

The State of Alabama, }
Baldwin County.

No. 361.

CIRCUIT COURT, IN EQUITY

Bettie C. Savage,

Complainant

vs.

Emile E. Savage,

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.

Voluntary abandonment,

It is further ordered, that the said Bettie C. Savage,

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 Bettie C. Savage, 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 Emile E. Savage

It is further ordered, adjudged and decreed that said Bettie C. Savage, shall not again marry except to said Emile E. Savage,

until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Emile E. Savage, during the pendency of said appeal

This 5th day of February, 1926

John D. Lugh
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 _____, 192____, 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 _____, 192____

Register.

No. 361.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Bettie C. Savage,

vs.

Emile E. Savage,

DECREE OF DIVORCE.

Filed in office this *8th*

day of *February*, 192*6*

W. M. Mc...
Register.

E. O. M.

RECORDED

Faint, illegible text from the reverse side of the page.

Emile E. Savage
8th
February
1926

BEFORE ME,
THE STATE OF ALABAMA

CIRCUIT COURT IN EQUITY,
BALDWIN COUNTY, ALA.

Faint text and lines on the right side of the page, possibly a signature block or additional filing information.

JAMES E. DUGGAN

ATTORNEY AT LAW

MOBILE, ALA.

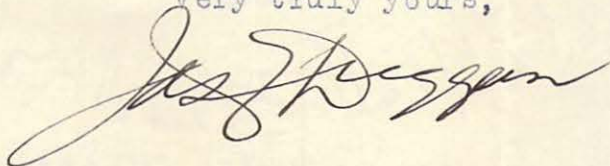
June 5th, 1924.

Mr. E. W. Richardson, Clerk,
Circuit Court, Bay Minette, Ala.

Dear Sir:- Bettie C. Savage vs. Emile E. Savage.

Recently I filed in your Court
testimony in the above entitled equity case.
I should like to ask for an order of publica-
tion and submit for final decree in vacation.
Please advise me if it will be necessary to
do any more than write this letter in order
to make the submission.

Very truly yours,

A handwritten signature in cursive script, appearing to read "James E. Duggan".

JED/PC

JAMES E. DUGGAN

ATTORNEY AT LAW

MOBILE, ALA.

June 29, 1925.

Hon. John D. Leigh,
Brewton, Ala.

Dear Judge Leigh:- SAVAGE -vs- SAVAGE.

The above divorce suit has been pending in your court quite a long while, and due to various reasons that you are doubtless not interested in hearing this case has been allowed to drag on your docket.

Last year I received a letter from Mr. Richerson which enclosed a letter from you to him dated June 12th 1924, your letter setting forth your criticisms of the pleadings. I understood Mr. Richerson's letter to mean that the cause would remain open on the docket until I should get in touch with you and satisfy you. The next thing I heard of the case was a letter from the attorneys for the Respondent telling me the cause had been dismissed, but that Mr. Richerson advised them the same could be reinstated on the docket on motion. I rather think I have no ground for complaint, but I was somewhat surprised at the news.

I shall want to make a motion for reinstatement as mentioned above and a further motion which I shall indicate below. Respondent's solicitors will consent.

I am enclosing your letter of June 12th that I may discuss the three grounds of criticism you have.

1st. The error as to allegation of residence. This has been a frequent mistake of mine and I don't know how I happened to make it again. All of the testimony shows the Complainant has been a bona fide resident of Baldwin County for her life and she testified she was over twenty-one years of age. I shall want to file a motion to withdraw this cause from submission and for leave to amend the complaint to accord with the testimony.

2nd. It seems the Sheriff has covered this 2nd objection by writing his name on the service. However, it seems this may not have been necessary for the Respondent filed an answer on October 30th 1922 denying the allegations of the complaint. This brought the Respondent in court without the necessity of the subpoena.

