

The State of Alabama, Baldwin County

CIRCUIT COURT

To WILLIAM K.AIR	ŒN	8.7 8.7 8.8		
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missioner, and by these presents	•		may appoint, to	call before you
and examine MRS. G.E.BA	ENES and THELMA E.	TOMPKINS		
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as witnesses in behalf of	COMPT A TREADUR			
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				REGISTER
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WITNESS' FEES, \$				

WITNESSES: MRS. G.E.BAFNES TLMA E.TOMPKINS	COMMISSIONER: WILLIAM K. AIKEN	Defendant MISSION TO TAKE DEPOSITION	Vs. Complainant Vs. E. TOMPKINS	THELMA B. TOMPKINS		Alabama	
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THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
Baldwin County, Ala.

vs

wILTON E. TOWPKINS

DECREE OF DIVORCE

day of March, 19 33

Agrice this 31st

Register.

E. O. M.

Register.

IN LHE

CIRCUIT COURT OF BRIDWIN COUNTY, AIA.

IN EGULTY.

COMPLA INAMT, THEIMA E. TOMPKINS,

VERBUS

KESPONDENT. MILTON E. TOMPKINS,

Answer of Respondent.

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respondent.

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The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

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

H. H. SMITH Solienter for Complainant Recorded in Vol Page	THEIMA E. TOMPKINS vs. WILTON E. TOMPKINS			No. SUMMONS	Circuit Court of Baldwin County In Equity
the within summons, this the 28th day of March, 1933. March, 1933. Binstonnews.	. Defendant	by leaving a copy of the within Summons wi	Sheriff. Executed thisday of	Received in office this	THE STATE OF ALABAMA, BALDWIN COUNTY
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Thelma E. Tompkins,
Complainant,
IN THE CIRCUIT COURT OF BALDWIN

-vsCOUNTY, ALABAMA. IN EQUITY.

Wilton E. Tompkins, Respondent.

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT, SITTING

IN EQUITY:

Your complainant, Thelma E. Tompkins, brings this her bill of complaint against the said respondent, Wilton E. Tompkins, and respectfully alleges and represents unto your Honor and the Court as follows:

- l. That your complainant is a bona fide resident of the State of Alabama, and has been such for more than three years next preceding the filing of this her bill of complaint, residing, during all of said period, in Mobile, Mobile County, Alabama. That the respondent, Wilton E. Tompkins, resides in, and is a bona fide resident of Baldwin County, Alabama. That complainant and respondent are each over the age of twenty-one years.
- 2. That complainant and respondent were lawfully married on the date of October 26, 1927, at Pascagoula, Mississippi, by a justice of the peace, and lived together as man and wife until, to-wit: March 15, 1928. That on said date of, to-wit: March 15, 1928, the respondent voluntarily abandoned the bed and board of complainant and that complainant and respondent, since said last date, have not lived together as man and wife or otherwise. That said abandonment was without fault on complainant's part as she always acted toward respondent as a dutiful wife should. That complainant therefore charges the respondent, Wilton E. Tompkins, with voluntary abandonment from bed and board for two years next preceding the filing of this her bill of complaint.

WHEREFORE, the premises considered, your complainant prays unto your Honor and the Court that the said Wilton E. Tompkins be made a party respondent to this her bill of complaint, and that due process, in accordance with law and the rules and practice of this Court, forthwith issue for service upon him.

And your complainant further prays that upon the final hearing of this cause Your Honor and the Court will be pleased to and will give to the complainant a decree of absolute divorce from the said Wilton E. Tompkins, in and by said decree dissolving the bonds of matrimony now existing between them and giving and granting to complainant permission to remarry should she so desire. And your Complainant further prays for such other, further and different relief as in equity she may be entitled to receive, etc.

Solicitor for Complet nant.

FOOT-NOTE:

The respondent is hereby required to answer each and every allegation of the foregoing bill of complaint, but not under oath, oath thereto being expressly waived.

Solicitor for Complainant.

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THE STATE OF ALABAMA,

BALDWIN COUNTY.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY.

THELMA E.TOMPKINS, Complainant,

VS•

WILTON E.TOMPKINS, Respondent.

The Complainant requests the oral examination of the following named witnesses on her behalf, viz:- Mrs. W.E. Barnes and Thelma E.Tompkins, said witnesses reside in the County of Mobile, State of Alabama.

William K.Aiken is suggested as a suitable person to be appointed commissioner to take the deposition of said witnesses on such oral examination.

N. T. Gree Smith

SOLICITOR FOR COMPLAINANT.

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THE STATE OF ALABAMA

CIRCUIT COURT OF BALDWIN COUNTY

IN EQUITY,

BALDWIN

COUNTY

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Filed in Open Court this .. ?..

Register

MECONALI Page.

THE STATE OF ALABAMA BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

REQUEST FOR DECREE IN

VACATION

FILED.

