

239

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 Louise Thomas,

of Mobile, 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

Louis Thomas,

against said

Louise Thomas,

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 26th, day of June,

1920.

T. W. Richerson
Register.

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

Copy
Louise Thomas
e on

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Louise Thomas

July 21st 1920
D. W. Riceman
Register

vs.

Louise Thomas

W. M. Webb

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this _____
day of _____ 192

Sheriff

Executed this _____ day of
_____ 192

by leaving a copy of the within summons with

Defendant

Sheriff

By _____
Deputy Sheriff

I hereby accept service of the
within summons and waive the 30 da
days notice, required by law and ag
gree that decree-proconfesso be
taken at once.

Louise Thomas
Defendant.

June 30th 1920

Handwritten notes and signatures on the reverse side of the document.

Louis Thomas)
Complainant)
VS) Circuit Court, Baldwin County, Alabama;
Louisa Thomas)
Respondent)
IN EQUITY.

Now Comes the Complainant in this cause by his Solicitor and in answer to cross bill of respondent says:

First.

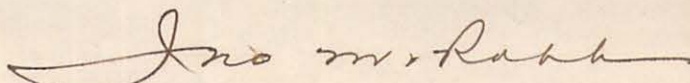
Complainant admits respondent to be the mother of four children, and that it is necessary feed cloth and send them to school but deny that are without means, and that together with the labor of her oldest boy and the amount paid by Complainant is sufficient for their station in life.

Second.

Complainant admits that he is an able bodied man, but denies he was forced to leave Baldwin County but left on his own discretion and did not leave or promise any body that he would leave the state of Alabama.

Third.

Complainant admits there was a decree rendered in the Circuit Court of Baldwin County in favor of Louisa Thomas, to the effect to pay her \$50. per month for the support of herself and children, and deny that any part of said amount has not been paid and alleges that the amount has been paid direct to respondent each month and for which Complainant holds receipt.


Solicitor for Complainant

Copy of the within answer is furnished Page and Moorer Solicitors for respondent.

The State of Alabama)
Baldwin County) Circuit Court, Baldwin County, Alabama,

IN EQUITY.

T. W. Richerson, Register, Baldwin County, Alabama:

Request is hereby made to you for the oral examination of the following witness for Complainant in the case of Louis Thomas VS Louisa Thomas suit for divorce in the circuit Court of Baldwin County, Louis Thomas, the Complainant, G. W. Miller J. A. Huggins and others that might be examined by Complainant in said cause, and that commission be issued by you to C. F. Rankin, Register in Chancery, for Escambia County, Alabama; said examination to be had at Brewton Alabama, at 130 P. M. on the 29th day of March 1921. That notice be issued by you and served on Page and Moorer attorney's of record, for the respondent, or upon the respondent Louisa Thomas, advising them of the day set for for the taking of the testimony of witnesses for Complainant on said day.

Jno M Rankin

Sol - for Complainant

Louis Thomas)

VS)

Louisa Thomas)

Circuit Court Baldwin County, Alabama, IN EQUITY

To Louisa Thomas or her Solicitors of Record, Page and Moorer, Bayminette, Alabama:

You will take notice that the Complainant, Louis Thomas, has filed with the Register of the Circuit Court of Baldwin County, Alabama, a written request for oral examination of the following witnesses in said cause, Namely Louis Thomas, the Complainant, G. W. Miller, J. A. Huggins and other witnesses that he might produce, and that the Register of the circuit court of Baldwin county, Alabama, will issue a commission to C. F. Rankin of Brewton Alabama, Register in Chancery of Escambia County, Alabama, to take the testimony of said witnesses at his office in Brewton, Alabama, on the 29th day of March 1921 at 130 P.M. and continue from day to day thereafter until completed.

Witness my hand and seal this 18th day of March 1921.

J. M. Rabb

Register in Chancery for the
County of Baldwin in the State of
Alabama

John M. Rabb, Sol. for Complainant

The State of Alabama)
Escambia County)

I Henry Moorer of the firm of Page and Moorer, solicitors of record for respondent, hereby accept service of the within notice, and expressly waive the necessity of service of same upon me by any officer of law.

