

NOTICE TO NON-RESIDENT.

Moore Ptg. Co—Bay Minette.

E. C. Flowers

No.

vs.

Elma Flowers

The State of Alabama,

Baldwin County.

Circuit Court, in Equity.

This the 9th day of

July, 1923

In this cause it being made to appear to the Clerk of this Court by the affidavit of E. C. Flowers

that the Defendant

Elma Flowers

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant is over the age of 21

years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

Defendant the said Elma Flowers

to answer or demur to the Bill of Complaint in this cause by the 10th day of

August 1923, or after thirty days therefrom a decree Pro Confesso may be

taken against Elma Flowers

M. A. Stone Register.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
No. 67 September Term, 19234

E. C. Flowers Complainant
vs. Elma Flowers Defendant

In this cause it appears to the Register M. A. Stone that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 9th day of July, 19234, in the Baldwin Times a newspaper published in Bay Minette Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 9th day of July, 19234, and

And it now further appearing to the Register M. A. Stone, that the said Elma Flowers

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register M. A. Stone that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Elma Flowers, Defendant

This 10th day of September 19234

M. A. Stone Register.

State of Alabama)
Baldwin County .)

Before me W. H. Hawkins Notary Public in for said state and county,

Personally appeared E.C. Flowers, who is known to me and who being by me being first duly sworn, does on oath despose and say: That he his the complainant in the cause of E.C. Flowers vs Elma Flowers now pending in the Circuit Court of Baldwin County, Alabama; that to the best of his knowledge information and belief the said Elma Flowers is a nonresident of the state of Alabama and resides some where in the State of Texas, but whose Post office address is unknown. That affiant and defendant Elma Flowers are now both over the age of twenty one years.

Subscribed and sworn to before me this E. C. Flowers
3 day of February, 1934

W. H. Hawkins
Notary Public for Baldwin County, Alabama

The State of Alabama }
 Baldwin County }

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

E. C. Flowers

COMPLAINANT

VS.

Elma Flowers

RESPONDENT

I, M. A. Stone,

as Register and Commissioner of the Circuit Court of Baldwin County

have called and caused to come before me E. C. Flowers, John Dubose,

witnesses named in the requirement for Oral Examination, on the 11th day of September
 1934, at the office of M. A. Stone, Register in Chancery
 in Bay Minette, Alabama, and having first sworn said witnesses to speak the
 truth, the whole truth, and nothing but the truth, the said E. C. Flowers

doth depose and say as follows:

E. C. FLOWERS

My name is E. C. Flowers, I am 39 years old. I have been a citizen a Baldwin County, Alabama, practically all my life. I go off from time to time to get work but I always return to my home here in Bay Minette and High Pine in Baldwin County.

Elma Flowers and myself were married at Pensacola, Florida on December 17th, 1916. We have lived together as husband and wife until ~~the~~ March 15th, 1933 when we separated and since said time we have not lived together as husband and wife. After we married we lived together as husband and wife in different places, to-wit near Nokomis, at High Pine, in Baldwin County, near Bay Minette. When we separated as husband and wife, we were living at Port Arthur, Texas, where I had gone to get work. About this time, March 15, 1933 my wife, Elma Flowers, took up with a person named Arthur Green, and went out with him openly and lived in a state of Adultery with him. On one occasion, I caught her in company with said Green in a compromising position and she, my wife, joined with her paramour ~~the~~ said Arthur Green and beat me up most cruelly. After this

The State of Alabama, }
Baldwin County

No. 67

CIRCUIT COURT IN EQUITY

E. C. Flowers

Complainant

vs.

Elma Flowers

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

Adultery

It is further ordered, that the said E. C. Flowers 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 E. C. Flowers 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 Elma Flowers

It is further ordered, adjudged and decreed that the said E. C. Flowers shall not again marry except to said Elma Flowers until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Elma Flowers

during the said pendency of appeal

This 14th day of Sept

1934

[Signature]

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY

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 _____, 19____,

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 _____, 19____

Register

Circuit Court, Baldwin County, Ala.,

IN EQUITY.

