(3 11 1)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ERVIELENE ODOM, Complainant

vs.

DAVID ODOM, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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 ERVIELENE ODOM is forever divorced from the said DAVID ODOM for and on account of Voluntary Abandonment and the custody of LESLIE EUGENE ODOM, Complainant's minor son, is hereby granted to Complainant.

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

This 30th day of July 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

ERVIELENE ODOM

Complainant

vs.

DAVID ODOM

Respondent

DIVORCE DECREE

FILED

JUL 30 1956

ALICE L. [illegible] Reg

ERVIELENE ODOM, COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
DAVID ODOM, RESPONDENT	)	IN EQUITY

TESTIMONY OF ERVIELENE ODOM, COMPLAINANT:

My name is ERVIELENE ODOM and I am bringing this suit for divorce against my husband, DAVID ODOM.

I am now twenty years old and I have lived in Baldwin County, Alabama, all my life, and have lived here in Baldwin County at Point Clear for the last three years.

My husband, DAVID ODOM, and I were married on the 7th day of July, 1952, and lived together as husband and wife until about April, 1954. I tried to be a good wife to him and I gave him no reason to leave me. During the month of April, 1954, my husband abandoned me, went off and left me, and stayed for a long time at Battles Wharf, but since that time, he has left the County and I have not been able to find him. We have been living separate and apart since April, 1954, and have not resumed marital relations since he left me. We had one child born to this marriage, my son, Leslie Eugene Odom, who I am taking care of, supporting, and who is living with me. I am furnishing this child a good home and it is to the best interest of this child to be with me, his mother.

I have been a bona fide resident of Baldwin County, Alabama, for three years next preceding the filing of this divorce bill.

Ervielene Odom

Subscribed and sworn to before me by ERVIELENE ODOM this the 23rd day of July, 1956.

Leon S. Matthews
Commissioner

ERVIELENE ODOM,

Complainant

vs.

DAVID ODOM,

Respondent

TESTIMONY

FILED
JUL 28 1956
ALICE I. BRICK, Registrar

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

ERVIELENE ODOM,		
COMPLAINANT		IN THE CIRCUIT COURT OF
VS.		BALDWIN COUNTY, ALABAMA
DAVID ODOM,		IN EQUITY
RESPONDENT		

TESTIMONY OF ZANNIE DURGIN. WITNESS IN BEHALF OF COMPLAINANT:

ZANNIE DURGIN, being duly sworn, deposes and says, as follows:

My name is ZANNIE DURGIN and I am the father of ERVIELENE ODOM who is bringing this suit for divorce against her husband DAVID ODOM.

My daughter, ERVIELENE ODOM, is now twenty years old and has lived here in Baldwin County, Alabama, all of her life, and has lived at Point Clear, Baldwin County, Alabama, for about the past ten years.

ERVIELENE and DAVID ODOM were married on the 7th day of July, 1952, and lived together as husband and wife until about April, 1954, when he abandoned her and did not return. They have been living separate and apart since that time, and she has been making her home with me since that time. There has been one child born to this marriage, LESLIE EUGENE ODOM, their son, and my daughter, ERVIELENE, has been taking care of him and supporting him, and the boy wants to stay with his mother and his mother wants him to stay with her, and she is making a good home for him and it is to the best interest of the child that he stay with him mother.

ERVIELENE ODOM, my daughter, is still living here at Point Clear, Baldwin County, Alabama.

Zannie Durgin

Subscribed and sworn to before me by ZANNIE DURGIN this the 25th day of July, 1956.

Flora S. Matthews
Commissioner

ERVIELENE ODOM,

Complainant

vs.

DAVID ODOM,

Respondent

TESTIMONY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

I, FLORA S. MATTHEWS, the Commissioner named in the attached commission issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in the divorce suit of ERVIELENE ODOM vs. DAVID ODOM, pending in the Equity side of the Circuit Court of Baldwin County, under and by virtue of the power conferred upon me by said commission, I caused the witnesses named in the commission, namely, ERVIELENE ODOM and ZANNIE DURGIN, who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in the Bank Building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. RICKARBY, JR., Esquire, Solicitor for the Complainant, did testify as shown by the attached testimony; and that their testimony was, by me, reduced to writing as given by them as near as might be in their identical language and, after being so reduced to writing, was read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, nor anywise interested in the results thereof.

IN WITNESS WHEREOF, I hereunto set my hand as Commissioner on this the 25th day of July, 1956.