Dated this 19th day of March 1921.

Henry Moorer

Solicitors for Respondent.

NOTE OF TESTIMONY.

Louis Thomas

vs.

Bayouette

In Chancery, at ~~Brewton~~, Alabama.

Louisa Thomas

.....

.....

.....

.....

.....

Complainant, being called, offers the following testimony, to-wit:

1st. Louis Thomas

2d. ~~Louisa Thomas~~

3d. G. W. Miller

4h. J. A. Haggins

5h. C. T. Lee

6h.....

Defendant, being also called, offers the following testimony, to-wit;

1st.....

2d.....

3d.....

4h.....

No

CHANCERY COURT

Escambia County, Ala.

Louis Thomas

vs.

Lucia Thomas

NOTE OF TESTIMONY.

Filed in office 30th day

March 1971

T W Picurson

Register, &c.

5th

6th

I hereby certify that the above Note of Testimony is correct this

902

day of March - 1971

T W Picurson

Register

Copy

LOUIS THOMAS,)
Complainant.)
vs)
LOUISA THOMAS,)
Defendant.)

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

Comes the Defendant, Louisa Thomas, by her attorneys, Page & Moorer and moves the court to stay the proceedings in the above styled cause and assigns the following reasons:

1. That the Complainant, Louis Thomas, is in contempt of this court.
2. That the Complainant, Louis Thomas, is guilty of contempt of this court in that he has failed to abide by and obey a decree heretofore rendered by this court requiring the said Louis Thomas to pay the sum of Fifty and 00/100 (\$50.00) Dollars into this court on or before the 20th day of each month hereafter, and that the said decree is dated November 20th, 1918, wherefore the Defendant moves the court to stay the proceedings in the above styled cause until the said amount has been paid.

PAGE & MOORER,
Solicitors for Defendant.

The State of Alabama, Escambia County.

CIRCUIT COURT, IN EQUITY.

Louis Thomas Complainant

vs.

Louisa Thomas Defendant

Deposition of Louis Thomas, Complainant, G. W. Miller, J. A. Huggins and C. P. Lee

By virtue of the appointment to take the Deposition, indorsed in writing, on the Interrogatories by the Solicitor filing the same, in the above stated cause pending in said Court of said County, I,

G. F. Rankin, Register of said Court of said County, have called and caused to come before me Louis Thomas, G. W. Miller, J. A. Huggins, and C. P. Lee

the witness es named in the Interrogatories, and having first sworn the said witness es to speak the truth, the whole truth and nothing but the truth, the said witness deposes and says as follows:

Louis Thomas being sworn says:

My name is Louis Thomas, I am the Complainant in this cause, I am over the age of 21 years, Louisa Thomas is over the age of 21 years, We are both resident citizens of Alabama, Complainant is a resident citizen of Escambia County Alabama where he has resided for two years, having been a resident citizen of the State of Alabama for more than three years next preceding the filing of this bill of complaint. Louisa Thomas the respondent is a resident citizen of Mobile County. Complainant and respondent are husband and wife but we are not now living together as husband and wife. Complainant was voluntarily abandoned by respondent in February 1917 in Baldwin county Alabama, and she has never since returned me to live with as my wife. Yes I am paying Respondent Alimony fifty dollars per month under a decree from the Chancery Court of Baldwin county, as per decree hereto attached, and taken as part of my testimony. I have paid every month to her direct except the first payment. The last payment was made on the 8th day of March 1921. Respondent voluntarily abandoned me at Hurricane in Baldwin County and went to Mobile where she has resided ever since.

