

The State of Alabama, }
BALDWIN COUNTY. }

CIRCUIT COURT, IN EQUITY.

No. 358. Vacation Term, 1923

Wade Thomley, Complainants

vs.

Annie Thomley, Defendants

Motion is hereby made for a Decree Pro Confesso against Abbie Thomley,

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 1st day of January, 1923

746 Code.

Stuart Starn

Solicitor.

RECORDED

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No. 358.

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Wade Thomley,

Complainants.

Vs.

Annie Thomley,

Defendants.

MOTION FOR DECREE PRO
CONFESSO ON PUBLICATION.

Filed January 1st, 1925, 192

W. R. Rice

Register.

Recorded in Record,

Vol. Page

Register.

Baldwin Times Print, Bay Minette.

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 358. Vacation Term, 19 23

Wade Thomley,

Complainant.....

vs.

Annie Thomley,

Defendant.....

In this cause it appears to the Register T.W. Richerson, that the order of publication here-
tofore made in this cause, was published for four consecutive weeks, commencing on the 2nd, day of
November, 19 22, in the Baldwin Times,
a newspaper published in Baldwin County Alabama, that a copy of said order was posted at the Court
House door in Baldwin County, on the 2nd, day of
November, 19 22, and ending NOV 23 1922

And it now further appearing to the Register T.W. Richerson, that the said
Annie Thomley,

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-
fore, on motion of Complainant, ordered and decreed by the Register T.W. Richerson, that the
Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

Annie Thomley,

This 1st, day of January, 19 23.

T.W. Richerson

Register.

RECORDED

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No. 353. Page

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

~~William Wade Thomley,~~

vs.

Annie Thomley,

DECREE PRO CONFESSO ON
PUBLICATION.

Issued January 1st, 19 23

J. M. Stevenson
Register.

Recorded in Record

Vol. Page

Register.

RECORDED

THE STATE OF ALABAMA,

Baldwin

County.

CIRCUIT COURT, IN EQUITY.

No. 358.

Vacation,

Term, 19.23.

Wade Thomley,

Complainant

vs.

Annie Thomley,

Defendant

Personally appeared before me, T.W. Richerson

Register of said Court, R.B. Vail, Editor of Baldwin Times

who, being duly sworn by me, deposes and says that he is the publisher of the

Baldwin Times,

a newspaper published in

Baldwin

County, Alabama, and that the Order of Publication in a cause wherein

Wade Thomley,

Complainant

and Annie Thomley,

Defendant

was published for four consecutive weeks in said newspaper, commencing on the 2nd day of

November

19 22,

and ending on the 23rd

day of

November,

19 22.

R.B. Vail

Publisher.

Sworn to and subscribed before me, this

1st

day of

January, 1923,

19

T.W. Richerson

Register.

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No. 358, Page.....

THE STATE OF ALABAMA,
Baldwin.....County.

CIRCUIT COURT, IN EQUITY.

Wade Thomley,

Complainant.....
vs.

Annie Thomley,

Defendant.....

PUBLISHER'S CERTIFICATE OF
PUBLICATION.

Issued Jan 1st, 19 23

J. M. Rice
Register.

Recorded in.....Record

Vol.....Page.....

RECORDED

Register.

Look at last line of deposition of
Wade Thornley and see if it should
not be ~~July~~^{June} 1920 instead July 1918.
The parties married in July 1918 and
Complainant states he did live with respondent
after ~~July~~^{June} 1918. If I ^{am} write make the necessary change

Yr^tc
AL

IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Wade Thomley Complainant.

vs.

Annie Thomley Respondent.

I, D. W. Belinson Register
as Commissioner

have called and caused to come before me Rosa Thomley, Lacey Cooper,
Wade Thomley.

witness u named in the Requirement for Oral Examination, on the 11th day of January,
1923 at the office of Register
in Bay Minette, Alabama, and having first sworn said witness u to speak the truth, the
whole truth, and nothing but the truth, the said Witnesses

doth depose and say as follows:

ROSA THOMLEY, a witness for the complainant:-

My name is Rosa Thomley and I live at Robertsdale in Baldwin
County, Alabama. I am sixteen years of age. I am the sister of Wade
Thomley the complainant in this case and I know his wife Annie Thomley
whom I have known all of my life; Wade Thomley is a resident of
Baldwin County, Alabama, where he has resided continuously for more
that three years before October 30th., 1922; he is twenty-one years
of age; will be twenty-two January 21st. 1923. Annie Thomley is over
twenty one years of age, ^{and was on Oct 30. 1922} and lives at Bratt Florida. ^{and died on Oct 30. 1922}

I was at the wedding when Annie Thomley and Wade Thomley were
married which was in July in the year 1918; they lived together about
two years; they have been living separate and apart for more than
two years before October 30th., 1922 for during that time since about
June or July, 1920 he has been with us at our home in Robertsdale
in Baldwin County, Alabama; this separation took place and was contin-
uous for more than two years before October 30th., 1922. During that ~~time~~
they have never lived together as man and wife. I saw a letter
written by Wade Thomley asking her to return and live with him and I
saw her reply to this letter in which she refused to return to him.