Flora S. Matthews
Commissioner

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

THE STATE OF ALABAMA
Baldwin County } Circuit Court

TO: Flora S. Matthews

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 Ervielene Odom and Zannie Durgin

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein ERVIELENE ODOM, Complainant and DAVID ODOM Respondent on oath, to be by you administered, upon them to take and certify the depositions of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 30th day of May, 1956

Alice A. Wade
Register.

Commissioner's Fee, $

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ERVIELENE ODOM

Complainant

VS.

DAVID ODOM

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FLORA S. MATTHEWS

WITNESSES:

ERVIELENE ODOM

ZANNIE DURGIN

ERVIELENE ODOM,		
COMPLAINANT		IN THE CIRCUIT COURT OF
V VS.		BALDWIN COUNTY, ALABAMA
DAVID ODOM,		IN EQUITY
RESPONDENT		

NOTE OF EVIDENCE

This cause is submitted for final decree on Complainant's bill, and amendment thereto, Decree Pro Confesso, and depositions of Complainant and Zannie Durgin.

RICKARBY & RICKARBY

By _____
E. G. Rickarby, Jr.
Solicitor for Complainant

Alice F. Drick
Register

ERVIELENE ODOM,

COMPLAINANT

VS.

DAVID ODOM,

RESPONDENT

NOTE OF EVIDENCE

FILED
JUL 23 1956
ALICE L. MARK, Register

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ELLIOTT G. RICKARBY
(DECEASED)

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

February 8, 1956

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Ervielene Odom
vs.
David Odom
Our File: 3136

With this we are handing you Bill of Complaint of Ervielene Odom vs. David Odom .

Please put this in the hands of the Sheriff as soon as possible and oblige.

Yours very truly,

EGR/rl
c/c Ervielene Odom
Point Clear, Ala.
2-20-56

TELEPHONE WA 8-9836

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

P. O. BOX 71

May 28, 1956

Mrs. Alice Duck
Clerk of Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Odom vs Odom
Our File: 3136

With this we are handing you Motion for Decree Pro Confesso on Publication, Decree Pro Confesso of Publication and Request for Commission, in the above styled cause.

Please process and oblige.

Yours very truly,

ts
6-8-56

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3717

Feb. TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon DAVID ODOM

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

DAVID ODOM, Defendant

by

ERVIELENE ODOM, Plaintiff

Witness my hand this 15 day of Feb. 19 56.

Alice A. Drake, Clerk

E. O. HICKMAN

No. 3717 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

ERVIELENE ODOM

Plaintiffs

vs.

DAVID ODOM

Defendants

SUMMONS and COMPLAINT

Filed Feb. 15, 1956

Alice J. Duck, Clerk

E.G. RICKARDY
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this , 19

by leaving a copy with

Sheriff

Deputy Sheriff

ERVIELENE ODOM,
COMPLAINANT
VS
DAVID ODOM,
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ORIGINAL BILL

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes ERVIELENE ODOM by this, her Bill of Complaint presented a against DAVID ODOM, and respectfully shows:

1. That complainant is nineteen years of age and is a bona fide resident of Baldwin County, Alabama, and has been such for more than three years next preceding the filing of this, her Bill of Complaint.

2. That DAVID ODOM, the respondent, is over the age of twenty-one years and is a resident of Fairhope, Baldwin County, Alabama, and is living on the Twin Beach Road

3. That your complainant and respondent were lawfully married in Point Clear, Alabama, on, to-wit, the 7th day of July, 1952, and lived together as husband and wife until about April, 1954, when the respondent, without just cause or legal excuse, voluntarily abandoned the complainant's bed and board, and said abandonment has been continuous since that date and the parties have not lived together nor in any way recognized each other as husband and wife since that date.

4. That to this marriage there has been born one child, LESLIE EUGENE ODOM, now three years old, and it is to the best interest of said child to continue to live with this complainant, his mother, she being a suitable and proper person to have custody of said child.

THE PREMISES CONSIDERED, complainant prays that this Court will make the said DAVID ODOM a party respondent to this cause by appropriate process, requiring him to plead, answer or demur to this Bill of Complaint within the time prescribed by law.

COMPLAINANT FURTHER PRAYS that, upon a hearing of this cause, the Court will award her custody of said minor child, and will render a decree forever divorcing her from the said respondent, and granting her the right

to remarry, should she so desire, and granting her such other further and different relief as to equity may seem meet.

RICKARBY & RICKARBY

BY _____
E. G. Rickarby, Jr.
Solicitor for Complainant

Respondent's address:

Twin Beach Road
Fairhope, Alabama

3717

ORIGINAL BILL

Ervielene Odom,

Complainant

vs.

David Odom,

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

In Equity

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

ERVIELENE ODOM

No. ~~3361~~ 3717

vs.