Louis Thomas

G. W. Miller being sworn says:

My name is G. W. Miller, I reside in Bay 11 B
Baldwin County, Alabama. I knew the parties to this suit, they are both e-
ver the age of 21 years. Louis Thomas resides at Flenaton in Escambia
County Alabama. Louisa Thomas resides in Mobile Alabama. I was living with
the parties to this suit at the time they separated. Louisa Thomas voluntarily
banded Complainant at Hurricane in Baldwin County in February
1917 and has never since returned to him to live with him as his wife.
When respondent left she took every thing out of the house she wanted
and left what she did not want. When she left Mr. Thomas gave her \$60. in
my presence. Mr. Thomas has resided in Alabama continuously to now since
1910.

G. W. Miller

J. A. Huggins being sworn says:

My name is J. A. Huggins. I reside in Es-
cambia County, at Flenaton Alabama. I know the parties to this suit. I am
signal engineer for the Louisville and Nashville railroad and my duties
from Montgomery to Mobile and Milton Florida. The parties to this suit
are not living together they separated in 1917 at Hurricane in Baldwin
County in the early spring Respondent voluntarily abandoned complainant
respondent told me she was going to leave Complainant and move every
thing out of the house which she did do and move to Mobile where she has
since resided. At the time of the Separation Louis Thomas was working
under me at the time of the separation on the bridge at Hurricane. Res-
pondent came to me and tried to get me to discharge Complainant. I have
seen respondent since she left and she told me she was not going to live
with Complainant, because he was taking up too much of his time in in-
ventions and would never be worth any thing.

J. A. Huggins

C. P. Lee being sworn says: My name is C. P. Lee I know Louis Thomas he
lives at Mynhouse in Alabama in Flenaton Alabama where he has resided
since he has been to Flenaton. He rents room from me. He is a Dr. and has
his business just across the line because he is not allowed to carry on
his business under Alabama Laws. Louis Thomas resides in Alabama. I don't
know any thing about his divorce case.

C. P. Lee

I, L. F. Rauscher, the said Register, hereby certify that the foregoing testimony was taken down in writing by J. M. Rabb in the words of the witness, and were read over to them, that they assented, swore to and subscribed the same in my presence, the 29 day of March, 1912, at Brenton, Alabama; that I have personal knowledge of, or had proof made before me of the identity of the witness, and that I am not of counsel or of kin to any of the parties to said cause, or in any manner interested in the result thereof.

And I enclose the deposition, together with the Interrogatories, Direct and Cross, and the documents which were deposed to, in an envelope properly endorsed and sealed and placed the same on file in my office.

Given under my hand and seal this the 29 day of March, 1912,
L. F. Rauscher, Register.

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$
.....	days' attendance at \$1.50 per day	.....	\$

REGISTER'S FEES.

.....	days at \$1.50 per day	.....	\$
.....	words at 20 cents per hundred	.....

The State of Alabama,

Escambia COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Louis Thomas

vs. Complainant,

Louis Thomas

Defendant.

Deposition Taken Before Register on Interrogatories.

Deposition of *Witnesses*

for *Complainant*

Filed *29* day of *March*, 191*5*

Published by order of the Court _____

_____, 191____

Lo. F. Ransick
Register.

The State of Alabama,

CIRCUIT COURT.

Baldwin COUNTY.

Equity Division.

To B. F. Rankin

or such of you as may act herein, of Escambia County, State of Ala., Greeting:

KNOW YE, That we, reposing confidence in your integrity, skill, and ability have appointed you Commissioners to take the testimony of G. W. Miller, J. A. Huggins and others that might be examined by Complainant in said Cause.

material witness in a suit now pending in our Circuit Court of Baldwin County, wherein Lavin Thomas Plaintiff, and Laura Thomas

Defendant, and we hereby authorize and empower you to call and cause to come before you J. A. Huggins, G. W. Miller and others that might be examined by Complainant in this Cause.

the said witness and deposition on the Holy Evangelists to take, as well for the Complainant as for the Dept touching their knowledge of the matters and things in controversy in said suit, which deposition, when so taken, shall be signed by said witnesses and certified by such of you Commissioners as may act herein; and you are further commanded, the deposition, when so taken, with this commission, to return under your hands and seals to the Clerk of said Court, with all convenient speed, and any one or more of you Commissioners, are authorized to act alone in the premises.

