

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIR-
CUIT COURT OF BALDWIN COUNTY, ALABAMA; SITTING IN EQUITY.

Comes MARGARET ELIZABETH DEAUX, and by this her
bill of complaint, exhibited against JAMES D-WITT DEAUX, re-
spectfully shows:

FIRST: That she and the Defendant above named are
both over the age of twenty-one years and that she, except
for a few years spent in Florida more than three years ago,
has been and is now a bona fide resident of the State of Alabama.
Defendant, formerly a resident of Alabama, is now living in
the State of Mississippi.

SECOND: That they were legally married in Escambia
County, Alabama, on the twentieth day of December, 1912, and
lived together as man and wife in said county for a number of
years, later moving to the State of Florida because of Defend-
ant's business, from which state Complainant returned three
years ago and has lived in Baldwin County, Alabama, ever since.

THIRD: That Defendant voluntarily abandoned Complain-
ant on or about the first day of March, 1919, removing to Missis-
sippi and with a promise to send for Complainant and their chil-
dren, which promise has not been kept and Complainant has been
abandoned by Defendant for more than two years prior to this
date and has been dependent upon her parents for the support
of herself and children during this time, she having returned
to Baldwin County to her father's home when abandoned by Defend-
ant.

FOURTH: That since said abandonment and up to and in-
cluding the present time Complainant is reliably informed that
Defendant has been living with another woman as his wife, who
has borne him a child, but other than that said couple are now
living at Quintet, Miss., Complainant is unable at present to
state how long this relationship has continued or the name of the
said woman.

FIFTH: That there has been born to Complainant and Defendant three children, Lee Lovelace, a boy of nine years, and Bernice and Helen, daughters, aged three and seven years respectively, who live with Complainant and are supported by her and her father.

THE PREMISES CONSIDERED, Complainant prays that James D. Deaux be made a party defendant to this bill and by appropriate process of notice by registered mail, or publication, be notified and required to answer same within the time prescribed by law and obey such orders and decrees as may be made in the premises.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from the said James D. Deaux, granting her the right to marry again should she so desire, the sole and undisturbed custody of the three children of the marriage, and such other, further or different relief as to equity may seem meet.

And as in duty bound, Complainant will ever pray etc.

Rickaby & Beebe
Solicitors for Complainant

NOTE: The defendant is required to answer each paragraph of the foregoing bill but not under oath.

Rickaby & Beebe
Solicitors for Complainant.

STATE OF ALABAMA

MOBILE COUNTY

Before me, the undersigned Notary Public, personally appeared this day ELLIOTT G. RICKARBY, who being sworn says that he is of counsel in the foregoing cause, that he is reliably informed and from such information so states to the best of his knowledge and belief, that James D. Deaux, Defendant in this cause, is over the age of twenty-one years and now residing in the State of Mississippi, his Post Office address being at Quintette in that state, so that service of notice by registered mail may be had upon said Defendant.

Elliott G. Rickarby,

SUBSCRIBED AND SWORN To before me this the
8th day of March, 1923.

H. P. Coley, Jr.
Notary Public, Mobile County, Ala.

Margaret E Deaux

James De Witt Deaux

vs.

CIRCUIT COURT OF

COUNTY.

IN EQUITY.

I, J. M. McInerney, Register of said Court, do hereby certify that I

did, on the 22nd day of March 1923, send to

James De Witt Deaux, Defendant.

whose address was Quintelle Miss

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill

of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such

receipt was duly received and filed by me in this cause, on the 27th day of March 1923

Witness my hand, this 27th day of March 1923

J. M. McInerney Register.



2nd

No. 380

CIRCUIT COURT OF
BALDWIN COUNTY.
IN EQUITY.

Margaret A Deaux

vs.

Jeanne Deaux

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

Filed in office on this 27th

day of March 1923

J. M. McInnis

Register.

RECORDED

MARGARET ELIZABETH DEAUX,
Complainant.

Vs.

JAMES DEWIT DEAUX,
Respondent

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

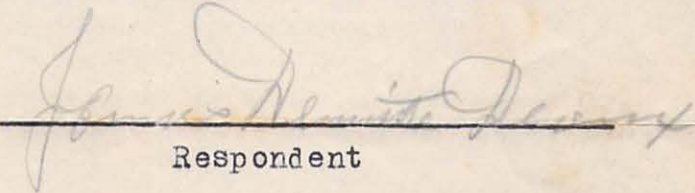
Comes the Respondent and for answer to the bill of complaint, says:

FIRST: He admits the allegations as to the name, age and residence of the parties, also the fact of the marriage as alleged.

