

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

OTIS MARSHALL

Complainant

vs.

INA MARSHALL

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Con-~~
fesso on Answer and Waiver 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and
that the said Otis Marshall is forever divorced from the said Ina Marshall
for and on account of Adultery

It is further ordered, adjudged and decreed that the Complainant,
Otis Marshall shall have and be awarded the care, custody and control
of the three minor children born of said union namely Patsy Nell
Marshall age 11, Otis Ramsey Marshall age 9, and Sarah Ann Marshall
age 6; with the Respondent hereby being given the right to visit said
children at reasonable times.

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

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

This 13th day of November, 1953.

Hubert M. Hall

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.

No. 3142 Page

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant.

Vs.

Respondent.

DIVORCE DECREE

FILED
NOV 12 1907
CLERK OF COURT

OTIS MARSHALL

Complainant,

vs.

INA MARSHALL

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

ANSWER AND WAIVER

Comes now the Respondent, Ina Marshall, and for answer to the Bill of Complaint heretofore filed in said cause says as follows:

1. That she denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

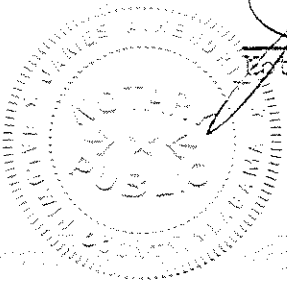
And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to her of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to her.

Ina Marshall
Ina Marshall

Sworn to and subscribed before

me this 9th day of November, 1953.

James A. Hendrix
Notary Public, Baldwin County, Alabama



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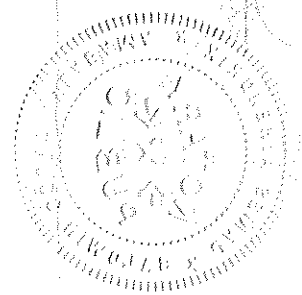
RECORDED

Ans.

FILED

NOV 18 1953

ALICE J. DUCK, Register



Otis Marshall

vs.

Ina Marshall

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 and waiver and testimony of Otis Marshall and J.R. Matthews
in the oral deposition.

and in behalf of Defendant upon

James A. Hendrix

Alvin J. Jones
Register.

No. 3142

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Otis Marshall

vs.

Ina Marshall

NOTE OF TESTIMONY

Filed in Open Court this

day of **FILED**, 194.....

NOV 13 1953

ALICE L. DICK, Register.

Printed By The Baldwin Times

STATE OF ALABAMA, BALDWIN COUNTY

OTIS MARSHALL

Complainant,

vs.

INA MARSHALL

Respondent.

Y

Y

Y

Y

Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

To the Honorable Hubert M. Hall, Judge of the Circuit Court of Baldwin County,
Sitting in Equity:

Your Complainant Otis Marshall, respectfully represents and shows unto your Honor:

That Complainant Otis Marshall is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than two years next preceeding the filing of this Bill of Complaint; that Ina Marshall is over the age of twenty-one years and resides in Robertsdale, Alabama.


That your complainant and Respondent were lawfully married on or about, to-wit, September 2, 1939, at Pensacola, Florida.

Your Complainant further avers and alleges that said Respondent has been guilty of adultery with a party whose name is believed by your Complainant to be Don Hattenstein, at times and places unknown to your Complainant.

Your Complainant further avers and shows unto your Honor that there was born to the union of the Complainant and Respondent three children, namely: Patsy Nell a girl age 11; Otis Ramsey a boy age 9; and Sarah Ann a girl age 6; and that said children are now in the custody and control of your Complainant.

The premises considered, your Complainant makes the said Ina Marshall a party Respondent to this his Bill of Complaint, and in order that said Complaint may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Ina Marshall, commanding her to answer plead or demur to this Bill of Complaint, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from said Respondent, granting the Complainant the right to

remarry. The Complainant prays that in and by virtue of the said decree he will be awarded the custody of the minor children born to the union of the parties, subject to the further orders of this Honorable Court. And that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper, and that your complainant ~~will ever pray, etc.~~


Solicitor for Complainant

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Otis Marshall

Complainant

VS.

