

271

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 CHARLES EMORY PIERCE  
Escambia County, Myrtle Grove, Fla.

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 Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

NANCY ALICE PIERCE

against said CHARLES EMORY PIERCE

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, Robert S. Duck, Register of said Circuit Court, this 5th day of November 1936

R. S. Duck Register

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

The State of Alabama,  
Baldwin County.

{ No. 271 CIRCUIT COURT IN EQUITY.

NANCY ALICE PIERCE, Complainant  
vs.

CHARLES EMORY PIERCE Defendant

In this cause it appears to the Register, R. S. Duck  
that a summons requiring the Defendant Charles Emory Pierce

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 said respondent  
was served upon him by ~~the xxxxxxxx~~ Registered mail ~~xxxxxx, xxxxxxxx~~ on the  
7th day of November 19 36

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 & Beebe  
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 Charles Emory Pierce

Defendant aforesaid.

This 7th day of January 19 37

R. S. Duck Register

NANCY ALICE PIERCE,  
Complainant,  
VS.  
CHARLES EMORY PIERCE,  
Respondent.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint, decree pro confesso and testimony as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of habitual drunkenness.

IT IS FURTHER ORDERED THAT the Complainant be and she is hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said NANCY ALICE PIERCE shall not again marry, except to the said CHARLES EMORY PIERCE, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said CHARLES EMORY PIERCE, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant be restored her maiden name: Nancy Alice Baggett.

Dated at Monroeville, Monroe County, Alabama, this the 8<sup>th</sup> day of January, 1937.

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

NANCY ALICE PIERCE,  
Complainant,  
vs.  
CHARLES EMORY PIERCE,  
Respondent.

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

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

Comes your Complainant, NANCY ALICE PIERCE, and humbly  
complaining against the Respondent, CHARLES EMORY PIERCE, respect-  
fully represents and shows unto your Honor and this Honorable Court  
as follows:

FIRST:

That she is over twenty-one years of age and a resident  
of Baldwin County, Alabama, and has been for more than twelve months  
next preceding the filing of this Bill of Complaint; that the Re-  
spondent is over twenty-one years of age, and is a non-resident  
of the State of Alabama, his Post Office address being Myrtle Grove,  
Escambia County, Florida.

SECOND:

That your Complainant and the Respondent were married on  
April 24th, 1921, and lived together as husband and wife until in  
June, 1934.

THIRD:

That the Respondent, after their marriage, became addicted  
to habitual drunkenness, and continued to grow worse from time to  
time, until to-wit, in June, 1934, when the Complainant was forced  
to leave him.

WHEREFORE, the premises considered, Complainant prays  
that your Honor will, by proper process, make the said CHARLES  
EMORY PIERCE party respondent to this Bill of Complaint, requir-  
ing 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.

Complainant further prays, that upon a final hearing of

this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, and that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Rebestall & Rebe  
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.

Rebestall & Rebe  
Solicitors for Complainant.

FINAL DECREE

RECORDED  
Book  
2-236

NANCY ALICE PIERCE,

Complainant,

VS.

CHARLES EMORY PIERCE,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN CHANCERY.

Filed Jan 9 1931  
D. S. Buck  
Register

No. ....

Page .....

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

**CIRCUIT COURT, IN EQUITY**

VS.

DECREE PRO CONFESSO ON  
PERSONAL SERVICE *by*

*Register of Deeds*

Issued *Jan. 7* 19*37*

*R. S. Blucke*  
Register.

Serve on \_\_\_\_\_

**Circuit Court of Baldwin County  
IN EQUITY**

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

**S U M M O N S**

VS.

Solicitor for Complainant

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

*Week*  
**RECORDED**  
*6-5-36*

**THE STATE OF ALABAMA,  
BALDWIN COUNTY**

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

day of \_\_\_\_\_, 193\_\_\_\_\_

\_\_\_\_\_  
SHERIFF

Executed this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ 193\_\_\_\_\_

by leaving a copy of the within Summons with \_\_\_\_\_

\_\_\_\_\_

Defendant

Sheriff

By \_\_\_\_\_  
Deputy Sheriff



The State of Alabama,  
Baldwin County.

