

DIVORCE DECREE

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

BLANCHE SMITH GAUTNEY, Complainant
vs.

MAX GAUTNEY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Answer & 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said Blanche Smith Gautney is forever divorced from the said Max Gautney for and on account of

Abandonment

It is further ordered, adjudged and decreed that the Complainant, Blanche Smith Gautney, have the permanent care, custody and control of said child, John Anthony Gautney, age about 3 years.

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 Blanche Smith Gautney the Complainant pay the cost herein to be taxed, for which execution may issue.

This 2nd day of September, 1954
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. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

BLANCHE SMITH GAUTNEY

Complainant

vs.

MAX GAUTNEY

Respondent

DIVORCE DECREE

FILED

SEP 2 1954

ALICE J. DUCK, Register

The State of Alabama,
Baldwin County.

No. 3246 CIRCUIT COURT, IN EQUITY.

BLANCHE SMITH GAUTNEY

Complainant

Vs.

MAX GAUTNEY

Defendant

Motion is hereby made for a Decree Pro Confesso against

Max Gautney

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant..... has..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 1st day of Sept, 1954.

C. LeO. Fair Thompson

Solicitor.

No. Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT, IN EQUITY

.....
BLANCHE SMITH GAUTNEY
.....

Vs.

.....
MAX GAUTNEY
.....

**MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL**

Filed , 19.....

FILED

SEP 2 1954

.....
Register.
.....

WILLIAM J. DICK, Register

Recorded in Record,

Vol. Page

.....
Register.
.....

BLANCHE SMITH GAUTNEY

vs.

MAX GAUTNEY

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 10th
day of May 1924, a copy of the Bill of Complaint filed in this cause was
sent to Max Gautney

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom
addressed," and return receipt demanded addressed to the Register of this Court; and that on the
14 day of May 1924, such receipt was duly
received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer
or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered,
adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all
things taken as confessed against the said

Max Gautney

Defendant

This the 1st day of Sept 1934Wm. J. Smith Register.

No. _____

**CIRCUIT COURT OF BALDWIN
COUNTY, ALA.**

In Equity.

JOSEPH B. SMITH GUTHRY

vs.

WYOMING

**Decree Pro Confesso After
Notice By Registered Mail.**

Filed in office this 1st day of

Sept, 1924

Wm. J. Smith Register

Entered in O. B. _____ Page _____

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 Blanche Smith Gautney and H. J. Smith

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

Blanche Smith Gautney

_____, Complainant
and _____

Max Gautney

_____, Respondent

on oath, to be by you administered, upon _____
to take and certify the depositionS of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 2nd day of Sept, 1924

Allice J. Duck

Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ELANCHE SMITH GAUTNEY

Complainant

VS.

MAX GAUTNEY

Respondent

I, Lyrleene Mixon

as Register and Commissioner

have called and caused to come before me Blanche Smith Gautney and H. J. Smith

witnesses named in the Requirement for Oral Examination, on the 2nd day of September

1954, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, Alabama, and having first sworn said Witness to speak the

truth, the whole truth, and nothing but the truth, the said Blanche Smith Gautney and

H. J. Smith doth depose and say as follows:

That my name is Blanche Smith Gautney, I am over the age of 18 years old and a resident of Baldwin County, Alabama, and have been more than two years next preceding year. The Respondent is over the age of 21 years and his last known residence was Parker, Arizona, though we lived together as husband and wife in Baldwin County, Alabama, and the separation occurred here. We were married at Lucedale, Mississippi, on October 14, 1950, and lived together in Baldwin County, Alabama, as husband and wife until on or about April 5, 1952; that on April 5, 1952, the Respondent abandoned me without fault on my part and left the State of Alabama, and we have not lived together as husband and wife since that date. There was born as fruits of this marriage one child, John Anthony Gautney, age about 3 years, and your Petitioner has had the care, custody and control of this child since birth. Your petitioner respectfully represents unto this Honorable Court that she is a fit, suitable and proper person to have the permanent care, custody and control of this child, John Anthony Gautney, born of the marriage of the parties to this cause, and request this Honorable Court to grant such care, custody and control. She further testified, that I will never live with the Respondent as his wife any more and respectfully ask for a divorce.

