

1021

STATE OF ALABAMA.  
BALDWIN COUNTY.

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

NO. 1021.

ANNIE HICKS,  
Complainant,  
vs.  
J. WELCH HICKS,  
Defendant.

This cause coming on to be heard, 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 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 the complainant is forever divorced from the defendant on the ground of voluntary abandonment.

It is further ORDERED that the said Annie Hicks pay the costs herein taxed, for which execution may issue.

It is further ORDERED, ADJUDGED AND DECREED that said Annie Hicks shall not again marry, except to said J. Welch Hicks, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not marry again, except to said J. Welch Hicks, during the said pendency of appeal.

It is further ORDERED that the said Annie Hicks and J. Welch Hicks be and they are hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

March 16<sup>th</sup> 1932

J. W. Hare  
Judge of Circuit Court of  
Baldwin County, Alabama.

RECORDED

ANNIE HICKS,  
Complainant,

vs.

J. WELCH HICKS,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.  
NO. 1021.

D E C R E E

*Filed Dec 17/1932*  
*W. H. Williams*  
*Register*

---

BERBE & HALL  
LAWYERS  
BAY MINNIE, ALA.

8581 NOTE OF TESTIMONY

Annie Hicks,.....

.....

.....

vs.

J. Welch Hicks,.....

.....

.....

.....

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,-----  
decree pro confesso and testimony of Mrs. Annie Hicks and Mrs J.B. Newberry

.....

.....

.....

.....

.....

and in behalf of Defendant upon-----

.....

.....

.....

*W. B. Newberry*

Register.

RECORDED

No. 1021.

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

Annie Hicks

VS

J. Welch Hicks,

NOTE OF TESTIMONY

Filed in Open Court this 15th  
day of March, 1932. 192

Register

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA, IN EQUITY:

Comes your complainant, ANNIE HICKS, and humbly complain-  
ing against J. WELCH HICKS, respectfully represents and shows unto  
your Honor as follows:

FIRST:

That both the complainant and respondent are over twenty-  
one years of age and bona fide residents of Baldwin County, Alabama,  
and have been such residents for more than three years next pre-  
ceding the filing of this bill of complaint.

SECOND:

That your complainant and the respondent were married in  
Camden, Alabama, on September 4, 1921; that they lived together as  
husband and wife until on, to-wit, April 9, 1929.

THIRD:

That on, to-wit, April 9, 1929, the respondent voluntari-  
ly abandoned your complainant and has remained away from her volun-  
tarily and continuously since that time.

WHEREFORE, the premises considered, your complainant  
prays that your Honor will by proper process make the said J. Welch  
Hicks party respondent to this bill of complaint, requiring him to  
plead, answer or demur to the same within the time and under the  
penalties prescribed by law and the practice of this Honorable  
Court.

Your complainant further prays that upon a final hearing  
of this cause your Honor will grant unto her an absolute divorce,  
forever barring the bonds of matrimony existing between her and  
the respondent, J. Welch Hicks. And as in duty bound your com-  
plainant will ever pray.

Mrs Annie Hicks  
Complainant.

Beeler & Stace  
Solicitors for Complainant.

FOOT NOTE:

The respondent is required to answer each and every allegation contained in the foregoing bill of complaint, in Paragraphs "FIRST" to "THIRD" inclusive, but not under oath, oath being hereby expressly waived.

x Mrs Annie Hicks  
Complainant.

Beebe & Stoen  
Solicitors for Complainant.

**RECORDED**

ORIGINAL.

ANNIE HICKS,  
Complainant,

vs.

J. WELCH HICKS,  
Respondent.

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

BILL OF COMPLAINT.

*Filed for 3rd 1902  
J. P. Welch  
Register*

---

BREBBE & HALL  
LAWYERS  
BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

{ No. 1021 CIRCUIT COURT IN EQUITY.

*Annie Hicks*

Complainant

VS.

*J. Welch Hicks*

Defendant

Motion is hereby made for a Decree Pro Confesso against

*J. Welch Hicks*

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

This

*5<sup>th</sup>*

day of

*March*

19

*32*

*Beebe & Stoll*

Solicitors



No.

**RECORDED**

**The State of Alabama,**

Baldwin County.

**CIRCUIT COURT, IN EQUITY**

*Amie Nicks*

vs.

*J. Melch Nicks*

**MOTION FOR DECREE PRO  
CONFESSO ON PERSONAL SERVICE**

Filed

*March 5<sup>th</sup> 1932*

*T. W. Riecken*

Register.

Recorded in \_\_\_\_\_ Record,

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

**The State of Alabama** {  
Baldwin CountyCircuit Court of Baldwin County, Alabama,  
(In Equity)

MRS. ANNIE HICKS,

COMPLAINANT

VS.

