

The State of Alabama, }
Baldwin County.

No. 393.

CIRCUIT COURT, IN EQUITY

Henry Sager Sr.,

Complainant

vs.

Augusta Sager,

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 voluntary abandonment.

It is further ordered, that the said Henry Sager, Sr.,

be, and he 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 Henry Sager, Sr.,

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 Augusta Sager.

It is further ordered, adjudged and decreed that said Henry Sager Sr.,

shall not again marry except to said Augusta Sager,

until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to

said Augusta Sager, during the pendency of said appeal

This 16th day of August 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 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. 393.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Henry Sager, . .

RECORDED

vs.

Augusta Sager,

DECREE OF DIVORCE.

Filed in office this

18th

day of

August, 1924

T. W. Pickerson
Register.

E. O. M.

RECORDED

[Faint, mostly illegible text from the reverse side of the document, including what appears to be a signature and some printed text.]

[Handwritten notes and signatures in the right margin, including a signature that appears to be "John B. ..."]

[Faint text from the reverse side, including "CIRCUIT COURT IN EQUITY" and "THE STATE OF ALABAMA"]

----- xq
 HENRY SAGER, SR.,
 Complainant.
 - vs -
 AUGUSTA SAGER,
 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, Henry Sager, and exhibits this, his bill of divorce, against the defendant, Augusta Sager, 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, Augusta Sager, is a non-resident of the state of Alabama and resides, when last heard of, in the city of Chicago, state of Illinois, *at 4152 Greenhaw Street,* her more particular address being unknown to your complainant and cannot be ascertained after diligent inquires on his part.

SECOND.

That your complainant and the defendant were married on, to-wit:- July 29th., 1912, and lived to-gether as man and wife for about three months; ~~that after~~ living to-gether for about three months they were separated and lived separated and apart for about a year when the defendant returned to your complainant and resided with him as his wife until about, to-wit:- January, 1914.

THIRD.

That on to-wit, about January, 1914, the defendant Augusta Sager, 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. That said abandonment and desertion took place more that two years before the filing of this bill of complaint.

THE PREMISES CONSIDERED:- Complainant prays that such orders, decrees, notices and subpoenas be made and issued as are necessary to make the 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.

PRAYER FOR RELIEF.

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, Henry Sager Sr., and the defendant, Augusta Sager, 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.

FOOR NOTE:-

The defendant, Augusta Sager, 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.

RETURN RECEIPT.

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

Richard L. Dager

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *3/22*, 19 *24*

Form 3811

Richard L. Dager
Mar 24/1924
Registered
© 5-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 88

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. Pickerson

(NAME OF SENDER)

Street and Number,
or Post Office Box, }

124

Post Office at

Bay Minette

State

Alabama

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 Augusta Sager,

of Chicago Ill ~~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

Henry Sager Sr.,

against said Augusta Sager,

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 18th day of March,

1924

T. W. Richerson
Register.

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

Original

Serve on

Circuit Court of Baldwin County
In Equity

No. *393*

SUMMONS

Henry Sager Sr

vs.

Augusta Sager

Stone & Stone

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.

*Copy of Summons &
Copy of Complaint
sent Dept by Reg Luciel
Nov 18th 1924.
D. W. Williams
Register*

----- X)	
HENRY SAGER, SR.,)	
COMPLAINANT.)	IN THE CIRCUIT COURT-EQUITY SIDE
)	
-vs-)	STATE OF ALABAMA
)	
AUGUSTA SAGER,)	BALDWIN COUNTY.
DEFENDANT.)	
----- X)	

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, Henry Sager Sr., who is known to me and who, after being by me first duly sworn, deposes and says under oath:-

That he is the complainant in the cause of Henry Sager, Sr., complainant, -vs- Augusta Sager, Defendant, which is now pending in the Circuit Court-Equity Side, State of Alabama, Baldwin County. and that he is informed and verily believes that Augusta Sager, the defendant in the above stated cause is a non-resident of the State of Alabama, residing in the City of Chicago, State of Illinois ^{at} ~~at~~ 4152 Greenshaw St and her more particular address he cannot ascertain after diligent inquiry on his part; that the defendant is over the age of twenty one years.

Henry Sager Sr

Sworn to and subscribed before me
this June 15th, 1923.

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

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. Vail, being duly sworn, deposes and says that he is the ^{owner} ~~FOREMAN~~ of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Henry Sager vs Augusta Sager
#393

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

Date of first publication	<u>June 28 - 1923</u>	Vol. <u>34</u>	No. <u>20</u>
“ “ second “	<u>July 5 “</u>	Vol. <u>34</u>	No. <u>21</u>
“ “ third “	<u>“ 12 “</u>	Vol. <u>34</u>	No. <u>22</u>
“ “ fourth “	<u>“ 19 “</u>	Vol. <u>34</u>	No. <u>23</u>

Subscribed and sworn to before the undersigned this 5th day of September 1923.

