

2290

GLADYS T. ARD,

Complainant,

vs.

GLOYICE E. ARD,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

This day came Gladys T. Ard and filed herein her verified Petition praying that Gloyice E. Ard be required to appear and show cause, if any he have, why he should not be punished as for a contempt in regard to the nature of things set out in the verified Petition; and upon consideration of said Petition it is hereby ORDERED, ADJUDGED AND DECREED by the Court that the said Gloyice E. Ard appear before the Court at 10:00 A.M. on the 2nd day of September, 1949, at the Courthouse at Bay Minette, Baldwin County, Alabama to show cause, if any he have, why he should not be punished as for a contempt.

Let a copy of said Petition and of this rule to show cause be served forthwith, personally upon the said Gloyice E. Ard by the Sheriff of Baldwin County, Alabama.

Done this 27 day of August, 1949.

Jeffrey J. Maslbury, Jr.
Judge.

8-29-49

Executed By leaving
copy within with

Gloyice E. Ard

Sheriff

Taylor Wilkins

By

Edwigh Steadham

P. S.

CITATION

GLADYS T. ARD,

Complainant,

vs.

GLOYICE E. ARD,

Respondent.

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

FILED

AUG 29 1949

ALICE J. DUCK, Register

GLADYS T. ARD,
Complainant,
vs.
GLOYICE E. ARD,
Respondent.

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

TO THE DEFENDANT, GLOYICE E. ARD:

It appearing to the Court from the sworn Petition of the Complainant in the above styled cause that Cynthia Ann Ard is a girl, two years of age and that on account of her tender age she should be in the custody of her mother pending further action of this Court.

THEREFORE, custody and control of the said Cynthia Ann Ard, during the pendency of this proceeding is hereby awarded to Gladys T. Ard, Complainant, awaiting the further order of this Court.

Witness my hand at Bay Minette, Baldwin County, Alabama this 20th day of May, 1949.

Julian H. Mashburn, Jr.
Judge.

STATE OF ALABAMA
BALDWIN COUNTY

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IN THE CIRCUIT COURT
IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Gloyice E. Ard 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 Gladys T. Ard as Complainant against the said Gloyice E. Ard as Respondent.

Witness my hand this the 20th day of May, 1949.

Alice J. Duck
Register.

GLADYS T. ARD,

Complainant

vs.

GLOYICE E. ARD,

Respondent.

I

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Comes your Complainant Gladys T. Ard and files this her Bill of Complaint for divorce against the said Gloyice E. Ard and shows unto your Honor and unto this Court as follows:-

FIRST:-

That your Complainant is a married woman nineteen years of age and resides at Robertsdale, Alabama; that the Respondent is over the age of twenty-one years and a resident citizen of Robertsdale, Alabama. That your Complainant has been a resident citizen of Baldwin County, Alabama, all of her life.

SECOND:-

That your Complainant and Respondent were married on heretofore, to-wit, June 8, 1946, and they have lived together as man and wife until on account of the matters hereinafter complained of your Complainant was compelled to leave the Respondent and live separate and apart from him.

On several occasions the Respondent had threatened to do physical harm to Complainant and on the night of May 19, 1949, the Respondent did commit actual violence on the person of your Complainant by striking her with his fist on the back of her head and by knocking her to the ground. That your Complainant has reasonable apprehension to believe that if she continued to live with the Respondent her life or health would be in danger. That she has not lived with him as man and wife since he struck her on May 19, 1949.

THIRD:-

That there was born to Complainant and Respondent one child, Cynthia Ann Ard, who is now two years of age. That on account of the tender age of such child she should be awarded to the care, custody and control of your Complainant who is her Mother; that your Complainant is a fit and proper person to have

the care, custody and control of said minor and the Respondent is not a fit and proper person to have the care, custody and control of such minor.

FOURTH:-

That the Respondent recently took the above named minor by force and your Complainant has reason to believe that he will attempt to do so again.

FIFTH:-

That the Respondent is an able bodied man just over twenty-one years of age and is now engaged in truck farming with his father. That your Complainant does not know of any property that he owns other than a truck but he is able to earn and is now earning about \$250.00 per month. That your Complainant does not own any property and does not have any money out of which to support herself and said minor child or to employ an attorney to prosecute this action; that your Complainant has employed Hybart, Chason & Stone to prosecute this suit for her.