Witness my hand, this 19 day of March 1921

Witness' Fees, - - - \$

Commissioners' Fees, \$

T. W. Richmond Clerk.

No.

The State of Alabama,

Barbour County.

CIRCUIT COURT,

Equiney DIVISION.

Lewis Thomas

vs. Plaintiff,

Lewis Thomas

Defendant.

COMMISSION TO TAKE DEPOSITION ON SET INTERROGATORIES.

Issued this *19th* day of

December 191*1*

M. B. Thomas Clerk.

WITNESSES:

Geo. K. ...

J. A. Huggins

MARSHALL & BRUCE CO., NASHVILLE

DIRECTIONS:

TO THE COMMISSIONERS IN EXECUTING AND RETURNING THE COMMISSION.

1. If the time and place of executing the commission are not named therein, the Commissioners will subpoena the witness to appear before them at such time and place as they may appoint, and administer the oath to witness.
2. Either the Commissioners, witness, or some impartial persons, must reduce the answer of witness to writing, as near as may be in the language of the witness.
3. State the caption of the cause at the beginning, and then the following heading or title:

By virtue of the Commission hereto annexed, issued from the office of the Clerk of the Circuit Court of _____ County, State of Alabama, we, the Commissioners therein named, have called and caused to come before us the said A B, the witness named in said commission, on this _____ day of _____ 191____, at the _____; and having duly cautioned and sworn the said witness to speak the truth, the whole truth, and nothing but the truth, A B, the said witness, deposeth and saith as follows:

- First.*—To first interrogatory he saith:
Second.—To second interrogatory he saith:
First.—To first cross-interrogatory he saith:

4. When the deposition is finished, it must be subscribed by the witness and certified as follows:

We, C D and E F, the Commissioners in said commission named, do hereby certify that the foregoing testimony and answers, taken down and written by us in the words of the witness, A B, were read over to him; that he assented, swore to, and subscribed the same in our presence, at the time and place herein mentioned; that we have personal knowledge of the personal identity of said witness [or, if unacquainted with the witness, that proof hath been made before us of the identity of the said witness]; that we are not of counsel or kin to either of the parties to said cause, nor interested in the event thereof. And we inclose the said testimony, together with said commission and the interrogatories, direct and cross, to the said Clerk of the Circuit Court whence the same emanated, as our full execution of said commission.

Given under our hands and seals, this _____ day of _____ 191__

_____ [L. S.]
 _____ [L. S.]

Next unite the commissions, interrogatories, and answers together, with wafers or tape; second, envelope all, sealed with three seals; third, write each Commissioner's name across each seal; and, fourth, write on the envelope the names of the parties and witnesses, and direct it thus:

C D v. E F	
_____	To _____ Esq.,
DEPOSITION OF	CLERK OF THE CIRCUIT COURT.
A B	_____
	_____ County, Ala.

The package may be sent by mail or private conveyance.

LOUIS THOMAS,)
Complainant.)
vs)
LOUISA THOMAS,)
Defendant.)

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

Comes. Louisa Thomas, by her attorneys Page & Moorer and for answer to the complaint filed in the above styled cause says:

To the -----FIRST.

Defendant admits that both she and the Complainant are over the age of twenty-one years of age, but denies that both are resident citizens of the State of Alabama for the last three preceding years next before the filing of this bill. Defendant is now a resident of Baldwin County, Alabama.

To the -----SECOND.

The Defendant admits that Complainant and herself were lawfully married and lived together for a while, but denies that she voluntarrily abandoned the Complainant as alleged and states the truth to be that the Complaint was so cruel to her until her health and life was endangered and she was forced to leave in order to protect herself.

And the Defendant respectfully represents that she is entitled to relief against the Complainant and shows unto your Honor as follows:

That she is the mother of four minor children all of them in her charge and it is necessary for her to support them; that two the said children are the children of Louis Thomas, the Complainant and the others are his step-children. That they have nothing at all upon which to depend for support but are forced to work out and support themselves as best they can and the two smaller children are so small until they cannot get employment. That it is necessary that the children attend scholl and that the Defendant is entirely

without the means to educate and support her children.