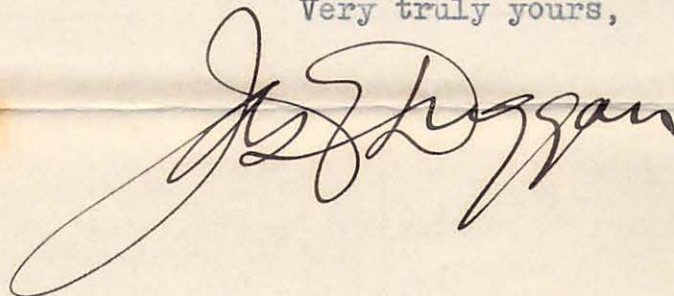
3rd. With reference to voluntary abandon-

Hon. John D. Leigh #2.

ment being shown by only one witness: The Complainant was the only person present when Respondent made up his mind to leave and was the only one who could testify as to facts showing the abandonment was voluntary. That is the reason I had her go into detail as much as possible to show this. Our Judges here always want two witnesses if possible, and insist on this if the bill is contested. However, when the Complainant or Complainant's attorney states to the court that there is only one witness to the facts our Judges have always granted the divorce if the proof is convincing. I have secured a decree in one case where there was only one witness, but I have seen it done several times. On the first occasion I was a bit surprised myself and asked the attorney for the Complainant if he had any authority on this head. Both he and the Judge stated that there was an authority sustaining this point, but I have been unable to find it.

I am enclosing the bill in this cause, and after you have considered this letter I shall thank you to let me have your further views.

Very truly yours,

A large, stylized handwritten signature in dark ink, appearing to read "J. J. Pizzan". The signature is written in a cursive style with a large, sweeping flourish at the end.

JED:MJ.

JAMES E. DUGGAN

ATTORNEY AT LAW

MOBILE, ALA.



Mr. T. W. Richardson,
Clerk of the Circuit Court,
Bay Minette, Ala.

TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA
JOHN D. LEIGH, JUDGE
BREWTON, ALA.

June 12, 1924.

Hon. T. W. Richerson,
Bay Minette, Ala.

Dear Mr. Richerson:

RE: BETTY SAVAGE VS. EMILE SAVAGE.

I am returning file in this case, and will be glad for you to take the matter up with Mr. Duggan, the attorney for complainant, as he must necessarily amend his bill of complaint in order to allege jurisdictional facts. There are several criticisms in order to get the matter in proper shape, and I give you the following criticisms:

1st. The bill of complaint alleges that the complainant had been a bona fide resident of Baldwin County for two years next preceding the filing of the bill of complaint, when the bill should have alleged that the complainant was a bona fide resident of the State of Alabama for three years next preceding the filing of the bill of complaint.

2nd. There has been no legal service on the defendant in this case. The summons shows that the defendant was served on October 26, 1922 by William Steller, Deputy Sheriff, but does not show the service by the sheriff. In order to get this matter in shape it will be necessary for Mr. Steller or for the sheriff himself to sign the blank line above Mr. Steller's name, showing that service was made by the sheriff, by Mr. Steller as his deputy.

3rd. The proof in the case is insufficient in this: It is not proved by the witnesses that the defendant voluntarily abandoned the complainant. The only place shown in the proof of the voluntary abandonment is that of the complainant, the other two witnesses merely stating that he left the defendant, but does not show or tend to show that it was a voluntary act.

After Mr. Duggan makes the necessary amendment and proper service on defendant, as well as proof of the fact, please have him to re-submit the matter, and I will then attend to same.

Yours very truly,

John D. Leigh

JDL/t
Encls.

John D. Duggan

Mr. Duggan

This letter will explain matters. The Sheriff corrected the return. you can correct the other matters return and I will re-submit.

Yours truly

J. W. [Signature]
Register

The State of Alabama, }
Baldwin County

CIRCUIT COURT.

