

The State of Alabama, }
Baldwin County.

No. 419.

CIRCUIT COURT, IN EQUITY

Emily Wynn

Complainant

vs.

Frenk Wynn,

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 cruelty on the part of respondent toward the complainant to such an extent as to endanger the life and health of Complainant,

It is further ordered, that the said Emily Wynn, be, and she 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 Emily Wynn 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 Frank Wynn,

It is further ordered, adjudged and decreed that said Emily Wynn shall not again marry except to said Frank Wynn, until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Frank Wynn, during the pendency of said appeal

This 24th day of April 1924

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE 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 1924, 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 1924

Register.

No. 419

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Emily Wynn

vs.

Frank Wynn.

RECORDED
RECORDED

DECREE OF DIVORCE.

Filed in office this

25th

day of

April

1924

D. W. Richardson

Register.

E. O. M.

This

is a true and correct copy of the original as the same appears in the records of the Circuit Court of Baldwin County, Alabama.

[Handwritten signature]

Judge of the Circuit Court for Baldwin County.

THE STATE OF ALABAMA

CIRCUIT COURT IN EQUITY

Witness my hand and the seal of said Court, this 14th day of April, 1924.

Defendant

Complainant

day of

1924

----- X
EMILY WYNNE, Complainant)

-vs-)

FRANK WYNNE, Defendant)
----- X

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

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN
COUNTY, STATE OF ALABAMA, EQUITY SIDE, AND THE HONORABLE
JOHN D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY.

Comes your Complainant, Emily Wynne, and exhibits this her
Bill of Complaint for divorce against Frank Wynne, the Defendant,
on the ground of cruelty and shows unto your Honor and unto this
Court as follows:-

F I R S T.

That your complainant is twenty (20) years of age and is a
bone fida resident of Elberta, Baldwin County, State of Alabama,
and has been sunh resident for more than one (1) year next be-
fore the filing of this Bill; that the Defendant is over the age
of twenty one (21) years and his whereabouts are unknown, he hav-
ing left Elberta, Alabama in June, 1923 and his present address
cannot be ascertained after deligent inquiry on the part of your
complainant which she is informed and believes and on such infor-
mation and belief alleges that he is a non-resident of the State
of Alabama.

S E C O N D.

That your complainant and the defendant were married on here
tofore, to-wit:- February 19th., 1923 and that they lived to-gether
as man and wife for about four (4) months.

T H I R D.

That during the time that your complainant and defendant lived
to-gether, your complainant received cruel and inhuman treatment
at the hands of the defendant; that the said defendnant's conduct
was such that your complainant had reason for apprehension of his
committing an act of violence on her person attended with danger
to life or health; that the defendant refused to earn a living for
himself but used up savings of complainant which complainant had
~~saved up~~ ^{earned} before marriage. That such conditions continued and on ac-
count of the refusal of the complainant to dispose of her property
and place the proceeds in the hands of the defendant, the defendant
became enraged, threatening to do harm to your complainant and, on
to-wit, June 11th., 1923, voluntarily deserted and abandoned your
complainant without just cause or legal excuse and left for parts
unknown. This defendant has failed and refused to return since that
time.

THE PREMISES CONSIDERED. Your complainant prays that your Honor
will make, order and decree and cause to be issued such notices and
summons directed to the said defendant necessary to make him a party
defendant to this cause and require him to appear and plead, answer
or demur within the time allowed by law under the pain and penalty
of this Court.

UPON THE FINAL HEARING OF THIS CAUSE, complainant prays that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the complainant, Emily Wynne, and the defendant, Frank Wynne, be forever dissolved and that your complainant be again permitted to contract the marriage relation, should she so desire. And, as in duty bound, she will ever pray, etc., ~~etc.~~

STONE & STONE,

Solicitors for Complainant

FOOT NOTE:-

The defendant, Frank Wynne, is required to answer each and every paragraph of the foregoing bill of complaint from "FIRST" to "THIRD", both inclusive, but not under oath, answer under oath being hereby expressly ^{ai} waived.

STONE & STONE,

Solicitors for Complainant.

