

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EDITH FORTE RADA, Complainant

vs.

James J. Rada, Jr., Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confession, Answer and waiver of defendant 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 Edith Forte Rada is forever divorced from the said James J. Rada, Jr. for and on account of

DRUNKENNESS

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 payment of the cost of this suit.

It is further ordered that Edith Forte Rada the Complainant pay the cost herein to be taxed, for which executed may issue.

This day of 19

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.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EDITH FORTE RADA

Complainant

vs.

James J. Rada, Jr.

Respondent

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Answer and waiver of defendant 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.

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is forever divorced from the

said James J. Rada, Jr.

for and on account of

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It is further ordered that Edith Forte Rada

the Complainant

pay the cost herein to be taxed, for which executed may issue.

This day of , 19

Judge Circuit Court, In Equity.

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Witness my hand and seal this the day of , 19

Register of Circuit Court, In Equity.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EDITH FORTE RADA

Complainant

VS.

James J. Rada, Jr.

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on

Answer and waiver of defendant

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

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It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Edith Forte Rada

Complainant

the pay the cost herein to be taxed, for which executed may issue.

This day of , 19

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.

Edith Forte Rada

Complainant

vs.

James J. Rada, Jr.

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
Alabama, the place of trial of said cause, to-wit: Edith Forte Rada and Lonnie Forte

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

Beebe & Swearingen
by

Solicitor for Complainant

NOTE:

Complainant suggests the name of Madeline S. Bryacs
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Beebe & Swearingen
by Dr. C. Beebe

Solicitor for Complainant.

3591

DEMAND FOR ORAL EXAMINATION

Edith Sorto Rada

Complainant

vs.

James J. Rada, Jr.

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this

FILED

AUG 12 1955

194----

ALICE J. DUCK, Register

Register

Moore Printing Co.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Madeline S. Brvars

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 Edith Forte Rada and Lonnie Forte

as witnesses in behalf of Edith Forte Rada in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Edith Forte Rada

is, Complainant
and James J. Rada, Jr.

is Respondent
on oath, to be by you administered, upon oral examination

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 13 day of Aug., 1955

Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Edith Irene Rado

James J. Rado
Complainant—

vs.

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

FILED

AUG 12 1955

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Edith Forte Rada

Complainant

VS.

James J. Rada, Jr.

Respondent

I, Madeline S. Bryars

as ~~Register and~~ Commissioner

have called and caused to come before me Edith Forte Rada and Lonnie Forte

witnesses named in the Requirement for Oral Examination, on the 13 day of August 1955, at the office of Beebe & Swearingen

in Ray Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Edith Forte Rada and Lonnie Forte doth depose and say as follows:

My name is Edith Forte Rada. I am over the age of twenty-one years and I am the complainant in that cause pending in the Circuit Court of Baldwin County, Alabama, against James J. Rada, Jr., for divorce. We were married December 17, 1936 in Pensacola, Florida. He is over the age of twenty-one years. At the time of our marriage he was sober and industrious, but has within the last two years become an habitual drunkard and has gradually grown worse. He is drunk every weekend and sometimes his drinking sprees continue for several days. Because of his habitual drunkenness I left him on the 6th day of August, 1955 and we have not lived together as husband and wife since. We separated at Silverhill in Baldwin County where we have resided for nearly twenty years.

Edith Forte Rada

My name is Lonnie Forte. I am the father of Edith Forte Rada, who is complainant in a suit against James J. Rada, Jr. for divorce in the Circuit Court of Baldwin County. When they married he was sober and industrious but within the last two years he has become and is persistently an habitual drunkard. They were married in Pensacola, Florida on the 17th day of December, 1936 and reside at Silverhill, in Baldwin County where they have resided nearly twenty years.

Lonnie Forte

ORAL EXAMINATION.

I, Madeline S. Bryars, 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 W. C. Beebe

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 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 13 day of August, 1955

Madeline S. Bryars (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Oral Deposition

Filed FILED, 195

AUG 13 1955, Register.

