

3664

DIVORCE DECREE

PRINTED BY MOORE PTC CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY AGNES POWELL SMITH, Complainant

vs.

MARCUS PACE SMITH, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Registered Mail 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 Mary Agness Powell Smith is forever divorced from the said Marcus Pace Smith for and on account of Abandonment.

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 Mary Agnes Powell Smith the Complainant pay the cost herein to be taxed, for which executed may issue.

This 15th day of February, 1956

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.

RECORDED

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

MARY AGNES POWELL SMITH

Complainant

vs.

MARCUS PAGE SMITH

Respondent

DIVORCE DECREE

*Filed 2-15-56  
Deice J. H. H. H.  
Register*

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARY AGNES POWELL SMITH

Complainant

VS.

MARCUS PACE SMITH

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Mary Agnes Powell Smith and Murray Crim

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 11th day of February  
1956, at the office of C. LeFoir Thompson

in Bay Minette, Alabama, and having first sworn said Witness<sup>es</sup> to speak the  
truth, the whole truth, and nothing but the truth, the said Mary Agnes Powell Smith and  
Murray Crim doth depose and say as follows:

That my name is Mary Agnes Powell Smith, I am over the age of 21 and a resident of Baldwin County, Alabama and have been more than one year next preceeding. The Respondent is over the age of 21 and is a non-resident of the State of Alabama, his last known resident being Meridian, Mississippi. We were married in Lauderdale County, Mississippi on September 12, 1953 and lived together in Alabama until on or about November 12, 1954 at which time the Respondent abandoned me without fault on my part and we have not lived together again as husband and wife since that time. I do not believe that we will ever live together again as husband and wife. There are no children as fruits of this marriage and no property to be divided. I respectfully ask this Honorable Court to grant me a divorce.

Mary Agnes Powell Smith

That my name is Murray Crim, I know both parties to this cause, they are both over the age of 21 and the Complainant is a resident of Baldwin County, Alabama. So far as I know the Respondent is a non-resident of the State of Alabama. They were married on September 12, 1953 and lived together as husband and wife until their separation in Baldwin County on or about the 12th of November 1954 at which time the Respondent abandoned the Complainant without fault on her part so far as I know. They have no children as fruits of their marriage and no property to be divided. I do not believe they will ever live together again as husband and wife.

Murray Crim

**ORAL EXAMINATION.**

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition s 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 witnesses; 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 11th day of February, 1956.

Lois Wilson (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

HARRY ADAMS POTTELL, S117111

vs. Complainant

JAROUS PAGE S117111

Respondent.

**Oral Deposition**

Filed \_\_\_\_\_, 195\_\_\_\_

Recorded in \_\_\_\_\_, Register.

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Record \_\_\_\_\_

Register \_\_\_\_\_

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Lois Wilson

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Mary Agnes Powell Smith and Murray Crim

a witnesses in behalf of Mary Agnes Powell Smith in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Mary Agnes Powell Smith

Complainant

and Marcus Pace Smith

Respondent

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

Witness 11th day of February, 1956

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. \_\_\_\_\_

**THE STATE OF ALABAMA  
Baldwin County**

**CIRCUIT COURT**

MARY AGNES POWELL SMITH

Complainant

VS.

MARCUS PACE SMITH

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

LOIS WILSON

WITNESSES:

MARY AGNES POWELL SMITH

MURRAY CRUM

any testimony and proceedings are subject to the rules of evidence applicable to the trial of the case in which the deposition is taken. The deposition shall be taken in accordance with the rules of evidence applicable to the trial of the case in which the deposition is taken.

Witness my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Mary Agnes Powell Smith

\_\_\_\_\_  
Murray Crum

Commissioner

Mary Agnes Powell Smith

Murray Crum

MARY AGNES POWELL SMITH

vs.

MARCUS RACE 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 Mary Agnes Powell Smith and Murray Crim, Decree Pro Confesso  
on Registered Mail and Motion for Decree Pro Confesso on Registered Mail.

and in behalf of Defendant upon \_\_\_\_\_

*C. Lewis Thompson*

*Deirdre Duck*  
Register.

RECORDED

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

MARY AGNES POWELL SMITH

VS.

