(4541)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

GLADYS BYRD, Complainant

vs.

RICHARD BYRD, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, 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 Gladys Byrd is forever divorced from the said Richard Byrd for and on account of Abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant, Gladys Byrd, shall have the permanent care, custody and control of the minor children, Douglas Byrd age 3½ years and Kenneth Ray Byrd, age 2 years.

It is futher 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 futher 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 futher ordered that Gladys Byrd the Complainant pay the cost herein to be taxed, for which executed may issue.

This 2 day of April 1959

Fabert 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. 4541 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

GLADYS BYRD

Complainant

vs.

RICHARD BYRD

Respondent

DIVORCE DECREE

FILED
APR 21 1958
ALICE J. DUCK, CLERK
REGISTER

COMMISSION TO TAKE DEPOSITIONS

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 Gladys Byrd and Ruby Pettis

a witness in behalf of Gladys Byrd in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Gladys Byrd

, Complainant

and Richard Byrd

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 2nd day of April, 1959.

Alice J. Clark
Register.

Commissioner's Fee, $

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

GLADYS BYRD

Complainant

VS.

RICHARD BYRD

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

GLADYS BYRD
RUBY PETTIS

FILED
APR 2 1959
ALICE J. DUCK, Register

ORAL DEPOSITION

THE STATE OF ALABAMA BALDWIN COUNTY	Circuit Court of Baldwin County, Alabama (In Equity)
GLADYS BYRD	COMPLAINANT
vs.	
RICHARD BYRD	RESPONDENT

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Gladys Byrd and Ruby Pettis

witness es named in the requirement for Oral Examination, on the 24th day of February

19 59 , at the office of C. LeNoir Thompson

in Bay Minette , Alabama, and having first sworn said witness es to speak the

truth, the whole truth, and nothing but the truth, the said Gladys Byrd and Ruby Pettis

doth depose and say as follows:

That my name is Gladys Byrd, I am over the age of 21 and a resident of Alabama and have been more than two years next preceding. The Respondent Richard Byrd is ovef the age of 21 and has been a resident of Alabama more than two years next preceding, his address being Box 87, Flomaton, Alabama. We were married November 6, 1954 at Pascagoula, Mississippi and lived together as husband and wife in Alabama until on or about February 18, 1957 at which time the Respondent left me without fault on my part and we have not lived together as husband and wife since that occasion. There was born as fruits of our marriage two children: Douglas Byrd, age 3½ years and Kenneth Ray Byrd age 2 years. I have had their care, custody and control since their birth and respectfully request their permanent care, custody and control. I know we will never live together again as husband and wife.

Gladys Byrd

That my name is Ruby Pettis, I know both parties to this cause, they are both over the age of 21 and have been residents of the State of Alabama more than two years next preceding. They were married in Pascagoula, Mississippi on or about November 6, 1954 and lived together as husband and wife until on or about February 18, 1957 at which time the respondent abandoned the complainant without fault on her part. Two children were born as fruits of this marriage, Douglas Byrd, age 3½ years and Kenneth Ray Byrd age 2 years. The Complainant has had their care, custody and control since their birth and I respectfully recommend the complainant to be a fit, suitable and proper person to have their permanent care, custody and control. I do not believe these parties will ever live together again as husband and wife.

Ruby Pettis

ORAL EXAMINATION

I, LOIS WILSON as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me 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 proof made before me of the identity of said witness es ; that I am not of counsel or of 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 24th day of February , 19 59 .

Lois Wilson (L. S.)

No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

GLADYS BYRD
COMPLAINANT

vs.

RICHARD BYRD
RESPONDENT

ORAL DEPOSITION

FILED
Filed APR 2 1959 , 19 .
ALICE J. DUCK, Register
, Register.

RECORDED IN
Vol. Page Record
, Register.

47,54

8581—NOTE OF TESTIMONY

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

GLADYS BYRD

vs.

RICHARD BYRD

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 Gladys Byrd and Ruby Pettis

and in behalf of Defendant upon Answer and Waiver

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY

Circuit Court of Baldwin County

GLADYS BYRD

VS.

RICHARD BYRD

Note of Testimony

Filed in Open Court this

FILED

day of APR 2 1959, 19

ALICE J. DUCK, Register

Register.

MOORE PRINTING CO., BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon RICHARD BYRD, 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 BYRD, as complainant and against RICHARD BYRD, as Respondent.

WITNESS my hand this the 2nd day of April, 1959.

Alice J. Duck
Register.

* *

GLADYS BYRD * IN THE CIRCUIT COURT OF
COMPLAINANT * BALDWIN COUNTY, ALABAMA.
VS * IN EQUITY.
RICHARD BYRD * CASE NO. ________
RESPONDENT *

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

Your Complainant, Gladys Byrd, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Alabama and have been more than two years next preceding; The Respondent is over the age of 21 and a resident of Alabama and have been more than two years next preceding.

2.

That your Complainant and the Respondent married at Pascagoula, Mississippi, on November 6, 1954 and lived together as husband and wife in Baldwin County, Alabama until on to-wit February 18, 1957.

3.

That on to-wit, February 18, 1957, 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.

There were born as fruits of this marriage between the complainant and the respondent two children; Douglas Byrd, age 3½ years and Kenneth Ray Byrd age 2 years, and there is no property to be divided.

WHEREFORE, the premises considered, your complainant prays that your Honor will by proper procedure make the said Richard Byrd, 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.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the respondent; that a decree be made awarding to the complainant the care, custody and control of the minor children, Douglas Byrd, age 3½ years and Kenneth Ray Byrd age 2 years; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED
APR 2, 1959
ALICE J. DUCK, CLERK REGISTER

Solicitor for Complainant.

4541

GLADYS BYRD

COMPLAINANT

VS

RICHARD BYRD

RESPONDENT

* * * * * * * * * * * * * * * * * *

SUMMONS AND COMPLAINT

* * * * * * * * * * * * * * * * * *

FILED
APR 2 1959
ALICE J. DUCK, Register

GLADYS BYRD

COMPLAINANT

VS

RICHARD BYRD

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

CASE NO. _____

Now comes the Respondent and accepted service of the summons and complaint on this cause.

The Respondent admits the allegations as to the ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the complainant, the right to cross-examine complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Richard Byrd

STATE OF ALABAMA
BALDWIN COUNTY

I, C. Dixie Thompson, a Notary Public, in and for said County, in said State, hereby certify that Richard Byrd, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 24 day of February, 1959.

C. Dixie Thompson
Notary Public, Baldwin County, Alabama.

FILED
APR 2 1959
ALICE J. DUCK, CLERK REGISTER

GLADYS BYRD

COMPLAINANT

VS

RICHARD BYRD

RESPONDENT

* * * * * * * * * * * * * * * * * *

ANSWER AND WAIVER

* * * * * * * * * * * * * * * * * *

FILED
APR 2 1959
ALICE J. DUCK, Register

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