PRAYER FOR PROCESS AND RELIEF:

The premises considered your Complainant prays that Gloyice E. Ard be made a party defendant to this cause by the usual writ or process of this Court requiring him to appear and plead, answer and demur within the time and under the penalties prescribed by the rules of this Court and the statutes in such cases made and provided. That your Honor will enter an order giving your Complainant the custody and control of said minor child during the pendency of this proceeding; that your Honor will order that a reference be held to determine what would be a reasonable amount for support for your Complainant and said minor child pending the suit and what would be a reasonable Solicitors fee pende lite and that on a final hearing of this cause that your Honor will ascertain and fix reasonable support for your Complainant and said minor to be paid by the said Respondent and a reasonable Solicitors fee to her Solicitors for prosecuting this cause of action; that your Honor will also grant unto your Complainant an absolute divorce from said Respondent and will award her the care, custody and control of the said minor child hereinabove named and that your Honor will order

and decree that your Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such, other, further and different relief as may be requisite in the premises.

Gladys T. Ard
Complainant.

Hybart, Chason & Stone
Solicitors for Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice L. Miller, a Notary Public, in and for said County in said State personally appeared Gladys T. Ard, who after being by me first duly and legally sworn, says:-

That the allegations contained in the foregoing Bill of Complaint are true and correct.

Gladys T. Ard

Sworn to and subscribed before
me, this 20th day of May, 1949.

Alice L. Miller
Notary Public, Baldwin County,
Alabama.

Robertsdale, Alabama
March 14, 1950

TO WHOM IT MAY CONCERN:

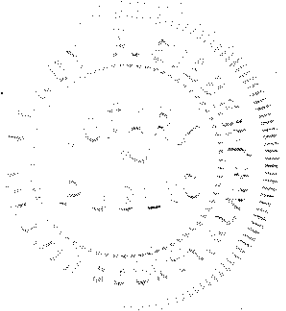
I, Gladys Thomley Ard, hereby certify that I have received no money from Gloyce Elmore Ard for support of our child which was awarded by the court when one divorce decree was granted.

Gladys T. Ard
Gladys T. Ard

Sworn to before me this 14th day of March 1950.

My commission expires 4-9-52.

Grady P. Gekard HT
My Comm. expires 4/9/52



Robertsdale, Alabama
March 14, 1950

TO WHOM IT MAY CONCERN:

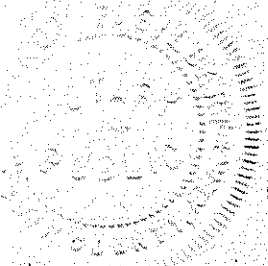
I, Gladys Thomley Ard, hereby certify that I have received no money from Gloyce Elmore Ard for support of our child which was awarded by the court when one divorce decree was granted.

Gladys T. Ard
Gladys T. Ard

Sworn to before me this 14th day of March 1950.

My commission expires 4-9-52.

Grady P. Guebert *NGP*
My Comm. expires 4/9/52



GLADYS T. ARD,)
Complainant,)
Vs.)
GLOYICE E. ARD,)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 2290

DECREE

This matter not coming on to be heard before the Court, is submitted for decision upon the verified petition for a rule to show cause, and upon the testimony which has been taken orally before the Court; and upon the consideration of the same the Court is of the opinion that the said Gloyice E. Ard possesses the means, and has willfully and contemptuously refused to pay to Gladys Ard the alimony and support heretofore directed in her favor by the said decree of this Court, dated the 12th day of July, 1949, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court:

1. That said Gloyice E. Ard is in contempt of Court.
2. That Gloyice E. Ard be given until September 9, 1949 to purge himself of the said contempt by paying to the Petitioner, Gladys T. Ard, all back installments of support for the minor child.
3. That upon his failure to purge himself of the said contempt on or before September 9, 1949, said Gloyice E. Ard be confined in the jail of Baldwin County, Alabama until he shall comply with the terms of the said decree or be otherwise discharged by due process of law.

Done this 2nd day of September, 1949..

TELFAIR J. MASHBURN, JR.
Judge

GLADYS T. ARD,

Complainant,

vs.

GLOYICE E. ARD,

Respondent.

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

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF SAID COURT:

Comes your Petitioner, Gladys T. Ard, and respectfully shows unto this Court as follows:

FIRST:-

That on the 12th day of July, 1949, in the above styled cause, a final decree was rendered divorcing your Petitioner, the Complainant from Gloyice E. Ard, her husband, and in said decree the said Gloyice E. Ard was directed to pay to your Petitioner on Monday of each week following said decree the sum of Ten Dollars (\$10.00) as support for their minor child, the custody of which

SECOND:-

That the said Gloyice E. Ard has received a copy of said decree but he has willfully failed and refused to obey said decree and has not paid your Petitioner any money since the date of said decree.