To Patricia Collins, Mobile Alabama,

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commission-
er, and by these presents do authorize you, at such time and place as you may appoint, to call before you and
examine Margarete H. Clay, Mary E. Rhodes, and Bettie C. Savage,

as witnesses in behalf of Complainant in a cause pending in our Circuit
Court of Baldwi County, of said State, wherein Bettie C. Savage

is Complainant

and

Emile E. Savage

is Defendant,

on oath to be by you administered, upon interrogatories and oral examination,
to take and certify the deposition of the witness es and return the same to our Court, with all convenient
speed, under your hand.

Witness 20th, day of Febuary, 1924.

T. W. Richardson
Register.

Commissioners Fee \$

Witness Fee's \$



No. 361.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

Bettie C. Savage

Complainant.....

vs.

Emile E. Savage.

Defendant.....

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

Oral Examination

COMMISSIONER:

Patricia Collins,

WITNESSES:

Margarete H. Clay, Mary E. Rhodes,

Bettie C. Savage.



The State of Alabama—~~Mobile County~~

BETTIE C. SAVAGE,

Complainant

VS.

EMILE E. SAVAGE,

Defendant

No.

The deposition of Margaret H. Clay,

Mary E. Rhodes and Bettie C. Savage

witness examined on behalf of the Complainant

in the above entitled cause which is pending in the Honorable the Circuit Court of
Baldwin County, Alabama.

The said witness appeared before me at the time and place hereinafter named, and after having been first duly sworn by me to speak the truth, the whole truth, and nothing but the truth, did testify and say as follows. That is to say Margaret H. Clay, Mary E. Rhodes and
Bettie C. Savage

being duly sworn testified as follows:

CERTIFICATE

I, Patricia Collins, one of the commissioners named in
the foregoing commission which issued out of the Honorable the Circuit Court of

Baldwin County, Alabama

do hereby certify that in a certain cause pending in said court, wherein

Bettie C. Savage, is Complainant

and Emile E. Savage, is

Defendant under and by virtue of the powers conferred upon me by said commission, I caused the said

Margaret H. Clay, Mary E. Rhodes and Bettie C. Savage

who are known to me and who are known to me to be the

identical witnesses named in the commission to take testimony issued to me
to come before me at the times and places hereinafter named, that is to say I caused the said

Margaret H. Clay, Mary E. Rhodes and Bettie C. Savage to come

before me at 82 St. Francis Street at Mobile, Alabama, on the

22nd day of February A. D. 19 24; ~~and the said~~

~~RE~~

~~on the~~ day of ~~February~~ A. D. 19 ~~24~~; ~~and the said~~

~~at~~

~~on the~~ day of ~~February~~ A. D. 19 ~~24~~; that said

witnesses were first duly sworn by me as stated; that ~~they~~ were then

examined by James E. Duggan, as Solicitor for Complainant

and testified in response thereto as it is herein above written; that their testi-

mony was by me reduced to writing as given by them and as near as might be in

the identical language of the said witnesses and that after their testimony had been

so reduced to writing, it was by me read over to the said witnesses who assented to and
signed the same in my presence, and in the presence of the Solicitors of the parties.

I further certify that I am not of Counsel or of kin to any of the parties to the cause and am not in
anywise interested in the result thereof.

WITNESS my hand this the 22nd day of

February A. D. 19 24

Patricia Collins
Commissioner.

CERTIFICATE

I, John C. Collins, one of the commissioners named in

the laws of this State which have been passed by the

Legislature of this State, do hereby certify that in a certain case pending in said court, wherein

the parties were John C. Collins vs. John C. Collins

the plaintiff is John C. Collins and the defendant is John C. Collins

and that the said case was heard and decided by the

court on the 10th day of June, 1880

and that the said case was decided in favor of the

plaintiff, and that the said case was decided by the

court on the 10th day of June, 1880

and that the said case was decided in favor of the

plaintiff, and that the said case was decided by the

court on the 10th day of June, 1880

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court on the 10th day of June, 1880

