

(1339)

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

TOM ROBERSON Complainant

VS.

EMILY ROBERSON Respondent

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

on Personal Service 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 Tom Roberson is forever divorced from the said Emily Roberson

for and on account of 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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

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

This 26th day of July, 1945
[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. 1339 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

TOM ROBERSON

vs. Complainant

EMILY ROBERSON

Respondent

DIVORCE DECREE

Filed this 27 day of

July, 1945

[Handwritten Signature]

Register

STATE OF ALABAMA
BALDWIN COUNTY

)
)
)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Emily Roberson to appear and plead, answer or demur, within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, at Bay Minette, Alabama in which Bill of Complaint Tom Roberson is Complainant and Emily Roberson is the Respondent.

Witness my hand and seal this 21 day of May, 1945.

F.S. Duck
Register.

TOM ROBERSON,)	IN THE CIRCUIT COURT OF
Complainant,)	
)	BALDWIN COUNTY, ALABAMA
VS.)	
)	
EMILY ROBERSON,)	IN EQUITY.
Respondent.)	

Comes your Complainant, Tom Roberson, and files this his Bill of Complaint for Divorce against Emily Roberson and shows unto your Honor as follows:-

FIRST:

That both your Complainant and the Respondent are over twenty-one years of age and resident citizens of Baldwin County, Alabama residing at Bay Minette and have been such resident citizens for more than twenty years next immediately preceeding the filing of this Bill of Complaint.

SECOND:

That your Complainant and the Respondent were married on heretofore, to-wit, August, 1924 and lived together as man and wife until, on to-wit, April 4, 1944 at which time the Respondent voluntarily abandoned your Complainant without just cause or legal excuse and she has failed and refused to live with him as his wife since that time.

PRAYER FOR PROCESS AND RELIEF:

The premises considered your Complainant prays that the above named Emily Roberson be made party defendant to this Bill of Complaint by the usual Writ or Process of this Honorable Court, requiring her to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this

cause your Honor will grant unto your Complainant an absolute Divorce from said Respondent and that your Honor will also Decree that your Complainant be allowed to remarry if he sees fit. Should your Complainant be mistaken in the relief prayed for that there be granted to him such other, further, different and general relief to which he is entitled and as in duty bound he will ever pray.

Tom Roberson
Complainant.

HYBART & CHASON
Solicitors for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

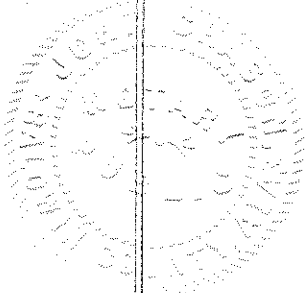
Before me, John Chason, a Notary Public in and for said State and County, personally appeared Tom Roberson, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath as follows:

That his name is Tom Roberson; that he is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama. That he is the Complainant in the suit for Divorce filed by him in the Circuit Court of Baldwin County, Alabama, In Equity, on May 21, 1945, in which suit Emily Roberson is the Respondent. That the said Emily Roberson is not a member of the Armed Forces of the United States of America, within the meaning of the Soldier's and Sailor's Civil Relief Act of 1940 as amended.

Tom Roberson

Sworn to and subscribed
before me this 23rd day
of July, 1945.

John Chason
Notary Public, Baldwin County,
Alabama.



Case No. 1339

RECORDED

AFFIDAVIT

TOM ROBERSON,
Complainant,

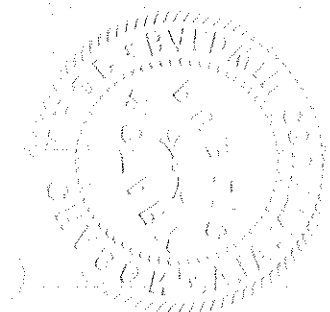
VS.

EMILY ROBERSON,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED: July 20, 1945

R. R. [Signature]
Register.



1339

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

TOM ROBERSON

Complainant

VS.

