

(3666)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

-----GLENN P. SMITH-----, Complainant  
vs.

-----GEORGIA AUGUSTINE SMITH-----, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Answer and Waiver~~ 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 -----GLENN P. SMITH----- is forever divorced from the said -----GEORGIA AUGUSTINE SMITH----- for and on account of

Abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Glenn P. Smith, pay the sum of Forty Dollars (\$40.00) for the support and maintenance of each of the minor children of this marriage, namely, Glenn Paul Smith and Laura Ann Smith; that custody of these minor children be granted to Georgia Augustine Smith, the Respondent, and that the Complainant be allowed to visit with these minor children at any reasonable time.

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 -----Glenn P. Smith----- the -----Complainant----- pay the cost herein to be taxed, for which executed may issue.

This 21<sup>st</sup> day of December, 1955

*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. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

**FILED**

DEC 21 1955

ALICE J. DECK, Register

**CECIL G. CHASON**

ATTORNEY AT LAW

FOLEY, ALABAMA

November 30, 1955

Mrs. Alice J. Duck, Register  
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint in the Divorce  
action of Glenn P. Smith -vs- Georgia Augustine Smith.

Yours very truly,



C. G. Chason

CGC:fm

encls. 2

**CECIL G. CHASON**

ATTORNEY AT LAW

FOLEY, ALABAMA

Dec. 1, 1955

Mrs. Alice J. Duck, Register  
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is the Answer and Waiver  
in the case of Smith vs. Smith, which was filed  
yesterday with request for service by Registered  
Mail. In the event the Complaint has not yet  
been mailed, it will not be necessary.

Yours very truly,



C. G. Chason

CGC:dc

Encl. 1

GLENN P. SMITH

vs.  
GEORGIA AUGUSTINE SMITH

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, AND  
Testimony of Glenn P. Smith and Ernest W. Henderson

and in behalf of Defendant upon Answer and Waiver

*Ernest W. Henderson*  
Attorney for Complainant

*Walter J. Wurtz*  
Register.

No. 3666

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

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

GLENN P. SMITH

vs.

GEORGIA AUGUSTINE SMITH

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of **FILED**, 194.....

**DEC 21 1955**

Register

Printed By The Baldwin Times

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

GLENN P. SMITH

Complainant

VS.

GEORGIA AUGUSTINE SMITH

Respondent

I, Frances G. Mallory

as Register and Commissioner in Chancery

have called and caused to come before me Glenn P. Smith and Ernest W. Henderson

witnesses named in the Requirement for Oral Examination, on the \_\_\_ day of December 1955, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Glenn P. Smith and Ernest W. Henderson doth depose and say as follows:

Testimony of Glenn P. Smith:

My name is Glenn P. Smith. I am over the age of twenty-one years and a bona fide resident citizen of Foley, Baldwin County, Alabama, having been such a citizen for more than one year. Georgia Augustine Smith is over the age of twenty-one years and is not a resident of the State of Alabama, her address being Womack, Missouri. We were married on January 3, 1948, and lived together as man and wife until June of 1952, at which time Georgia Augustine Smith voluntarily and with no cause abandoned my bed and board, and we have not lived together ~~xx~~ nor in any way recognized each other as husband and wife since that time. There was born of this marriage two children, Glenn Paul Smith, who is 4 1/2 years of age, and Laura Ann Smith, who is 3 years of age. They now are in the custody and control of their mother, and I believe that at the present time I am financially able to pay the sum of \$40.00 per month for the support and maintenance of each of the minor children.

Signed: Glenn P. Smith

Testimony of Ernest W. Henderson:

My name is Ernest W. Henderson. I am over the age of twenty-one years and a resident of Foley, Baldwin County, Alabama. I am personally acquainted with Glenn P. Smith ~~xx~~ who is a resident citizen of Baldwin County, Alabama, and who has been such a resident for more than one year, and with Georgia Augustine Smith, who is now a resident of Missouri. Both of them are over the age of twenty-one years. They were married in 1948 and lived together as man and wife until 1952, at which time and with no cause, Georgia Augustine Smith voluntarily abandoned the bed and board of Glenn P. Smith, and they have not lived together as husband and wife since that time. There are two children of this marriage, Laura Ann Smith and Glenn Paul Smith.

