

1310

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

Orval A. Smith

Complainant

VS.

Ila Myrtle Smith

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 Orval A. Smith

is forever divorced from the said Ila Myrtle Smith

for and on account of Voluntary Abandonment

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 the payment of the cost of this suit.

It is further ordered that Complainant

~~the~~ pay the cost herein to be taxed, for which execution may issue.

This 11th day of June, 1945

[Signature]
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. 1310 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194_____

Register

 Orval A. Smith

 vs.
 Ila Myrtle Smith

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 and testimony of Orval A Smith
 and Habert B. Wingate

and in behalf of Defendant upon _____

E. A. Cramer
 E A Cramer. Sol for Complainant

No. 1310

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Orval A. Smith

vs.

Ila Myrtle Smith

NOTE OF TESTIMONY

Filed in Open Court this 9th

day of June, 1945

R. H. [Signature]
Register.

Printed by The Baldwin Times, Bay Minette.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Orval A. Smith _____ Complainant

Vs.

Ila Myrtle Smith _____ Defendant

Motion is hereby made for a Decree Pro Confesso against Ila Myrtle Smith

_____ 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 6th day of June 1945

746 Code

E. A. Oran Solicitor.

RECORDED

No. 1310

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Smith

Complainant

Vs.

Smith

Defendant

Motion for Decree Pro Confesso
on Publication

Filed June 7 1945

Randall

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1310 June, Term, 1945

Orval Al Smith Complainant

Vs.

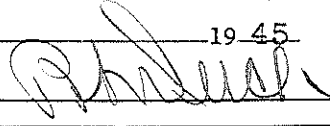
Ila Myrtle Smith Defendant

In this cause it appears to the Register R S Duck. that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 5th day of April., 19 45. in the Fairhope Courier a newspaper published in Baldwin, Alabama, that a copy of said order was posted at the Court House door in Baldwin. County, on the 3rd day of April. 1945 and

And it now further appearing to the Register R S Duck that the said Ila Myrtle Smith

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 R S Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Ila Myrtle Smith

This 7th day of June 19 45



Register.

RECORDED

No. 1310

Page

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Orval A. Smith

Vs.

Ma Myrtle Smith

Decree Pro Confesso of Publication

Issued

June 7 19*45*

Produce

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

Orval A. Smith

No. 1310.

vs.

Ila Myrtle Smith

The State of Alabama,
Baldwin.

County.

Circuit Court, in Equity

3rd

This the _____ day of

April.

5

194

In this cause it being made to appear to the Clerk of this Court by the affidavit of
E A Cramer.

that the Defendant Ila Myrtle Smith

is a non-resident of the State of Alabama

is

and further, that, in the belief of said Affiant the Defendant Fairhope Coward age of 21

years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper pub-

lished in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

Ila Myrtle Smith
the said

to answer or demur to the Bill of Complaint in this cause by the 7th _____ day of

May 194⁵, or after thirty days therefrom a decree Pro Confesso may be

taken against her

E. A. Cramer
Solicitor for Respondent

Register.

SECRET

SECRET

SECRET

SECRET

SECRET

RECORDED

[Extremely faint and illegible typed text, possibly bleed-through from the reverse side of the page.]

[Extremely faint and illegible typed text, possibly bleed-through from the reverse side of the page.]

[Extremely faint and illegible text at the bottom of the page.]

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Francis G. Crawford

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 Orval A. Smith and Hubert B. Wingate

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Orval A. Smith

Complainant

and Ila Myrtle Smith

Defendant,

on oath to be by you administered, upon them

to take and certify the deposition-s of the witness-es and return the same to our Court, with all convenient speed, under your hand.

Witness 7th day of June, 1945.

[Signature]
REGISTER

Commissioner's Fee \$ none

Witness' Fees, \$ none

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant _____

vs.

Defendant _____

Commission To Take Deposition

COMMISSIONER:

Witnesses:

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO Francis G. Crawford

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 Orval A. Smith and Hubert B. Wingate

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Orval A. Smith

Complainant

and Ila Myrtle Smith

Defendant,

on oath to be by you administered, upon them

to take and certify the deposition-s of the witness-es and return the same to our Court, with all convenient speed, under your hand.

Witness 7th day of June, 1945.

[Signature]
REGISTER

Commissioner's Fee \$ none

Witness' Fees, \$ none

Orval A. Smith
.....
Complainant,
VS.
Ila Myrtle Smith
.....
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.
NO.....

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Minette....., in the County of Baldwin.....

Alabama, the place of trial of said cause, to-wit:.....

Orval A. Smith
.....

Hubert B. Wingate
.....

.....;

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

E. A. Cramer
.....
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Frances G. Crawford.....

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

E. A. Cramer
.....
Solicitor for Complainant.

1310

BT-6-40-500

DEMAND FOR ORAL EXAMINATION.

Sims

Complainant,

Vs.

Sims

Respondent.

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

Filed this 5 day of June,

1945.

R. D. [unclear]

Register.

THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

FAIRHOPE, ALABAMA

This is to certify that the
attached legal notice appeared
in the Fairhope Courier, a newspaper
published in Fairhope Baldwin Co.,
Ala., on the dates of April 5, 12,
19 and 26

Frances G. Crawford

Frances G. Crawford, Editor

State of Alabama

Baldwin County

Subscribed and sworn to this 30th day of
April, 1945, before me.

