

(2441)

DIVORCE DECREE

MOORE Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

LOUISE ANGELINE DeSANTIS CLAYTON, Complainant

vs.

VIRGIL C. CLAYTON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DEFENDANT'S ANSWER~~  
Answer and Waiver and Testimony as noted by the Register, and upon con-  
sideration 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 LOUISE ANGELINE DeSANTIS CLAYTON is forever divorced from the  
said VIRGIL C. CLAYTON 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 LOUISE ANGELINE DeSANTIS CLAYTON  
the Complainant pay the cost herein to be taxed, for which execution may issue.

This 19<sup>th</sup> day of July, 1950

J. Fair P. Marshall  
Judge Circuit Court, In Equity.

I, Alice J. Duck 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 de-  
cree is on file and enrolled in my office.

Witness my hand and seal this the \_\_\_\_\_ day  
of July, 1950

\_\_\_\_\_  
Register of Circuit Court, In Equity.

RECORDED

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

**FILED**

JUL 19 1950

ALICE J. DUCK, Registrar

LOUISE ANGELINE DeSANTIS CLAYTON  
Complainant  
No. Vs.  
VIRGIL C. CLAYTON  
Defendant

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

ANSWER AND WAIVER

Comes the Defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause. I agree that Ann Street, of Prichard Alabama is a suitable person to take the testimony in this cause and may do so without a commission from the Court.

WITNESSE S:

(X) Virgil C. Clayton  
Defendant.

STATE OF Illinois  
COUNTY OF Clark

I, Wm. J. Pink, a NOTARY PUBLIC in and for said State and County, do hereby certify that Virgil C. Clayton, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, \_\_\_\_\_ executed the same voluntarily on the day same bears date.

Witness my hand and seal this 10<sup>th</sup> day of July, 1957

Filed, \_\_\_\_\_  
JAMES A. CRANE, REGISTER.

Wm. J. Pink  
NOTARY PUBLIC

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I agree that Ann Street, of Prichard Alabama is a suitable person to take the testimony in this cause and may do so without a commission from the Court.

Louise Angelina De Santis Clayton  
COMPLAINANT

RECORDED

No. 2497

LOUISE ANGELINE DeSANTIS  
COMPLAINANT CLAYTON

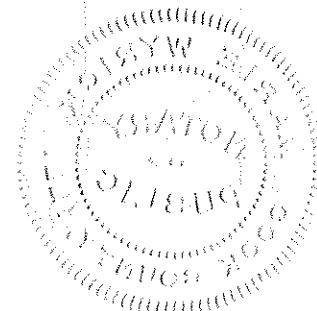
VS.

VIRGIL C. CLAYTON  
RESPONDENT

ANSWER AND WAIVER

Filed 7-19, 1920

*Virgil C. Clayton*  
Register.



LOUISE ANGELINE DeSANTIS CLAYTON ( IN THE CIRCUIT COURT OF BALDWIN  
COMPLAINANT

VS

COUNTY, ALABAMA

VIRGIL C. CLAYTON  
RESPONDENT

IN EQUITY

NO. \_\_\_\_\_

TO THE HONORABLE JUDGE OF SAID COURT, Sitting in Equity:

Comes now your Complainant, LOUISE ANGELINE DeSANTIS CLAYTON, and, humbly complaining, presents this her Bill of Complaint, against the Respondent, VIRGIL C. CLAYTON, and shows:

O N E

The Complainant is and has been for more than one year next before the filing of this suit a bona fide resident citizen of the State of Alabama, Mobile County, and is more than 21 years of age. The Respondent is a non-resident of the State of Alabama, whose present place of residence and post office address is 4875 Lincoln Avenue, Chicago 25, Illinois, and is more than 21 years of age.

T W O

The Complainant and the Respondent were lawfully married to each other at Phoenix, Arizona, on to-wit the sixth day of February, 1931 and lived together as husband and wife in Mobile and Baldwin Counties for some time thereafter. No child was born to them and none is expected.

T H R E E

More than one year next before the filing of this suit, the Respondent voluntarily abandoned the bed and board of the Complainant in Baldwin County, Alabama and has never cohabited with her as her husband or otherwise since.

P R A Y E R

THE PREMISES CONSIDERED, The Complainant prays that the Respondent be made the party defendant hereto in a manner provided by law; that upon a final hearing herein a decree be rendered forever dissolving and annulling the bonds of matrimony heretofore existing between the parties hereto; that in said decree and as a part thereof the Complainant be given the right to resume the use of her maiden name of Louise Angeline DeSantis.

AND COMPLAINANT PRAYS FOR GENERAL RELIEF.

*Shelton Street*  
SOLICITOR FOR COMPLAINANT

*Louise Angeline DeSantis Clayton*  
COMPLAINANT

LOUISE ANGELINE DeSANTIS CLAYTON  
COMPLAINANT

No. .... VS. }

VIRGIL C. CLAYTON  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

NO. \_\_\_\_\_

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated, July 18, 1950

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

FILED, .....