-----X
EMILY WYNNE, Complainant

-vs-

FRANK WYNNE, Defendant
-----X

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

Personally appeared before me, Norborne Stone, a Notary Public in and for said state and county, , Emily Wynne who is known to me and who, after being by me first duly sworn, deposes and says under oath:-

I am the complainant in the above styled cause now pending ⁱⁿ the above named Court and I am the wife of Frank Wynne, the defendant in said cause. That the said Frank Wynne is over the age of twenty one (21) years and I am informed and believe that the said Frank Wynne is a non-resident of the state of Alabama, but his particular address I cannot ascertain after ^{due} inquiry on my part. He left Elberta, Alabama and my home in June, 1923 for parts unknown.

Sworn to and subscribed before me this 15th day of January, 1924.

Norborne Stone
Notary Public, Baldwin
County, Alabama.

Emily Wynne

THE BALDWIN TIMES

ABNER J. SMITH, PROPRIETOR

DEVOTED TO THE INTEREST OF BALDWIN COUNTY AND HER PEOPLE

PUBLISHED EVERY THURSDAY

SUBSCRIPTION: \$1.00 PER YEAR IN ADVANCE

ADVERTISING RATES ON APPLICATION

TELEPHONE No. 7, LOCAL AND LONG DISTANCE

BAY MINETTE, ALA.,

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

R B Pail ABNER J. SMITH, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

NOTICE TO NON-RESIDENT.

Emily Wynne vs. Frank Wynne.
No. 419.

The State of Alabama, Baldwin County. Circuit Court, in Equity. This the 24th day of January, 1924.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Emily Wynne, that the Defendant Frank Wynne is a non resident of the State of Alabama and whose particular address cannot be ascertained after dilligent inquiry on affidavit part 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 the said Frank Wynne to answer or demur to the bill of Complaint in this cause by the 25th day of February 1924, or after thirty days therefrom a decree Pro Confesso may be taken against said Defendant.

50-4t. T. W. Richerson. Regis-3

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication	<u>January 24</u>	Vol. <u>34</u>	No. <u>50</u>
“ “ second “	<u>January 31</u>	Vol. <u>34</u>	No. <u>51</u>
“ “ third “	<u>February 7</u>	Vol. <u>34</u>	No. <u>52</u>
“ “ fourth “	<u>February 14</u>	Vol. <u>34</u>	No. <u>1</u>

Subscribed and sworn to before the undersigned

this 17th day of April 1924:

T. W. Richerson
Clerk Circuit Court,

R B Pail
Publisher.

THE BALDWIN TIMES

RECORDED

Filed Oct 17/524
J. W. Williams
Register

2nd

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. Term, 192.....

Complainants

vs.

Defendants

Motion is hereby made for a Decree Pro Confesso against

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 31 day of March 1924

746 Code.

Howe & Howe

Solicitor. 5

3rd

No.

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

.....
.....
Vs. Complainants.

.....
.....
Defendants.

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION.

Filed Nov 31 1929

J. M. Riceman
Register.

Recorded in Record,

Vol. Page

.....
Register.

Baldwin Times Print, Bay Minette.

RECORDED
RECORDED

[Faint, illegible text and stamps on the reverse side of the page, including a large handwritten signature and various official markings.]

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
No. 419. Spring Term, 19 24

Emily Wynne Complainant

vs. Frank Wynne, Defendant

In this cause it appears to the Register that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 24th day of Jan, 19 24, in the Baldwin Times, a newspaper published in Baldwin Co, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 24th day of January, 19 24, and

And it now further appearing to the Register, that the said

Frank Wynne,

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 that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

Frank Wynnes

This 31st day of March, 19 24

T. W. Robinson
Register.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Emily Wynne.

vs.

Frank Wynne,

DECREE PRO CONFESSO ON
PUBLICATION.

Issued March 28th, 1924

T. W. Richardson
Register.

Recorded in Record

Vol. Page

Register.

RECORDED

IN THE CIRCUIT COURT, BALDWIN COUNTY, IN EQUITY.

EMILY WYNNE Complainant.

vs.

FRANK WYNNE Respondent.