EMILY ROBERSON

Respondent

I, Evelyn Nelson

as Register and Commissioner

have called and caused to come before me Tom Roberson

witness named in the Requirement for Oral Examination, on the 23rd day of July, 1945, at the office of Hybart and Chason in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said TOM ROBERSON doth depose and say as follows:

My name is Tom Roberson. I am over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, residing at Bay Minette, Alabama. I have been a resident citizen of Baldwin County for more than twenty years next immediately preceeding the filing of my suit for Divorce against Emily Roberson, which suit for Divorce was filed by me in the Circuit Court of Baldwin County, Alabama, In Equity, on May 21, 1945. Emily Roberson, the Respondent in said cause, is over the age of twenty-one years and is a resident citizen of Baldwin County, Alabama, residing at Bay Minette, Alabama. I married the said Emily Roberson in the Month of August, 1924, and we lived together as man and wife until April 4, 1944, at which time the said Emily Roberson voluntarily abandoned me without just cause or legal excuse and she has failed and refused to live with me as my wife since that time.

Tom Roberson

ORAL EXAMINATION.

I, Evelyn Nelson, as ~~Register~~ Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witness—and read over to him and he signed, the same in the presence of myself and John Chason

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 23rd day of July, 1945.

Evelyn Nelson (L. S.)

NO. 1339 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Tom Roberson

vs. Complainant

Emily Roberson

Respondent.

Oral Deposition

Filed July, 1945

Robert, Register.

Recorded in

Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. 1339

Circuit Court, In Equity.

TOM ROBERSON

Complainant

Vs.

EMILY ROBERSON

Defendant

Motion is hereby made for a Decree Pro Confesso against Emily Roberson

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

This 22 day of July 195

By Paul Sherman Solicitor.

RECORDED

No. 1339

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

TOM ROBERSON

Complainant

Vs.

EMILY ROBERSON

Respondent

Motion for Decree Pro Confesso on
Personal Service

Filed July 23rd 19 45

R. Welch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

The State of Alabama,
Baldwin County.

No. 1339... CIRCUIT COURT IN EQUITY.

TOM ROBERSON Complainant

vs.

EMILY ROBERSON Defendant

In this cause it appears to the Register
that a summons requiring the Defendant Emily Roberson

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days
after the service of said Summons upon the said Emily Roberson
was served upon her by the Sheriff of Baldwin County, Alabama, on the
22nd day of May 19.45

And the said Defendant... having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of Hybart & Chason as Solicitors for
Complainant,
ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things
taken as confessed against the said Emily Roberson

..... Defendant aforesaid.

This 23rd day of July 1945

Richard

Register.

RECORDED

No. 1339 Page.....

**The State of Alabama,
Baldwin County.**

CIRCUIT COURT, IN EQUITY

TOM ROBERSON

Complainant

vs.

EMILY ROBERSON

Respondent

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued July 23 19 45

Radford

Register.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Evelyn Nelson

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Tom Roberson

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Tom Roberson is

Complainant and Emily Roberson is

Defendant, on oath to be by you administered, upon him

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness this 23rd day of July, 1945.

R. J. [Signature]

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

NO. 1339

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

TOM ROBERSON

Complainant

vs.

EMILY ROBERSON

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

TOM ROBERSON

Complainant

vs.

EMILY ROBERSON

Respondent

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, _____
Summons, Decree Pro Confesso on Personal Service, Testimony
of Tom Roberson

and in behalf of Defendant upon _____

Rodney

Register.

*Debra J. ...
Solicitor for ...*

No.

1339

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

TOM ROBERSON

Complainant

vs.

EMILY ROBERSON

Respondent

NOTE OF TESTIMONY

Filed in Open Court this 25

day of July, 1945

Rowell

Register.

Printed by The Baldwin Times, Bay Minette.

1945 JUL 25 10 58 AM

Rowell
Emil