COVEY
Complainant

-vs-

HENRY COVEY,
Respondent.

)
IN EQUITY

)
CIRCUIT COURT

)
BALDWIN COUNTY, ALABAMA.

TO THE HON. JOHN D. LEIGH, JUDGE OF THE TWENTY-FIRST
JUDICIAL CIRCUIT IN EQUITY:

Your Complainant, Emma Howell Covey respectfully represents unto your Honor that she is now and has been for more than three years next immediately preceeding the filing of this Bill of Complaint, a bona fide resident of Tensaw in Baldwin County, Alabama; that she is of sound mind and over the age of twenty-one years and brings this complaint against Henry Covey who is of sound mind and over the age of twenty-one years and resides at or near Mt. Vernon in Mobile County, Alabama, and Complainant charges:

FIRST:

That in November 1913 she was lawfully married to Henry Covey at Tensaw in Baldwin County, Alabama, and lived with him as his lawful wife until the month of May 1921.

SECOND:

That on or about the month of May 1921 the said Henry Covey without just cause voluntarily deserted and abandoned your Complainant and has never since returned to her nor contributed to her support.

PRAYER FOR PROCESS:

Your Complainant prays that such orders and decrees be made and entered as will make the said Henry Covey party respondent to this Bill of Complaint for divorce for abandonment; and that he be required to plea, answer or demur to this Bill of Complaint within the time allowed by law or that the same be conferred against him.

PRAYER FOR RELIEF:

Your Complainant further prays that upon final hearing of this cause that your Honor will grant unto her a decree of divorce from the bonds of matrimony from the said Henry Covey and to grant to her such other and further or different relief as to your Honor may seem just and proper and as in duty bound she will ever pray etc.

Emma Howell Covey

FOOTNOTE: -

The Respondent, Henry Covey is required to answer each and every allegation and paragraph of the above complaint from One to Two inclusive but not under oath, as oath to the same is hereby expressly waived.

Emma Howell Covey

by STONE & STONE
Attorneys for Complainant.

1st

Original Bill

RECORDED

Filed Feb 24/1926
J. W. Williams
Register

RECORDED

EMMA COVEY,
Complainant,

-vs-

HENRY COVEY,
Defendant.

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

Comes the defendant and for answer to the Bill of Complaint in this cause filed denies the allegations thereof and demands due proof thereof. Defendant waives any notice of taking testimony or submission in this cause.

Sworn to and subscribed before
me, a Notary Public whose seal
is hereto affixed this 17th day of
~~June~~, 1926.

July E. V. Kenty
Notary Public, Mobile County, Ala.

(AFFIX SEAL)

Henry Covey
Defendant.

2

2nd

Emma Covey

vs

Henry Covey

Answer

Filed July 19th 1926

T. W. Richmond
Register

RECORDED

RECORDED

RECORDED

8581 NOTE OF TESTIMONY

Emma Howell Covey.

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.....
.....

vs.

Henry Covey.

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.....

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,
Answer of Defendant, and testimony of Emma Howell Covey and
Fred Howell,

and in behalf of Defendant upon

.....
.....
.....

J. W. Rice
Register.

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No. 570

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Emma Horrell
Covey.

RECORDED

VS

Henry Covey.

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of Aug 1926

T. W. Richardson

Register

MOORE PTG CO

RECORDED

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No. 570. August 5th, 1926. Term, 192

Emma Howell Covey. Complainant

vs.

Henry Covey. Defendant

To T.W. Richerson, 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 Norborne Stone,

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.

Norborne Stone,
Solicitor for Complainant.

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Emma Howell Covey.

vs.

Henry Covey.

REQUEST FOR DECREE IN
VACATION

FILED August 5th, 1926.

T. W. Ricurson

Register

RECORDED

RECORDED

RECORDED IN RECORD

VOL. PAGE

Register