DAVID ODOM

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 27 day of March, 1956

In this cause it being made to appear to the Clerk of this Court by the affidavit of Ervielene Odom

that the Defendant David Odom

is a non-resident of the State of Alabama whose address is unknown and whose Post Office address cannot be ascertained

and further, that, in the belief of said Affiant the Defendant David Odom is over the age of 21 years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ Fairhope Courier, a newspaper published in ~~Bay Minette~~ Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring David Odom the said defendant

to answer or demur to the Bill of Complaint in this cause by the 27th day of April 1956, or after thirty days therefrom a decree Pro Confesso may be taken against him

Register.

ERVIELENE ODOM,

COMPLAINANT

VS

DAVID ODOM,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

AMENDMENT

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes the plaintiff, ERVIELENE ODOM, and amends her Bill of Complaint, by changing Par. 2 of the Original Bill to read as follows;

"2. That DAVID ODOM, the respondent, is over the age of twenty-one years, and is a non-resident of the State of Alabama, and his residence is unknown to the Plaintiff, and can not be ascertained after diligent search and inquiry."

FILED

MAR 27 1956

ALICE J. BECK, Register

RICKARBY & RICKARBY

BY E. G. Rickarby, Jr.

E. G. Rickarby, Jr.
Solicitor for Complainant

ERVIELENE ODOM,

COMPLAINANT

VS

DAVID ODOM,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

AMENDMENT

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes the plaintiff, ERVIELENE ODOM, and amends her Bill of Complaint, by changing Par. 2 of the Original Bill to read as follows;

"2. That DAVID ODOM, the respondent, is over the age of twenty-one years, and is a non-resident of the State of Alabama, and his residence is unknown to the Plaintiff, and can not be ascertained after diligent search and inquiry."

FILED

MAR 27 1956

ALICE J. BONCK, Register

RICKARBY & RICKARBY

BY_____

E. G. Rickarby, Jr.
Solicitor for Complainant

ELLIOTT G. RICKARBY
(DECEASED)

LAW OFFICES
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

March 24, 1956

Mrs. Alice Duck
Clerk of Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck

Inre: Odom vs Odom
Our File: 3136

With this we are handing you affidavit as to non-residence of the defendant and an amendment to the Bill of Complaint in the matter of Odom vs Odom.

Please process, and oblige, and get up the advertisement for the Fairhope Courier, next week.

Thanks.

Yours very truly,

EGR/ts
4-4-56
Encl.

ERVIELENE ODOM, COMPLAINANT VS DAVID ODOM, RESPONDENT	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

Before me, E. G. RICKARBY, JR., Notary Public, Baldwin County, Alabama, personally appeared ERVIELENE ODOM, known to me to be the plaintiff, who being duly sworn, says on oath that the defendant, DAVID ODOM, is a non-resident of the State of Alabama, and that his residence is unknown to the plaintiff, and cannot be ascertained on inquiry, and that the defendant is over the age of twenty-one (21) years.

Ervielene Odom

Subscribed and sworn to before me, this the 20 day of March 1956.

E. G. Rickarby

Notary Public, Baldwin County, Ala.

TELEPHONE WA 8-9836

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

P. O. BOX 71

July 25, 1956

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Ervielene Odom
vs.
David Odom
Our File: 3136

With this we are handing you Note of Evidence, Testimony and divorce decree in the above styled cause.

Please let me have decree as soon as possible and send me a cost bill and I will send you check to cover.

Thanks.

Yours very truly,

E. G. Rickarby

fm
Encl.
7-31-56

ERVIELENE ODOM, COMPLAINANT VS DAVID ODOM, RESPONDENT	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

Before me, E. G. RICKARBY, JR., Notary Public, Baldwin County, Alabama, personally appeared ERVIELENE ODOM, known to me to be the plaintiff, who being duly sworn, says on oath that the defendant, DAVID ODOM, is a non-resident of the State of Alabama, and that his residence is unknown to the plaintiff, and cannot be ascertained on inquiry, and that the defendant is over the age of twenty-one (21) years.

_____

Subscribed and sworn to before me, this the _____ day of _____ 1956.

_____
Notary Public, Baldwin County, Ala.

ERVIELENE ODOM, COMPLAINANT VS DAVID ODOM, RESPONDENT	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

REQUEST FOR COMMISSION

Comes the Complainant in the above styled cause and shows to this Honorable Court that a Decree Pro Confesso has been granted in this cause, and requests that a commission be issued to take the testimony of the Complainant, ERVIELENE ODOM, and the witness on her behalf, and suggests that FLORA S. MATTHEWS is a suitable person to act as Commissioner in this cause, she not being of counsel or kin to the parties in said cause or interested in the results thereof.