The premises considered, your Petitioner prays that a rule be issued to the said Gloyice E. Ard requiring him, at a time and place to be therein stated, to appear before the Court and show cause, if any he have, why he should not be punished as for a contempt.

Petitioner prays for such other, further and different relief as may be mete and proper.


As Petitioner.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, John Chason, a Notary Public, in and for said State and County, personally appeared Gladys T. Ard, who is

known to me and who after being by me first duly and legally sworn deposes and says:

That she signed the foregoing Petition; that she has knowledge of the facts stated in said Petition and the same are true.

Charles J. Ard

Sworn to and subscribed
before me this 26th day of
August, 1949.

John Mason
Notary Public, Baldwin County,
Alabama.

FOR CONSENT
PETITION FOR CITIZENSHIP

GEORGE E. VAND

Complainant

vs.

GEORGE E. VAND

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Filed August 29, 1949.

Charles J. Ard
Notary

PETITION FOR CITATION
FOR CONTEMPT

GLADYS T. ARD,
Complainant,
vs.
GLOYICE E. ARD,
Respondent,

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

Filed August 26th, 1949.

Reinhold H. Hensch
Register.

August 1949.

before me this 26th day of
Sworn to and subscribed

Reinhold H. Hensch
Notary Public, Baldwin County,
Alabama.

Primo.

knowledge of the facts stated in said petition and the same are
deposed and sworn
known to me and who after being by me first duly and legally sworn

Reinhold H. Hensch

GLADYS T. ARD,

Complainant,

vs.

GLOYICE E. ARD,

Respondent.

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

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF SAID COURT:

Comes your Petitioner, Gladys T. Ard, and respectfully shows unto this Court as follows:

FIRST:-

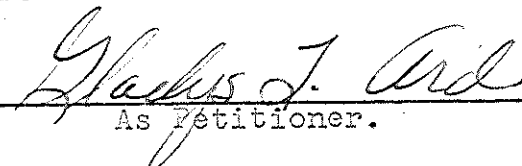
That on the 12th day of July, 1949, in the above styled cause, a final decree was rendered divorcing your Petitioner, the Complainant from Gloyice E. Ard, her husband, and in said decree the said Gloyice E. Ard was directed to pay to your Petitioner on Monday of each week following said decree the sum of Ten Dollars (\$10.00) as support for their minor child, the custody of which child had been granted to your Petitioner.

SECOND:-

That the said Gloyice E. Ard has received a copy of said decree but he has willfully failed and refused to obey said decree and has not paid your Petitioner any money since the date of said decree.

The premises considered, your Petitioner prays that a rule be issued to the said Gloyice E. Ard requiring him, at a time and place to be therein stated, to appear before the Court and show cause, if any he have, why he should not be punished as for a contempt.

Petitioner prays for such other, further and different relief as may be mete and proper.


As Petitioner.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, John Chason, a Notary Public, in and for said State and County, personally appeared Gladys T. Ard, who is

known to me and who after being by me first duly and legally sworn
deposes and says:

That she signed the foregoing Petition; that she has
knowledge of the facts stated in said Petition and the same are
true.

Charles J. Ford

Sworn to and subscribed
before me this 26th day of
August, 1949.

John R. Brown
Notary Public, Baldwin County,
Alabama.

GLADYS T. ARD,

Complainant,

vs.

GLOYICE E. ARD,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2290.

Comes the Complainant in the above styled cause and demurs to the Cross Bill filed by the Respondent in said cause and to each and every paragraph thereof separately and severally and assigns the following separate and several grounds, viz:-

1. That the Respondent could obtain the relief prayed for in his Cross Bill under an answer.
2. That no necessity is shown for a Cross Bill.
3. That it is affirmatively shown that the Respondent can obtain all the relief under his answer to which he is entitled.

Hybart, Chason & Stone

BY: John Chason

no 2290

DEMURRER

GLADYS T. ARD,

Complainant,

vs.

GLOYICE E. ARD,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed 20th day of June,
1949.

Alice J. Hinch
Register.

GLADYS T. ARD
COMPLAINANT
VS.
GLOYICE E. ARD
RESPONDENT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NO. 2290

Now comes the Respondent and for answer to the Complainant's bill of complaint, and to each paragraph thereof, and each allegation therein contained says:

1.

