

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

BERTHA de GRAFF

Complainant

VS.

CLYDE de GRAFF

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~

on Answer & Waiver of the Respondent 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 Bertha de Graff is forever divorced from the said Clyde de Graff

for and on account of Abandonment.

It is further ordered, adjudged and decreed by the Court that the Complainant, Bertha de Graff, be, and she is hereby given the custody of the minor children: Charles Donald de Graff, and Leslie Eugene de Graff.

It is further ordered, adjudged and decreed by the Court that the Respondent pay to the Complainant, as permanent alimony, the sum of \$10.00 per week, such amount to be paid on Saturday of each and every week hereafter until the further orders of this Court.

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 Bertha de Graff the Complainant pay the cost herein to be taxed, for which execution may issue.

This 29th day of September, 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. 1416 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194_____

Register

BERTHA de GRAAF,
COMPLAINANT,
VS.
CLYDE de GRAAF,
RESPONDENT.

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

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

The Complainant respectfully represents and shows unto your Honor
as follows:

1.

That on to-wit, October 29, 1945, a decree of divorce was rendered
by this Honorable Court in the above styled cause.

2.

That the said decree provided that the Respondent pay to the Com-
plainant, the sum of \$10.00 per week, as permanent alimony.

3.

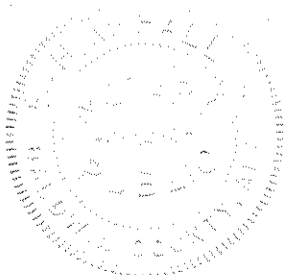
That the Respondent has failed, or refused to comply with the decree
of the Court, in that he has failed to pay the amount as required thereby.

WHEREFORE, the premises considered your Complainant prays that your
Honor will issue citation to the Respondent, Clyde de Graaf, requiring him to
show cause why he has not complied with the decree of the Court.

Bertha De Graaf

Sworn to and subscribed before me on this the 16th day of January,

1946.



J. L. L...
Notary Public, Baldwin County, Ala.

1464

BERTHA DEGARFF,
Complainant

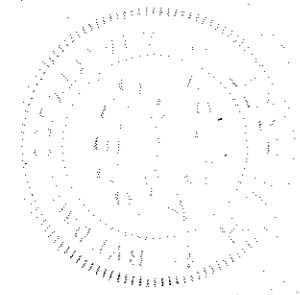
VS

CLYDE DEGRAAF
Respondent

PETITION TO REQUIRE RESPONDENT
TO SHOW CAUSE WHY HAS VIOLATED
DECREE OF THE COURT.

Filed January 21st 1946

R. L. ...
Register



BERTHA deGRAFF,
Complainant,
VS.
CLYDE deGRAFF,
Respondent.

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

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to cite Clyde DeGraff to be and appear before me at the Courthouse in Bay Minette, Alabama, on the 4th day of February, 1946, at 2 o'clock P. M. to show cause as to why he should not be adjudged in contempt to Court and punished accordingly for an alleged violation of a decree of this Court made and entered on the 29th day of October, 1945.

You will serve a copy of this order upon the said Clyde deGraff and make your return on the original order.

This 22nd day of January, 1946.

F. N. Hare

JUDGE

Executed this 26
Day of Jan. 1946
by leaving a copy of
with
Clyde De Grah

C. E. Garrett Sheriff
WED 25

[Handwritten signature]

CITATION

Bertha degraft,
Complainant,
VS.
Clyde degraft
Respondent

Original 1414

RETURN TO THE CLERK OF THE COURT

RECEIVED

27

RECEIVED

RECEIVED

RECEIVED

RECEIVED

BERTHA De GRAFF

COMPLAINANT

VS

CLYDE De GRAFF

RESPONDENT

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

NO. 1416

This cause coming on to be heard is submitted upon the petition of the Complainant to require the Respondent to pay alimony in accordance with the decree of this court dated September 29, 1945.

The Court after considering the matter, and hearing orally, the testimony of the Complainant, and the Respondent, is of the opinion that the Respondent has failed to comply with the requirements of the decree of this court, and that the Complainant is entitled to relief.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED, that the Respondent forthwith, pay to the Complainant the sum of Sixty (\$60.00) Dollars to cover alimony in arrears.

IT IS FURTHER ORDERED, ADJUDGED and DECREED, that the former decree of the Court requiring the Respondent to pay to the Complainant the sum of Ten (\$10.00) Dollars per week is modified, and the Respondent is required to pay to the Complainant the sum of Forty (\$40.00) Dollars per month, the first payment to be made on March 1, 1946, and a like payment on the same date on each succeeding month thereafter.

