

4610

EX PARTE

CAVA MARTIN, formerly Cava
D'Olive Bedford, and GORMAN
L. BEDFORD

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

This cause coming on to be heard is submitted upon the petition of Gorman L. Bedford and Cava Martin, formerly Cava D'Olive Bedford, filed on the 3rd day of June, 1959, for the establishment of the lost record of divorce proceeding between Cava Martin, formerly Cava D'Olive Bedford and Gorman L. Bedford in the Circuit Court of Baldwin County, Alabama, 21st Judicial Circuit of the State of Alabama; and it appearing therefrom that the said Cava Martin, formerly Cava D'Olive, and Gorman L. Bedford were married at Brewton in Escambia County, Alabama on April 28, 1933; that on the 16th day of May, 1933, she filed suit in the Circuit Court of Baldwin County, Alabama, the 21st Judicial Circuit of the State of Alabama, against Gorman L. Bedford for divorce on the ground of cruelty; that Gorman L. Bedford filed his answer to the bill of complaint on May 19, 1933; that F. W. Hare, Judge of the Circuit Court of Baldwin County, 21st Judicial Circuit of the State of Alabama, rendered a decree in the said cause granting a divorce to Cava D'Olive Bedford, now Cava Martin, against the said Gorman L. Bedford on the ground of cruelty on June 13, 1933; that the said proceedings were in all things regular and in full compliance with the statutes made and provided as shown by the affidavits of the said Cava Martin, Gorman L. Bedford and Honorable H. M. Hall, attorney representing the said Cava D'Olive Bedford, now Cava Martin;

And it further appearing from the said proceedings and the affidavits attached thereto that the record of the said proceeding was not recorded in the records of said court and that the same has been lost; and it appearing to this court that exhibit B attached to said petition was filed on the 16th day of May, 1933, and is a true and correct copy of the bill of complaint in said cause; that

the answer of Gorman L. Bedford to the said complaint was filed on the 19th day of May, 1933, and attached to the petition for establishment of lost record of divorce, as exhibit C, is a true and correct copy thereof; and that the decree of divorce was rendered in said cause on June 13, 1933, by the Honorable F. W. Hare, Judge of the said Court, and that exhibit D to the said petition is a true and correct copy of the said decree; and that the said parties were divorced as of said date and that the said proceedings were not recorded and were lost and ought to be established; and the said proceedings and supporting affidavits thereto attached having been considered, and this court is of the opinion that the parties are entitled to the relief prayed for in their petition filed in this court on the 3rd day of June, 1959 and that the record of said divorce proceeding should be established in the interest of the said parties and in the interest of the public;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the record of the said divorce and the proceedings relating thereto as set out in said petition and exhibits, be and the same are hereby established; as the record of the said divorce proceeding;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said petition, together with the exhibits and affidavits thereto attached, paper writing of H. M. Hall, Judge of the 28th Judicial Circuit Court recusing himself, the order of the Register of this Court appointing the undersigned as Special Judge, and this order establishing the record of such proceeding, be and the same are hereby ordered to be recorded in the records of this court and that certified copies thereof be by the Register of this Court given to each of the parties in this cause;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the cost of this proceeding and of the recording thereof and the certified copies to the parties be and the same are hereby taxed against the petitioner, Gorman L. Bedford, for which let execution issue.

Done this the 12th day of June, 1959.

Bellevue was established and the first building was erected in 1852. It was the first building erected in the city of Bellevue. The first building was erected in 1852. It was the first building erected in the city of Bellevue. The first building was erected in 1852. It was the first building erected in the city of Bellevue.

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Handwritten signature and date: *[Signature]* 1852

FILED
JUN 12 1852

ALICE J. DUCK, CLERK
REGISTER

EX PARTE

CAVA MARTIN, formerly Cava
D'Olive Bedford, and GORMAN
L. BEDFORD

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

The Honorable H. M. Hall, Judge of the 28th Judicial circuit of the State of Alabama, having recused himself in the trial of the matter presented by petition of Cava Martin, formerly Cava D'Olive Bedford, and Gorman L. Bedford to establish lost record of the proceeding divorcing them in 1933 in the 21st Judicial Circuit of Alabama, then having jurisdiction over Baldwin County, Alabama; and the parties and attorney in such proceeding not having nominated a special judge to try the said cause, I, as Register in Chancery of the 28th Judicial Circuit do hereby appoint Harry Wilters as Special Judge to try the cause made by their petition filed in this Court on the 3rd day of June, 1959.