and that the said case was decided in favor of the

plaintiff, and that the said case was decided by the

My name is Margarete H. Clay. I am thirty-six years old and I live at Fairhope, in Baldwin County, Alabama. I have known Emile Savage and his wife, Bettie Savage all of their lives. Both of them have always lived in Baldwin County, Alabama, near Fairhope, all of their lives, except possibly for short visits or stays in Mobile. I live about a mile and a half from their place. I remember when Emile left Bettie about three or more years ago. Before they separated I recall Bettie coming to me and telling me about a tea party to which Emile was going to take Blanche McCinico. Bettie told me she was going to the party and whip Blanche. I begged Bettie not to go to the party and told her that Emile would kill her if she did go. I don't know whether Bettie went to the party and never heard of her striking Blanche, but I understand that Bettie and Emile afterwards had a disagreement about this matter and Emile left Bettie. I have never known of his going back to his wife and have never heard of him giving her anything for her support. Bettie has had to work for her living ever since. I talked to Emile many times after he left Bettie and asked him why he didn't go back and he always told me he didn't want to go back.

Margarete H. Clay

My name is Mary E. Rhodes and I am forty-one years old. I live at Fairhope, in Baldwin County, Alabama. I have been knowing Bettie Savage, who is asking for a divorce from her husband, Emile, ever since she was a baby. Practically all the time I have known ~~her~~ she has lived on or near her mother's land, which is separated from my land by a small field. She was married about fifteen or more years ago to Emile Savage, and they thereafter lived together as man and wife. I remember that Emile Savage left Bettie in the early part of 1920 and that he has never lived with her since to my knowledge. I live, as I have stated before, very near to Bettie Savage, and I spend a good deal of time with her and her mother, and I have never known of Emile Savage returning to his wife. I have seen Emile since that time and teased him to go back to Bettie but he would say "I don't want to go back there" and "I don't want her and I don't want nothing back there." I have known of him going with Blanche McCinico and seen him with her, and it was on account of this woman that he left Bettie. I understand that she is now with him in South Bend, Indiana.

Mary E. Rhodes

My name is Bettie C. Savage and I am the Complainant in this cause . I have been a bona fide resident of Baldwin County, Alabama all of my life down to the present, and I was a bona fide resident of said County continuously for the two years next preceding the filing of the bill in this case. I have never been a resident of any place or County other than Baldwin County in all my life. Both I and my husband, Emile E. Savage, from whom I am seeking this divorce, are over twenty-one years of age and we were over twenty-one years of age when I filed the bill of complaint in this case. Emile E. Savage and I were married on April 8th, 1908 and we thereafter lived together as man and wife until he voluntarily deserted me on April 6th, 1920. On April 6th, 1920 I spoke to Emile, my husband, about his going with Blanche McCinico and told him I wanted him to stop going with her. He became very angry and started a heated argument in which he started to strike me, but was stopped by Caleb Glover and Tilford Nick. He then voluntarily abandoned me and refused to come back and live with me, and he never has, since that day, contributed a single thing towards my support. Emile said he would kill me if I ever bothered him again, and he being a strong, powerful man I was afraid to have anything more to do with him. Therefore I did not try very hard to get him to come back.

Bettie C. Savage

BETTIE C. SAVAGE,
complainant,

--vs--

EMILE E. SAVAGE,
Respondent

IN THE

CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA.

Depositions of Margaret H. Clay,
Mary E. Rhodes and
Bettie C. Savage

Requisit

Wm. F. Richerson

May 5/1924

Direct

Hon. W. F. Richerson,
Clerk Circuit Court,
Baldwin County, Alabama,
Bay Minette, Ala.



Carta de Lisboa
de Amadora

Carta de Lisboa
de Amadora

Carta de Lisboa
de Amadora

BETTIE C. SAVAGE,
Complainant,

-VS-

EMILE E. SAVAGE,
Respondent.