He admits the allegation contained in paragraph first.

2.

He admits the allegations of paragraph second as to marriage but denies all other allegations therein contained and demands strict proof of the same.

3.

He admits the allegations of paragraph third as to birth and age of child, and denies all other allegations therein contained and demands strict proof of the same.

4.

He denies the allegation contained in paragraph fourth.

5.

He denies the allegation contained in paragraph fifth and further answering the Complainant's bill of complaint the Respondent says:

6.

That he had the minor child, Cynthia Ann Ard in his possession and that the Complainant snatched the said child and ran away with it, against the wishes of the Respondent.

7.

That the Complainant is not a suitable, fit or proper person to have the care, custody and control of the said minor child; that the environment of the home in which the Complainant keeps said child are not conducive of the best interest of the child.

8.

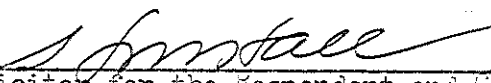
That the Respondent lives in the home with his father and mother; that his mother is ready, able and willing to aid him in caring for said child.

that the home of his father and mother and the environments thereof are more suitable to the welfare of the said minor child, than those of the home in which the Complainant is keeping the child; that the acts and conduct of the Complainant are such that hse is not a suitable or proper person to have the custody of the child.

9.

This Respondent admits that he is an able bodied man but denies the allegations that he is engaged in the truck farm business with his father; that he owns a truck and that he is able of earning TWO HUNDRED AND FIFTY (\$250.00) DOLLARS, per month; that he has ~~as yet~~ nothing to cause the Complainant to employ counsel to file and prosecute the suit against him; that ~~there~~ was ~~no~~ necessity of the employment of counsel.

WHEREFORE the premises considered the Respondent prays that this be taken as his answer and cross-bill and that the Complainant by proper process be made a party hereto and required 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. This Respondent further prays that upon a hearing hereof, this Honorable court will enter a decree that this Respondent is the suitable fit and proper person to have the care, custody and control of the minor child, Cynthia Ann Ard, and that a decree be made and entered awarding the custody of said child to him; that the Respondent prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.


Solicitor for the Respondent and Cross-Complainant.

GLADYS T. ARD

COMPLAINANT

VS.

GLOYICE E. ARD

RESPONDENT

FILED

JUN 9 1949

ALICE J. DUCK, Register

GLADYS T. ARD,

Complainant,

VS.

GLOYICE E. ARD,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 2290.

DECREE

This matter now coming on to be heard before the Court, is submitted for decision upon the verified petition for a rule to show cause, and upon the testimony which has been taken orally before the Court; and upon the consideration of the same the Court is of the opinion that the said Gloyice E. Ard possesses the means, and has willfully and contemptuously refused to pay to Gladys Ard the alimony and support heretofore directed in her favor by the said decree of this Court, dated the 12th day of July, 1949, it is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court:

1. That said Gloyice E. Ard is in contempt of Court.
2. That Gloyice E. Ard be given until September 9, 1949 to purge himself of the said contempt by paying to the Petitioner, Gladys T. Ard, all back installments of support for the minor child.
3. That upon his failure to purge himself of the said contempt on or before September 9, 1949, said Gloyice E. Ard be confined in the jail of Baldwin County, Alabama until he shall comply with the terms of the said decree or be otherwise discharged by due process of law.

Done this 2nd day of September, 1949..

Jeffrey P. Mashburn Jr.
Judge

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

GLADYS T. ARD

Complainant

vs.

GLOYICE E. ARD

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DECEES BY CROSS DECEES~~ on Answer & Cross Bill of Resp. 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 Gladys T. Ard is forever divorced from the said Gloyice E. Ard for and on account of cruelty

It is ORDERED, ADJUDGED AND DECREE that Gladys E. Ard is hereby awarded the care, custody and control of their minor child, Cynthia Ann Ard, and Gloyice E. Ard shall have the right to visit said child at all reasonable times.

It is further ORDERED, ADJUDGED AND DECREE that Gloyice E. Ard shall pay the said Gladys T. Ard the sum of \$10.00 a week, beginning as of the date of this decree, said payments to be made on Monday of each week for the support and maintenance of said minor child.

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 Gloyice E. Ard

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

This 12th day of July, 1949

J. Fair J. Marshallburg
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.

0622

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

GLADYS T. ARD

Complainant

vs.

GLOYICE E. ARD.

Respondent

DIVORCE DECREE

Filed 8-6-49

Alice French
Registrar