

1030

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CHARLIE SMITH

Complainant

VS

IDA SMITH.

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DECEASED XXXX~~ on Answer of the Respondent 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 CHARLIE SMITH is forever divorced from the said

IDA SMITH

for and on account of voluntary 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~~

~~XXXXXXXXXXXX hereby permitted to again contract marriage upon the payment of the cost of XXXX~~

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

This 22nd day of December, 1943.

R. M. Hare
Judge Circuit Court, in Equity.

I, R. S. 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 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.

RECORDED

No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

CHARLIE SMITH

vs. Complainant.

IDA SMITH

Respondent.

DIVORCE DECREE

Dec 15 1919
Dec 15 1919

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To DOROTHY CLARK:

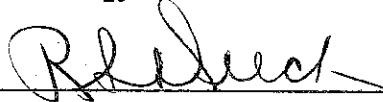
KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Charlie Smith and Clara Johnson

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

Complainant
and Ida Smith

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

Witness 15th day of December 19 43.



REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

CHARLIE SMITH,
COMPLAINANT,

-vs-

IDA SMITH,
RESPONDENT,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DEPOSITION

TESTIMONY OF CHARLIE SMITH

My name is Charlie Smith and I am the Complainant in the above entitled action for divorce.

I was married to the Respondent Ida Smith in Brewton, Alabama in the year 1905 and have been a resident of Alabama every since and of Foley, Alabama for more than ten years.

My wife and I lived together for more than thirty years and raised a family of five children of our own and two children of hers by a former marriage but after the children got grown and left home to establish their own homes my wife was not satisfied to live with me any longer and although I gave her no cause or reason for leaving she did leave me in September 1937 and went to live with the children and has refused to live with me every since although I have many times asked her to come back and have always been ready to provide a home for her.

It is now obvious that she will never live with me again and for that reason I desire a divorce.

Charlie Smith

TESTIMONY OF CLARA JOHNSON

My name is Clara, (Mrs. Nathan) Johnson and I am the daughter of Charlie Smith and Ida Smith and their youngest child.

I was the only child at home when they separated in 1937.

For sometime before that they had not been getting along although I could not see that it was any one's fault in particular, they just could not agree and mother just picked up and left and went to live with some of the other children.

I know that father tried to get her to come back and she refused and they have not lived together since.

Clara L. Johnson

CERTIFICATE

STATE OF ALABAMA, }
BALDWIN COUNTY, }

I Dorothy Clark, by virtue of the attached commission, the Commissioner to take the testimony of Charlie Smith and Clara Johnson to hereby certify that I caused said witness to appear before me in my office in Foley, Alabama and after said witnesses were duly cautioned and sworn I took down their testimony in shorthand, later transcribed the same on the typewriter and the same was read over and signed by said witnesses.

That I have personal knowledge of the identity of said witnesses, am not of counsel or of kin to said witness or the parties to said cause and am not in any way interested in the result thereof.

In witness whereof I have hereunto set my hand this 16th. day of December, 1943.

Dorothy Clark

COMMISSIONER

CHARLIE SMITH,

COMPLAINANT,

vs

IDA SMITH,

RESPONDENT.

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

ANSWER.

Comes now Ida Smith, the Respondent in the above-entitled cause, and for answer to the Bill of Complaint admits the allegations of Part One of said Bill and admits that she was married to the Complainant as averred, but denies each and every other allegation in said Bill contained.

Respondent hereby enters her voluntary appearance herein and expressly waives the issuance and service of summons and agrees that the testimony in this cause may be taken at any time without further notice to her and said cause submitted at any time without further notice to her.

WHEREFORE, having fully answered Respondent prays that she may go hence without day.

Ida M. Smith
Respondent.

CHARLIE SMITH,

COMPLAINANT,

-VS-

IDA SMITH,

RESPONDENT ,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

-VS-

BILL OF COMPLAINT

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA IN CHANCERY SITTING:

PART ONE

Comes now Charlie Smith, the Complainant in the above entitled cause, and respectfully shows to the court that he is over the age of 21 years and for many years a bona fide resident of Baldwin County, Alabama residing at Foley therein and that the Respondent Ida Smith is also over the age of 21 years and a resident of Foley Baldwin County, Alabama.

PART TWO

1. Your Complainant further avers that he was married to the Respondent in Brewton, Alabama in the year of 1905 and at all times since his marriage has conducted himself towards the Respondent has a faithful and Provident husband.

2. That the parties lived together as husband and wife for more than 30 years and raised a large family but in the month of September 1937 the Respondent, without good cause, abandoned the bed and board of your Complainant and has refused to live with him since wherefore he desires a divorce from the Respondent.

PRAYER FOR PROCESS

Wherefore your Complainant prays that Your Honor will grant to him the writ of summons of the State of Alabama commanding the Respondent Ida Smith to appear before the Honorable Court within the time allowed by law and answer, demur or otherwise plead to this Bill of Complaint, and your Complainant shall ever pray; & c.

PRAYER FOR RELIEF

Your Complainant further prays that, upon the final hearing of this cause Your Honor will grant to him a decree of divorce from the Respondent, Ida Smith and that he may have such other, further and additional relief in the premises as may be just and equitable


Solitor For Complainant

Charlie Smith.

VS.

Ida Smith.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
and Testimony of Charlie Smith and Clara Johnson. _____

and in behalf of Defendant upon _____ Answer & Waiver. _____

R. J. [Signature]

Register.

No. 1036.

RECORDED

The State of Alabama,

BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Charlie Smith.

VS.

Ida Smith.

NOTE OF TESTIMONY

Filed in Open Court this 20th

day of Dec, 194-3

[Signature]

Register.

Moore Printing Co.