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

NANCY ALICE PIERCE ..... Complainant.

VS.

CHARLES EMORY PIERCE ..... Respondent.

I, ROBERT S. DUCK .....

as Register and Commissioner .....

have called and caused to come before me Nancy Alice Pierce and T. L. Baggett .....

witnesses named in the Requirement for Oral Examination, on the 6th day of January .....

1937., at the office of Clerk of the Circuit Court of Baldwin County, Alabama .....

in Bay Minette ....., Alabama, and having first sworn said witnesses to speak the .....

truth, the whole truth, and nothing but the truth, the said Nancy Alice Pierce .....

..... doth depose and say as follows:

My name is Nancy Alice Pierce. I am the Complainant in the above styled cause. .....

I am over twenty-one years of age and a resident of Baldwin County, Alabama, .....

and have been for more than twelve months next preceding the filing of the ....

Bill of Complaint in this cause. ....

The Respondent, Charles Emory Pierce, is over twenty-one years of age and a .....

non-resident of the State of Alabama, his last known address being Myrtle .....

Grove, in Escambia County, Florida. ....

Charles Emory Pierce and I were married April 24th, 1921, at Muscogee, Florida, .....

We lived together until in June, 1934. ....

Soon after we were married, the Respondent, Charles Emory Pierce, became ad- .....

dicted to habitual drunkenness; that he drank heavily from time to time, almost .....

continuously. This condition grew worse from time to time until it became .....

such a degree that it was impossible for me to live with him. He scarcely .....

provided for me and the last year or so I lived with him he provided me with .....

nothing and it was necessary for me to support myself. ....

It was absolutely impossible for me to live with him as his wife. He has con- .....

tributed nothing at all toward my support since the early part of 1934. ....

Nancy Alice Pierce

ORAL EXAMINATION.

I, ROBERT S. DUCK, as Register and Commissioner hereby certify that the foregoing deposition S. 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 ----- at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness as or had proof made before me of the identity of said witness as; 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 7<sup>th</sup> day of January 1937.

Robert S. Duck (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

NANCY ALICE PIERCE

vs. Complainant

CHARLES EMORY PIERCE

Respondent.

Oral Deposition

Filed Jan 7, 1937

R. S. Duck, Register.

Recorded in

Record

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

Register

The State of Alabama,  
Baldwin County.

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

NANCY ALICE PIERCE ..... Complainant.

VS.

CHARLES EMORY PIERCE ..... Respondent.

I, ROBERT S. DUCK .....

as Register and Commissioner .....

have called and caused to come before me Nancy Alice Pierce and T. L. Baggett .....

witnesses named in the Requirement for Oral Examination, on the 6th day of January .....

1937, at the office of Clerk of the Circuit Court of Baldwin County, Alabama .....

in Bay Minette ....., Alabama, and having first sworn said witnesses to speak the truth, the whole truth, and nothing but the truth, the said Nancy Alice Pierce .....

..... doth depose and say as follows:

My name is Nancy Alice Pierce. I am the Complainant in the above styled cause.

I am over twenty-one years of age and a resident of Baldwin County, Alabama,

and have been for more than twelve months next preceding the filing of the

Bill of Complaint in this cause.

The Respondent, Charles Emory Pierce, is over twenty-one years of age and a

non-resident of the State of Alabama, his last known address being Myrtle

Grove, in Escambia County, Florida.

Charles Emory Pierce and I were married April 24th, 1921, at Muscogee, Florida,

We lived together until in June, 1934.