MARCUS PAGE SMITH

**NOTE OF TESTIMONY**

Filed in Open Court this 15<sup>th</sup> .....

day of Feb , 1945

Deice J. Duck  
Register.



STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Marcus Pace Smith, 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 Mary Agnes Powell Smith as Complainant and against Marcus Pace Smith as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of November, 1955.

Register.

\* \* \* \* \*

MARY AGNES POWELL SMITH  
COMPLAINANT  
VS  
MARCUS PACE SMITH  
RESPONDENT

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

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

Your Complainant, Mary Agnes Powell Smith, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and is a resident of Baldwin County, Alabama and has been more than one year next preceding of the filing of this bill of complaint; The Respondent is over the age of 21 and is presently residing at Meridian, Mississippi, in care of the Pepsi-Cola Bottling Company.

2.

That your Complainant and the Respondent married at Lauderdale County, Mississippi on September 12, 1953 and lived together as husband and wife in Baldwin County, Alabama until November 12, 1954.

3.

That on November 12, 1954, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. The conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual

violence to her person, which would necessarily endanger her life and health.

4.

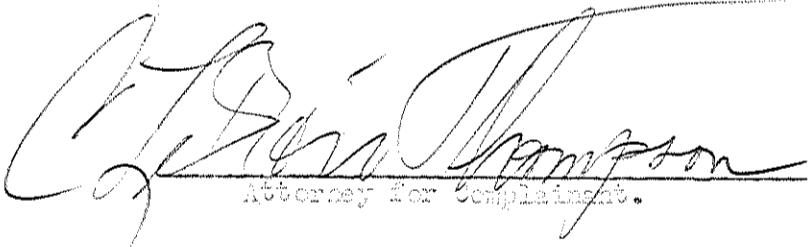
That on November 12, 1951, while your Complainant and the Respondent were living together as husband and wife in Baldwin County, Alabama, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

5.

There are no children as fruits of this marriage and no property to be divided.

WHEREFORE, the premises considered, the complainant prays that your Honor will by proper process make the said Marcus Pace Smith party respondent to this cause of action, 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 your Honor will upon a final hearing hereof award to her a decree of divorce forever barring the bonds of matrimony existing between your complainant and the respondent, and that she be granted such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

  
Attorney for Complainant.

ALICE L. BUCK, CLERK

NOV 30 1955

C. Leland Thompson  
Attorney at Law  
Day Street, Alabama

From the law offices of

*Raymond*

\*\*\*\*\*

RECEIVED THE SECRETARY

\*\*\*\*\*

RESPONDENT

VARIOUS PAGES

AS

COMPLAINANT

THEY AGREE TO SETTLE

RECORDED  
3664

MARY AGNES POWELL SMITH

vs.

MARCUS FACE SMITH

CIRCUIT COURT OF  
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 30th day of November 1925, a copy of the Bill of Complaint filed in this cause was sent to Marcus Face Smith

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 7th day of December 1925, 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

Marcus Face Smith

Defendant

This the 19th day of January 1926

*W. J. General* Register.

No. \_\_\_\_\_

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

**In Equity.**

MARY AGNES POWELL SMITH

vs.

MARCUS PAGE SMITH

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

Filed in office this 19 day of

January, 1956  
Wiley J. Duncanson, Register

Entered in O. B. \_\_\_\_\_ Page \_\_\_\_\_

MOORE PTG CO.

RECORDED

8600 Motion for Decree Pro Confesso After Service by Registered Mail.

The State of Alabama,  
Baldwin County.

No. .... CIRCUIT COURT, IN EQUITY.

MARY AGNES POWELL SMITH

Complainant

Vs.

MARCUS PACE SMITH

Defendant

Motion is hereby made for a Decree Pro Confesso against .....

MARCUS PACE SMITH

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..... have failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 17 day of January, 1956

*[Handwritten Signature]*  
....., Solicitor.

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Page

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT, IN EQUITY**

MARY AGNES POWELL SMITH

Vs.

MARCUS PACE SMITH

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

Filed 1-19, 1957

*[Signature]*  
Register.

Recorded in ..... Record,

Vol. .... Page .....

Register.

*[Faint, mostly illegible text from the reverse side of the document, including a circled number 3664.]*