RECORDED IN

STATE OF ALABAMA, Baldwin County.	No. No. Vacation Term, 192
	PA 11 Complainant
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Milto	n E. Tomphins, Defendant
To Micherson	, Register:
In the above stated cause a Dec	cree Pro Confesso having been taken against the Defendant, the cause being ready for submission for final decree, and no
defense having been interposed, the	Complainant, by Wilton E. Doruphins
	Scheiters of record, now files with the Register of this Court upers in this cause to the Judge for final decree in vacation.
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Willon C. Somphine Complainant.

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a, and having first sworn said witnesses. to speak the	in Mobile , Alabam
teet Street	19 53, at the office of 55 St. Mi
Examination, on the S9 day of March	witnesses named in the Requirement for Oral
	Barnes
nted in said Court in said cause	ss Registerszand XCommissioner <u>duly appoi</u>
	I, William K. Aikin
RESPONDENT	Wilton E. Tompkins
COMPLAINAUT.	
	Thelms E. Tompkins
Circuit Court of Baldwin County, Alabama,	smadslA to state of Alabama yango on State of Alabama
Moore Ptg. Co., Bay Minette, Ala.	ORAL DEPOSITION

Wilton E. Tompkins, my husband.

I am over the age of twenty-one years and was at the time of the filing of the bill of complaint in this cause. I am a bona fide resident of Mobile County, Alabama, and have resided in Mobile, Mobile County, Alabama, and of the State of Alabama, for more than three County, Alabama, and of the State of Alabama, for more than three years next preceding the filing of this bill of complaint in this cause.

The respondent, Wilton E. Tompkins, is over the age of twenty-one years and was so at the time of the filing of said bill of complaint. He, the said Wilton E. Tompkins, is a bone fide resident of Baldwin County, Alabama, residing at Bay Minette, Alabama.

Myself and the said Wilton E. Tompkins were lawfully married on the date of October 26, 1927, at Padcagoula, Mississippi, by a justice of

Myself and the said Wilton E. Tompkins were lawfully married on the date of October 26, 1927, at Padcagoula, Mississippi, by a justice of the peace whose name I do not now remember. Immediately after the ceremony we came back to Mobile, which was my home. He did not have a job and so could not give me a home and I was forced to live on

with my parents at their home. We were with each other almost all of the time until the fifteenth of March, 1928, when he just quit having anything at all to do with me. We have not lived together as man and wife of or otherwise since March 15, 1928. He never did contribute anything toward my support since our marriage, up to the time he finally quit having anything to do with me or since that time. I tried to get him to come back to me, but he avoided me in every way that he could, and went to California about four years ago, stayed there for about three years and finally came back to Baldwin County to live about one year ago. He went to California immediately after or about the time of our separation. Such separation was without my consent, and I wanted and tried to get him to come back, but without success. I did not hear from him while he was gone and have not heard from him since except through some of our friends. He has absolutely avoided me since our Separation in March, 1928. I therefore state that his abandonment of me was without fault on my part, as I always acted toward him as a dutiful wife should. Such abandonment occurred more than two years next preceding the filing of the bill of complaint in this cause.

Philmon & Finghine

And the said Mrs. W. E. Barnes doth depose and say as follows:

My name is Mrs. W. E. Barnes. I am over the age of twenty-one years and Mrs. Thelma E. Tompkins is my sister. I know that she is over the age of twenty-one years and has been a bona fide resident of the State of Alabama for more than three next preceding the filing of the bill of complaint in this cause, in fact having lived here in Mobile, Mobile County, Alabama, all of her life. Wilton E. Tompkins, the respondent, is over the age of twenty-one years and resides at Bay Minette, Baldwin County, Alabama, and has so resided form more than the past year.

I remember when my sister, the complainant, married him. It was in October, 1927. They went to Pascagoula, Mississippi and got married. They came on back to my parents' home in Mobile, Alabama, that night. They lived together until about March 15, 1928, when the respondent Wilton E. Tompkins went to California and left her. After he came back from there, he came on to Bay Minette to live. I know that my

sister, the complainant, was deeply in item love with him and did everything that she could to please him and tried to get him a home. He was not able to do so at the time and never did, the instead left Mobile and has not been back so far as I know.

Their separation occurred in March, 1988. I see her every day and nearly every night, and know that they have not lived together as man and wife since March, 1988, but that they have been entirely separated since that time. Such abandonment was it think, without separated since that time. Such abandonment was it think, without apparated since that time. Such abandonment was it think, without work and take care of her and take care of her. She has had to work and take care of herself, as he never contributed anything to work and take care of herself, as he never contributed anything



Direct Examination by H. Embree Smith, Solicitor for Complainant.

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I, <u>William K. Aikin</u>	, as **Registre xxxix Commissioner hereby certify
that the foregoing deposition so on Oral Exami	nation 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
myselfWilliam K. Aikin	
at the time and place herein mentioned; that I	have personal knowledge of personal identity of said
witnesses or had proof made before me of t	he identity of said witness es; that I am not of
counsel or of kin to any of the parties to said c	ause, 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 _	29 day of <u>March</u> 19 33.
	Killiam 75. Cir Cos

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