

1112

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

EVELYN CROSS

Complainant

VS

BYRD ANDREWS CROSS

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decrees Pro Confesso on answer and waiver of 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 Evelyn Cross is forever divorced from the said

Byrd Andrews Cross

for and on account of Cruelty

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 Evelyn Cross and Byrd Andrews Cross be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Byrd Andrews Cross the Respondent pay the cost herein to be taxed, for which execution may issue.

This 6th day of May, 1944.

[Signature]
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. 1113 Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

EVELYN CROSS

vs. Complainant.

BY D. ANDREWS CROSS

Respondent.

DIVORCE DECREE

EVELYN CROSS
Complainant,
VS.
BYRD ANDREWS CROSS
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.
NO.....

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Minette, in the County of Baldwin State of

Alabama, the place of trial of said cause, to-wit:

Evelyn Cross
James D. Shipp

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

BEEBE & HALL
BY *Tom Hall*
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Bernice F. Reid

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

BEEBE & HALL
BY *Tom Hall*
Solicitor for Complainant.

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Bernice F. Reid

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

Evelyn Cross

James D. Shipp

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

Evelyn Cross

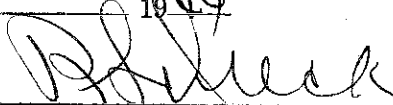
Complainant

and BYRD ANDREWS CROSS

Defendant,

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

Witness 5-20 day of May 1944



REGISTER

COMMISSIONER'S FEE, \$ _____

WITNESS' FEES, \$ _____

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA-- GREETING:

WE COMMAND YOU that you summon BYRD ANDREWS CROSS to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by EVELYN CROSS against the said BYRD ANDREWS CROSS and further do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ, with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this the 5 day of May, 1944.


Register.

EVELYN CROSS,
COMPLAINANT

VS

BYRD ANDREWS CROSS
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

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

Now comes your Complainant, Evelyn Cross, and humbly complaining against the Respondent, Byrd Andrews Cross, respectfully represents and shows unto your Honor and this Honorable court as follows:

1.

That the complainant is a bona fide resident of Baldwin County, Alabama, nineteen years of age; that the Respondent is a bona fide resident of Baldwin County, Alabama, over twenty one years of age;

2.

That they were married in Bay Minette, Alabama, on December 8th, 1943, and lived together as husband and wife in Baldwin County, Alabama, untill April 8th, 1944.

3.

That on, to-wit, April 8th, 1944, and at various times prior

thereto, the Respondent cursed, threatened, and abused the Complainant, and often threatened to do violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give the complainant every reasonable apprehension to believe, and she does actually believe, that if she continued to live with him he would do violence to her person which would necessarily endanger her life and health.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Byrd Andrews Cross 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.

Complainant further prays that upon a final hearing hereof, your Honor will give and grant unto her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent, and that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEBBE & HALL

BY H. M. Hall
Solicitors for Complainant.

EVELYN CROSS
COMPLAINANT

VS

BYRD ANDREWS CROSS
RESPONDENT

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

And now comes the Respondent in his own proper person and accepts service of the summons and complaint in the above styled cause, and denies each and every allegation contained in the bill of complaint, and demands strict proof of the same.

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

Byrd Andrews Cross
Respondent.

WITNESSES:

Nussler

NO. 1112

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

EVELYN CROSS

Complainant
vs.

BYRD ANDREWS CROSS

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

1112

BT-6-40-580

DEMAND FOR ORAL EXAMINATION.

.....
EVELYN CROSS
Complainant,

Vs.

.....
BYRD ANDREWS CROSS
Respondent.

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

Filed this 5th day of May,
1944.....

[Signature]
.....
Register.

1013

EVELYN CROSS,
COMPLAINANT

VS.

BYRD ANDREWS CROSS
RESPONDENT

SIMMONS AND COMPLAINANT.

Received May 5 1944
R. J. [unclear]

11/12

EVELYN CROSS,
COMPLAINANT

VS

BYRD ANDREWS CROSS
RESPONDENT

ANSWER AND WAIVER.

Received May 5 1949
Byrd Andrews

THE STATE OF ALABAMA
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

EVELYN CROSS

COMPLAINANT

VS.

BYRD ANDREWS CROSS

RESPONDENT

I, BERNICE F. REID

as Register and Commissioner

have called and caused to come before me EVELYN CROSS AND JAMES D. SHIPP

witness named in the Requirement for Oral Examination, on the 5TH day of MAY

19 444, at the office of BEBBE & HALL

BAY MINETTE, ALABAMA

, Alabama, and having first sworn said witness to speak the truth,

the whole truth, and nothing but the truth, the said EVELYN CROSS

doth depose and say as follows:

My name is Evelyn Cross. I am nineteen years of age and am a bona fide resident of Baldwin County, Alabama living in Foley.

The Respondent, Byrd Andrews Cross is twenty-one years of age and a bona fide resident of Foley in Baldwin County, Alabama. The Respondent and I married at Bay Minette in Baldwin County, Alabama on December 8, 1943. We lived together as husband and wife until April 8, 1944.

The Respondent on April 8, 1944 and at various times thereto cursed threatened and abused me and often threatened to do violence to my person which would necessarily endanger my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe and I did actually believe that if I continued to live with him he would carry out his threats and do violence to my person which would necessarily endanger my life and health.

I had known the Respondent for only about two weeks before we were married. I was sadly disappointed in him and conditions are such that it is absolutely impossible for us to live together as husband and wife.

Evelyn Cross

James D. Shipp, first having been sworn deposes and says that:

My name is James D. Shipp. I live at Foley, Alabama. The Respondent works for me as a taxi driver. He has been working for me something like a month. I have had the occasions to see he and his wife together. From my own personal observation I know that it is absolutely impossible for them to live together as husband and wife. They have no property and no children.

James D. Shipp

ORAL EXAMINATION

I, Bernice F. Reid, as Register and Commissioner hereby certify that the foregoing deposition— on Oral Examination was taken down in writing by me in the words of the witness ~~and~~ read over to them and they signed the same in the presence of myself and of H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness^{es} or had proof 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 5th day of May, 19 44.

Bernice F Reid (L. S.)

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THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

EVELYN CROSS

Complainant

Vs.

BYRD ANDREWS CROSS

Respondent

ORAL DEPOSITION

Filed May 6, 1944

B. F. Reid, Register

RECORDED IN

Record

Vol. _____ Page _____

Register _____

EVELYN CROSS

COMPLAINANT

VS.

BYRD ANDREWS CROSS

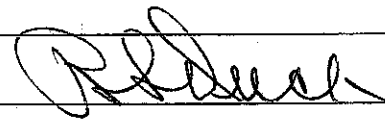
RESPONDENT

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,
answer and waiver of respondent, and the testimony of complainant's witnesses

and in behalf of Defendant upon



Register.

No. 1112

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

EVELYN CROSS

COMPLAINANT

VS.

BYRD ANDREWS CROSS

RESPONDENT

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of May 1944

R. H. Duce

Register.