Soon after we were married, the Respondent, Charles Emory Pierce, became ad-

dicted to habitual drunkenness; that he drank heavily from time to time, almost

continuously. This condition grew worse from time to time until it became

such a degree that it was impossible for me to live with him. He scarcely

provided for me and the last year or so I lived with him he provided me with

nothing and it was necessary for me to support myself.

It was absolutely impossible for me to live with him as his wife. He has con-

tributed nothing at all toward my support since the early part of 1934.

*Nancy Alice Pierce*

T. L. BAGGETT, a witness for the Complainant, being first duly sworn, deposes  
and says:

My name is T. L. BAGGETT. I live at Muscogee, in Baldwin County, Alabama.

I am the father of Nancy Alice Pierce, the Complainant in the above styled  
cause. My daughter married Charles Emory Pierce sometime in 1921; they lived  
near me all the time and I had a chance to observe the conditions existing  
between them. Soon after they were married the Respondent became a habitual  
user of liquor to such an extent that it was absolutely impossible for my  
daughter to live with him. He, while they were living together, worked only  
at times, and then the money he collected was thrown away in a good time and  
he did not support his wife.

I know of my own personal knowledge that it was impossible for my daughter,  
the Complainant, to live with him.

T L Baggett

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

} No. 271 CIRCUIT COURT IN EQUITY.

NANCY ALICE PIERCE

Complainant

vs.

CHARLES EMORY PIERCE

Defendant

Motion is hereby made for a Decree Pro Confesso against

Charles Emory Pierce,

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of  
**by registered mail;**  
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 7th day of January 1937

*Robert Lee Beck*

Solicitor.

NANCY ALICE PIERCE,

Complainant,

vs.

CHARLES EMORY PIERCE,

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 by registered mail, Motion for Decree Pro Confesso, Decree  
Pro Confesso on Service by Registered Mail, Testimony of Nancy  
Alice Pierce and T. L. Baggett, Request for Decree in Vacation, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and in behalf of Defendant upon \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*R. S. Duck*

Register.

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 271 ..... January ..... Term, 1937

NANCY ALICE PIERCE, ..... , Complainant.

vs.

CHARLES EMORY PIERCE, ..... , Defendant.

To R. S. DUCK ..... , 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 & Beebe

..... 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 & Beebe* .....

Solicitor for Complainant.

No. ....

Page .....

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

VS.

REQUEST FOR DECREE IN  
VACATION

FILED

*Jan 7,*

*1952*

*R. S. Duck*

Register

RECORDED IN ..... RECORD

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Register



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

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**The State of Alabama**  
BALDWIN COUNTY

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**IN EQUITY**  
**Circuit Court of Baldwin County**

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VS.

  

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**NOTE OF TESTIMONY**

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Filed in Open Court this 7<sup>th</sup>

day of January 1937

R. J. Duck

REGISTER

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

Page \_\_\_\_\_

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

**CIRCUIT COURT, IN EQUITY**

vs.

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

*Registered Notice*

Filed *Jan. 2* 19*37*

*E. S. Duck*

Register.

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

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

Register.

Myrtle Grove

11-13-34 Fla

Mr Robt. S. Duck  
Clerk Circuit Court  
Bayonetville Ala

Dear Sir:-  
in the regards to the suit that  
Nancy Alice Pierce, has brought  
against my sister your Court  
Her People worked for three  
years trying to separate her and I  
and when they final got me in  
jail By another Party, they  
came to my home and took  
it down for what they would  
from it. of things that was my  
own and some of them being  
mine before our marriage

and this all was did in  
State of Fla. ius wrote to  
wife that if she would  
go to my sister home. of the  
following.