Notborn Hauer
Notary Public
Baldwin County, Alabama

R. B. Vail
~~Foreman.~~
Owner

Notice To Non-Resident.
Henry Sager, Sr., Complainant, vs.
Augusta Sager, Defendant.
No. 393.
The State of Alabama, Baldwin
County, Circuit Court, In
Equity. This the 23rd day of
June 1923.
In this cause it being made to ap-
pear to the Clerk of this Court by
the affidavit of Henry Sager, Sr.,
that the Defendant Augusta Sager,
is a non-resident of the State of Ala-
bama residing in the City of Chi-
cago, at 4152 Grenshaw St., State
of Illinois, and her more particular
address he cannot ascertain, after
diligent inquiry on his part, and
further, that, in the belief of said
Affiant the Defendat is over the age
of 21 years; it is, therefore ordered
that publication be made in "The
BaldwinTimes, a newspaper publish-
ed in Bay Minette, Baldwin County,
Alabama, once a week for four con-
secutive weeks requiring the said
Augusta Sager, to answer or de-
mur to the Bill of Complaint in this
case by the 29th day of July 1923,
or after thirty days therefrom a
decree Pro Confesso may be taken
against the said defendant.
T. W. Richerson,
Register
Stone and Stone
Attys for Complainant.
20-4t

The State of Alabama, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 393 Location Location Term, 1923

Henry Sager et.

Complainants

vs.

Augusta Sager

Defendants

Motion is hereby made for a Decree Pro Confesso against

Augusta Sager

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 10 day of Sept 1923

746 Code.

James Stone

Solicitor.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 393 Vacation Term, 1923

Henry Sager Sr. Complainant
vs. Auguster Sager 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 28th day of June, 1923, in the Baldwin Times a newspaper published in Bay Minette Baldwin Co. Alabama, that a copy of said order was posted at the Court House door in Bay Minette Baldwin County, on the 28th day of June 1923, and Copy of publication mailed to her last known address

And it now further appearing to the Register D. McIlwain, that the said

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

Auguster Sager

This 10th day of Sept, 1923.

D. McIlwain
Register.

No. 399

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THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Henry Leger Sr.

RECORDED

vs.

Augusta Leger.

RECORDED

DECREE PRO CONFESSO ON
PUBLICATION.

Issued Sept 10th 1923

D. W. Rice

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

Henry Sager & Co

vs.
Augusta Sager.

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

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

did, on the 18 day of March 1924, send to

Augusta Sager

Defendant.

whose address was 4152 Grand Street Chicago, Ill.

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 24th day of March 1924.

Witness my hand, this 24th day of March 1924.

J. M. Rice

Register.

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No. 393,

CIRCUIT COURT OF
BALDWIN COUNTY.
IN EQUITY.

Henry Sager *et al*

vs.

Augusta Sager

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

Filed in office on this 24th

day of March 1924

D. W. Riersons

Register.

RECORDED

RECORDED

IN THE CIRCUIT COURT, BALDWIN COUNTY, IN EQUITY.HENRY SAGER, SR. Complainant.
vs.AUGUSTA SAGER Respondent.I T. W. Richersonas Register in Chanceryhave called and caused to come before me Henry Sager, Sr., the complainant, William Raber and H. M. Peterson, witnesses for the complainantwitness RS. named in the Requirement for Oral Examination, on the 31st day of July, 1924, at the office of Register in Chancery in Bay Minette, Alabama, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said witnesses

doth depose and say as follows:

William Raber, a witness for the complainant testifies as follows:-

My name is William Raber, I am 53 years of age and live near Summerdale Baldwin County, Alabama, where I have lived for the past fourteen years continuously. I know both Henry Sager, Sr., and his wife Augusta Sager and have know them both ever since I have been in this county. I know that they are both over the age of twenty one years; Henry Sager, Sr., resides in Baldwin County, Alabama, near me where he has resided continuously for more than three years next immediately preceding June 22d, 1923; I do not know where Mrs. Augusta Sager is but I have heard that she was in Chicago, Illinois. I know that she has not lived near Summerdale for about six or seven years.

I know that Henry Sager, Sr., and Augusta Sager were married at Baldwin Hotel near Summerdale. This was about ~~fourteen~~ twelve years ago, sometime around 1912 to the best of my recollection. They lived to-gether as man and wife for a few months after their marriage; they then separated and lived separate and apart for sometime but then returned to-gether; she returning to him; they lived to-gether thr second time for a few months and finally separated for good in the latter part of December 1913 or around the first of 1914. They have never returned to live with each other since that time; they have lived separate and apart for more than two years continuously before June 22d, 1923. I know of no just cause or legal excuse that Augusta Sager had for deserting and abandoning her husband, Henry Sager, Sr., as she did; Mr. Sager has a good reputation in our neighborhood; he was voluntarily deserted and abandoned by his wife and this has continued from December 1913 or January 1914 up to this time.

