

1374

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO Ora S. Nelson

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 W. C. Ashcraft

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein W. C. Ashcraft

is Complainant and Berta Ashcraft

is Defendant,

on oath to be by you administered, upon W. C. Ashcraft

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

Witness this 23rd day of July, 19 45.

R. R. R.

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NO. 1374

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

W. C. ASHCRAFT,

Complainant

vs.

BERTA ASHCRAFT,

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

W. C. ASHCRAFT,
Complainant,
VS.
BERTA ASHCRAFT,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER _____.

ANSWER

Now comes the Respondent, Berta Ashcraft, and accepts service of a copy of the Bill of Complaint filed in this cause and waives all other and further notice thereof.

For answer to the said Bill of Complaint, Respondent admits that she and the Complainant are each over twenty-one years of age and consents and agrees that a Commissioner be appointed, testimony taken and this cause submitted for Final Decree without notice to her, all of which is hereby expressly waived.

Respondent denies each and all of the other allegations of the Bill of Complaint and demands strict proof thereof.

Dated this 26th day of June, 1945.

Berta Ashcraft (SEAL)

STATE OF CALIFORNIA

LOS ANGELES COUNTY

I, Walter C. Bradford, a Notary Public, within and for said County in said State, hereby certify that Berta Ashcraft, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 26th day of June, 1945.

Walter Bradford
Notary Public, in and for Los Angeles County,
State of California.

Affix Seal.

1374

RECORDED

ANSWER

W. C. ASHCRAFT,

Complainant,

VS.

BERTA ASHCRAFT,

Respondent.

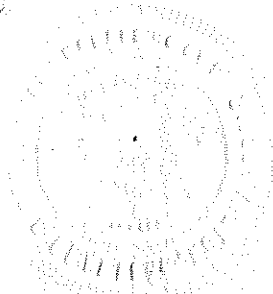
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER _____.

Filed July 23,
1945

R. D. [unclear]
Register



TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Orator, W. C. Ashcraft, presents this Bill of Complaint against Berta Ashcraft, and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator is over twenty-one years of age and a bona fide resident citizen of Baldwin County, Alabama, where he has resided for more than one year next preceding the filing of this Bill of Complaint. The Respondent, Berta Ashcraft, is over 21 years of age, is a non-resident of the State of Alabama, whose residence and post office address is unknown and cannot be ascertained after diligent inquiry.

2. Your Orator and the said Berta Ashcraft were lawfully married in Prattsville, Arkansas in 1921 and lived together as man and wife until 1952 when the said Berta Ashcraft voluntarily abandoned your Orator and the said parties have not lived together since the said date.

PRAYER FOR PROCESS


Your Orator prays that the usual process of this Honorable Court forthwith issue to the Respondent, requiring her to appear and answer, plead to or demur to the Bill of Complaint filed against her in this cause within the time and under the penalties prescribed by the law and rules of this Honorable Court.

PRAYER FOR RELIEF

Your Orator prays for the following separate and several relief:

1. That the bonds of matrimony now existing between your Orator and the Respondent be dissolved and that he be divorced from her on the ground of abandonment.

2. Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.


Solicitor for Orator.

1374
RECORDED

BILL OF COMPLAINT

W. C. ASHCRAFT,
Complainant,

VS.

BERTA ASHCRAFT,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER _____.

*Filed July 23rd
1945*

*Redbeck
Registrar*

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

W. C. ASHCRAFT,

Complainant

VS.

BERTA ASHCRAFT,

Respondent

I, Ora S. Nelson,

as ~~Register and~~ Commissioner

have called and caused to come before me W. C. Ashcraft

witness named in the Requirement for Oral Examination, on the 23rd day of July 1945, at the office of J. E. Blackburn in Baldwin, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said W. C. Ashcraft doth depose and say as follows:

My name is W. C. Ashcraft. I am over twenty-one years of age and am a bona fide resident citizen of Baldwin County, Alabama, where I have resided for more than one year next preceding the filing of this Bill of Complaint.

The Respondent, Berta Ashcraft, was at the time the Bill of Complaint which I prepared for filing in this Court, was filed, was a non-resident of the State of Alabama, whose residence and post office address was then unknown and could not be ascertained after diligent inquiry. She is over twenty-one years of age.

I was lawfully married to the Respondent, Berta Ashcraft, in Prattsville, Arkansas in 1921 and we lived together as man and wife until during the year 1932 when she voluntarily abandoned me without fault on my part and we have not lived together since the said date.

W. C. Ashcraft

ORAL EXAMINATION.

I, Ora S. Nelson, 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 him and he signed the same in the presence of myself and J. B. Blackburn 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 23rd day of July, 1945.

Ora S. Nelson (L. S.)

NO. 1374 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

W. C. ASHORAFF,

vs. Complainant

BRETT A. ASHORAFF,

Respondent.

Oral Deposition

Filed July 24, 1945

[Signature], Register.

Recorded in

Record

Vol. _____ Page _____, Register.

W. C. ASHCRAFT,
Complainant,
VS.
BERTA ASHCRAFT,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER _____.

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant
upon the following:

1. Original Bill of Complaint.
2. Answer.
3. Oral Deposition of Complainant, W. C. Ashcraft, taken
before Ora S. Nelson, as Commissioner.

Dated this 23rd day of July, 1945.

R. Duck

Register.

J. B. T. Blachum
Solicitor for Complainant.

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NOTE OF TESTIMONY

W. C. ASHCRAFT,
Complainant,
VS.
BERTA ASHCRAFT,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER ____.

*Filed July 24,
1943*

*Rebecca
Regester*

W. C. ASHCRAFT,
Complainant,
VS.
BERTA ASHCRAFT,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NUMBER _____

DECREE

This cause coming on to be heard on this date is submitted for Final Decree on the original Bill of Complaint, Answer and Testimony as noted by the Register, upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for by him in his said Bill of Complaint, WHEREUPON it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, W. C. Ashcraft, and the Respondent, Berta Ashcraft, be, and they are hereby dissolved and the said Complainant is forever divorced from the said Respondent on the ground of abandonment.
2. The said Complainant and Respondent are each hereby permitted to again contract marriage but they shall not marry again except to each other until after the expiration of sixty days from the date of this Decree, and if an appeal is taken in this cause within sixty days, they shall not marry except to each other during the pendency of the said appeal.
3. Costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 26th day of July
1945.

J. W. Hare
Judge.

DECREE

W. C. ASHCRAFT,

Complainant,

VS.

BERTA ASHCRAFT,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Bm