SECOND: Respondent denies all other allegations of the bill.

Having thus fully answered Respondent prays that he may be dismissed.

Respondent hereby waives notice of application for commission to take testimony of Complainant's witnesses, of the right of cross-examination and of notice of the time and place of taking testimony. He further waives the right to introduce evidence in his own behalf and agrees that the cause may be submitted at any time for final decree upon the pleadings and the Complainant's evidence.


Respondent

3rd

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

MARGARET ELIZABETH DEAUX,
Complainant.

Vs.

JAMES DEWIT DEAUX,
Respondent.

ANSWER
and
WAIVER

Filed April 14/1923.
J. M. Richardson
Register.

RECORDED

NOTE OF TESTIMONY

The State of Alabama,

Margeret E Deaux,

Complainant

VS.

James D Deaux,

Respondent

No. 380.

In Circuit Court,
In Equity

IN THIS CAUSE comes the Margeret E Deaux

by her solicitor and submits the same for final

decree upon the Original Bill and exhibits thereto. decree pro confessor

, and upon the following testimony, to-wit:

Margeret E Deaux and J.B.Harrison,

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

This 19th, day of May, 1923

J. W. Harrison

Register.

No. 380

The State of Alabama

Baldwin County

Circuit Court in Equity

Margaret E Deaux

Complainant

vs.

James D Deaux,

Respondent

NOTE OF TESTIMONY

Filed 19th day of May, 1923

J. W. McArthur Register

Record Page

RETURN RECEIPT.

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

[Handwritten signature]

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, _____

3/25/20 _____

19 _____

Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 1121

INSURED PARCEL

No. _____

Filed Mar 27/1923
D. W. Richardson
Register

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

POSTMARK OF DELIVERING
OFFICE

MAR 25
A.M.
1923

AND DATE OF DELIVERY

Return to D. W. Richardson
(NAME OF SENDER)

Street and Number, }
or Post Office Box, } 124

Post Office at Bay Minette

State Alabama

ELLIOTT G. RICKARBY
LAWYER
903-905 VAN ANTWERP BUILDING
MOBILE, ALA.

Apr 13, 1923.

Mr. Thomas W. Richerson,
Bay Minette, Ala.

Dear Tom:

~~DEAUX VS DEAUX~~: This morning I received a special delivery letter from the defendant enclosing signed answer and also a letter written on the back of the copy of the bill stating that he has no objection to his wife getting a divorce, and that if she had waited a little he would have sought one himself. I conclude from this that he will not make a very savage resistance. I therefore enclose application for commission to take testimony on oral examination. Please send this at your early convenience.

Yours truly,

Elliott G. Rickarby

EGR/NJ
4547
Encls.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 380. Vacation Term, 19123

Margeret E Deaux

Complainant.....

vs.

James D Deaux,

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 Rickarby and Tehee

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.

T.W. Richerson

Solicitor for Complainant.

4th

No. 380

Page

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

James D Deaux,

vs.

James D Deaux,

REQUEST FOR DECREE IN
VACATION.

Filed May 19th, 1913

J. M. [Signature]
Register

Recorded in Record

Vol. Page

Register

RECORDED

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 James De Witt Deaux,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Bald-

win 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

Margaret D Deaux,

against said James De Witt Deaux,

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 10th, day of March,

1923

T. W. Richerson

Register.

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

Serve on _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

vs.

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

*Recd 10/21/1923
Copy of Bill & Copy
of Summons by
left at Bureau here
J. M. Keenan
Register*

BALDWIN

The State of Alabama, ~~Mobile~~ County

MARGARET E. DEAUX,

Complainant

BALDWIN

Circuit Court of ~~Mobile~~ County

No.

vs.

JAMES E. DEAUX,

Defendant

IN EQUITY

The Complainant

requests the oral examination of the following named witnesses
on her behalf, viz.:

Margaret E. Deaux

C. W. Harrison

J. B. Harrison

The first two of
said witnesses reside in the County of Baldwin, Alabama. (Daphne) and the third in
Mobile.
State of Alabama.