Ina Marshall

Respondent

I, Grady P. Gilbert, Jr.

as Register and Commissioner

have called and caused to come before me Otis Marshall and J.R. Matthews

witnesses named in the Requirement for Oral Examination, on the 10 day of November 1953, at the office of James A. Hendrix in Robertsdale, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Otis Marshall and J.R. Matthews doth depose and say as follows:

My name is Otis Marshall, I am over twenty-one years old and have lived herein Baldwin County for more than the past two years, Ina Marshall is over twenty-one years old and resides at Robertsdale, Alabama. We were married, Ina and I, on Sept. 2, 1939 at Pensacola, Florida. About three weeks ago on October 12 Ina left with the fellow who had been hanging around the Cafe therein Robertsdale for several weeks, I am not sure but I believe that his name is DON Hattenstein, they left in my automobile and stayed gone up until about three days ago, or about the 7th day of November, 1953. She is now staying somewhere in Mobile, but I do not know where. But after she ran away with this other fellow like she did I do not intend to live with her again, and since she left with this fellow and lived with him for three weeks and treated me and the children like she did we have not lived together as man and wife, I have not forgiven her for this terrible thing she has done to me and the kids and I never will. Running off with that fellow has wrecked our home. We had three children; Patsy Nell, age 11; Otis Ramsey, age 9; and Sarah Ann age 6.

Otis Marshall

I have known Otis for several years, he is over twenty-one year old and has lived herein Baldwin County for the past ten or fifteen years, Ina Marshall is over twenty-one years old and lives in Robertsdale, Alabama. On Monday night October the 19th Otis told me of Ina's leaving on Monday Night October the 12th, leaving the children alone until he came in from work at 1:00 o'clock in the morning. She left Otis a note saying "I will Call Later". Otis told me later that she had left with a man that was hanging around the cafe at that time, I asked him who was it and he said he thought his name was Don Hattenstein. She, Ina, called me from Galveston, Texas about the 28th day of October and wanted to borrow some money, I asked her if she was coming home, she said she might, I told her that her kids needed her, and she said I know it; I then asked her to send me the information about the books for the Cafe and she wanted to know what I was doing with his books and I told her that she was way behind in the books and that I was helping get them up to date. Due to her leaving they have not lived together since as man and wife. they had three children.

J.R. Matthews

ORAL EXAMINATION.

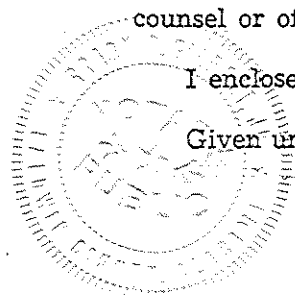
I, Grady P. Gilbert, Jr., as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself Grady P. Gilbert, Jr.

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 10th day of November, 1943

Grady P. Gilbert, Jr.
(L. S.)



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THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Obis Marshall
vs. Ina Marshall
Complainant
Respondent.

Filed 10th, 1943

Recorded in FILED Record

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Alfred L. Marshall, Register.

Oral Deposition

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Circuit Court

TO: Grady P. Gilbert, Jr.

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 Otis Marshall and J.R. Matthews

as witnesses in behalf of Otis Marshall in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Otis Marshall is

Complainant
and Ina Marshall is

Respondent

on oath, to be by you administered, upon them
to take and certify the deposition s of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 10th day of Nov, 1953

Alvin J. Lewis
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 3142

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Otis Marshall

Complainant

VS.