I, T. W. RICHESON

as REGISTER IN CHANCERY

have called and caused to come before me Emily Wynne, the complainant, Frank Bour and Victoria Bour, all witnesses for the complainant.

witness as named in the Requirement for Oral Examination, on the 17th day of April, 1924, at the office of Register in Chancery at Bay Minette in Bay Minette, Alabama, and having first sworn said witness as to speak the truth, the whole truth, and nothing but the truth, the said witnesses, doth depose and say as follows:

~~EMILY WYNNE, THE COMPLAINANT AND A WITNESS FOR THE COMPLAINANT TESTIFESS AS FOLLOWS:-~~

My name is Emily Wynne and I am the complainant in the above cause of Emily Wynne, complainant, vs Frank Wynne, defendant, now pending in the Circuit Court, equity side, State of Alabama, Baldwin County. I am twenty (20) years of age and am a bona fide resident of Elberta, Baldwin Cou nty, Alabama, and have been such resident for more than one (1) year next immediately preceding January 24th., 1924; that the above named defendant is over the age of twenty one (21) years and his present whereabouts, residence and address are unknown to me and could not and cannot be ascertained after diligent inquiry on my part, he leaving Elberta about June, 1923, and has not been heard from since. I am informed and believe and state on such information and belief that he is a non-resident of the State of Alabama and was, before and at the time of the institution of this cause. When he left on the above named date he stated that he was going to Louisiana.

I and the said defendant were married on February 19th., 1923, in the city of New Orleans, La., This marriage took place in Gretna, Jefferson Parish, La., Upon our marriage we returned to our home at Elberta, where my parents, Mr. Frank Bour and Mrs. Victoria Bour resided. We only lived to gether for about four (4) months and this on account of the cruel and inhuman treatment at the hands of my husband which was all caused by my refusing to dispose of all of my property after he had used up the first monies I had given him from the sale of my property. He absolutely refused to work and would make no effort to provide anytning for me by way of necessities of life but on the contrary we lived entirely on what money I had saved from my earnings and on what my parents provided for us. When I refused to sell all of my property he would become enranged and lose his temper and would threaten me. Just about two or three days before he left and while we were at dinner in the home of my parents he again demanded that I sell my property so he could use the money and when I refused he became violently enraged, threatened to get even with me and got up out of his chair in this rage but was stopped by my father who was there. I was not in good health at this time and by reason of his violent fits of temper I was made ill and was confined to bed. His conduct was such that I constantly feared that he would carry out some of his threats and on account of this and my refusal to give him my property, we had to separate.

After this attempt on his part he never quited down but was mad and enraged up to the time he left a day or so later. I gave him no cause or excuse for such conduct. Owing to my condition at the time I had reasonable apprehension of injury to my health. He has never returned to live with me since that time

Emily Bour

FRANK BOUR A WITNESS FOR COMPLAINANT TESTIFIES AS FOLLOWS:-

My name is Frank Bour, I am 47 years of age. I am the father of Emily Wynne, I reside at Elberta, Baldwin County, Alabama where I have lived for more than a year and a half, but also lived here before for several year, owning property and running a farm there.

Emily Wynne is twenty years of age and is a bona fide resident of Elberta, Baldwin County, Alabama and was on January 24th., 1924 she has been such a resident for more than one year next immediately preceding January 24th., 1924 the time she filed her bill for divorce. Her husband, Frank Wynne is over the age of twenty one years and his whereabouts and address now and on January 24th., 1924 were and are unknown to me; when he left however, in June, 1923, he stated that he might go to Louisiana. Upon this information and belief I state that he is a non-resident of the State of Alabama.

Emily and Frank Wynne were married in February, 1923 but not at our home, I was not present when they married but about the middle of February, 1923, they both come to our home in Elberta as man and wife and lived and cohabited as such.

