

(4391)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Luther M. Royall, Complainant

vs.

Aletta R. Royall, 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 Luther M. Royall is forever divorced from the said Aletta R. Royall for and on account of Voluntary abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant be and he is hereby awarded the care, custody and control of the minor child, Keith Royall, subject to the right of the Respondent to visit at reasonable times.

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 Luther M. Royall the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8th day of January 1959

J. Hubert McCall 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

Luther M. Royall

Complainant

vs.

Aletta R. Royall

Respondent

DIVORCE DECREE

Luther M. Royall

vs.

Aletta R. Royall

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, _____
decree pro confesso on publication of respondent and testimony of _____

Luther M. Royall

Luther M. Royall

and in behalf of Defendant upon _____

Alice J. Duck

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Luther M. Royall

vs.

Albetta R. Royall

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

Register.

Printed by the Baldwin Times

THE BALDWIN TIMES

JIMMY FAULKNER
PUBLISHER

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

LEGAL NOTICE

NOTICE TO NON-RESIDENT
The State of Alabama,
Baldwin County.

Circuit Court, in Equity
This the 2nd day of October, 1958.
Luther M. Rayall,
Complainant
No. 4391

vs.
Aletta R. Rayall
Respondent

In this cause it being made to appear to the Clerk of this Court by the affidavit of Luther M. Rayall that the Defendant Aletta R. Rayall is a non-resident of the State of Alabama; that her address cannot be ascertained after a diligent search and inquiry; that her last known address was in the State of Texas and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Aletta R. Rayall to answer or demur to the Bill of Complaint in this cause by the 2nd day of November, 1958, or after thirty days therefrom a decree Pro Confesso may be taken against Aletta R. Rayall.

Alice J. Duck,
Register.

Winters & Brantley,
Solicitors for Complainant.

39-41c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Moussette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Luther M. Rayall vs. Aletta R. Rayall

COST STATEMENT

191 WORDS @ 6 1/2 cents \$ 12.41

I hereby certify this is correct, due and unpaid (paid).

E. R. Moussette Jr.
Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication October 9, 1958 Vol. 70 No. 39

Date of 2nd publication October 16, 1958 Vol. 70 No. 40

Date of 3rd publication October 23, 1958 Vol. 70 No. 41

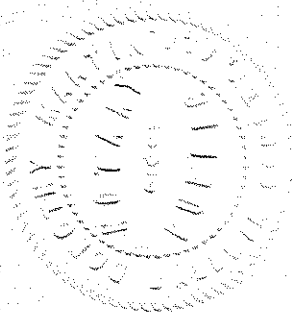
Date of 4th publication October 30, 1958 Vol. 70 No. 42

Subscribed and sworn before the undersigned this 6 day of Nov, 1958.

Dorothy Maister

Notary Public, Baldwin County.

E. R. Moussette Jr.
Editor.



NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

Luther M. Rayall
 Complainant

No. Aletta R. Rayall

vs.
 Aletta R. Rayall
 Respondent

The State of Alabama,
 Baldwin County.

Circuit Court, in Equity

This the 2 day of
 Oct 1948

In this cause it being made to appear to the Clerk of this Court by the affidavit of Luther M. Rayall

that the Defendant Aletta R. Rayall

is a non-resident of the State of Alabama; that her address cannot be ascertained after a diligent search and inquiry; that her last known address was in the State of Texas

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Aletta R. Rayall

to answer or demur to the Bill of Complaint in this cause by the 30th day of Oct 1948 or after thirty days therefrom a decree Pro Confesso may be taken against Aletta R. Rayall

Register.

Winters & Brantley
 Sol. for Compt

THE CLERK, NON-RESIDENT

to the Clerk of the Court

at the County

County Court in

to the Clerk of the Court

1907

In the case of

NOTICE TO NON-RESIDENT

LUTHER M. RAYALL

COMPLAINANT

VS

ALBERTA R. RAYALL

RESPONDENT

4391

to the Clerk of the Court for the purpose of

to the Clerk of the Court for the purpose of

to the Clerk of the Court for the purpose of

to the Clerk of the Court

to the Clerk of the Court

to the Clerk of the Court

LUTHER M. RAYALL

COMPLAINANT

VS

ALETTA R. RAYALL

RESPONDENT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Before me Lolbert M Brantley, the undersigned authority, personally appeared Luther M. Rayall, who first being duly sworn, deposes and says: That Aletta R. Rayall, the Respondent in the above stated cause, is a non-resident of the State of Alabama, and that her place of residence is unknown, and that it cannot be ascertained after reasonable effort; that her last known residence was in the State of Texas, and further, that in the belief of said affiant the said Respondent is over the age of twenty-one years.

Luther M Rayall
Sept

Sworn to and subscribed before me this 30 day of Sept, 1958.

Lolbert M Brantley
Notary Public, Baldwin County, Alabama

4391

LUTHER M. RAYALL

COMPLAINANT

VS

ALETTA R. RAYALL

RESPONDENT

AFFIDAVIT OF NON-RESIDENT

FILED

OCT 21 1952

ALICE J. DUCK, CLERK
REGISTER

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Luther M. Royall

Complainant

Vs.