#167

E. O. Flowers
vs.
Elma Flowers

PLAINTIFF

DEFENDANT

BILL OF COST

	Dollars	Cts.		\$	Cts.
Fees of Register			AMOUNT BROUGHT FORWARD		
Filing each bill and other papers 7	\$ 10	70	For receiving, keeping and paying out or distributing money, etc. 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.		
Issuing each Subpoena	50		Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received.		
Issuing each copy thereof	40		Each Notice Sent by Mail to Creditors	15	
Entering each return thereof	15		Filing, Receipting for and Docketing each Claim, etc.	25	
For each Order of Publication	1 00	1 00	For all entries on Subpoena Docket, etc.	50	
Issuing Writ of Injunction	1 50		For all entries on Commission Docket, etc.	50	
For each Copy thereof	50		Making Final Record, per hundred words	15	
Entering each return thereof	15		Certified Copy of Decree	1 00	
Issuing Writ of Attachment	1 00		Report of Divorce to State Health Office	50	
Entering each return thereof	15		Acts 1915		
Docketing each case	1 00	1 00	Total Fees of Register		
Entering each Appearance	25				
Issuing each Decree Pro Confesso on personal service	1 00		FEEES OF SHERIFF		
Issuing each Decree Pro Confesso on publication	1 00	1 00	Serving and Returning Subpoena on Deft.	\$ 150	
Each Order Appointing Guardian	1 00		Serving and Returning Subpoena for Witness	65	
Any other order by Register	50		Levyng Attachment	3 00	
Issuing Commission to Take Testimony	50		Entering and Returning same	25	
Receiving and Filing	10	10	Entering and Returning Execution	25	
Endorsing each package	10	10	Selling Property Attached	25	
Entering Order Submitting Cause	50	50	Impaneling Jury	75	
Entering any other Order of Court	25	50	Executing Writ of Possession	2 50	
Noting all Testimony	50	50	Collecting Execution for Costs	1 50	
Abstract of Cause, etc.	1 00	75	Serving and Returning Sci. Fa., each	65	
Entering each Decree	75		Serving and Returning Notice	65	
For Every Hundred Words Over Five Hundred	15		Serving and Returning Writ of Injunction	1 50	
Taking Account on Reference	3 00		Serving and Returning Writ of Exeat	1 50	
Taking Testimony, etc.	15		Taking and Approving Bonds, each	1 00	
Each Report, Five Hundred Words or less	2 50		Collecting Money on Execution		
For every Hundred Words Over Five Hundred	15		Making Deed	2 50	
Amount Claimed, Less than Five Hundred Dollars, etc.	2 00		Serving and Returning Application	1 00	
Issuing each Subpoena	25		Serving Attachment, Contempt of Court	1 50	
Witness Certificate, each	25		TOTAL FEES OF SHERIFF		
Issuing Execution, each	75				
Entering each Return	15		Recapitulation		
Taking and Approving Bond, each	1 00		Register's Fees		
Making Copy of Bill, etc.	15		Sheriff's Fees	8 15	
Each notice not otherwise provided for	50		Commissioner's Fees	5 00	
Each Certificate or Affidavit, with Seal	50		Solicitor's Fees		
Each Certificate or Affidavit, no Seal	25		Witness Fees		
Hearing and passing on application for Receiver or Trustee	3 00		Guardian Ad Litem		
Each Settlement with Receiver or Trustee	3 00		Printer's Fees		
Examining each Voucher of Receiver or Trustee	10		Trial Tax	3 00	
Examining each Answer on Exception	3 00		Recording Decree in Probate Court		
Recording Resignation or Suggestion of Death of Trustee	75				
Entering each Certificate to Supreme Court	50		Total		
Taking Questions and Answers, etc.	25				
For all other service relating to such proceedings	1 00				
For service in proceeding to relieve minors, etc. same fee as in similar cases.					
Commission on sales, etc.: 1st \$100, 2 percent; all over \$100, and not exceeding \$1000, 1 1/2 per cent; all over \$1,000 and not exceeding \$20,000, 1 per cent; all over \$20,000, 1-4 of 1 per cent.					
Sub Total Carried Forward - - -		5.65			
			<i>paid 9/15/34</i>		
				16	15

Received payment this _____ day of _____ 193_____

NOTE: Unless the above costs in this cause are paid within ten days of the present date, execution will be issued and placed in the hands of Sheriff for collection, creating more costs. Register.

2. Your Orator further alleges and states as a fact that the respondent, the said Elma Flowers, was guilty of adultery and adulterous conduct with divers and other sundry persons after they moved to live at Port Arthur Texas and your Orator has never condoned or in any way forgave respondent for adultery with the said Arthur Green and other sundry persons

3. Your Orator further alleges that both your Orator, the said E.C Flowers, and the respondent, the said Elma Flowers are over the age of twenty one years; that your Orator 's residence is High Pine, near Bay Minette, but is residing temporarily at Crichton In Mobile County, Alabama and that the residence of the respondent is to your Orator unknown .

Wherefore, Your Orator prays that the respondent, the said Elma Flowers, by proper process of this honorable court be brought before this honorable court and directed to answer the charges herein made against her under the rules of this honorable court; that she may be made a aprty defendant to this Bill of Complaint and that upon a final hearing of the evidence in the cause, that your Honor will order, adjudge and decree that the bonds of matrimony heretofore existing between your Orator and the respondent, the said Elma Flowers, be forever dissolved and that your Orator be permitted to marry again and that he be granted such other and further relief as may in equity and good conscience seem meet and proper to your Honor.

And your Orator will ever pray etc

S. Jenkins

Solicitor for the Complainant

Foot Note:

The respondent is required to answer each and every paragraph of the foregoing Bill of Complaint from item 1 to item 3 inclusive but not under oath, her oath to her answer is hereby expressly waived .

S. Jenkins

Solicitor for the Complainant .

E. C. Flowers, Complainant
vs
Elma Flowers, Respondent

In The Circuit Court of Baldwin
County, Alabama.
In Equity .

