

3370

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts

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 Rebecca Sophronia Minchew Smith

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

Complainant
and Jake E. Smith

Respondent

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

Witness 5th day of Oct, 1954

Register.

Commissioner's Fee, \$

Witness' Fees, \$

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Rebecca Sophronia Minchew Smith Complainant

VS.

Jake E. Smith Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Rebecca Sophronia Minchew Smith

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

1954, at the office of Wilters & Brantley

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

truth, the whole truth, and nothing but the truth, the said Rebecca Sophronia Minchew Smith

doth depose and say as follows:

My name is Rebecca Sophronia Minchew Smith. I am over twenty-one years of age and live in Baldwin County, Alabama; I have lived here during all the past year. Jake E. Smith is over the age of twenty one years and lives in Springfield, Missouri. He and I were married to one another on June 5, 1948, at Brewton, Alabama. We lived together as man and wife until to-wit 1st day of June, 1953. At that time my husband did beat and strike me about the face and body and threatened to do me further physical harm. From his actions and attitude I believed that he would carry out his threats had I not avoided him.

Rebecca Sophronia Minchew Smith

ORAL EXAMINATION

I, Evelyn Watts, 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.....and read over to her and she signed the same in the presence of myself and Tolbert M. Brantley

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness.... or had proom made before me of the identity of said witness.....; 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 October, 1954

Evelyn Watts (L. S.)

No. 2370 Page.....

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

Rebecca Sophronia Minchew Smith

vs. Complainant

Jake Smith

Respondent

Oral Deposition

Filed _____, 19____

FILED
Recorded in
OCT 5 1954
Register

ALICE J. DICK, Register
Record
Vol. _____ Page 1

Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA;

You are hereby commanded to summons JAKE E. SMITH to appear and plead, answer or demur within thirty days from the service hereof to the bill of Complainant filed in the Circuit Court of Baldwin County, Alabama, in Equity, by REBECCA SOPHRONIA MINCHEW SMITH as Complainant and against Jake E. Smith as Respondent.

WITNESS my hand this the _____ day of July, 1954.

Register

REBECCA SOPHRONIA MINCHEW SMITH	§	
COMPLAINANT	§	IN THE CIRCUIT COURT OF
VS	§	BALDWIN COUNTY, ALABAMA,
JAKE E. SMITH	§	IN EQUITY
RESPONDENT	§	

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

Your Complainant, Rebecca Sophronia Minchew Smith, respectfully represents and shows unto your Honor;

1.

That your Complainant is over the age of twenty one and is a resident citizen of said state and county and has been a bona fide resident of said State for more than one year next preceding the filing of this bill of complaint; that Jake E. Smith is over the age of twenty-one and resides in Springfield, Missouri.

2.

That your Complainant and Respondent were lawfully married on or about to-wit, June 5, 1948, at Brewton, Alabama.

3.

Your Complainant avers and charges that the said Respondent did on or about the 1st day of June, 1953, and many times prior thereto assault, beat, hit and strike the Complainant in the face and about the body of the Complainant; that said Respondent has committed actual violence to her person attended with danger to her health or life; Complainant avers and charges that the Respondent has made numerous threats of doing her physical harm and from his

manner and conduct toward her she is reasonable convinced that he will commit an actual violence upon her person attended with danger to her life or health.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Jake E. Smith 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.

Your Complainant further prays that upon a final hearing hereof your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

WILTERS & BRANTLEY

BY: J. Albert M. Brantley
Solicitor for the Complainant

FILED

10-5-54

ALICE J. BUCK, Clerk

No 3370

REBECCA SOPHRONIA MINCHEW SMITH

COMPLAINANT

VS

JAKE E. SMITH

RESPONDENT

BILL OF COMPLAINT

FILED

OCT 5 1954

ALICE J. DUCK, Register

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REBECCA SOPHRONIA MINCHEW SMITH

COMPLAINANT

VS

JAKE E. SMITH

RESPONDENT

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

Now comes the Respondent, in his own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause, as to ages, residence and marriage, but denies all other allegation contained therein and demands strict proof of the same.

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

Jacob E. Smith

STATE OF Missouri
COUNTY OF GREENE

I, Robert R. Crockett, a Notary Public, in and for said County, in said State, hereby certify that Jake E. Smith, 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 on this the 21 day of July, 1954.

Robert R. Crockett
Notary Public.

*my Comm Expires
Feb. 10, 1956.*

FILED

10-5-54

ALICE J. DUCK, Clerk

Rebecca Sophronia Minchew Smith

vs.

Jake E. Smith

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,

Testimony of Rebecca Sophronia Minchew Smith

and in behalf of Defendant upon answer and waiver

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Rice - Duck
 Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Rebecca Sophronia Minchew Smith

vs.

Jake E. Smith

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED

007 5 1954

Register,

Printed by the Baldwin Times

Walter J. Cook, Register

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

Rebecca Sophronia Minchew Smith, Complainant

vs.

Jake E. Smith, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said

Rebecca Sophronia Minchew Smith is forever divorced from the said Jake E. Smith 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 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 Rebecca Sophronia Minchew Smith the Complainant pay the cost herein to be taxed, for which execution may issue.

This 5th day of October, 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. 3326

Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Rebecca Saphronia Minchew

Smith

Complainant

vs.

Jake E. Smith

Respondent

DIVORCE DECREE

FILED

OCT 5 1954

ALICE L. SMITH, Register