WITNESS my hand and seal of Court on this the 4 day
of June, 1959.

FILED

JUN 4 1959

ALICE I. DUCK, CLERK
REGISTER

Alice I. Duck
Register in Chancery, 28th Judicial
Circuit of the State of Alabama

EX PARTE

CAVA MARTIN, formerly Cava
D'Olive Bedford, and GORMAN
L. BEDFORD

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

IT appearing that I was attorney for Cava Martin, formerly Cava D'Olive Bedford, in the matter of the suit of Cava Martin, then Cava D'Olive Bedford, for divorce against Gorman L. Bedford in the 21st Judicial Circuit of the State of Alabama having jurisdiction over and in Baldwin County, Alabama, in the year 1933, and that the record of such divorce proceeding has been mislaid, lost and is not recorded in Baldwin County, Alabama, and the said Cava Martin, formerly Cava D'Olive Bedford and Gorman L. Bedford seek by their petition filed in this Court, the 28th Judicial Circuit, being the successor to the 21st Judicial Circuit, on the 3rd day of June, 1959, to establish the record of such proceeding and that because of my representation of her in such proceeding, I, as Judge of the 28th Judicial Circuit in and for Baldwin County, Alabama, am disqualified from passing on the same;

Now Therefore, I do hereby recuse myself from the trial of the said cause and direct that Alice J. Duck, as clerk of the said Court of Baldwin County, and Register in Chancery, appoint one learned in the law as special judge to try the cause made by such petition.

Done this the 3 day of June, 1959.

Hubert M. Hare
Judge

461D

FILED

JUN 3 1959

ALICE J. DUCK, CLERK REGISTER

RECEIVED... JUN 3 1959... DEPT. OF JUSTICE... DIVISION OF INVESTIGATION... WASHINGTON, D.C.

...I am writing to you regarding the case of ...

...I have reviewed the records of the ...

...I have also reviewed the records of the ...

Very truly yours,

...

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA:

Come your petitioners, Gorman L. Bedford and Cava Martin, and respectfully show unto your Honor that on to-wit, the 28th day of April, 1933, they were married at Brewton, in Escambia County, Alabama, a copy of the certificate of such marriage is hereto attached and marked exhibit "A" and made a part of this petition, that subsequent thereto and because of the cruelty of Gorman L. Bedford they separated and Cava Martin, through her attorney, H. M. Hall, filed suit for divorce against the said Gorman L. Bedford, both of whom at the time were residents of Baldwin County, Alabama, then in the 21st Judicial Circuit of the State of Alabama, on the ground of cruelty, a copy of her bill of complaint for divorce is hereto attached and marked exhibit "B" and made a part of this petition; that the said Gorman L. Bedford answered the said bill of complaint denying the allegations therein made and demanding proof thereof, a copy of which said answer is hereto attached, marked exhibit "C" and made a part of this petition; that the testimony of Cava Martin, then Cava D'Olive Bedford, and of another witness, in the said cause, was taken orally before T. W. Richerson, then Register in Chancery of the 21st Judicial Circuit, reduced to writing by him and signed by the said Cava Martin, then Cava D'Olive Bedford, and her other witness; that the parties to this proceeding have forgotten the name of the other witness; that the said Cava Martin, then Cava D'Olive Bedford, and her other witness both testified that the defendant in the said cause, Gorman L. Bedford, did commit actual violence on the person of the said Cava Martin, cursed and abused her and threatened to kill her, that because of his conduct the said Cava Martin, then Cava D'Olive Bedford, had reason to believe and did believe that he would carry out his threats and commit actual violence on her person attendant with danger to her life

or health; that the said cause was submitted to Honorable F. W. Hare, then Judge of the 21st Judicial Circuit, that he did render decree of divorce in favor of the petitioner, Cava Martin, then Cava D'Olive Bedford, against the said Gorman L. Bedford, on the ground of cruelty, a copy of which said decree is hereto attached, marked exhibit "D", and made a part of this petition;