Signed: Ernest W. Henderson

**ORAL EXAMINATION.**

I, Frances G. Mallory, 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 C. G. Chason

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 \_\_\_\_\_ day of December, 1955

*Frances G. Mallory* (s)

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

GLENN P. SMITH

vs. Complainant

GEORGIA AUGUSTINE SMITH

Respondent.

**Oral Deposition**

Filed \_\_\_\_\_ 1955  
Register.

Recorded in \_\_\_\_\_  
Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Register

*FILED*  
*DEC 21 1955*  
*ALB 1 CIV. RECORDED*



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: FRANCES G. MALLORY

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 Glenn P. Smith and Ernest W. Henderson

as witnesses in behalf of Glenn P. Smith in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Glenn P. Smith

\_\_\_\_\_, Complainant  
and Georgia Augustine Smith

\_\_\_\_\_, Respondent  
on oath, to be by you administered, upon them  
to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 21 day of December, 1955

W. J. [Signature]  
Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

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

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

**CIRCUIT COURT**

GLENN P. SMITH

Complainant—

**vs.**

GEORGIA AUGUSTINE SMITH

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

WITNESSES:

GLENN P. SMITH, )  
 Complainant, )  
 - vs - )  
 GEORGIA AUGUSTINE SMITH, )  
 Respondent. )

IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA  
 IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes your Complainant, Glenn P. Smith, and files this his Bill of Complaint for divorce against Georgia Augustine Smith, and respectfully represents and shows unto your Honor:

1. That the Complainant is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama, having resided in said County and State for more than one year next preceeding the filing of this Bill of Complaint. That Georgia Augustine Smith is a non-resident, her present address being Womack Missouri, Star Route, c/o Kilgren, and is over the age of twenty-one years.

2. That the Complainant and Respondent were lawfully married on, to-wit, January 3, 1948.

3. The Complainant further avers that the Respondent voluntarily abandoned the bed and board of Complainant for more than one year next preceding the filing of this Bill of Complaint, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

4. Complainant further shows to the Court that there was born of this marriage two (2) children, namely, Glenn Paul Smith, 4½ years of age, and Laura Ann Smith, 3 years of age. Complainant further shows the Court that these children are in the care, custody and control of the Respondent, and that at present he is financially able to pay the sum of Forty Dollars (\$40.00) per month, per child, for the support and maintenance of these minor children.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Georgia Augustine Smith be made a party defendant of this cause by the

usual process of this Honorable Court, by service by Registered Mail, requiring her to plead, answer or 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 upon a final hearing of this cause that he be granted a divorce from the said Respondent and that the Respondent be granted custody and control of the minor children hereinabove named, with reasonable rights of visitation being granted to him, and that he be directed to pay the sum of Forty Dollars (\$40.00) per month, for the support and maintenance of each of the minor children, Should your Complainant be mistaken in the relief prayed for that he be granted such other, further, different and general relief to which he may be entitled and as in duty bound he will ever pray.

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Solicitor for the Complainant

GLENN P. SMITH,  
Complainant,  
-vs-  
GEORGIA AUGUSTINE SMITH,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Comes the Respondent in the above styled cause and accepts service of a Bill of Complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final Decree.

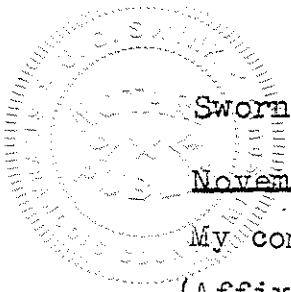
And for answer to the Bill of Complaint heretofore filed in this cause, Respondent says:

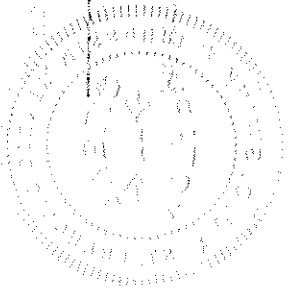
1. She admits the allegations contained in Paragraph one of the Bill of Complaint.
2. She admits the allegations contained in Paragraph two of the Bill of Complaint.
3. She denies each and every allegation contained in Paragraph three of said Bill of Complaint and demands strict proof thereof;
4. She admits the allegations contained in Paragraph four of the Bill of Complaint.

Georgia Augustine Smith  
Respondent

Sworn to and subscribed before me on this the 21st day of November, 1955.

My commission expires: 1/20/57 Jo Smith  
Notary Public, County of St. Francois  
State of Missouri  
(Affix Seal)





RECORDED

*Smith vs Smith*

3666

FILED

DEC 3 1955

ALICE J. DUCK, Register