IT IS FURTHER ORDERED that the Respondent pay cost of this cause for which execution may issue.

Dated at Bay Minette, Baldwin County, Alabama, this the 5th day of February, 1946.

J. W. Hare
Judge.

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M

1414

De Graaf
v.

De Graaf

Deere

July 25 1944

Robert
Piper

[Handwritten mark or signature]

The State of Alabama, {
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Feb, 4th 1946

Term, 194

Bertha De Graaf.
No. 1416 vs.
Clyde De Graaf.

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—		Summoning on Bill, Each Defendant.....	1.50
Docketing Cause, One fee only of.....	1.00	Executing Writ of Injunction, or Ne Exeat, each..	1.50
Issuing Summons on Bill, each.....	.50*	Executing Subpoenas for Witnesses, each.....	.65
Issuing Copies Thereof, each.....	.40	Executing Writs of Possession, each.....	5.00
Entering Return of Same, each.....	.15	Executing Seire Facias or Notice, each.....	1.50
Orders of Publication to Non-Residents, each.....	1.00*	Taking and Approving Bonds, each.....	1.00
Filing Bill or Other Paper, each.....	.10	Impaneling Jury.....	.75
Copies of Same, Per 100 Words.....	.15	Collecting Execution for Costs Only, each.....	1.50
Entering Appearances, each.....	.25*	Sheriff's Commissions	
Issuing Writs of Injunction, Ne Exeat, each.....	1.50		
Issuing Copies Thereof, each.....	.50		
Entering Return of Same, each.....	.15		
Decrees Pro Confesso, each.....	1.00*		
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each.....	.50		
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	.20		
Receiving and Filing Depositions, each pkg.....	.10		
Indorsing Depositions Published, each pkg.....	.10		
All Entries on Commission Docket, Each Cause.....	.50		
Entering Order Submitting Cases for Decree, each.....	.50		
Other Orders of Court, each.....	.25		
Noting Testimony on Hearing of Cause, each.....	.50		
Entering Decrees, of 500 Words or Less, each.....	.75		
Per 100 words over 500.....	.15		
Taking Accounts, etc., on Ref., per Day.....	2.00*		
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15		
Reference and Reports, each.....	2.00*		
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	.15		
Issuing Subpoenas for Witnesses, each.....	.25		
Issuing Witness Certificates, each.....	.25		
All Entries on Subpoena Docket, each Cause.....	.50		
Taking and Approving Bonds, each.....	1.00		
Making Complete Record, per 100 Words.....	.15		
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee	3.00		
Settlements with Receiver or Trustee, each.....	3.00		
Examining Vouchers in Settlements, each.....	.10		
Examining Answers on Exceptions, each Answer ..	3.00		
Removal Disabilities on Non-Age.....			
Commissions on Sales.....			
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Seire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each.....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each.....	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
2 copies decree	2.00		
Total Register's Fees	5.30		
		Total Sheriff's Fees	1.50
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees	5.30
		Ex-Register's Fees	
		Sheriff's Fees	1.50
		Ex-Sheriff's Fees	
		Witness Fees	
		Commissioner's Fees	
		Guardian Ad Litem	
		Publisher's Fees	
		Solicitor's Fees	
		Court Reporter's Fees, Per Day or fraction thereof ..	5.00
		Trial Tax	3.00
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees	
		Sheriff's Fees	
		Witness Fees	
		Total Fees and Costs in Inferior Court	6.80
		Total Fees and Costs	
		Judgment	
		Total Fees, Costs, and Judgment	

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194_____

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

vs. Plaintiff _____

Defendant _____

EQUITY COST BILL

Term, 19_____

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

Moore Printing Co., Bay Minnate, Ala.

BERTHA de GRAFF

COMPLAINANT

vs.

CLYDE de GRAFF

RESPONDENT

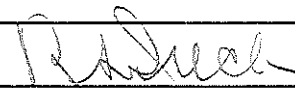
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Answer and Waiver of the Respondent, Testimony of Bertha de Graff and

Mrs. Nellie de Graff, and Agreement between the Respondent and the Com-
plainant.

and in behalf of Defendant upon _____



Register.

No. 1416

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

De Graaf

vs.