They lived together about four months at my home, during this time Frank Wynne absolutely refused to work or do anything toward supporting his wife, all they had to live on was what little money she had saved before their marriage and on what I gave them in my home. Frank Wynne was constantly urging her to dispose of the rest of her property and turn the money over to him this she refused to do, demanding that he go to work as he should. During these months that he was at my home and on account of her urging him to work and not giving him her property he would go into fits of temper, become enraged and threaten his wife. On one occasion, at dinner in my home, I and my wife being present, he again demanded that she give him her property and when she refused, he made threats against her and made an attempt on her but I stopped him right there. I stayed right with him during this time and he left the house.

He never got over this but continued to make threats and stating that he would get even and the like. My daughter, his wife, was in bad health and that time and this put her in bed and made her sick. Her condition was such that this conduct was liable to cause serious injury to her health. I feared for her health to such an extent that I even gave him money to quiet him. His conduct was such, in view of the condition of his wife, she being in bed, that I feared for her health. I know of no reason or excuse he had for treating her as he did. He has never returned to live with her since that time nor have we heard anything of or from him.

Frank Bour

MRS. VICTORIA BOUR WITNESS FOR COMPLAINANT TESTIFIES AS FOLLOWS:-

My name is Mrs. Victoria Bour, I am, the wife of Frank Bour and the mother of Emily Wynne. I reside with my husband at Elberta. Emily Wynne is twenty years old, is a bona fide resident of Elberta, Alabama and was such a resident for more than one year next immediately preceding January 24th., 1924; Frank Wynne is over the age of twenty one years and I am informed and believe and on such information and belief state that he is a non resident of the state of Alabama, for when he left our home and his wife in June, 1923 he stated he would go to Louisiana.

Emily and Frank Wynne were married sometime in February, 1923, I was not at the ceremony but they came to our home about that time as man and wife and lived as such until about June, 1923. I have seen their marriage certificate, they both stated they had been married at Gretna Jefferson Parish, La.

While they lived together in our home Frank absolutely refused to work or do anything toward earning a living or supporting his wife. They lived on her little money and what we gave them. He was subject to fits of temper and this appeared to greatly worry his wife on account of her being in farail health at the time. On one occasion he, in the presence of myself and husband, when she refused to give him her property, threatened her and got up from the table where they were sitting but was stopped by my husband. On account of this treatment received at his hands

by his wife she was compelled to go to bed and was sick, his treatment keep her worried, in fear and nervous all of the time and was such that I feared it would injure her health.

He left her without getting over his madness; this was in June 1923, he has never returned since then and we have never heard of or from him; I know of no reason he had for acting as he did.

Victoria Bow



ORAL EXAMINATION.

I, J. W. Rielman ^{Register} as Commissioner

hereby certify that the foregoing deposition.....on Oral Examination was taken down in writing by me in the words of the witness or and read over to them and they signed the same in the presence of myself and N. B. Stone Clerk. at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness or or had proof made before me of the identity of said witness or; 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.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 17th day of April, 1924
J. W. Rielman (L. S.)
Register as Commissioner.



No. 419 Page.....

The State of Alabama
Baellman Comdy

IN CIRCUIT COURT, IN EQUITY.

Bursey Ryan

vs. Complainant,

Frank Ryan

Respondent.

ORAL DEPOSITION.

Filed April 17th, 1924

J. W. Rielman Register.

Recorded in

RECORDED Record

Vol. Page.....

RECORDED, Register.

RECORDED

NOTE OF TESTIMONY

The State of Alabama,

Emily Wynn

Complainant

vs.

Frank Wynn,

Respondent

No. 419.

In Circuit Court,
In Equity

IN THIS CAUSE comes the Complainant,

by her solicitor and submits the same for Final

decree upon the Original Bill and exhibits thereto. decree proconfesso

, and upon the following testimony, to-wit:

of Emily Wynne, Frank Bour and Victoria Bour,

I hereby certify that the above note of Testimony is correct.

This 17th day of April, 1924

W. P. Ricusson
Register.

6th

No. 419

The State of Alabama

Baldwin County

Circuit Court in Equity

Emily Wynn,

Complainant

vs.

Frank Wynn,

Respondent

NOTE OF TESTIMONY

Filed 17th day of April, 1924

T. W. Richardson Register

Record Page

RECORDED

NOTE OF TESTIMONY

The State of Alabama

In Circuit Court

In Equity

I hereby certify that the above note of testimony is correct.