1 our 5 Drawer Drop head Sewing  
Sewing machine, 1 our  
Trunk, 1 our 25 Piece Reg  
Silver ware set, 1 album  
Pictures, and one Distit  
was given to me by my  
mother, that idd drop the  
thing that was taken away  
Head Chicken Bopring and  
Linning case + Etc. I am  
Engineer on a sea going  
& happen to be in Port when I  
gave notice & did not slip Ba

out on the ship and staying  
 here. Expecting to prove that  
 my wife has not been a  
 Resident of Baldwin County  
 Ala since June 28th 1924  
 Has most of that time has been  
 spent in Pensacola Fla. from  
 home to home with her bro. +  
 sister. + that they bragged that  
 they was going to get her from  
 myself + that I did worship  
 her + do love her up until now  
 + expect to prove that I was not  
 a Habitual Drunkard + expect  
 to prove that she was not forced  
 away from my home by my  
 own self. I have offered to  
 her that if she would believe

my Property to Mrs E. T. Hill  
 Home that she could get a  
 for them no more or no  
 than what we asked for.  
 I would not appear to Pleas  
 I have talked to Mr John  
 Cap. he is a lawyer here in  
 Pensacola Fla. + he told me that  
 I had good grounds to Pleas  
 the charge on + advised me  
 to get a Bayminette a la law  
 as it would be cheaper for  
 + I have told my wife if she  
 would be sister my I will  
 back as asked to avoid other  
 trouble. Cause I am going  
 get them + do not want to  
 have any trouble in the

way of going to her Father home  
 & demanded from her she should do  
 so sometimes some before this  
 month expires. That he is not  
 appear in court with a lawyer  
 & witnesses to prove that she is  
 not at least entitled to any  
 degree divorce on the said  
 charge that is placed against  
 my self. I expect to prove that  
 out of her Brother went to the  
 County Judge here & demanded  
 a divorce for her with out  
 her being with him. in less  
 than one week's time after  
 they broke my home up this  
 last time the County Judge  
 told him what a divorce was

& when I was to go to get it  
 & I expect to prove that it  
 is the third time they broke  
 Peace in fact broke up my  
 home & that my wife has  
 to come back to me since I  
 got her this time & I expect  
 to prove that at this time my  
 Brother says his Brother a  
 the new Post Plant that  
 he would send out that no  
 get Emma Camp Ma Harp  
 would get get time. & he  
 Brother married my wife  
 & he had no cause to be ag  
 me. his just only a Punk  
 they took this case out of ge  
 to make a charge out of it

thinking they could put it over  
 myself so they know that they  
 can not make a go of it here so  
 they have tried some time to get  
 me here & again I've got no record  
 in the courts here of being any  
 habitual drunkard & can show  
 the court that my wife has  
 been forced into this by her  
 people she has told them long  
 time ago that she did not want  
 any divorce & if she will answer  
 in truth to my questions she'll  
 be a good witness also in  
 this case in my own behalf

Resp yours

Charles Emory Pierce

(over)

P.S.

Please notify your Lawyers  
about this for they not  
witness them any thing  
But ask going to defend my  
Self unless they will give  
up my Property & Freedom  
& copy from the Courts and  
hand get the case to do so  
I'll know if they can get  
me out on a sea voyage &  
Put it over me But happened  
I came into Port & my ship  
was delayed in getting out  
again soon

CEP

# RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

*Charles Emory Pierce*  
(Signature or name of addressee)

(Signature of addressee's agent)

Date of delivery *Nov 7*, 19 *36*

Form 3811 U. S. GOVERNMENT PRINTING OFFICE 6-5-36

*C. E. Pierce  
Myrtle Springs  
Fla*



*Mr Robert S. Duck  
Clerk Circuit Court  
Baldwin County Ala  
Bagnyquette Ala*

*Recd Nov 11 1936*



RECEIPT FOR REGISTERED ARTICLE No. 287

Postage paid, 1-5 class postage paid, 1-5, 1936  
(Date)

Red wax seal, None Surety paid, \$ 0.00  
Sender, Robert S. Duda  
(Sender)

Addressed to Charles Emory Pierce  
Myrtle Brook, (except via A.P.)  
(Post office and State)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee 3  in person  Special delivery fee 2  
Delivery restricted to addressee  Fee paid 10 Postmaster, per 2