Recorded in,
ALICE J. BEEBE, Register

Record

Vol. _____ Page _____

, Register

Edith Forte Rada

vs.

James J. Rada, Jr.

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 of defendant and testimony as noted by the register:

and in behalf of Defendant upon _____ answer _____

Becha & Swearingen

By W. C. BechaAlvin J. Dineen
Dr. Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Edith M. Radagr

vs.

James J. Radagr

NOTE OF TESTIMONY

Filed in Open Court this 13

day of Aug, 1945

Alison J. Duck
Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

Edith Forte Rada

, Complainant

Vs.

James J. Rada, Jr.

, Defendant

To Alice J. Duck, Register

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Beebe & Swearingen

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Beebe & Swearingen
By *W. C. Swearingen*
Solicitor for Complainant.

No. _____ Page _____

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

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed _____, 194 _____

FILED

AUG 12 1955

Register.

ALICE J. DICK, REGISTRAR

Recorded in _____ Record _____

Vol. _____ Page _____

Register.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon James J. Rada, Jr., to be and appear before the Judge of the Circuit Court of Baldwin County, in equity, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by Edith Forte Rada against the said James J. Rada, Jr. and further do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

Witness, Alice J. Duck, Register of said Circuit Court, this the 13 day of Aug., 1955.

Alice J. Duck
Register

EDITH FORTE RADA	I	IN THE CIRCUIT COURT OF
COMPLAINANT	I	
VS	I	BALDWIN COUNTY, ALABAMA,
JAMES J. RADA, JR.	I	
DEFENDANT	I	IN EQUITY

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

And now comes your complainant, Edith Forte Rada, and humbly complaining against James J. Rada, Jr., respondent, respectfully shows unto your Honor:

FIRST: That your complainant and the said James J. Rada, Jr., are each over the age of twenty-one years, and are residents of Silverhill in Baldwin County, Alabama, where they have resided for approximately twenty years continuously next preceding this date.

SECOND: That complainant and defendant were married at Pensacola, Florida on December 17, 1936, and have lived together as husband and wife until August 6, 1955 when they separated at Silverhill, in Baldwin County, Alabama.

THIRD: That the said defendant at the time of their marriage was a sober and industrious man, but in the last two years has become an habitual drunkard, and because of such habitual drunkenness this complainant was compelled to separate from him as aforesaid on August 6, 1955 in Silverhill in Baldwin County, Alabama.

WHEREFORE your complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and make the said James J. Rada, Jr., party defendant hereto and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this complainant and the said defendant, and complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

Becke & Swearingen

By

W. C. Becke
Solicitor for complainant.

RECORDED

Edith Forte Rada
vz
James J. Rada Jr

Complaint

FILED

AUG 12 1955

ALICE J. DUCK, Register

EDITH FORTE RADA, *Jr*
COMPLAINANT

VS

JAMES J. RADA

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Comes, James J. Rada, defendant in the above styled cause and answering complainant's complaint and every allegations therein made says the same are untrue, and he demands strict proof thereof.

Defendant waives notice of the application to take testimony, notice of the time and place of taking testimony, the right to cross examine complainant's witnesses, and notice of the submission of the cause for final decree, and agrees and consents that the said cause be submitted for final decree upon motion of complainant or her solicitor of record.

Witness my hand this the 13 day of August, 1955.

James J. Rada, Jr.
Defendant

STATE OF ALABAMA

BALDWIN COUNTY

I, *Madelaine L. Byars*, a Notary Public in and for said State and County, hereby certify that James J. Rada, *Jr* whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 13 day of Aug., 1955.

Madelaine L. Byars
Notary Public, Baldwin Co., Ala.

Eduardo Rada
James J. Rada

Answer

16591

FILED

AUG 12 1900

ALICE J. DUCK, Register

RECORDED