DATED this the_____day of_____, 1956.

RICKARBY & RICKARBY

BY_____
Solicitor for Complainant

ERVIELENE ODOM,
COMPLAINANT

VS

DAVID ODOM,
RESPONDENT

REQUEST FOR COMMISSION

ERVIELENE ODOM, COMPLAINANT VS DAVID ODOM, RESPONDENT	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

REQUEST FOR COMMISSION

Comes the Complainant in the above styled cause and shows to this Honorable Court that a Decree Pro Confesso has been granted in this cause, and requests that a commission be issued to take the testimony of the Complainant, ERVIELENE ODOM, and the witness on her behalf, and suggests that FLORA S. MATTHEWS is a suitable person to act as Commissioner in this cause, she not being of counsel or kin to the parties in said cause or interested in the results thereof.

DATED this the_____day of_____, 1956.

RICKARBY & RICKARBY

BY_____
Solicitor for Complainant

ERVIELENE ODOM,

COMPLAINANT

VS

DAVID ODOM,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

ORIGINAL BILL

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes ERVIELENE ODOM by this, her Bill of Complaint presented a against DAVID ODOM, and respectfully shows:

1. That complainant is nineteen years of age and is a bona fide resident of Baldwin County, Alabama, and has been such for more than three years next preceding the filing of this, her Bill of Complaint.

2. That DAVID ODOM, the respondent, is over the age of twenty-one years and is a resident of Fairhope, Baldwin County, Alabama, and is living on the Twin Beach Road

3. That your complainant and respondent were lawfully married in Point Clear, Alabama, on, to-wit, the 7th day of July, 1952, and lived together as husband and wife until about April, 1954, when the respondent, without just cause or legal excuse, voluntarily abandoned the complainant's bed and board, and said abandonment has been continuous since that date and the parties have not lived together nor in any way recognized each other as husband and wife since that date.

4. That to this marriage there has been born one child, LESLIE EUGENE ODOM, now three years old, and it is to the best interest of said child to continue to live with this complainant, his mother, she being a suitable and proper person to have custody of said child.

THE PREMISES CONSIDERED, complainant prays that this Court will make the said DAVID ODOM a party respondent to this cause by appropriate process, requiring him to plead, answer or demur to this Bill of Complaint within the time prescribed by law.

COMPLAINANT FURTHER PRAYS that, upon a hearing of this cause, the Court will award her custody of said minor child, and will render a decree forever divorcing her from the said respondent, and granting her the right

to remarry, should she so desire, and granting her such other further and different relief as to equity may seem meet.

RICKARBY & RICKARBY

BY _____
E. G. Rickarby, Jr.
Solicitor for Complainant

Respondent's address:

Twin Beach Road
Fairhope, Alabama

3717

Original Bill

Ervielene Odom,

Complainant

vs.

David Odom,

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

In Equity

SUMMONS AND COMPLAINT

Moore Printing Co.

BOOK 021 PAGE 165

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3717

Feb. TERM, 19 56

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon DAVID ODOM

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

DAVID ODOM, Defendant

by

ERVIELENE ODOM, Plaintiff

Witness my hand this 15 day of Feb. 19 56

Alice J. Vinette, Clerk

I hope X

No. 3717 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

ERVIELENE ODOM

Plaintiffs

vs.

DAVID ODOM

Defendants

SUMMONS and COMPLAINT

Filed Feb. 15, 19 56

Alice J. ~~DUKE~~ Duck, Clerk

Jurat Bond Paid

E.G. RICKARBY
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

Feb. 15, 1956

Taylor Wilkins, Sheriff

I have executed this summons

this _____, 19 _____

by leaving a copy with

Returned 12 day of Mar 1956

Not found in my county after diligent search and inquiry. David Odom

Taylor Wilkins, Sheriff

By _____
Deputy Sheriff

Not Found

Sheriff

Deputy Sheriff

The Fairhope Courier

JOB PRINTING

ESTABLISHED 1894 | E. B. GASTON ESTATE, PUBLISHERS | TELEPHONE 5201

FAIRHOPE, ALABAMA

"On Mobile Bay"

This is to certify that the attached legal notice appeared in The Fairhope Courier, a weekly newspaper published in the City of Fairhope, County of Baldwin, State of Alabama on the dates of March 29 - April 5 - 12 - 19.

Maurice H. Crawford
Editor

State of Alabama
County of Baldwin

Sworn to and subscribed this 21 day of April A. D. 1956, before me.

G. E. Pederson

Notary Public, Baldwin County