Register }

Bill of Complaint Answer and  
Waiver Depositions of Louise  
Angeline DeSantis Clayton and  
A. M. Simpson

*Shelton Strat*  
Solicitor—for Complainant.

FOR RESPONDENT

*Wm. J. ...*  
Solicitor—for Respondent.  
*Register*

RECORDED

No. 2497

LOUISE ANGELINE DeSANTIS CLAYTON  
COMPLAINANT

Vs.

VIRGIL C. CLAYTON  
RESPONDENT

ORDER OF SUBMISSION  
NOTE OF EVIDENCE

Filed Terms, 19 7-19  
1920  
Ent. Min. No. 1920, Page 1

LOUISE ANGELINE DeSANTIS CLAYTON  
COMPLAINANT  
VS  
VIRGIL C. CLAYTON  
RESPONDENT

TO THE HONORABLE JUDGE OF SAID COURT, Sitting in Equity:

Comes now your Complainant, LOUISE ANGELINE DeSANTIS CLAYTON, and, humbly complaining, presents this her Bill of Complaint, against the Respondent, VIRGIL C. CLAYTON, and shows:

ONE

The Complainant is and has been for more than one year next before the filing of this suit a bona fide resident citizen of the State of Alabama, Mobile County, and is more than 21 years of age. The Respondent is a non-resident of the State of Alabama, whose present place of residence and post office address is 4875 Lincoln Avenue, Chicago 25, Illinois, and is more than 21 years of age.

T W O

The Complainant and the Respondent were lawfully married to each other at Phoenix, Arizona, on to-wit the sixth day of February, 1931 and lived together as husband and wife in Mobile and Baldwin Counties for some time thereafter. No child was born to them and none is expected.

**F R E E**

More than one year next before the filing of this suit, the Respondent voluntarily abandoned the bed and board of the Complainant in Baldwin County, Alabama and has never cohabited with her as her husband or otherwise since.

P R A Y E R

THE PREMISES CONSIDERED, The Complainant prays that the Respondent be made the party defendant hereto in a manner provided by law; that upon a final hearing herein a decree be rendered forever dissolving and annulling the bonds of matrimony heretofore existing between the parties hereto; that in said decree and as a part thereof the Complainant be given the right to resume the use of her maiden name of Louise Angeline DeSantis,

AND COMPLAINANT PRAYS FOR GENERAL RELIEF.

Victory Street Larive Road  
COMPLAINANT  
SOLICITOR FOR COMPLAINANT.

LOUISE ANGELINE DESANTIS CLAYTON, IN THE CIRCUIT COURT OF BALDWIN  
 COMPLAINT  
 COUNTY, ALABAMA  
 VS  
 VIRGIL C. CLAYTON  
 RESPONDENT  
 IN EQUITY  
 NO.

TO THE HONORABLE JUDGE OF SAID COURT, Sitting in Equity:

Gomes now your Complaint, LOUISE ANGELINE DESANTIS CLAYTON, and  
 humbly complaining, presents this her Bill of Complaint, against  
 the Respondent, VIRGIL C. CLAYTON, and shows:

O N E

The Complaint is and has been for more than one year next before  
 the filing of this suit a bona fide resident citizen of the State of  
 Alabama, Mobile County, and is more than 21 years of age. The Re-  
 spondent is a non-resident of the State of Alabama, whose present  
 place of residence and post office address is 1875 Lincoln Avenue,  
 Chicago 25, Illinois, and is more than 21 years of age.

T W O

The Complaint and the Respondent were lawfully married to each  
 other at Phoenix, Arizona, on to-wit the sixth day of February, 1931  
 and lived together as husband and wife in Mobile and Baldwin Coun-  
 ties for some time thereafter. No child was born to them and none  
 is expected.

T H R E E

More than one year next before the filing of this suit, the Respon-  
 dent voluntarily abandoned the bed and board of the Complaint in  
 Baldwin County, Alabama and has never cohabited with her as her  
 husband or otherwise since.

F O U R

THE PREMISES CONSIDERED, The Complaint prays that the Respondent  
 be made the party defendant hereto in a manner provided by law;

that upon a trial hearing herein a decree be rendered forever dis-  
 solving and annulling the bonds of matrimony heretofore existing  
 between the parties hereto, that in said decree and as a part thereof  
 the Complaint be given the right to resume the use of her maiden  
 name of Louise Angelina Desantis.

COMPLAINT FOR COMPENSATION  
 VIRGIL C. CLAYTON  
 LOUISE ANGELINE DESANTIS CLAYTON  
 BALDWIN COUNTY, ALABAMA  
 NO. 2497

Mrs Duck:

Please file.

Will send  
Crewel Wain  
or instruction  
to serve in a  
day or so.

Thank,


~~W. H. H.~~  
W. H. H.