I know of no reason she had for leaving him as she did.

Rosa Thomley

LONEY COOPER, a witness for the complainant testified as follows:-

My name is Loney Cooper; I am nineteen years of age and am a resident of Baldwin County, Alabama, where I have been living continuously for the last past eight years. I know Wade Thomley and his wife, Annie Thomley whom I have known as follows; Wade all my life and Annie Thomley for about five years. Both are over the age of twenty one years and were on October 30th., 1922. Wade Thomley lives in Baldwin County, Alabama and has been a resident of this county for the three years or more next immediately preceeding October 30th., 1922. Annie Thomley is a non-resident of Alabama, living, when I last heard of her, at Bratt, Florida.

I was present when they were married in July, 1918. They lived together as man and wife about two years; About two years after their marriage, about June or July, 1920, they were separated, Annie Thomley leaving him; this was for more than two years next immediately preceeding October 30th., 1922. Since she left him they have never lived together as man and wife; I know this of my own knowledge for I am constantly with him and have been during all of this time.

I saw a letter written by Wade Thomley to Annie Thomley about six months after they were separated in which he asked her to return to him; Wade Thomley and his sister Rosa Thomely showed me this letter; I saw a reply to this letter written by Annie Thomley in which she stated she would not come back; Wade Thomley showed me this reply he read it to me while I looked on.

Loney Cooper

WADE THOMLEY, the complainant and a witness for the complainant testified as follows:-

My name is Wade Thomley and I am the complainant in this case. I am over twenty one years of age, will be twenty two on January 2nd, 1923; I am a resident of Baldwin County, Alabama, residing at Robertdale where I have resided continuously for more than three years before I filed my bill for divorce in this case on October 30th., 1922. Annie Thomley, my wife, is also over the age of twenty one years and was on the date of the filing of my bill for divorce; she is a non-resident of the State of Alabama, residing at Bratt Florida where she has lived ever since we were separated.

I and the said Annie Thomley were married in the month of July, 1918 at Bratt, Florida and we lived together as man and wife

for about two years, until June, 1920 when Annie Thomley, without
just cause or legal excuse and without a reason therefor, voluntarily
deserted and abandoned me; she has never returned to live with me since
that time which was more than two years before I filed this bill for
divorce on October 30th., 1922. About six months after ^{we} were separated
I wrote to her a letter asking her to return and live with me to which
she replied that she would not; before mailing my letter to her I showed
it to my sister Rosa Thomley and Loney Cooper; I also showed and read
to them the reply. I know of no cause or reason that she had for
leaving me. During all of this time since June, 1920 I have never
lived with her at all. Annie Thomley resided at Bratt Florida at the
time of filing my bill for divorce.

Wade O. Stanley

ORAL EXAMINATION.

I, W. B. Beckman Register, as Commissioner

hereby certify that the foregoing deposition.....on Oral Examination were taken down in writing by me in the words of the witness er and read over to them and they signed the same in the presence of W. B. Beckman.

at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness er or had proof made before me of the identity of said witness er, 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 11th day of January, 1923

W. B. Beckman Register (L. S.)
As Commissioner,

No. 358 Page.....

The State of Alabama
Maclaine County

IN CIRCUIT COURT, IN EQUITY.

Maclaine County

vs. Complainant,

Amie May Thornley

Respondent.

ORAL DEPOSITION.

Filed January 11, 1923,

W. B. Beckman Register.

Recorded in

Record

Vol.

Page

Register.

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. Term, 191.....

Wade Thomley

Complainant.....

vs.

Annie Thomley

Defendant.....

To *J. W. Richardson* 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.

No. Page

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

Wade Thowley

vs.

Annie Thowley

REQUEST FOR DECREE IN
VACATION.

Filed *Aug 12th 22* 191*2*

D. W. Ricumson
Register

Recorded in Record

Vol. Page

.....
Register

RECORDED

Wade Thomley,

vs.

Annie Thomley,

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 Wade Thomley, Rosa Thomley
and Loney Cooper,

and in behalf of Defendant upon.....

D. W. Richardson

Register

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No. 358.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Wade Thomley,

vs.

Annie Thomley,

NOTE OF TESTIMONY.

Filed in Open Court this 12th,

day of January, 1923. --- 191---

M. S. ...

Register

RECORDED

338

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 Annie Thomley,

of Bratt, Fla, ~~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

Wade Thomley,

against said Annie Thomley,

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 30th, October, day of

1922

T. W. Richerson
Register.

MINNIE E. KEHOE
ATTORNEY AT LAW
710 BLOUNT BLDG.
PENSACOLA, FLA.

Nov. 19, 1924.

Clerk Circuit Court,
Bay Minette, Alabama,

Dear Sir:

I am advised that one Tomlin, about two years ago, secured a divorce from his wife, Annie G. Tomlin, who was, before her marriage, Annie G. Hanks. I have not been advised of the given name of Tomlin, but the facts are these:

The couple were married about 1918; Tomlin left his wife in 1920, and about two years ago, or 1922, served her with notice of a bill filed for divorce. She understands that the divorce was granted, but wishes definite information.

