

LOYD MARTIN

COMPLAINANT

VS

VIRGINIA MARTIN

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 1393

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

Now comes the Petitioner, LOYD MARTIN, the Complainant in the above styled cause, and respectfully represents and shows unto Your Honor as follows:

1.

That a divorce decree was rendered in the above styled cause, by this Court, on August 29, 1945, forever dissolving the bonds of matrimony existing between your petitioner and the said Virginia Martin.

2.

That your petitioner and the said Virginia Martin have one child, Sue Ethel Martin, a girl six years old; that said child is now with your petitioner.

3.

That the decree granted on August 29, 1945, was silent as to the custody of the said child.

4.

That the said Virginia Martin, since the granting of the divorce decree on August 29, 1945, has been married two times; that she has moved about from place to place; that she has no permanent residence; that it is the information of your petitioner that she has not been divorced from the husband prior to the husband with whom she is now living; that the said Virginia Martin is not a suitable, fit or proper person to have the care and rearing of a child of such tender years.

5.

That your petitioner has a place with his sister, Mrs. Lawrence Owens, in Bay Minette, as a home for the child; that he is financially able and his sister is fully capable and competent of caring for the child.

That the present husband of the said Virginia Martin is not agreeable that she keep the child; that it is necessary for her, when your petitioner does not have the custody of the child, to leave her around from place to place with her friends.

WHEREFORE your petitioner prays that a decree be made and entered awarding to him the custody, care and control of the minor child, Sue Ethel Martin; that he be granted such, other, further and additional relief as to your Honor may seem proper; that it is to the best interest of the said child that a decree be immediately made and entered, controlling the custody of the said child.

Petitioner

Solicitor for the Petitioner

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, the undersigned authority, in and for said County, in said State, Loyd Martin, who is known to me, and who having been by me first duly sworn, deposes and says that the facts contained in the foregoing petition are true.

Sworn to and subscribed before me on this the ____ day of May, 1947.

Notary Public, Baldwin County, Alabama

LOYD MARTIN
COMPLAINANT
VS
VIRGINIA MARTIN
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 1393

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ALABAMA, IN EQUITY:

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WHEREFORE your petitioner prays that a decree be made and entered awarding to him the custody, care and control of the minor child, Sue Ethel Martin; that he be granted such, other, further and additional relief as to your Honor may seem proper; that it is to the best interest of the said child that a decree be immediately made and entered, controlling the custody of the said child.

Loyd Martin
Petitioner
J. H. S. S. S.
Solicitor for the Petitioner

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, the undersigned authority, in and for said County, in said State, Loyd Martin, who is known to me, and who having been by me first duly sworn, deposes and says that the facts contained in the foregoing petition are true.

Loyd Martin

Sworn to and subscribed before me on this the 30 day of May, 1947.

J. H. S. S. S.
Notary Public, Baldwin County, Alabama

1393

Lloyd Martin

vs

Virginia Martin

Petition

Filed

6-2-47

Alice J. Duck
Register

Loyd Martin

vs.

Virginia Martin

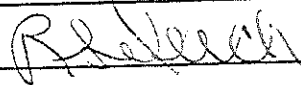
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
and answer and Waiver and Testimony of Loyd Martin
and J. H. Martin

and in behalf of Defendant upon

Beebe & all Solicitors for Comp



Register.

No. 1393

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Loyd Martin

vs.

Virginia Martin

NOTE OF TESTIMONY

Filed in Open Court this 24th

day of August, 1945

R. R. R. R.

Register.

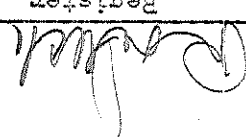
Printed by The Baldwin Times, Bay Minette.

STATE OF ALABAMA,
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon VIRGINIA MARTIN to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction, within thirty days after the service of summons, and there to plead, answer or demur, without oath, to a bill of complaint lately exhibited by LOYD MARTIN, against the said VIRGINIA MARTIN, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit under penalty of the law. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Court, this the 25 day of August, 1945.


Register

LOYD MARTIN,
COMPLAINANT,
VS.
VIRGINIA MARTIN,
RESPONDENT.
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

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

Now comes your Complainant, LOYD MARTIN, and humbly complaining against the Respondent, VIRGINIA MARTIN, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age;

2. That your Complainant and the Respondent married at Bay Minette, Baldwin County, Alabama, on August 29, 1939, and lived together as husband and wife until March 22, 1944;

3. That on March 22, 1944, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Virginia Martin party Respondent to this cause of action, 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.

Complainant further prays that upon a final hearing hereof, your Honor will enter an order and decree granting to him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the Respondent; that your Honor will give and grant to him such other, further, different, or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

BEEBE & HALL

By: *J. S. Lee*
Solicitors for the Complainant.