That the Complainant, Louis Thomas, is an able bodied man, earning much more than a good living and is capable of supporting his children in a manner suitable to his condition and station in life; that when the said Louis Thomas, left Baldwin County he was forced to leave the county and promised to leave the State of Alabama on account of him continuously violating the law by endeavoring to practise medicine without a license.

That there is a decree rendered by the Circuit Court of Baldwin County, Alabama, in which is provided that Louis Thomas should pay to the Defendant each month the sum of Fifty and 00/100 (\$50.00) for the support and education of the said children and that he is very much in default in his payments.

And this Defendant respectfully prays that this answer may be taken as a cross-bill and that your Honor will grant unto her alimony pendente lite and attorneys fees pendente lite and permanent alimony and attorneys fee, and that your Honor will issue all orders, subpoenas and decrees as may be necessary to make the said Louis Thomas party respondent to this her said cross bill and that he be required to answer same as required by law, or that same be forever confessed.

That if Defendant is mistaken in the relief prayed then your Honor will grant unto her such other, further, different and general relief as she may in justice and equity be entitled, she will ever pray, etc.

P A G E & M O O R E R ,
Solicitors for Complainant.

Louis Thomas)
VS) Circuit Court, Baldwin County, Alabama.
Louisa Thomas)
IN EQUITY

To Honorable John D. Leigh Judge:

Complainant Louis Thomas humbly complaining
showeth unto your Honor:

First.

That complainant and defendant are both over the age of 21 years, Complainant and defendant both resident citizens of the state of Alabama where ^{they} have both resided for more than three years next preceding the filing of this bill. Complainant being a resident citizen of Flomaton Escambia County and defendant, when last heard from, a resident citizen of Mobile, Mobile County.

Second.

That Complainant and defendant, whose name was, Louisa Vasaliban were married to each other in 1910 and lived together until some time in the month of February 1917 at which time the said Louisa Thomas voluntarily abandoned Complainant at Hurricane-Bayou in Baldwin County and has never since returned to him to live with him as his wife.

The premises considered Complainant prays your Honor that the said Louisa Thomas be made a party to this bill of complaint and that the usual writ of issue to her commanding her to plead, answer or demur to this bill of complaint within the time prescribed by law; and when the evidence is considered your Honor will grant complainant a decree, desolving the bonds of matrimony heretofore existing between complainant and defendant, and such other and further relief as in honor bound complainant will ever pray etc.

James Rabb
Solicitor for Complainant.

Foot Note.

Defendant is required to answer each paragraph of this bill from one to two inclusive, but, answer under oath is hereby expressly waived.

James Rabb
Solicitor for Complainant.

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NO-----

BILL FOR DIVORCE

Louis Thomas

VS

Louisa Thomas

Filed in Court this 26th day
of June 1920.

J. W. Rabb

Register.

RECORDED

John M. Rabb

Solicitor for Complainant

Handwritten notes and signatures on the right side of the page, including a signature that appears to be 'John M. Rabb' and other illegible text.

Louis Thomas)

VS)

Louisa Thomas)

In the Circuit Court, At Bayminette Baldwin County, Alabama,

IN EQUITY

Comes the Complianant, by his Solicitor, and moves the court to set a day for the submission of this cause for final decree on the pleadings and evidence, it appearing the evidence of the complainant was taken more than 12 months ago and respondent's Solicitor has failed or refused to do any since that time and will not do any thing will not take his testimony nor agree to submission on testimony already taken.

Jno m. Raab

Solicitor for Complianant

Copy of the within notice delivered to Henry Moorner of the firm Page and Moorner Solicitors for respondent.

Bayminette Ala, 6/21st 1922

Register in Chancery

June 22/1922
I hereby accept service
of copy of notice
H. Moorner