Ina Marshall

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

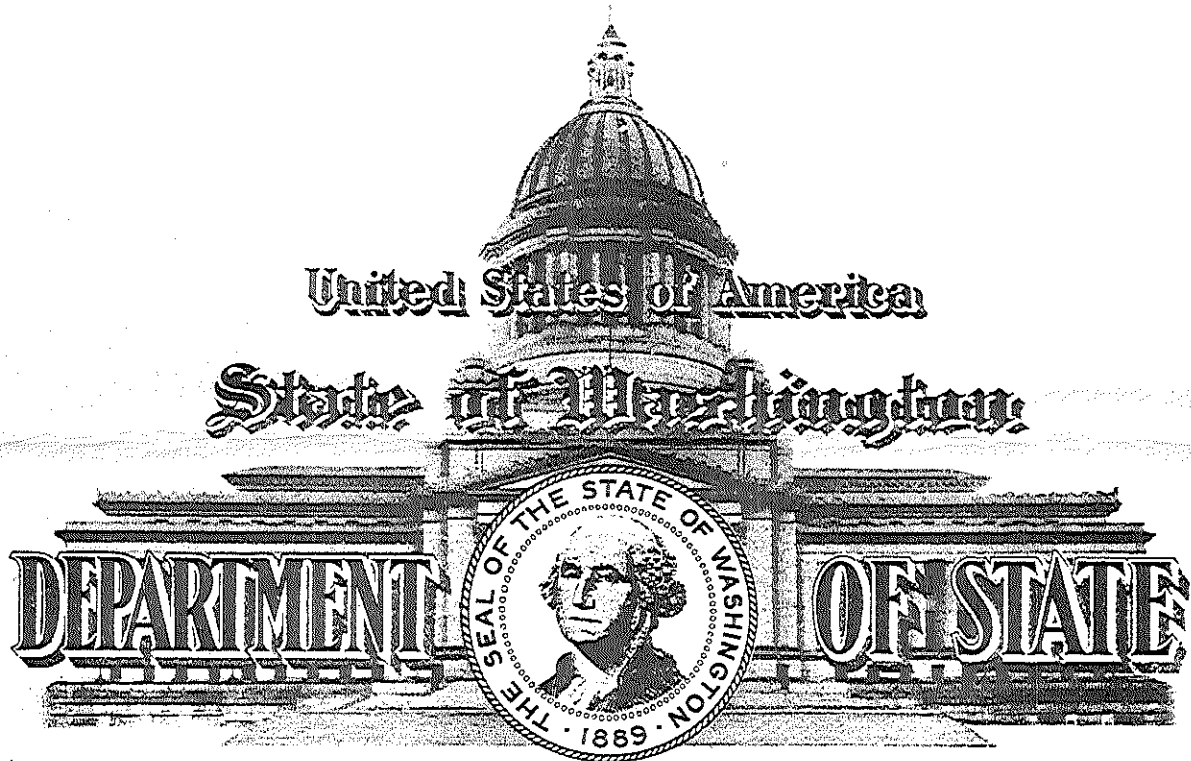
Grady P. Gilbert, Jr.

WITNESSES:

Otis Marshall

J.R. Matthews

AUTHENTICATION



TO ALL TO WHOM THESE PRESENTS SHALL COME

I,

EARL COE

Secretary of State of the

State of Washington, and custodian of the Seal of said State, do hereby

certify that the attached is a true and correct copy of Enrolled Senate Bill

No. 32 relating to the support of abandoned wives and children; and adopting

the uniform reciprocal enforcement of support act as passed by the Thirty-

second Session of the Legislature of the State of Washington.

I further certify that said measure is now identified as Chapter 196, Laws
of 1951.