Will you please send me certified copy of decree of divorce if you have such on file. I am certain that, from the information furnished, you can identify such case if you have it onfile.

I am enclosing my check in payment of this certified copy, leaving the amount to be filled out by you. I assume that it will be about \$1.25, but as I am not sure of the proper amount, am signing it in blank.

Yours very truly,

MEK/MEJ/

Minnie E. Kehoe

Will you kindly let me have this certified copy, or at least let me hear from you by return mail, as the parties live out in the country and the woman will be in town Frida, the 21. If you could make out the certificate and send by return mail, it will reach my office by that time.

MEK

RETURN RECEIPT.

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

Annita J. Humley

(Signature or name of addressee.)

*Filed
Nov 2/1922
W. W. Richmond
Postmaster*

(Signature of addressee's agent.)

Date of delivery, _____, 19

Form 3811

05-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No.

446

INSURED PARCEL

No.



PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

Return to

J. W. Richerson

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

Post Office at

BAY MINETTE, ALA.

State

----- X
 WADE THOMLEY,)
 Complainant.)
 - vs -)
 ANNIE THOMLEY,)
 Defendant.)
 ----- X

IN THE CIRCUIT COURT-EQUITY SIDE.
 STATE OF ALABAMA.
 BALDWIN COUNTY.

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

Comes your Complainant. Wade Thomley, and exhibits this, his bill of divorce against the defendant, Annie Thomley, for voluntary desertion and abandonment and for grounds thereof shows unto your Honor and unto this Court as follows:-

FIRST.;

That your complainant and the defendant are both over the age of twenty one years; that your complainant is a bona fide resident of Baldwin County, State of Alabama, where he has resided for more than three years next immediately preceeding the filing of this bill of complaint; that the defendant, Annie Thomley, is a non-resident of the State of Alabama, residing, when last heard from, at Bratt, in the State of Florida.

SECOND:

That your complainant and the defendant were married on, to-wit, July 9th., 1918 at Bratt, Florida and lived together as man and wife until, to-wit; June, 1920.

THIRD.

That on to-wit; during the month of June, 1920, the defendant, Annie Thomley, without just cause or legal excuse, voluntarily deserted and abandoned your complainant and has continued to so desert and abandon him since that time and has never returned to live with him, although often asked and entreated by the complainant to do so. That said abandonment and desertion took place more than two years before the filing of this bill of complaint.

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED:- Complainant prays that such orders, decrees, notices and subpoenas be made and issued as are necessary to make the said defendant party respondent to this bill of complaint, requiring her to appear and plead, answer or demur to this complaint, within the time required by law, under the pains and

penalties of this Honorable Court.

PRAYE FOR RELIEF.

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

STONE & STONE.

Solicitors for Complainant.

FOOT NOTE:-

The defendant, Annie Thomley 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.

(over)

----- X
WADE THOMLEY,
Complainant.
-vs-
ANNIE THOMLEY,
Defendant,
----- X

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

AFFIDAVIT OF NON-RESIDENCE.

STATE OF ALABAMA.
BALDWIN COUNTY.

Personally appeared before me, Norborne Stone, a Notary public in and for said state and county, Wade Thomley, who is known to me and who, after being by me first duly sworn according to law, doth depose and say under oath:-

That he is the complainant in the above entitled cause in which Annie Thomley is the defendant; that the said Annie Thomley is over the age of twenty-one years and is, , a non-resident of the State of Alabama, residing at Bratt Florida; that service by publication is necessary and proper in order to bring the said defendant, Annie Thomley into court in the above cause.

Wade Thomley

Sworn to and subscribed before me this 29 day of September, 1922.



Norborne Stone
Notary Public, Baldwin County,
State of Alabama.

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12
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Wade Thowley

THE STATE OF ALABAMA,
Baldwin COUNTY.

vs.

Annie Thowley.

CIRCUIT COURT, IN EQUITY.
Vacation Term, 1922

I, J. M. Peirson Register of the Circuit Court of

County, of the State of Alabama, hereby certify that on the affidavit
of Wade Thowley

on the 2nd day of Nov 1922, an order of publication was made to

Annie Thowley
who is non-resident

who reside at Bratt Florida

and was published in the Baldwin Times

a newspaper published in Baldwin County once a week, for four

consecutive weeks, commencing on the 2nd day of Nov 1922, requiring

the said Annie Thowley

to answer or demur to the Bill of Complaint in the cause on the 1st day of Dec

1922, or in thirty days therefrom a decree Pro Confesso may be taken against her

And that a copy of said order was forwarded by mail, on the 30 day of Oct

1922, addressed to Annie Thowley

at Bratt Fla.

and that one other copy of said order was posted at the Courthouse door of said County for four consecutive weeks,

commencing on the 4 day of Dec 1922

J. M. Peirson
Register.