To The Honorable Francis W Hare, Judge of the Twenty First Judicial Cir -
cuit of Alabama, which includes Baldwin County :

Humbly complaining, Your Orator, the said E. C. Flowers, respectfully rep-
resents unto Your Honor as follows:

1. Your Orator, E. C. Flowers and Elma Flowers, the respondent, were -
legally married at Pensacola Florida, on December 17th, 1916 and lived
together as husband and wife until , towit, March 15th, 1933, when they
separated and since said time they have not lived together as husband and
wife ; they lived together at different places after marriage; towit at
Nokomis, at High Pine in Baldwin County and near Bay Minette and at -
other places, towit Port Arthur Texas, wher they moved in order that your
Orator could get work and where they were living, when the separation oc-
curred, on towit, March 15th, 1933; at this time Your Orator caught the
said Elma Flowers, the r-respondent in adultery with one, Arthur Green ;
in fact respondent about this time actually took up with the said per-
son , Arthur Green, and went out openly with him to places and when he
, Your Orator remonstated with her as to her conduct with the said Green,
respond-ent and the said Arthur Green, her paramour, joined in a fight on
your Orator on the night of March 15th, 1933, and beat your Orator up
most cruelly and then respondent left the bed and board of your Orator
and went to live with the said Arthur Green and your Orator came back to
Baldwin County, Alabama and has lived here ever since, to wit March, 1933
He resided at High Pine, at Nokomis, and Stockton in Baldwin County
and he has claimed to be a citizen and r esident of Baldwin County, all
of his life, being raised near High Pine in said County; he has to go to
places to get work and is now residing temporarily at Crichton in
Mobile County, where he went to get work; but your Orator claims Bay
Minette and High Pine as his home and goes back and forth from there to
get work wherever he can find it and he has been a resident of Baldwin
County, Alabama since he became of age and since he married in 1916,
except the short time he resided at Port Arthur Texas, where he went to
get work in 1932. Respondent is a nonresident of the State of Alabama and
her last known place of resident was Port Arthur Texas .

67

Circuit Court, Baldwin County, Ala.
In Equity.

No.

VS.

Cost Bill

Paid _____ 193

Register.

67

No. _____

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
Baldwin County, Ala.

vs

DECREE OF DIVORCE

Filed in office this _____

day of _____, 19____

Register.

E. O. M. _____

ORAL EXAMINATION

I, M. A. Stone 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 S. C. Jenkins 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 witness es; 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 11th day of September 19 34.

M. A. Stone (L. S.)

No. 67 Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed Sept 11 th, 1934

M. A. Stone, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

S. C. JENKINS

ATTORNEY-AT-LAW

BAY MINETTE, ALA.

67

~~RECORDED~~

Affidavit

Filed July 9th 1934
W. A. Stone
Register

No. 67

Page

67

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

E. C. Flowers

vs.

Elma Flowers

DECREE PRO CONFESSO
ON PUBLICATION

Issued September 10th, 1934

W. A. Stone
Register.

Recorded in Record

Vol. Page

Register.

Moore Printing Company, Bay Minette, Ala.

67

NO. 67

H. C. FLOWERS

VS.

Elma FLOWERS

Order of Publication

Filed on this the 9th
day of JULY, 1934.

W. H. Stewart
Register.

July 18, 34

M. A. Stone

NOTICE TO NON-RESIDENT
The State of Alabama, Baldwin County, Circuit Court in Equity. This the 9th day of July, 1934.

E. C. FLOWERS, No. 67 vs. ELMA FLOWERS

In this cause it being made to appear to the Clerk of this Court by the affidavit of E. C. Flowers, that the Defendant, Elma Flowers, is a non-resident of the State of Alabama, and further that in the belief of said Affiant, the Defendant is over the age of 21 years, it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Defendant, the said Elma Flowers, to answer or demur to the Bill of Complaint in this cause by the 10th day of August, 1934, or after thirty days therefrom a decree Pro Confesso may be taken against Elma Flowers.

M. A. STONE, Register, 244t

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$1.50 PER YEAR IN ADVANCE
ADVERTISING RATES GIVEN ON APPLICATION

Flowers vs Flowers

60 W. 4 1/2 ¢

Paid

720

200

\$ 420

(5)

8601 Motion for Decree Pro Confesso on Publication.

The State of Alabama,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 67 September Term, 1923 34

E. C. Flowers,

Complainants

vs.

Elma Flowers

Defendants

Motion is hereby made for a Decree Pro Confesso against

Elma Flowers

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 10th day of September 1934

746 Code.

S. C. Jenkins

Solicitor.

E. C. Flowers,

 vs.

Elma Flowers

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, _____
 Notice of To Non-Resident, Affidavit of Non-Residence, Proof of
 Publication, Order of Publication, Motion for Decree Pro Confesso
 on Publication, Decree Pro Confesso on Publication, Oral
 Deposition of E. C. Flowers, John Dubose, Riley Cravey,

and in behalf of Defendant upon _____

M. A. Stone

Register.