Blanche Smith Gautney

That my name is H. J. Smith, I know both parties to this cause, the Complainant is over the age of 18 years and the Respondent, Max Gautney, is over the age of 21 years. They were married in Lucedale, Mississippi, on October 14, 1950, and lived together in Baldwin County, Alabama, as husband and wife until the Respondent abandoned the Complainant on or about April 5, 1952; I know of no reason she gave him for such abandonment, they have not lived together as husband and wife since that date. There was born of their marriage one child, John Anthony Gautney, age about 3 years. The Complainant has the the care, custody and control of this child since birth and I respectfully represents unto this Honorable Court that she is a fit, suitable and proper person to have his permanent care, custody and control. I do not believe the parties to this cause will ever live together again as husband and wife.

H J Smith

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 C. LeNoir 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 2nd day of September, 1954
Lyrleene Nixon (L. S.)

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

BLANCHE SMITH GAUTNEY

vs. Complainant

MAX GAUTNEY

Respondent

Oral Deposition

Filed _____, 19____

FILED

SEP 2 1954

Register

ALICE J. DICK, Register
Recorded in

Record

Vol. _____ Page _____

, Register

BLANCHE SMITH GAUTNEY

vs.

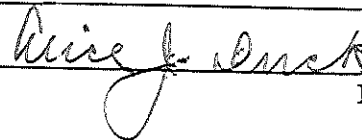
MAX GAUTNEY

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

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

Testimony of witnesses, Blanche Smith Gautney and H. J. Smith

and in behalf of Defendant upon Answer & Waiver


Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

BLANCHE SMITH GAUTNEY

VS.

MAX GAUTNEY

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED

SEP 2 1954 Register.

Printed By The Baldwin Times
ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, in and for the State of Alabama, Baldwin County, personally appeared Blanche Smith Gantney, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that she is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Max Gantney, is a non-resident of the State of Alabama and whose residence, after a search having been made with due diligence, is unknown according to the best information and belief of the Complainant and that your Complainant cannot ascertain the particular place of residence and Post Office address of the Respondent after expending a reasonable effort, which has been made; that said Respondent is over the age of twenty-one years.

Blanche Smith Gantney
Complainant

Sworn to and subscribed before me on

this the 3 day of May, 1954.

C. B. Davis
Notary Public, Baldwin County, Alabama.

FILED

5-5-54

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO THE SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Max Gautney, 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 Blanche Smith Gautney, as Complainant and against Max Gautney, as Respondent.

WITNESS my hand this the ____ day of May, 1951.

Register

BLANCHE SMITH GAUTNEY,	1	IN THE CIRCUIT COURT OF
COMPLAINANT,	1	BALDWIN COUNTY, ALABAMA
VS	1	IN EQUITY
MAX GAUTNEY,	1	
RESPONDENT.	1	

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA:

Your Complainant, Blanche Smith Gautney, 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 the Complainant is a resident of Baldwin County but that the Respondent's last known residents is Parker, Arizona; that they are both over the age of twenty-one years of age.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi, on October 11, 1950, and lived together as husband and wife until, on to-wit, April 5, 1952.

3.

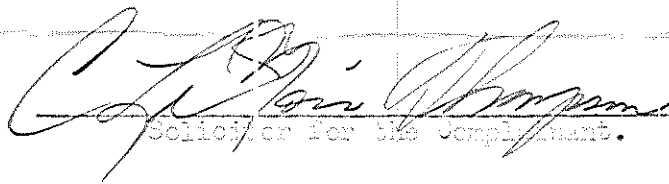
That on April 5, 1952, while your Complainant and the Respondent were living together the Respondent voluntarily abandoned the bed and board of your Complainant, and has remained away voluntarily and continuously since that time.

L.

There was born as fruits of this marriage between the Complainant and the Respondent one child; John Anthony Gautney, age about 3 years; that the mother of said child is a suitable, fit and proper person to have the care, custody and control.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Max Gautney party Respondent to this bill of complaint 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.

That your Complainant be awarded the custody, care, and control of the minor child, John Anthony Gautney, age about 3 years; and your Complainant further prays that upon final hearing hereof your Honor will grant to her an absolute divorce for ever barring the bonds of matrimony existing between your Complainant and Respondent, and that upon a final hearing of this cause, that your Complainant be awarded such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


C. L. Lewis Thompson
Attorney for the Complainant.

FILED

5-5-54

ALICE J. DICK, Register

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)



Return to Wince J. Duck
Street and Number,
or Post Office Box,] (NAME OF SENDER)

REGISTERED ARTICLE
No. 883 Post Office Bay Wignette
INSURED PARCEL
No. _____ State Ala.

16-12421

3246

Form 3811
Rev. 1-52

RETURN RECEIPT

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

1 M. J. Stanley
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 5-10, 19 54

ALICE J. DUBOIS
MAY 14 1954
FILED