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No. 576.

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Washington K. Emmons,

vs.

Caldonia Emmons.

REQUEST FOR DECREE IN
VACATION

FILED May 18th 1926

T. W. Richardson
Register

WARD

REC'D
REC'D

RECORDED IN RECORD

VOL. PAGE

Register

STATE OF ALABAMA,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No.

576.

Spring

Term, 1926

Washington H. Emmons,

, Complainant

vs.

Caldonia Emmons,

, 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 Mon. Chas. 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.

Charles Hall

Solicitor for Complainant.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
No. 576. May 3rd, 1926.

Washington H. Emons,

Complainant

vs. Caldonia Emons,

Defendant

In this cause it appears to the Register that the order of publication here-
tofore made in this cause, was published for four consecutive weeks, commencing on the 4th
March, 1926, in the Baldwin Times,
a newspaper published in Baldwin County, Alabama, that a copy of said order was posted at the Court
House door in Baldwin County, on the 4th,
March, 1926.

And it now further appearing to the Register, that the said

Caldonia Emons,

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-
fore, on motion of Complainant, ordered and decreed by the Register that the
Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

Caldonia Emons,

This 3rd, day of May, 1926

T. W. Richardson

Register.

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No. 576.

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THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Washington H. Emons,

vs.

vs.

Caldonia Emons,

DECREE PRO CONFESSO ON
PUBLICATION.

Issued May 3rd, 1926

T. W. Dickerson
Register.

Recorded in Record

Vol. Page

Register.

RECORDED
RECORDED
RECORDED

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No. 576.

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Washington H. Emons,

Complainants.

Vs.

Caldonia Emons,

Defendants.

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION.

Filed May 1st 1926

T. W. Rice
Register.

Recorded in Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

RECORDED

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 576. May 3rd, 1926

Washington H. Emmons,

Complainants

vs.

Caldonia Emmons,

Defendants

Motion is hereby made for a Decree Pro Confesso against

Caldonia Emmons,

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 1st day of May 1926

Charles Hall

746 Code.

Solicitor.

Washington H. Emmons
Complainant.

vs

Caldonia Emmons
Defendant.

STATE OF ALABAMA.

BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

This the First day of March, 1926.

In this cause it is shown by the affidavit of Washington H. Emmons appended to the Bill of Complaint filed in this Court by him, as Complainant that the Defendant Caldonia Emmons is over the age of twenty-one years and is a non-resident of the State of Alabama, and her Post Office address is unknown and cannot be ascertained after diligent search and inquiry. It is therefore ordered that publication be made in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks requiring the said Caldonia Emmons to answer or demur to the allegations of the Bill of Complaint in this cause by the 3rd day of April, 1926 or after thirty days therefrom a Decree Pro Confesso may be taken against her.

Charles H. Hall
Solicitor for Complainant.

W. M. Richardson

11/2

Field Rec - 1st 1926
D. McNeill

RECORDED

Before me Charles Hall, a Notary Public for said County in said State personally appeared Washington H. Emmons, who is known to me, and whose name is signed to the above Bill of Complaint and being sworn by me he states that he has read the above Bill of Complaint subscribed by him and knows the contents thereof and that the same are true of his own knowledge, except as to matters which are therein stated to be on his information and belief, and as to those matters he is informed and believes them to be true.

Washington H. Emmons

Subscribed and sworn to before me this

26th day of February, 1926.

Charles Hall
Notary Public Baldwin County, Ala.

STATE OF ALABAMA, COUNTY OF BALDWIN.

Washington H. Emmons, Complainant. : IN THE CIRCUIT COURT OF BALD-
vs. : WIN COUNTY IN EQUITY.
Caldonia Emmons, Defendant. :

TO THE HON. JOHN D. LEIGH, AS JUDGE OF THE 21st. JUDICIAL CIRCUIT
OF ALABAMA.

Your Orator Washington H. Emmons, a resident of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your honor that during the month of November 1916 your Orator intermarried with said Caldonia Emmons, formerly Caldonia Clay at Mobile in Mobile County, Alabama and that they lived together for several years as man and wife, most of the time residing in the County of Baldwin, State of Alabama, and orator has been a bona fide resident of Baldwin County for more than three years next before the commencement of this suit.