E. A. Cramer

Notary Public, Baldwin County, Alabama.

Notice to Non-Resident

The State of Alabama,
Baldwin County.
Circuit Court, in Equity
This the 3rd day of April, 1945.
Orval A. Smith No. 1310
vs. Ila Myrtle Smith

In this cause it being made to appear to the Clerk of this Court by the affidavit of E. A. Cramer that the Defendant Ila Myrtle Smith is a non-resident of the State of Alabama 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 Fairhope Courier, a newspaper published in Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Ila Myrtle Smith to answer or demur to the Bill of Complaint in this cause by the 7th day of May, 1945, or after thirty days therefrom a decree Pro Confesso may be taken against her.

R. S. Duck, Register
E. A. Cramer, 35-4t
Solicitor for Complainant

Fairhope, Alabama

April 30

194 b

M

R. J. Dink

In Account with

The Fairhope Courier

E. B. Gaston Estate, Publisher

Advertising and Commercial Printing

Rates on Application

Legal notice of 160 W
 Re. Carol A. Smith
 vs. J. A. Myrtle "
 in issues of April 5-12.
 19r26

\$ 7.20

Orval A. Smith)	In the Circuit Court
Complainant)	
)	Baldwin County
vs)	
)	Alabama
Ila Myrtle Smith)	
Respondent)	In Equity

To the Honorable Francis W. Hare, Judge of said Court, sitting in Equity:

Comes Your Complainant, Orval A. Smith, and respectfully represents unto Your Honor and exhibits his Bill of Complaint against Ila Myrtle Smith as follows:

First: Complainant who is 34 years of age and a resident of Baldwin County Alabama for three years past, and Respondent, who is 23 years of age, intermarried on October 18th 1934 at Philadelphia, Mississippi.

Second: On or about May 1st 1942, Respondent Voluntarily Abandoned Complainant as has continued said abandonment without just cause ever since with total neglect of the marital covenant on her part to be performed.

The premises considered, Complainant prays that Your Honor grant all appropriate and legal process and that same be directed to said Ila Myrtle Smith demanding that she personally appear before this honorable court within the time prescribed by law and then and there answer full and completely the several paragraphs of this Bill of Complaint and that she be required to abide and obey all decrees and orders of this Court which to Your Honor may seem meet and proper.

Complainant further prays upon a hearing of this cause that a decree be rendered forever divorcing Complainant from Respondent and granting Complainant such other, different and further relief as may be or appear proper in the premises.

E. A. Cramer
Solicitor for Complainant.

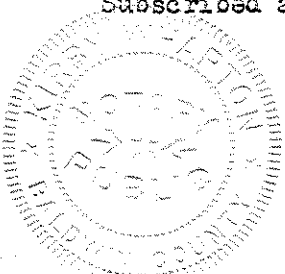
State of Alabama
Baldwin County

Personally appeared E. A. Cramer, who, being duly sworn, deposes and says; That he is Attorney for Orval A. Smith, Complainant in the above action, that he believes on information and investigation that Ila Myrtle Smith, Respondent in said cause, is past the age of twenty one years and is, presently, a non-resident of the State of Alabama wherefore he believes that notice of the pendency of said action ought to be given by publication.

E. A. Cramer

Subscribed and sworn to this 2nd day of April, A. D. 1945, before me.

W. J. Haden
Notary Public, Baldwin County, Ala.



THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Orval A. Smith

Complainant

VS.

Ila Myrtle Smith

Respondent

I, Frances G. Crawford

as Register and Commissioner

have called and caused to come before me Orval A. Smith and Hubert B. Wingate

witnesses named in the Requirement for Oral Examination, on the 5th day of June
1945, at the office of E. A. Cramer, Attorney
in Fairhope, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Orval A. Smith

doth depose and say as follows:

Ila Myrtle and I were married on October 18th 1934 at Philadelphia, Mississippi. I am 34 years of age and my wife is 28. We moved into Alabama the early part of 1942. I have lived in Alabama ever since and presently am living in Baldwin County, Alabama. My wife and I had not been getting along for some time, mainly because she wanted more money to spend than I was able to provide her with. She had threatened to leave me for some time prior to the date when she did finally do so which was early in May, 1942. There was no justification for this action on her part. She refused to return time after time and then sent me word that she had no intention of ever returning. She is not a member of the United States Armed Forces.

Orval A. Smith

And the said Hubert B. Wingate

doth depose and say as follows:

I have known Orval A. Smith for more than a year. I know that he is a resident of Alabama and has been for more than a year. I also know that his wife has not lived with him during that period and more.

Hubert B. Wingate

ORAL EXAMINATION.

I, Frances G. Crawford, 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—and read over to _____ and _____ signed the same in the presence of myself _____

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom 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 June, 194⁵.

Frances G. Crawford (L. S.)

NO. 1310 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Smith

vs.

Smith Complainant

Respondent.

Oral Deposition

Filed June 9, 194⁵
Frances G. Crawford, Register.

Recorded in _____ Record

Vol. _____ Page _____, Register.