*In Testimony Whereof, I have hereunto set
my hand and affixed hereto the Seal of the State of
Washington. Done at the Capitol, at Olympia,
this 1st day of October A.D. 1951.*

Earl Coe

EARL COE Secretary of State

"EXHIBIT A"

S E N A T E B I L L N O. 3 2

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

AN ACT Relating to the support of abandoned wives and children; and adopting the uniform reciprocal enforcement of support act.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. The purposes of this act are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

Sec. 2. As used in this act unless the context requires otherwise:

- (1) "State" includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.
- (2) "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.
- (3) "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced.
- (4) "Court" means the superior court of this state and when the context requires, means the court of any other state as defined in a substantially similar reciprocal law.
- (5) "Law" includes both common and statute law.
- (6) "Duty of support" includes any duty of support imposed or imposable by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, separate maintenance or otherwise.
- (7) "Obligor" means any person owing a duty of support.
- (8) "Obligee" means any person to whom a duty of support is owed.

Sec. 3. The remedies herein provided are in addition to and not in substitution for any other remedies.

Sec. 4. The duty of support imposed by the laws of this state or by the laws of the state where the obligee was present when the failure to support commenced as provided in section 7 and the remedies provided for enforcement thereof, including any penalty imposed thereby, bind the obligor regardless of the presence or residence of the obligee.

Sec. 5. The governor of this state (1) may demand from the governor of any other state the surrender of any person found in such other state who is charged in this state with the crime of failing to provide for the support of any person in this state and (2) may surrender on demand by the governor of any other state any person found in this state who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other state.

Sec. 6. Any obligor contemplated by section 5, who submits to the jurisdiction of the court of such other state and complies with the court's order of support, shall be relieved of extradition for desertion or non-support entered in the courts of this state during the period of such compliance.

Sec. 7. Duties of support enforceable under this law are those imposed or imposable under the laws of any state where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced, at the election of the obligee.

Sec. 8. Whenever the state or a political subdivision thereof has furnished

support to an obligee it shall have the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made.

Sec. 9. All duties of support are enforceable by action irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the superior court. In all instances where the obligee is not represented by private counsel it shall be the duty of the prosecuting attorney of the proper county of this state to appear in this state on behalf of and represent the obligee in every proceeding pursuant to this act and to obtain and present such evidence or proof as may be required by the court in the initiating state or the responding state.

Sec. 10. The petition shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information.

Sec. 11. If the court of this state acting as an initiating state finds that the petition sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property, he shall so certify and shall cause certified copies of the petition, the certificate and an authenticated copy of this act to be transmitted to the court of the responding state.

Sec. 12. When the court of this state, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall (1) docket the cause, (2) notify the prosecuting attorney, (3) set a time and place for a hearing, and (4) take such action as is necessary in accordance with the laws of this state to obtain jurisdiction. The courts of both the initiating state and the responding state shall have the power to order testimony to be taken in either or both of such states by deposition or written interrogatories, and to limit the nature of and the extent to which the rights so to take testimony shall be exercised and the obligor shall have a full and fair opportunity to answer the allegations of the obligee.

Sec. 13. If the court of the responding state finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

Sec. 14. The court of this state when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or orders for reimbursement therefor.

Sec. 15. In addition to the foregoing powers, the court of this state when acting as the responding state has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular:

(a) To require the defendant to furnish recognizance in the form of a cash deposit or bond of such character and in such amount as the court may deem proper to assure payment of any amount required to be paid by the defendant;

(b) To require the defendant to make payments at specified intervals to the clerk of the court or the obligee and to report personally to such clerk at such times as may be deemed necessary;

(c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

Sec. 16. The court of this state when acting as a responding state shall have the following duties which may be carried out through the clerk of the court:

(a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating state, and

(b) Upon request to furnish to the court of the initiating state a certified statement of all payments made by the defendant.

Sec. 17. The court of this state when acting as an initiating state shall have the duty which may be carried out through the clerk of the court to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding state.

Sec. 18. Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this act. Husband and wife are competent witnesses to testify to any relevant matter, including marriage and parentage.

Passed the Senate February 16, 1951.

Victor E. Meyers
President of the Senate.

Approved March 17, 1951

Arthur B. King
Governor of Washington

Passed the House March 6, 1951.

Charles W. Hodge
Speaker of the House.