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oratrix, Bettie C. Savage, brings this her bill of complaint, against Emile E. Savage, and respectfully shows unto your Honors that both she and said Respondent are over the age of twenty-one years; and that your Oratrix is a bona-fide resident of Baldwin County, Alabama, and has been a bona-fide resident of Baldwin County, Alabama, continuously for the ~~two~~^{three} years next preceding the filing of this bill of complaint.

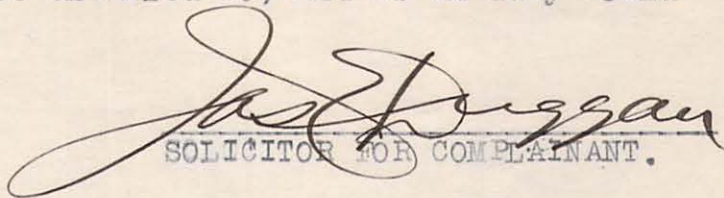
Oratrix further shows that she and said Respondent were married to one another on April 8th, 1908, and that they thereafter lived together as man and wife.

Oratrix further shows that on or about April 6th, 1920, Respondent voluntarily abandoned her bed and board, and voluntarily abandoned Oratrix, without any cause, and that she has not returned to Oratrix since said day; that said Respondent has contributed nothing to the support of Oratrix since the time of said abandonment.

WHEREFORE, the premises considered, Oratrix prays your Honors to assume jurisdiction of this cause, and that the said Emile E. Savage be made a party Defendant to this bill of complaint, and that process of subpoena may issue according to the rules and practice of this Honorable Court directed to the said Defendant, Emile E. Savage, requiring him to plead, answer or demur

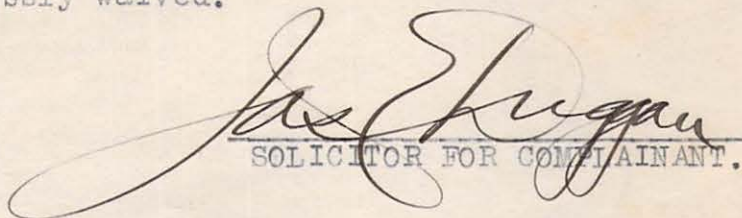
to the allegations of this bill of complaint within the time provided by law and according to the rules of this Honorable Court.

Your Oratrix further prays that upon a hearing of this bill of complaint your Honors will grant your Oratrix an absolute divorce from said Emile E. Savage; and grant such other and further relief as in equity she may be entitled to; and as in duty bound she will ever pray.


SOLICITOR FOR COMPLAINANT.

FOOT NOTE.

The Respondent is required to answer each and every paragraph of the foregoing bill of complaint, but not under oath, his oath being hereby expressly waived.


SOLICITOR FOR COMPLAINANT.

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 Emile E Savage,

of Baldwin,

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

Bettie C Savage,

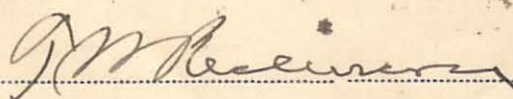
against said

Emile E Savage.

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 25th, day of October

1922



Register.

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

2nd Original

Serve on.....

Circuit Court of Baldwin County
In Equity

No.

SUMMONS

Bettie C Savage

Fairhope Cal

vs.

Emile E Savage.

James E Duggan.

Solicitor for Complainant

Recorded in Vol. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this
day of 192

Sheriff

Executed this 26th day of
October 192

by leaving a copy of the within summons with
Emile E Savage.

Defendant

~~W R Stuart~~

Sheriff

By Wm Stiller
Deputy Sheriff

RECORDED

BETTY C. SAVAGE,
Complainant,

-VS-

EMILE E. SAVAGE,
Respondent.

IN THE
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Comes Emile E. Savage, the Respondent in the above entitled cause, and denies the allegations contained in the bill of complaint filed therein; and waives any notice of the taking of testimony in said cause, and waives any notice of the submission of said cause for a decree therein.

