

(2788)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

AUBREY SMITH, Complainant

vs.

SILENA V. SMITH, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on ANSWER & MOTION and Testimony as noted by the Register, and upon consideration thereof, the Court is of the 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 that the said Aubrey Smith is forever divorced from the said Silena V. Smith for and on account of abandonment

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Aubrey Smith the Complainant pay the cost herein to be taxed, for which execution may issue.

This 10th day of April, 1952

J. J. Fair, M. A. L. B. S. Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, In Equity.

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No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

JEREMY SMITH

Complainant

vs.

SILENA V. SMITH

Respondent

DIVORCE DECREE

AUBREY SMITH

vs.

SILENA V. SMITH

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Answer & Waiver Silena V. Smith and testimony of Aubrey Smith and
Lillie Bush

and in behalf of Defendant upon _____

C. L. Gray
Attorney

W. J. ...

Register.

M

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Ambray Smith

vs.

Silena V. Smith

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED

Register.

Filed By The Baldwin Times

MAR 4 1952

ALICE I. DUCK, Register

AUBREY SMITH

Complainant

vs

SILENA V. SMITH

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

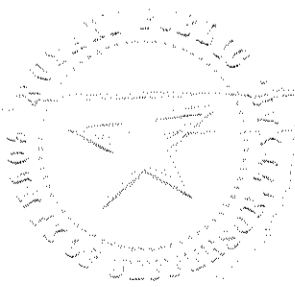
The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Silena V. Smith

STATE OF Texas
COUNTY OF Jefferson

I, Miriam Steele, a Notary Public, in and for said County, in said State, hereby certify that Silena V. Smith, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 20th day of March, 1952.



Miriam Steele
Notary Public, Jefferson County, Texas.

RECORDED

AUREY SMITH

COMPLAINANT

VS

SILENA V. SMITH

RESPONDENT

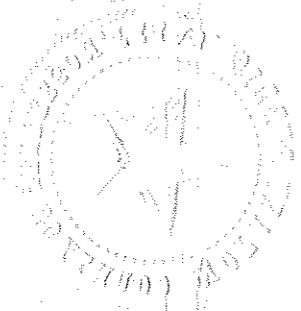
Answer & Waiver

From the Law Offices of
C. LeNoir Thompson
Attorney-at-Law
Bay Minette, Alabama

FILED

APR 4 1952

ALICE I. DUCK, Register



THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Aubrey Smith

Complainant

VS.

Silena V. Smith

Respondent

I, Lynleene Nixon

as Register and Commissioner

have called and caused to come before me

Aubrey Smith

Lillie Bush

witnesses named in the Requirement for Oral Examination, on the 3rd day of April 1945, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Aubrey Smith and Lillie Bush doth depose and say as follows:

That my name is Aubrey Smith, I am over the age of 21 and a resident of Baldwin County, Alabama, and have been for more than two years next preceding, the Respondent Silena Smith is over the age of 21 and was a resident of Baldwin County, Alabama at the time of our separation. We were married at Bay Minette, Alabama, March 9, 1937, and lived together as husband and wife until July 5, 1944 at which time the Respondent abandoned from my bed and board. We have not lived together since that time, the Respondent left me without fault on my part, and went to Texas shortly after she left me in July, 1944.

Aubrey Smith

My name is Lillie Bush, I know both parties to this cause, they are both over the age of 21, and were resident of Baldwin County, Alabama at the time of their separation in 1944, Silena Smith has not lived with Aubrey Smith as his wife since that time.

Lillie Bush

ORAL EXAMINATION.

I, Lyrleene Nixon, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and G. LeMoine Thompson at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or 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 3rd day of April, 1952

Lyrleene Nixon (L. S.)

NO. _____ PAGE _____

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

ALBERT SIEGEL
vs. Complainant

STANLEY V. SIEGEL
Respondent.

Oral Deposition

Filed _____, 1952

Register.

Recorded in

Record

Vol. _____ Page _____

Register.

FILED

APR 4 1952

ALICE J. MOCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Lyrleene Nixon

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 Aubrey Smith and Lillie Dish

as witnesses in behalf of Aubrey Smith in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Aubrey Smith

Complainant

and Silena V. Smith

Respondent

on oath, to be by you administered, upon Aubrey Smith and Lillie Dish to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 3rd day of Apr, 1942

W. J. ... Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Aubrey Smith

Complainant

vs.

Silena V. Smith

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILED
MAY 4 1952

ALICE J. DUCK, Register

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file 0-1
STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon SILENA V. SMITH to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by AUBREY SMITH as Complainant and against SILENA V. SMITH as Respondent.

WITNESS my hand this the 20th day of March, 1952.

Alice J. Decker
Register.

AUBREY SMITH
COMPLAINANT

VS

SILENA V. SMITH
RESPONDENT

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

TO HONORABLE TELFAIR J. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Aubrey Smith, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent were both bona fide residents of Baldwin County, Alabama at the time of their separation and more than two years prior thereto; that Complainant is a resident of Baldwin County but that Respondent is now a resident of Texas, and her address is 2927 Lincoln Drive, Apartment # 143, Beaumont, Texas; that the Complainant is over the age of twenty-one and the Respondent is over the age of twenty-one.

2.

That your Complainant and the Respondent married at Bay Minette, Alabama, on March 9, 1937, and lived together as husband and wife until on to-wit, July 5, 1944

3.

That on July 5, 1944, while your Complainant and the Respondent were living together the Respondent voluntarily abandoned the bed and board of your Complainant, and has remained away voluntarily and continuously since that time.

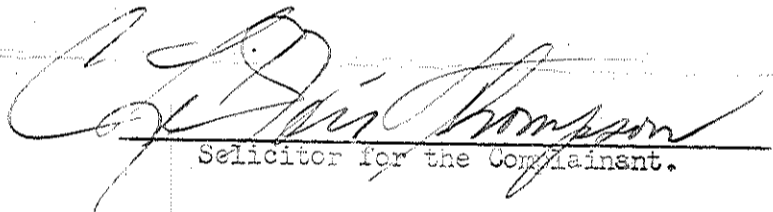
4.

That the Complainant and the Respondent have no children as fruits of this marriage, and there is no property to be divided.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Silena V. Smith, party Respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the Respondent; that he be granted such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

RECORDED


Solicitor for the Complainant.

2788

AURNEY SMITH

RECORDED

COMPLAINANT

VS

SILVER V. SMITH

RESPONDENT

2788

From the law office of
C. Lohr Thompson

FILED

MAR 20 1952

ALICE J. DUCK, Register