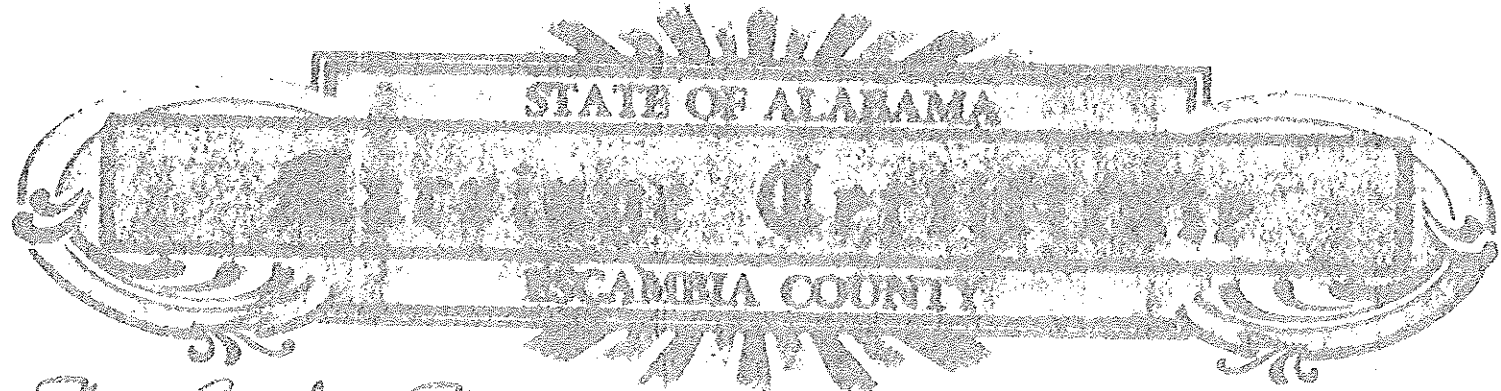
Petitioners further show unto this Honorable Court that the said petition, answer, testimony and decree in the said cause were not recorded as required by law, and that no part of the said proceedings appear of record and the same has been lost, mislaid or destroyed; that subsequent thereto petitioner, Cava Martin again re-married, and the said Gorman L. Bedford subsequent-thereto remarried and have children by such subsequent marriages; that grave injustice results to each of the said parties and to the children of their respective marriages; that the record of the said proceeding ought to be established and duly entered of record in this court as the successor to the 21st Judicial Circuit, then having jurisdiction over Baldwin County, and jurisdiction of the said cause; that the said proceedings were in all things in full and strict compliance with the statutes made and provided relating thereto and these parties were thereby legally divorced;

WHEREFORE YOUR petitioners pray this Honorable Court will establish and enter of record the proceedings and decree of divorce of the petitioner, Cava Martin, then Cava D'Olive Bedford, against the said Gorman L. Bedford, and petitioners pray for such other further, or different relief as in equity and good conscience they shall be entitled to receive.

Cava Martin
Cava Martin, Formerly Cava D'Olive Bedford

Gorman L. Bedford
Gorman L. Bedford

EXHIBIT "A"



This Certifies That G. L. Redford
 and Cava D'Olive
 were united by Claude Hardy---Judge Of Probate in the

Holy Bonds of Matrimony

On the 28th day of APRIL, in the year of our Lord 1932
 as appears of record in my office in Marriage Record book 11,
 page 121. This 30th day, of Jan. 1958

W. L. Kirkland

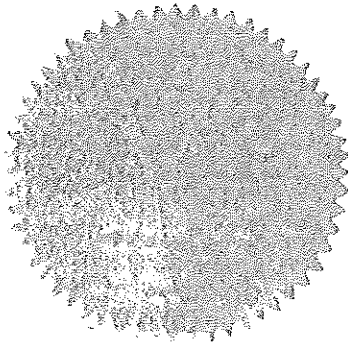


EXHIBIT "B"

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Gorman L. Bedford, 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 Cava D'Olive Bedford, as Complainant and against Gorman L. Bedford as Respondent.

WITNESS my hand this 16th day of May, 1933.

sd/ T. W. Richerson
Register

CAVA D'OLIVE BEDFORD		IN THE CIRCUIT COURT OF
COMPLAINANT		BALDWIN COUNTY, ALABAMA,
VS		
GORMAN L. BEDFORD		IN EQUITY
RESPONDENT		

TO HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Cava D'Olive Bedford, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your complainant is a bona fide resident of Baldwin County, Alabama, and eighteen years of age; that the respondent is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

2.

That your complainant and the respondent married at Brewton, Alabama, on April 28, 1933, and lived together as husband and wife, until May 13, 1933, when for the reason hereinafter set out, your complainant was forced to abandon living with the respondent.