This is the day of

1924

Register

Emily Wynne

No. 419.

Frank Wynne.

vs.

THE STATE OF ALABAMA,

Baldwin

COUNTY.

CIRCUIT COURT, IN EQUITY.

This the 24th day of January, 1924.

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Emily Wynne,

that the Defendant Frank Wynne is a non resident of the State of Alabama and whose particular address cannot be ascertained after dilligent inquiry on affiant's part,

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 the said

Frank Wynne

to answer or demur to the Bill of Complaint in this cause by the 25th day of February 1924, or after thirty days therefrom a decree Pro Confesso may be taken against said Defendant.

[Signature] Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 419. Spring Term, 1924

Emily Wynn

Complainant.....

vs.

Frank Wynn,

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 Stone & Stone

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.

Stone & Stone

Solicitor for Complainant.

7th

No. 419.

Page

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

Emily Wynn

vs.

Frank Wynn,

REQUEST FOR DECREE IN
VACATION.

Filed April 17th 191⁴

J. W. Peterson
Register

Recorded in Record

Vol. Page

Register

RECORDED

----- X
EMILY WYNNE, Complainant)

-VS-

FRANK WYNNE, Defendant)
----- *

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

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN
COUNTY, STATE OF ALABAMA, EQUITY SIDE, AND THE HONORABLE
JOHN D. BRIGG, JUDGE THEREOF, SITTING IN EQUITY.

Comes your Complainant, Emily Wynne, and exhibits this her
Bill of Complaint for divorce against Frank Wynne the Defendant,
on the ground of cruelty and shows unto your Honor and unto this
Court as follows:-

F I R S T.

That your complainant is twenty (20) years of age and is a
bona fide resident of Elberta, Baldwin County, State of Alabama,
and has been such resident for more than one (1) year next be-
fore the filing of this Bill; that the Defendant is over the age
of twenty one (21) years and his whereabouts are unknown, he hav-
ing left Elberta, Alabama in June, 1923 and his present address
cannot be ascertained after diligent inquiry on the part of your
complainant which she is informed and believes and on such infor-
mation and belief alleges that he is a non-resident of the State
of Alabama.

S E C O N D.

That your complainant and the defendant were married on here
before, to-wit:- February 19th., 1923 and that they lived together
as man and wife for about four (4) months.

T H I R D.

That during the time that your complainant and defendant lived
together, your complainant received cruel and inhuman treatment
at the hands of the defendant; that the said defendant's conduct
was such that your complainant had reason for apprehension of his
committing an act of violence on her person attended with danger
to life or health; that the defendant refused to earn a living for
himself but used up savings of complainant which complainant had
saved up before marriage. That such conditions continued and on ac-
count of the refusal of the complainant to dispose of her property
and place the proceeds in the hands of the defendant, the defendant
became enraged, threatening to do harm to your complainant and, on
to-wit, June 11th., 1923, voluntarily deserted and abandoned your
complainant without just cause or legal excuse and left for parts
unknown. This defendant has failed and refused to return since that
time.

THE PREMISES CONSIDERED. Your complainant prays that your Honor
will make, order and decree and cause to be issued such notices and
summons directed to the said defendant necessary to make him a party
defendant to this cause and require him to appear and plead, answer
or demur within the time allowed by law under the pain and penalty
of this Court.

UPON THE FINAL HEARING OF THIS CAUSE

UPON THE FINAL HEARING OF THIS CAUSE, complainant prays that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the complainant, Emily Wynne and the defendant Frank Wynne, be forever dissolved and that your complainant be again permitted to contract the marriage relation should she so desire, And, as in duty bound, she will ever pray, etc., etc.

STONE & STONE,
Solicitors for Complainant

FOOT NOTE:-

The defendant, Frank Wynne, is required to answer each and every paragraph of the foregoing bill of complaint from "FIRST" to "THIRD", both inclusive, but not under oath, answer under oath being hereby expressly waived.

STONE & STONE,
Solicitors for Complainant.

[Handwritten signatures and initials, including a large signature that appears to be 'M. J. Stone']