Margaret Buck

who resides at Mobile, Alabama,

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

Risley & Beebe

Solicitors for Complainant.....

No.....

BALDWIN
Circuit Court of Mobile County

Bay Minette,
~~Mobile~~, Alabama

IN EQUITY

MARGARET E. DEAUX,

Complainant

vs.

JAMES D. DEAUX,

Defendant.

DEMAND FOR ORAL EXAMINATION

Filed *April 14th* 19*23*

D. W. Richardson

Register

Margaret E. Deaux, NO. 380
Complainant. In Equity
vs. In the Circuit Court
James D. Deaux, of Baldwin County
Defendant.

DEPOSITIONS
of

Margaret E. Deaux and J. B. Harrison
witnesses for Compl't

Thomas W. Richerson, Esq.

Register in Chancery

Bay Minette, Alabama

Filed May 19/1923
T W Richerson
Register

Margaret Buck

Margaret Buck
Commissioner

Margaret Buck

Commissioner

Margaret Buck

Commissioner
Commissioner

MARGARET E. DEAUX,
Complainant.

No. 380

-vs-

IN EQUITY

JAMES D. DEAUX,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

THE DEPOSITIONS OF MARGARET E. DEAUX, J. B. HARRISON,
~~BOOK XXXX. XXXXKXXXK~~, WITNESSES FOR COMPLAINANT IN THE ABOVE EN^d
TITLED CAUSE:

The said witnesses having been first duly sworn to
tell the truth, the whole truth, and nothing but the truth, upon
examination by solicitor for complainant, testified as follows;

MARGARET E. DEAUX

"I am the Complainant in this cause. I am over
the age of twenty-one years and was born in Monroe County and
have lived in Alabama all of my life excepting a few years
that we spent in Florida about four or five years ago. Since
then I have been back in Alabama and I have been a bona fide
resident of Baldwin County for more than three years last past.

"My husband, James DeWitt Deaux is twenty-nine
years of age and is at present living, so I have learned
since this bill was filed, at Gonzales, Florida. We were mar-
ried in Escambia County on December 28, 1912 and we lived to-
gether as man and wife in that County for a number of years.
For a while he went to Florida because he could get work there
but we came back from there in the early spring of 1920 and
went to live at Daphne. We did not live long together after
we came to Alabama as about the first of March, 1920, he left
me and went to Mississippi, promising to send for me and the
children but has never done so. He sent money up until Christ-
mas of 1920 but always had some excuse for not bringing us over
there, but since December, 1920, he has not sent me any money
and I had only one letter from him, in February, 1921. Since
then I have heard nothing from him and he has utterly abandoned

me for more than two years before this bill was filed. I have not seen him for more than three years and he has done nothing for his family for more than two years, so I have been completely abandoned. I have understood from his people that he has been living with another woman in Mississippi who passes as his wife. We have three children, a boy of nine, Lee Lovelace; a girl, Bernice, aged seven, and a baby daughter, Helen, aged three.

Margaret E. Deaux

J. B. HARRISON

"I am the brother of the Complainant in this cause. She was over the age of twenty-one years when the bill was filed and has been all of her life a bona fide resident of the State of Alabama, though for about two years four or five years ago she went with her husband to Florida where he was then employed. She and he were married about 1912 and lived first in Escambia County, Alabama, then went to Florida for a while but came back to Baldwin in the first part of 1920. When they came back he did not stay with her long but went to Mississippi to get work, stating that he would find a place and bring her and the children over. He sent her money several times but always had some excuse for not sending for her. The last money he sent was in December, of 1920, and since that time he has not sent her or the children a penny, nor has she heard from him. They have been living entirely separate and apart for more than three years and it is two years last December since he did anything for her support. My knowledge of the facts is such that had they ever lived together in that time I would have known it. We have been informed by his people that he is now living with another woman as his wife, by whom he has one child. I do not know this of my personal knowledge, only what his people said. I attach a letter that was turned over to us by one of the neighbors in 1921, which I know to be in Deaux's handwriting, which

shows that at that time he was pretending to be a single man. This letter is marked "Exhibit A". For the past three years Mrs. Deaux has been living with her father and for the past two and a half years has been entirely dependent upon her relatives and her own labor for the support of herself and her three children. Deaux is a good worker but will not stay long on any job.