That on May 13, 1933, the respondent threatened, cursed and abused your complainant and did actual violence to her person by striking her, which necessarily endangered her life and health; that the conduct of the respondent was such as to give your complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the respondent he would carry out his threats, which would necessarily endanger her life and health.

WHEREFORE, the premises considered your complainant prays that your Honor will by proper process make the said Gorman L. Bedford, 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.

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; that she be granted such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

sd/ H. M. Hall
Solicitor for Complainant

The defendant is required to answer the foregoing bill of complaint, paragraphs 1 to 3, inclusive, but not under oath. Oath is expressly waived.

sd/ H. M. Hall
Solicitor for Complainant

Filed: May 16, 1933

EXHIBIT "C"

CAVA D'OLIVE BEDFORD		IN THE CIRCUIT COURT OF
COMPLAINANT		BALDWIN COUNTY, ALABAMA,
VS		
GORMAN L. BEDFORD		IN EQUITY
RESPONDENT		

And now comes the respondent in his own proper person and accepts service of the summons and complaint in the above styled cause, and denies the allegations made in the bill of complaint, and demands strict proof of the same, and consents and agrees that testimony in the said cause be taken before T. W. Richerson, Register in Chancery, without formal commission issuing to him.

The respondent waives application for and taking of testimony of complainant's witnesses, waives notice of the time and place of taking testimony and waives the right to cross-examine complainant's witnesses, and agrees and consents that said cause be submitted for final decree without formal notice.

This the 19th day of May, 1933.

sd/ Gorman L. Bedford
Respondent

Witnesses:

Ida M. Turnbull

H. M. Hall

Filed: May 19, 1933

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CAVA D'OLIVE BEDFORD, Complainant

vs.

GORMAN L. BEDFORD, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ answer of defendant 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 Cava D'Olive Bedford is forever divorced from the said Gorman L. Bedford 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 payment of the cost of this suit.

It is further ordered that Gorman L. Bedford the defendant pay the cost herein to be taxed, for which executed may issue.

This 13th day of June 1933

F. W. Hare

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.

STATE OF Ohio

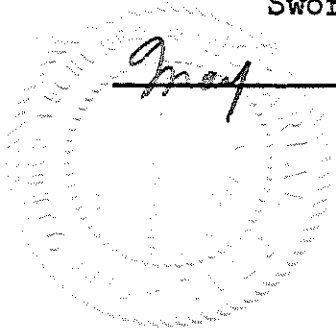
COUNTY OF Cuyahoga

Before me, the undersigned Notary Public in and for said State and County, this day personally appeared Cava Martin, who is known to me and who being by me duly sworn deposes and says that the facts recited in the foregoing petition for the establishment of a lost record of her proceeding of divorce against Gorman L. Bedford filed in Baldwin County, Alabama, on the 16th day of May, 1933, is true and correct; that on the 28th day of April, 1933, she was a widow and entered into a marriage with Gorman L. Bedford, then unmarried, at Brewton in Escambia County; that subsequent thereto they separated and she filed suit for divorce against the said Gorman L. Bedford, both of whom at the time were residents of Baldwin County, Alabama, on the ground of cruelty, a copy of such petition being attached to her petition for establishment of the lost record of such proceeding, as exhibit B; that the said Gorman L. Bedford answered the said bill of complaint denying the allegations therein made and demanding proof of the same, copy of which is attached to such petition as exhibit C; that the testimony of the affiant and another witness was taken orally under oath before T. W. Richerson, then Register in Chancery of the 21st Judicial Circuit, reduced to writing by him and signed by the affiant and another witness, whose name she does not now remember; that in said testimony this affiant and the other witness testified that the complainant and the defendant were residents of Baldwin County, Alabama, that they married at Brewton, in Escambia County on the 28th day of April, 1933; that the defendant had on the 13th day of May, 1933, cursed and abused complainant and committed actual violence on her person and threatened to kill her and that because of such threats had reasonable cause to believe and did believe that should she continue to live with the defendant he

would commit actual violence on her person attendant with danger to her life or health; that she left him on the 13th day of May, 1933, because of such cruelty and that they had not lived together as husband and wife since then; that the said cause was submitted to the Honorable F. W. Hare, then Judge of the 21st Judicial Circuit, that he did render decree of divorce in favor of the affiant against the said Gorman L. Bedford on the ground of cruelty, a copy of which is attached to such petition for establishment of the lost record of such proceeding as exhibit D; that the said petition for divorce, answer of defendant and testimony and decree in the said cause were not recorded as required by law, and that no part of the said proceedings appear of record and the same has been lost, mislaid or destroyed.