LOUISE ANGELINE DeSANTIS CLAYTON    |    IN THE CIRCUIT COURT OF  
COMPLAINANT                            |    BALDWIN COUNTY, ALABAMA  
VS                                        |    IN EQUITY  
VIRGIL C. CLAYTON                     |  
RESPONDENT                             |    NO. \_\_\_\_\_

C E R T I F I C A T E

I, ANN STREET, the Commissioner agreed upon by the parties hereto, hereby certify that, in pursuance of the powers conferred upon me by said agreement, I caused to appear before me the witnesses requested by the Complainant, that is to say, LOUISE ANGELINE DeSANTIS CLAYTON, the Complainant, and A. M. SIMPSON; that said witnesses appeared before me at the offices of Shelton Street, 74 Main Street, Prichard, Alabama on the 18th day of July, 1950; that said witnesses and each of them was by me duly sworn according to law, after which they were orally examined by Shelton Street, Solicitor for Complainant, and did testify in answer to said oral interrogatories as hereinafter set out in narrative form. I caused their said testimony to be reduced to writing (typewriting) as near as might be in their identical language, after which their testimony was by me read over to them, and they did assent to and subscribe the same in my presence and in the presence of said Shelton Street, Solicitor for Complainant. I do further certify that I am not of counsel or of kin to the parties hereto or either of them, and have no interest whatsoever in the result thereof.

In Testimony whereof I have hereunto set my hand this the 18th day of July, 1950.

  
COMMISSIONER  
By Agreement of the  
Parties

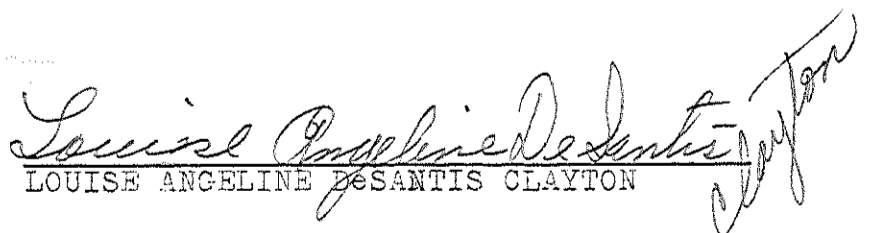
LOUISE ANGELINE DeSANTIS CLAYTON    §    IN THE CIRCUIT COURT OF  
COMPLAINANT                               §  
VS   §    BALDWIN COUNTY, ALABAMA  
VIRGIL C. CLAYTON                       §    IN EQUITY  
RESPONDENT                               §    NO. \_\_\_\_\_

DEPOSITION OF LOUISE ANGELINE DESANTIS CLAYTON

My name is LOUISE ANGELINE DeSANTIS CLAYTON, I am the Complainant in the above styled cause and I am the wife of the Respondent VIRGIL C. CLAYTON, I am and was at the time this suit was started a bona fide resident citizen of the State of Alabama, more than 21 years of age. The Respondent is a non-resident of the State of Alabama, whose present place of residence and post office address is 4875 Lincoln Avenue, Chicago 25, Illinois, and was more than 21 years of age at the time this suit was started. The Respondent and I were lawfully married to each other at Phoenix, Arizona, on the sixth day of February, 1931 and lived together as husband and wife for some time thereafter. No child was born to us and none is expected.

More than one year next before the filing of the Bill of Complaint the Respondent voluntarily abandoned my bed and board in Baldwin County, Alabama and has never returned to me or cohabited with me as his wife or otherwise since. His abandonment of me has been open, notorious, uninterrupted and without indication at any time of intention on his part to return to me or resume marital cohabitation with me.

So after waiting for more than a year for him to return or show some indication of intention to do so, I have started this suit for divorce.

  
LOUISE ANGELINE DeSANTIS CLAYTON

LOUISE ANGELINE DeSANTIS CLAYTON    IN THE CIRCUIT COURT OF  
COMPLAINANT                                BALDWIN COUNTY, ALABAMA  
VS   IN EQUITY  
VIRGIL C. CLAYTON  
RESPONDENT                                NO. \_\_\_\_\_

DEPOSITION OF A. M. SIMPSON

My name is A.M. SIMPSON. I am a resident citizen of Mobile County, Alabama and have known the parties to this suit for several years. The Complainant was at the time of the starting of this suit a bona fide resident citizen of the State of Alabama, more than 21 years of age. The Respondent is a non-resident of the State of Alabama, whose present place of residence and post office address is 4875 Lincoln Avenue, Chicago 25, Illinois, and was more than 21 years of age at the time this suit was started.

More than one year next before the filing of the Bill of Complaint the Respondent voluntarily abandoned the bed and board of the Complainant in Baldwin County, Alabama and has never resumed marital relations with her since. His abandonment of her has been and still is open, notorious uninterrupted, and without any expression of intention at any time or in any manner <sup>or</sup> ever returning to her or resuming marital cohabitation with her. So after waiting for more than a year for him to return or show some indication of intention to do so, she has started this suit for divorce.

A. M. Simpson  
A. M. SIMPSON