Emile E. Savage

Mella Trozen
Atty.
Witness.

BALDWIN

The State of Alabama, ~~Mobile~~ County

BETTIE C. SAVAGE

Complainant

No.

vs.

EMILE E. SAVAGE

Defendant

BALDWIN

Circuit Court of ~~Mobile~~ County

INEQUITY

The COMPLAINANT

requests the oral examination of the following named witnesses

on her behalf, viz:

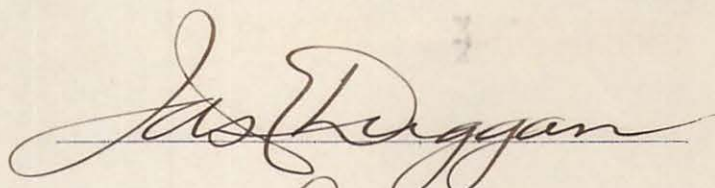
Margarete H. Clay, Mary E. Rhodes and Bettie C. Savage, the complainant,

said witnesses reside in the County of Baldwin
State of Alabama.

PATRICIA COLLINS

who resides at Mobile, in Mobile County, Alabama,

is suggested as a suitable person to be appointed Commissioner to take the depositions of
said witnesses on such oral examination


Solicitor for Complainant

3 1/2

No. _____

BALDWIN
Circuit Court of Mobile County
 Mobile, Alabama
 IN EQUITY

vs.

Demand For Oral Examination

Filed *February 20th 1924*
J. M. Richardson

Register

RECORDED

Bettie Savage,

Vs.

Emile Savaga.

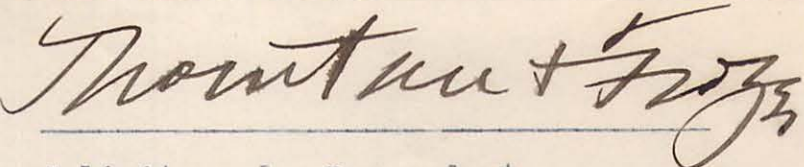
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In the Circuit Court of Baldwin Co. Ala.

In Equity.

Comes the Respondent, Emile Savage, and consents to the Complainant in this cause amending her bill of complaint in any appropriate manner so that the same may show that she had resided continuously and bona fide in Baldwin County, Alabama, for three or more years before the filing of the original bill of complaint in this cause.

And further consents to Complainant amending her bill of complaint, filed herein, in any manner necessary to submit the same properly to the above Court for a decree.



Solicitors for Respondent.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 361. Spring, Term, 1914

Bettie C. Savage

Complainant.....

vs.

Emile E. Savage,

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 James E. Duggan,

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.

James E. Duggan,

Solicitor for Complainant.

Hth

No. 361

Page

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

Bettie C. Savage,

vs.

Emile E. Savage.

REQUEST FOR DECREE IN
VACATION.

Filed June 10th, 19124

J. W. Helvering

Register

RECORDED

Recorded in Record

Vol. Page

Register

NOTE OF TESTIMONY

The State of Alabama,

Bettie C. Savage

Complainant

VS.

Emile E. Savage

Respondent

No. 361.

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 Answer of Deft

, and upon the following testimony, to-wit:

Margeret H. Clay, Mary E. Rhodes and Bettie C. Savage,

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

This 10th, day of June, 1924

J. W. Peterson
Register.

5-26

No. 361.

The State of Alabama

Baldwin County

Circuit Court in Equity

Bettie C. Savage

Complainant

vs.

Emile E. Savage.

Respondent

RECORDED

NOTE OF TESTIMONY

Filed 10th day of June, 1924

J. W. Robinson Register

Record Page

NOTE OF TESTIMONY

Alabama in same with

In Circuit Court

Alabama in same with

In Circuit Court

J. W. Robinson