Second: That more than three years ago the said Caldonia Emmons abandoned voluntarily your orator's bed and board and has since that time has continuously remained away. Your orator states that he has made diligent inquiry and search to ascertain the whereabouts of the said Caldonia Emmons and has been unable to do so and in the belief of your orator said Caldonia Emmons is a non resident of the State of Alabama and her residence is unknown to your orator, that she is over the age of twenty-one years; and your orator charges her with voluntary abandonment.

Third: The premises considered your orator prays that an order against said Caldonia Emmons be made and published as required by law notifying and requiring her to answer or demur to this Bill of Complaint within the time required by law; and that upon the final hearing your honor will grant your orator a decree of absolute divorce from the said Caldonia Emmons and that such other relief may be granted to your orator as your honor may deem proper.

Charles Hall
Solicitor for Complainant.

Washington H. Emmons

THE STATE OF ALABAMA, :
: :
BALDWIN COUNTY. :
: :

PUBLISHED EVERY THURSDAY

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

R. B. VAIL
EDITOR AND PROPRIETOR

BAY MINETTE ALA.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

R. B. Vail, being duly sworn, deposes and says that he is
the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay
Minette, Baldwin County, Alabama; that the notice hereto attached of _____

NOTICE TO NON-RESIDENT
State of Alabama, Baldwin County,
Circuit Court, in Equity.
Washington H. Emmons, Complainant,
vs. Caldoma Emmons, Defendant.
This the First day of March, 1926,
In this cause it is shown by affi-
davit of Washington H. Emmons ap-
peared to the Bill of Complaint filed
in this Court by him as Complainant
that the Defendant Caldoma Emmons
is over the age of one year,
and is also a resident of the State of
Alabama and her Post Office address
is unknown and cannot be ascertained
after diligent search and inquiry. It
is therefore ordered that publication
be made in the Baldwin Times, a
newspaper published at Bay Minette,
in Baldwin County, Alabama, once a
week for four consecutive weeks, re-
quiring the said Caldoma Emmons to
answer or demur to the allegations of
the Bill of Complaint in this cause by
the 30th day of April, 1926, or after
thirty days therefrom a Decree Pro
Consequente may be taken against her.
T. W. RICHMOND
Charles Hall, Solicitor for Complainant.
5-47

Was published in said Newspaper for 4 consecutive weeks in the following

issues:

Date of first publication	<u>Mon 4</u>	<u>1926</u>	Vol. <u>37</u>	No. <u>5</u>
Date of second publication	<u>" 11</u>	<u>"</u>	Vol. <u>37</u>	No. <u>6</u>
Date of third publication	<u>" 18</u>	<u>"</u>	Vol. <u>37</u>	No. <u>7</u>
Date of fourth publication	<u>" 25</u>	<u>"</u>	Vol. <u>37</u>	No. <u>8</u>

Subscribed and sworn to before the undersigned this 7th day of

April 1926
T. W. Richmond
Circuit Court,

R. B. Vail
Publisher.

-ITE, A

DI 196 111 196

*Filed April 7th/1926.
P.W. Rice
Register*

V

Largest Weekly Circulation in South Alabama

Bay Minette, Ala., 4/1/26

M

J. W. Richardson

clerk

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779

The State of Alabama, }
Baldwin County.

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

Washington H. Emmons. Complainant.

VS.

Caldonia Emmons Respondent.

I, T.W. Richerson

as Register and Commissioner of the Circuit Court of Baldwin County, Ala., in Equity

have called and caused to come before me Richard Scott of near Bay Minette, Ala.,
Jacob Mc Queen, and Washington H. Emmons,

witness named in the Requirement for Oral Examination, on the 12 day of May
1926, at the office of the Register of the Circuit Court of said County
in Bay Minette, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said witness ^{es} Richard Scott

doth depose and say as follows:

Deposition of Richard Scott:

My name is Richard Scott, I am over seventy five years of age,
I live in this County about five miles from Bay Minette, I live
in about one mile of Washington H. Emmons, I have known Washington
H. Emmons for the last twelve or fifteen years. He is my near
neighbor. I knew his wife Caldonia Emmons, she left Washington
more than three years ago and has never returned to live with him,
I have lived at the place I am now living since 1873. I visit
Washington H. Emmons frequently. I frequently meet him at church.
I have not seen Caldonia Emmons in the last past three years for
that reason I am satisfied that she has not lived with Washington
H. Emmons during the last past three years. I certainly would have
seen her had she lived with Washington H. Emmons as his wife during
the three years, I mean the three years just before March, 1926.
Prior to three years previous to March, 1926 Caldonia Emmons claimed
to be the wife of the said Washington H. Emmons. Some four or five
years ago Washington H. Emmons told me that he was married to Cal-
donia Emmons. It has been more than three years since I have seen
Caldonia Emmons. Had she been anywhere around my neighborhood in
the last past three years I would have seen her.