J. B. Harrison

I, the commissioner named in the foregoing commission which issued out of the equity side of the Circuit Court of Baldwin County, do hereby certify that in a certain cause pending in said court wherein Margaret E. Deaux is complainant, and James D. Deaux defendant, under and by virtue of the power conferred upon me by said commission, I caused Margaret E. Deaux and J. B. Harrison, who are known to me, and known by me to ^{be} the identical witnesses named in the commission, ~~to~~ to come before me at 905 Van Antwerp Bldg., Mobile, Alabama, on the 21st and 22nd days of April, 1923, respectively, where after they had first been duly sworn by me, they were examined by counsel for complainant, and their testimony was by me reduced to writing as near as might be in the language of the witness, and after being transcribed was read over by me to them who assented to and signed the same in my presence.

I further certify that I am not of counsel or of kin to any parties of the case or in anywise interested in the result thereof.

Witness my hand this 18th day of May, 1923.

Margaret Buck
Commissioner

Mason 3/1921
 Richardson, R. #1

Mrs. Mike. Cooper
 Hoopline Ala. Bear
 As a man to write
 for an organ and
 a little about
 your and found to
 take me whatever
 as married are not
 and if he had quit
 his work and
 to live with her
 Mrs. Cooper & I want to
 know the facts in
 this case so I can
 see one of my

Danvers and Tith
his he is not
and we found out
he was and heard
you never about him
do hear let me
hear from you at
once can be good
to this matter
and I will remain
yours friend
R A Anderson

The State of Alabama, }
Baldwin County

CIRCUIT COURT.

To Margaret Buck, Mobile, Ala.

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Margaret E. Deaux and C.W. Harrison of Daphne, Ala, and J.B. Harrison of Mobile, Ala.

as witnesses in behalf of Margaret E. Deaux, Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Margaret E. Deaux

Complainant

and James E. Deaux

Defendant,

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

Witness 14 day of April 1923

D. W. Peterson
Register.

Commissioners Fee \$ 5.00

Witness Fee's \$ _____



No. 380

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

Margaret E. Deaux

Complainant

vs.

James E. Deaux

Defendant

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONER:

Margaret Buck

WITNESSES:

C.W. Harrison

Margaret E. Deaux

J.B. Harrison



ELLIOTT G. RICKARBY
LAWYER
903-905 VAN ANTWERP BUILDING
MOBILE, ALA.

March 31, 1923.

Mr. Thomas Richerson,
Bay Minette, Ala.

Dear Tom:

DEAUX Vs DEAUX: I just received a letter from Mrs. Deaux, stating that the correct address of her husband is Quentin, Mississippi, and not Quintette.

So I will ask you to register and mail the notice to the defendant at that place.

Sincerely,

Elliott G. Rickarby

RICKARBY & BEEBE

LAWYERS

ARCADE BUILDING

ELLIOTT G. RICKARBY
W. C. BEEBE

BAY MINETTE, ALA. March 8, 1923.

Thomas W. Richerson, Esq.
Register in Chancery
Bay Minette, Alabama

Dear Tom:

DEAUX VS. DEAUX; Herewith find bill of complaint, also extra copy to send by registered mail to the defendant at Quintet, Miss; also stamps to cover postage and registry. Please acknowledge receipt of this and when the return receipt comes back let me know.

Sincerely yours,

Elliott G. Rickarby

EGR/MB
Encls.

The State of Alabama, }
Baldwin County.

No. 380 CIRCUIT COURT, IN EQUITY

Margeret E Deaux. Complainant.....

vs.

James D Deaux, 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.

For on account of voluntary abandonment of Complainant by Respondent.

It is further ordered, that the said Margeret E Deaux, 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 Margeret E Deaux, 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 James D Deaux -

It is further ordered, adjudged and decreed that said Margeret E Deaux, shall not again marry except to said James D Deaux, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said James D Deaux, during the pendency of said appeal.

This 19th day of May, 1923.

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 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. 380

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

Margaret Deaux,

Vs.

James D Deaux,

DECREE OF DIVORCE.

Filed in office this 19th

day of May, 1923

J. W. Richardson

Register.

RECORDED

E. O. M.

RECORDED

Handwritten notes and signatures in the right margin, including a large signature that appears to be 'J. W. Richardson'.