J. WELCH HICKS,

RESPONDENT

I, STONEWALL McCONICO, as Commissioner,~~as Register and Commissioner~~

have called and caused to come before me

MRS. ANNIE HICKS and MRS. J. B. NEWBERRY,witness es named in the requirement for Oral Examination, on the 10 day of March,1932, at the office of Stonewall McConicoin Camden, Alabama, and having first sworn said witness es to speak the  
truth, the whole truth, and nothing but the truth, the saidMRS. ANNIE HICKS

doth depose and say as follows:

My name is Mrs. Annie Hicks. I am the complainant in the above styled cause, and am a resident of Baldwin County, Alabama, over twenty-one years of age, and have been such a resident for more than three years next preceding the filing of this bill of complaint. That the respondent, J. Welch Hicks, is over twenty-one years of age, a bona fide resident of Baldwin County, Alabama, and has been such a resident for more than three years next preceding the filing of this bill of complaint. The respondent and I were married at Camden, in Wilcox County, Alabama, on September 4, 1921. We lived together as man and wife until on, to-wit, April 9, 1929. That on, to-wit, April 9, 1929, the respondent voluntarily went away, or abandoned me, and has remained away voluntarily and continuously since that time. We were living in Baldwin County, Alabama, at the time he abandoned or left me. Since the respondent left me he has contributed nothing toward my maintenance and support, and I have necessarily had to support myself. I am at present temporarily sojourning with my mother, Mrs. J. B. Newberry, in Camden, Wilcox County, Alabama.

X Mrs. Annie Hicks

MRS. J. B. NEWBERRY, a witness for the complainant, being duly sworn to tell the truth, the whole truth and nothing but the truth, doth depose and say:

My name is Mrs. J. B. Newberry. I am a resident of Camden, in Wilcox County, Alabama. I am the mother of Annie Hicks, the complainant in the above styled cause. I know that on or about April 9, 1929, J. Welch Hicks, the respondent in the above styled cause, and the husband of my daughter, Annie Hicks, voluntarily went away or abandoned my daughter and has remained away from her voluntarily and continuously since that time. The respondent, since abandoning my daughter, has contributed nothing toward her support and maintenance. I know that she has been called upon to support herself. My daughter, Annie Hicks, is a resident of Baldwin County, Alabama, but is at present temporarily staying with me in Camden, Alabama.

X Mrs. J. B. Newberry

ORAL EXAMINTAIION

I, Stonewall McConico, 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 es and read over to them and they signed the same in the presence of myself and \_\_\_\_\_ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es 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 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 10 day of March, 1932.

Stonewall McConico (L. S.)  
Judge of Probate

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

MRS. ANNIE HICKS,

COMPLAINANT

VS.

J. WELCH HICKS,

RESPONDENT

ORAL DEPOSITION

Filed March 15th, 1932

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

**J. WELCH HICKS**

of **BALDWIN** 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

**ANNIE HICKS**

against said **J. WELCH HICKS**

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 3rd day of

February 193 2

*T. W. Richerson* Register

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

(ORIGINAL)

SERIALIZED  
**RECORDED**

Circuit Court of Baldwin County  
In Equity

No. \_\_\_\_\_

SUMMONS

ANNIE HICKS

vs.

J. WELCH HICKS

BREBE & HALL

Solicitor for Complainant

Recorded in Vol \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 19\_\_\_\_

Sheriff,

Executed this 3<sup>d</sup> day of

Feb. 1932

by leaving a copy of the within Summons with

Defendant,

Sheriff.

Deputy Sheriff.

The State of Alabama, {  
Baldwin County }

CIRCUIT COURT

To Hon. Stonewall McConico,

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 Mrs. Annie Hicks and Mrs. J. B. Newberry, of Camden, Alabama.

as witnesses in behalf of Mrs. Annie Hicks in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Mrs. Annie Hicks

Complainant

and J. Welch Hicks

Defendant,

on oath to be by you administered, upon to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 8th day of March 1932

*Stonewall McConico*

REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

NO. 1021

**The State of Alabama**  
**BALDWIN COUNTY**  
**CIRCUIT COURT**

Mrs. Annie Hicks

Complainant  
vs.

J. Welch Hicks

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

*Donnell H. Conner*

WITNESSES:



8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 1021. Vacation Term, 192<sup>32</sup>

Annie Hicks, Complainant

vs.

J. Welch Hicks, 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 Beebe & 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.

Beebe & Hall  
Solicitor for Complainant.

RECORDED

No. 1021

Page

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Annie Hicks,

vs.

J. Welch Hicks,

REQUEST FOR DECREE IN  
VACATION

FILED

March 15th,

1922

Register

RECORDED IN RECORD

VOL. PAGE

Register

The State of Alabama, {  
Baldwin County.

No. 1021.

CIRCUIT COURT, IN EQUITY

Annie Hicks,

Complainant.

vs.

J. Welch Hicks

Defendant.

In this cause it appears to the Register  
that a Summons requiring the Defendant J. Welch Hicks,


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 J. Welch Hicks,  
was served upon him by the Sheriff of Baldwin County, Alabama, on the  
3rd day of Feb 19 32

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 Beebe & Hall,

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 J. Welch Hicks,

Defendant aforesaid.

This 7th day of March 19 32

  
Register.

RECORDED

No. 1021 Page

The State of Alabama,  
Baldwin County

Circuit Court In Equity

Annie Hicks

vs.

J. Welch Hicks,

Decree Pro Confesso On  
Personal Service.

Issued March 7th 1932

*Mr. Welch*

Registered