T.W. Richerson
Pub. McQueen
J.W. Allison

Richard Scott
Richard Scott
1926

Deposition of Jacob McQueen:-

.....Jacob McQueen having first been sworn as a witness in this cause to speak the truth and the whole truth and nothing but the truth doth depose and say as follows:.. My name... is Jacob McQueen, I am over forty five years of age and have been a Minister of the gospel for the last past sixteen years... I am personally acquainted with Washington H. Emmons, whose name appears, as Complainant in this cause, I was personally acquainted with Caldonia Emmons, formerly Caldonia Clay, she at one time lived in Mobile County, Alabama... I was called on by Washington H. Emmons to perform a marriage ceremony between himself and said Caldonia Clay, during the month of November, 1916 the exact date I do not remember, I did perform the marriage ceremony for said named parties during the month of November, 1916, I married them while in Mobile County, Alabama... Several times after I married them I saw them living together as husband and wife and I know that they lived together for several years as husband and wife... Some three or four years ago said Washington H. Emmons came to me and told me that his wife Caldonia had left him and ask me to locate her and reconcile her... I saw Caldonia three or four different times after she abandoned Washington H. Emmons and she said to me that she would not live with him any longer... When I last heard from Caldonia I was told that she went to the State of Pennsylvania and married while there... I received this information from her brother Abe Davis, about a month ago. I have not seen Caldonia in the last three or four years although I frequently visit Bay Minette and sometimes go in the neighborhood where she and Washington lived together in Baldwin County, Alabama. I know nothing more about this matter.

Jacob McQueen

Deposition of Washington H. Emmons.

Washington H. Emmons, the Complainant in this cause having been first duly sworn as a witness in this cause to speak the truth, the whole truth and nothing but the truth doth depose and say as follows: My name is Washington H. Emmons, I am the complainant in this cause, I am over forty five years of age. I was married to Caldonia Clay the defendant in this cause in Mobile County, Alabama, during the month of November, 1916, and of course after I married her she became my wife and after I married her she lived with me between four and five years. I do not remember the exact date she left me. I have not seen Caldonia Emmons at anytime during the last past three or four years and during that time she has not written me and I have had no correspondence nor connection with her during the last past three or four years. Just after Caldonia left me I asked Rev. Jacob McQueen to see her and talk with her and try to get her to come back to me, he told me that he did this and he said to me that she told him that she would not live with me any longer. She voluntarily abandoned me.

Washington H. Emmons

ORAL EXAMINATION.

I, T.W. Richerson, 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 them and they signed the same in the presence of myself and Hon. Chas. Hall, Atty for Complainant, 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 18th day of May 1926 T.W. Richerson (L. S.)

NO. 586. PAGE

THE STATE OF ALABAMA BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Washington H. Emmons

vs. Complainant

Caldonia Emmons.

Respondent.

Oral Deposition

Filed May 18th, 1926.

T.W. Richerson Register.

Recorded in

Record

Vol. Page

Register

The State of Alabama, }
Baldwin County.

No. 576.

CIRCUIT COURT, IN EQUITY

Washington H. Emmons,

Complainant

vs.

Caldonia Emmons,

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 Washington H. Emmons,

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 Washington H. Emmons 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 Caldonia Emmons,

It is further ordered, adjudged and decreed that said Washington H. Emmons, shall not again marry except to said Caldonia Emmons, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Caldonia Emmons, during the pendency of said appeal

This 29th day of May 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. 576.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Washington H. Emmons,

vs.

Caldonia Emmons,

DECREE OF DIVORCE.

Filed in office this

31st

day of

May

, 192

W. H. Emmons
Register.

E. O. M.

*Recorded
in minutes
Page 212*

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