Aletta R. Royall

Defendant

Motion is hereby made for a Decree Pro Confesso against Aletta R. Royall

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 9 day of January, 19 59.

746 Code

L. H. Brantley

Solicitor.

No. _____ Page _____

**THE STATE OF ALABAMA
BALDWIN COUNTY**

CIRCUIT COURT, IN EQUITY

Luther M. Royall

Complainant _____

Vs.

Aletta R. Royall

Defendant _____

**Motion for Decree Pro Confesso
On Publication**

Filed Jan. 2, 1959

Alice J. Duck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Luther M. Royall _____ Complainant

Vs.

Aletta R. Royall _____ Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 9 day of Oct, 1958, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in _____ County, on the _____ day of _____ 194 and _____

And it now further appearing to the Register Alice J. Duck that the said Aletta R. Royall

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register Alice J. Duck _____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Aletta R. Royall

This 5 day of January 19 59

Alice J. Duck Register.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Luther M. Royall

Vs.

Aletta R. Royall

Decree Pro Confesso of Publication

Issued _____ 19 _____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Luther M. Royall

a witness in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Luther M. Royall is

and Alette R. Royall is

, Complainant

Respondent

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

Witness 7 day of January

1959

Alice J. Dick
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Luther M. Royall

Complainant

VS.

Aletta R. Royall

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Luther M. Royall

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Luther M. Royall COMPLAINANT

vs.

Aletta R. Royall RESPONDENT

I, Evelyn Watts

as ~~Register~~ and Commissioner

have called and caused to come before me Luther M. Royall

witness _____ named in the requirement for Oral Examination, on the 8th day of January
19 59, at the office of Wilters & Brantley
in Bay Minette, Alabama, and having first sworn said witness _____ to speak the
truth, the whole truth, and nothing but the truth, the said Luther M. Royall

doth depose and say as follows:

My name is Luther M. Royall. I live in Loxley, Alabama, and have so resident for the past five years. I am over the age of 21 years. My wife, Aletta R. Royall is over the age of 21 years and is a non-resident of the State of Alabama. I have made a diligent search to find where she lives, and have been unable to find her. Her last known address was somewhere in the State of Texas. The Respondent and I were married January 8, 1956, at Caffney, South Carolina, and lived together as man and wife until May 10, 1957. At that time my wife voluntarily left me without good cause or justification and has remained away continuously since that time. I have not seen nor heard from my wife since that time. My wife and I have one child, Keith Royall, who is now 18 months old. This child was abandoned by my wife and left in the home of my mother when it was four months old. Your Complainant considers himself the fit and proper person to have custody of this child and says that if he is given the custody of it, he intends to rear it in the home of his mother, who is a good christian woman and who maintains a large comfortable home.

In my opinion my wife, Aletta R. Royall is not a fit and proper person to rear this small child. She leads a wild and dissolute life and remains away from home most of the time.

Luther M. Royall

I, Evelyn Watts 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 _____ and read over to him and he signed the same in the presence of myself and Tolbert M. Brantley at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proof made before me of the identity of said witness _____; 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 8th day of January, 1959.

Evelyn Watts (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Luther M. Royall

COMPLAINANT

vs.

Aletta R. Royall

RESPONDENT

ORAL DEPOSITION

Filed Jan 8, 1959

Miss O. West Register.

RECORDED IN _____

Record _____

Vol. _____ Page _____

Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ALETTA R. RAYALL 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 LUTHER M. RAYALL as Complainant and against Aletta R. Rayall, as Respondent.

WITNESS My hand this the _____ day of August, 1956.

Register

LUTHER M. RAYALL

COMPLAINANT

VS

ALETTA R. RAYALL

RESPONDENT

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

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

Your Complainant, Luther M. Rayall, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident citizen of Baldwin County, Alabama, and over twenty-one years of age; that the Respondent is over twenty-one years of age and is a non-resident of the State of Alabama, and her address cannot be ascertained after a diligent search and inquiry; that her last known address was in the State of Texas.

2.

That your Complainant and the Respondent were married at Gaffney, South Carolina, on January 8, 1956, and lived together as husband and wife until on, to-wit, May 10, 1957.

3.

That on to-wit, May 10, 1957, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

L.

That there was born to the marriage between your Complainant and the Respondent one child, Keith Rayall, now 9 months old; that this child was abandoned by the Respondent and left in the home of the mother of the Complainant about 5 months ago; that your Complainant is a fit, suitable and proper person to have his care, custody and control.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Aletta R. Rayall party respondent to this Bill of Complainant requiring her 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 final hearing hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that your Complainant be awarded the permanent care, custody and control of the minor child, Keith Rayall; your complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

Wiltors & Brantley

BY:

S. Robert M. Brantley
Solicitors for the Complainant

4391

LUTHER M. RAYALL
COMPLAINANT
VS
ADETTA R. RAYALL
RESPONDENT

BILL OF COMPLAINT

FILED
OCT 2 1921
ANGIE J. DUCK, CLERK
REGISTER