William RaberH. M. PETERSON, A WITNESS FOR THE COMPLAINANT TESTIFIES AS FOLLOWS:-

My name is H. M. Peterson, I am 27 years of age and reside near Summerdale Baldwin County, Alabama. I have resided there continuously for the past twenty years. I know both Henry Sager, Sr., and his wife, Augusta Sager, having know them for the past eighteen years continuously. They are both over the age of twenty one years. Henry Sager, Sr., is a resident of Baldwin County, Alabama, residing within a quarter of a mile from me; he has been such a resident for the past eighteen years or more continuously; he has been a bona fide resident of Baldwin County, Alabama, for more than three years next immediately preceding June 22d, 1923. Augusta Sager, his wife, does not live with her husband but I understand she lives in Chicago.

I remember when Henry Sager, Sr., and his wife, Augusta Sager, were married; this was about twelve ago at Baldwin's Hotel near Summerdale. They lived to-gether for just a little while, a month or so, when they separated; she returned to him and

lived to-gether a little while longer but again separated; this last and final separation took place in the latter part of ~~1911~~ 1913, some time in the last part of the year to the best of my recollection; she has never returned to live with him sincethat time; Henry Sager was voluntarily deserted and abandoned by his wife she having no just cause or legal excuse to leave him as she did so far as I know or have ever heard; this separate took place more than two years before June 22d, ~~1913~~ 1923 and has continued up to this time.

Henry Sager, Sr., bears a good reputation in our neighborhood where he lives.

H. M. Peterson

HENRY SAGE, SR., THE COMPLAI ANT AND A WITNESS FOR THE COMPLAINANT TESTIFIES AS FOLLOWS:

My name is Henry Sager, Sr., and I am the complainant in this case wherein my wife, Augusta Sager, is the defendat. I filed my bill for divorce on June 22d, 1923. Both I and my wife are over the age of twenty oneyears, I am 69 years of age and my wife is around 60 years of age. I live nears Summerdale, Baldwin County, Alabama, where I have lived continuously for the past eighteen years; I have been a bona fide resident of Baldwin County, State of Alabama, for more than three years next immediately preceeding the filing of my complaint in this cause. My wife does not live in this state but lives in Chicago and I am informed by her son in law that her particular address was at the time that I filed my bill, 4152 Greenshaw Street.

My wife and I were married in July, 1912 at Baldwin Hotel near Summerdale in this county. We lived to-gether as man and wife for about three months when she voluntarily deserted and abandoned me without just cause or legal excuse; later she returned to me and I took her back and we again lived to-gether for a few months until she again deserted me in the latter part of December, 1913, possibly the first of January, 1914; this was without just cause or legal excuse, I having given her no reason whatsoever to leave me as she did. This desertion and abandonment has continued up to this time, she never having returned to live with me; this desertion took place and continued for more than two years before I filed for this divorce.

Henry Sager Sr

ORAL EXAMINATION.

I, J. W. Richardson, as Commissioner

hereby certify that the foregoing deposition.....on Oral Examination was taken down in writing by me in the words of the witness is and read over to them and they signed the same in the presence of myself and J. C. Stone, Atty. at the time and place herein mentioned; that I have personal knowledge of the personal identity of said witness..... or had proof made before me of the identity of said witness.....; 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 31st day of July, 1928
J. W. Richardson (L. S.)

No. 393 Page

The State of Alabama
Mobile County

IN CIRCUIT COURT, IN EQUITY.

Henry Hager, Jr.,

vs. Complainant,

Augusta Hager.

Respondent.

ORAL DEPOSITION.

Filed August 21st, 1928

J. W. Richardson, Register.

Recorded in

RECORDED

Record

Vol.

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Register.

RECORDED

NOTE OF TESTIMONY

The State of Alabama,

Henry Sager Sr.,

Complainant

VS.

Augusta Sager,

Respondent

No. 393.

In Circuit Court,

In Equity

IN THIS CAUSE comes the Complainant,

by his solicitor and submits the same for final decree

decree upon the Original Bill and exhibits thereto decree proco fesso

, and upon the following testimony, to-wit:

Henry Sager Sr., William Raber and H.M. Peterson,

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

This 31st day of July, 1924



Register.

No. 393.

The State of Alabama

Baldwin County

Circuit Court in Equity

Henry Sager Sr.,

Complainant

vs.

Augusta Sager.

Respondent

NOTE OF TESTIMONY

Filed 31st day of July, 1924

T. W. Peterson Register

Record Page

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 393. Vacation Term, 191²⁴

Henry Sager Sr., Complainant

vs.

Augusta Sager, Defendant

To F.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 and 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.

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No. 393.....

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

Henry Sager Sr.,.....

Augusta Sager,.....

REQUEST FOR DECREE IN
VACATION.

Filed July 31st 191²⁴.....

D. W. Richardson
Register

Recorded in Record

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