1393

Layd Martin

is

Virginia Martin

Humours & Complaints

Filed Aug 25, 1945

Rodwell

Regals

Loyd Martin,
Complainant,

vs

Virginia Martin,
Respondent,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

Now comes the Respondent in her own proper person and for answer to the Complainant's bill of complain and to each allegation therein says:

She admits the allegations as to ages, residence and marriage, but denies each and every other allegation therein containing and demands strict proof of the same.

The Respondent waived notice of the time of taking testimony on the part of the Complainant; the right to cross examine the Complainant's witnesses and agrees that this cause be submitted for final decree without notice.

The Respondent accepts service of summons and complaint in this cause.

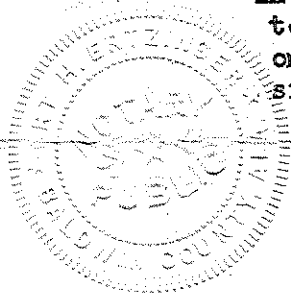
Virginia Martin

STATE OF ALABAMA)
BALDWIN COUNTY

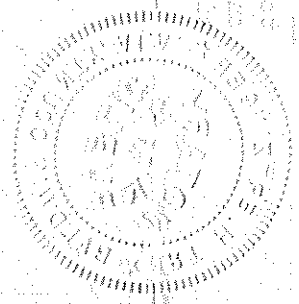
I, Orville E. Byrnes, a Notary Public in and for said county in said state, hereby certify that Virginia Martin, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, she signed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 31 day of July, 1945.

Orville E. Byrnes
Notary Public, Baldwin Co., Ala.



Handwritten notes, possibly a list or index, located in the upper left quadrant of the page.



Handwritten notes or signatures, possibly a list of names, located in the middle left section.

Vertical handwritten text or notes running down the center of the page.

1393

Loyd Martin
r
Virginia Martin

Answered

Fred Aug 20 1955

Handwritten signature or initials, possibly 'D. M. Martin'.

Faint vertical text or notes on the right side of the page.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Loyd Martin

Complainant

VS.

Virginia Martin

Respondent

I, Lillian Patterson

as Register and Commissioner

have called and caused to come before me Loyd Martin and J. H. Martin

witnesses named in the Requirement for Oral Examination, on the 24 day of August
1945, at the office of Beebe & Hall
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Loyd Martin
doth depose and say as follows:

My Name is Loyd Martin. I am a bona fide resident of Baldwin County, Alabama,
and over twenty-one years of age.
The Respondent is over twenty-one years of age and a resident of Baldwin
County, Alabama.
The Respondent and I are husband and wife, having married at Bay Minette in
Baldwin County, Alabama, on the 29th day of August, 1939.
The Respondent on the 22nd day of March 1944, voluntarily abandoned my bed
and board and has remained away voluntarily and continuously since that time.
I at no time gave the Respondent any cause for abandoning me. I have talked
with her since that time, and know that she will never return to live with
me again. There is no chance for reconciliation between us.

Loyd Martin

J. H. Martin a witness for the Complainant being first duly sworn, deposes
and says:

I am personally acquainted with the Complainant and the Respondent in this
cause. The Complainant is my son. He has been living with me for more than
two years next preceding this date.

I know of my own personal knowledge that the Complainant and the Respondent
have not lived together as husband and wife for more than twelve months next
preceding the date of the filing of the bill of complaint in this cause.
The Respondent is a person of an unusual temperament, and I know that she
and my son will never be able to again live together as husband and wife.
She has often told me that she never intends to live with my son again. They
are both young and I deem it to the best interest of society that they be
given their freedom and again permitted to go their separate ways.

J. H. Martin

ORAL EXAMINATION.

I, Lillian Patterson, as Register and Commissioner hereby certify that the foregoing deposition^s on Oral Examination was taken down by me in writing in the words of the witness^{es} and read over to them and they signed the same in the presence of myself and H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness^{es} or had proom 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 24 day of August, 1945.

Lillian Patterson (L. S.)

NO. 1342 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Floyd Martin

vs. Complainant

Virginia Martin

Respondent.

Oral Deposition

Filed Aug 25, 1945

[Signature], Register.

Recorded in

Record

Vol. _____

Page _____, Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

To Lillian Matterson.

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 Loyd Martin and J. H. Martin.

Complainant

as witnesses in behalf of _____ in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Loyd Martin.

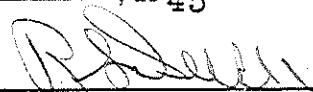
Complainant

and Virginia Martin.

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 24th day of August., 1945



Register

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