Lawson Martin

Sworn to and subscribed before me this the 19 day of May, 1959.



Edward W. Smolinski
Notary Public, State of Ohio,
County of Cuyahoga.

EDWARD W. SMOLINSKI, Notary Public
My Commission Expires Dec. 9, 1959

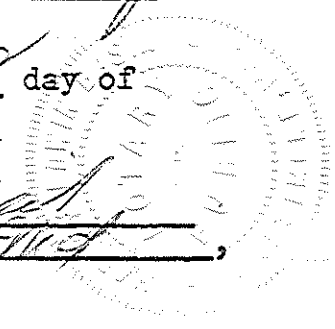
STATE OF Maryland
COUNTY OF Anne Arundel

Before me, the undersigned Notary Public in and for said State and County, this day personally appeared Gorman L. Bedford, who is known to me and who being by me duly sworn deposes and says that the facts recited in the foregoing petition for the establishment of a lost record of divorce proceeding of Cava Martin, formerly Cava D'Olive Bedford, against him filed in Baldwin County, Alabama, on the 16th day of May, 1933, is true and correct; that on the 28th day of April, 1933, Cava Martin, formerly Cava D'Olive Bedford, was a widow and entered into a marriage with the affiant, then unmarried, at Brewton in Escambia County; that subsequent thereto they separated and Cava Martin, formerly Cava D'Olive Bedford, filed suit for divorce against the affiant, both of whom at the time were residents of Baldwin County, Alabama, on the ground of cruelty, a copy of such petition being attached to his petition for establishment of the lost record of such proceeding, as exhibit B; that the affiant answered the said bill of complaint denying the allegations therein made and demanding proof of the same, copy of which is attached to such petition as exhibit C; that a short while thereafter Mr. H. M. Hall advised affiant that the decree of divorce had been rendered; that I paid the court cost to Mr. Richerson.

Gorman L Bedford

Sworn to and subscribed before me this the 28 day of May, 1959.

James E. Smith
Notary Public, State of Md,
County of Bethesda



STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned Notary Public in and for said State and County, this day personally appeared H. M. Hall, who is known to me and who being by me duly sworn deposes and says that he was employed by Cava Martin, formerly Cava D'Olive Bedford, to file suit for divorce for her against Gorman L. Bedford; that on the 16th day of May, 1933, he filed suit for divorce, a copy of which bill of complaint is attached as exhibit B to the petition of Cava Martin, formerly Cava D'Olive Bedford, and Gorman L. Bedford, for establishment of lost record; that Gorman L. Bedford, the defendant, answered on the 19th day of May, 1933, copy of which is attached as exhibit C to such petition; that at that time both were residents of Baldwin County, Alabama; that the testimony of Cava Martin, formerly Cava D'Olive Bedford, and one other witness for her was taken before T. W. Richerson, Register in Chancery; that both of said witnesses testified in substance as follows: that the complainant and the defendant were residents of Baldwin County, Alabama, that they married at Brewton, in Escambia County on the 28th day of April, 1933, that the defendant had on the 13th day of May, 1933, cursed and abused complainant and committed actual violence upon her person and threatened to kill her and that because of such acts of violence and such threats the complainant had reasonable cause to believe and did believe that should she continue to live with the defendant he would commit actual violence on her person attendant with danger to her life or health; that complainant left defendant on the 13th day of May, 1933, because of such cruelty; and that they did not lived together as husband and wife after said date; that the said cause was submitted to the Honorable F. W. Hare, then Judge of the 21st Judicial Circuit, at which time Baldwin County was a part of said circuit; and that said F. W. Hare as Judge on the 13th day of June, 1933, signed decree of divorce, copy of which is

attached to said petition for establishment of lost record as exhibit D; that affiant has made diligent search to ascertain the record of such divorce proceeding in said court and has been unable to find the same and the same has been lost, mislaid or destroyed; that he is informed and believes that both of the said parties have remarried and have children; that it is to their interest and to the interest of their children and to the interest of the public that the record of the said divorce proceeding be established and record thereof made.

W. M. Steer

Sworn to and subscribed before me this the 3 day of June, 1959.

W. C. Beebe
Notary Public, Baldwin County, Ala.