De Graaf

NOTE OF TESTIMONY

Filed in Open Court this 28

day of Apr 28, 1945

R. Welch
Register.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

BERTHA de GRAFF Complainant

VS.

CLYDE de GRAFF Respondent

I, Lillian Patterson
as ~~Register and~~ Commissioner _____
have called and caused to come before me Bertha de Graff, and Mrs. Nellie de Graff,

witnesses named in the Requirement for Oral Examination, on the 26th day of September,
1945, at the office of Beebe & Hall
in Bay Minette, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Bertha de Graff, and Mrs.
Nellie de Graff doth depose and say as follows:

My name is Bertha de Graff. I am a bona fide resident of Baldwin County, Alabama, and 20 years of age. I have been such a resident of Baldwin County, Alabama, for the past 10 years.

The Respondent is over 21 years of age and a bona fide resident of Baldwin County, Alabama.

The Respondent and I are husband and wife, having married at Milton, Florida, on May 30, 1941. We lived together as husband and wife until in March, 1944. That in March 1944, the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time. I have during that time, lived with my Father and Mother, at Stapleton, Alabama. I have necessarily had to depend upon my Father and Mother for the greater part of my livelihood. We have two children, Charles Donald de Graff, and Leslie Eugene de Graff, ages three and one year, respectively. These children have been with me all of their lives. I am fully capable of taking care of them.

Bertha de Graff

Nellie de Graff being a witness for the Complainant, being first duly sworn deposes and says:

My name is Nellie de Graff. I am the Mother of the Respondent in this cause. The Respondent and the Complainant have not lived together as husband and wife for more than 1½ years. The Respondent has during that time been living with me.

Mrs Nellie de Graff

ORAL EXAMINATION.

I, Lillian Patterson, 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 witnesses—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 witnesss—or had proom made before me of the identity of said witnesss; 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 26th day of September, 1945.

Lillian Patterson (L. S.)

NO. 1414 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Do Hall
vs. Complainant

De Hoop
Respondent.

Oral Deposition

Filed 10/28, 1945,
R. Hall, Register.

Recorded in _____
Record

Vol. _____ Page _____
Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

To Lillian Patterson

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 Bertha deGraaf and Mrs Nellie deGraaf

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

Bertha de Graaf

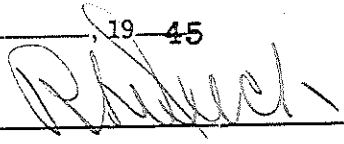
Complainant

and Clydede DeGraaf

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 26th day of Sept., 1945



Register

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 1916

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

De Graat

Complainant

vs.

De Graat

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

[Faint, illegible text and markings, possibly bleed-through from the reverse side of the page]

STATE OF ALABAMA,
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon CLYDE de GRAFF 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 BERTHA de GRAFF, against the said CLYDE de GRAFF, 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 28 day of September, 1945.

R. S. Duck
Register

BERTHA de GRAFF,

COMPLAINANT,

VS.

CLYDE de GRAFF,

RESPONDENT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

Your Complainant, Bertha de Graff, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is twenty years of age, and a bona fide resident of Baldwin County, Alabama, having been such resident for the past 10 years; the Respondent is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama;

2.

That your Complainant and the Respondent married at Milton, Florida, on May 30, 1941, and lived together as husband and wife until in March, 1944;

3.

That in March, 1944, the Respondent voluntarily abandoned the bed and board of the Complainant, and has remained away voluntarily and continuously since that time;

That there was born to said marriage between your Complainant and the Respondent, two children; Charles Donald de Graff, and Leslie Eugene de Graff, ages three and one year respectively, who are now and have been all their lives living with the Complainant, who is a suitable, fit and proper person to have their care, custody and control.

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

Complainant further prays that your Honor will, upon a hearing hereof, 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 she be awarded the care, custody and control of the said minor children; Charles Donald de Graff, and Leslie Eugene de Graff; Complainant prays for such other, further, different, or general relief, ^{including permanent Alimony} as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL

By: *J. H. Beebe*
Solicitors for the Complainant.

1416

BERTHA de GRAFF,
COMPLAINANT,
VS.
CLYDE de GRAFF,
RESPONDENT.

RECORDED

SUMMONS AND COMPLAINT.

Filed Sept 28 - 1945 -
W. W. [Signature]
Peeler

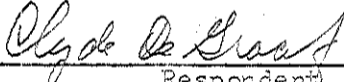
BERTHA de GRAFF,
COMPLAINANT,
VS.
CLYDE de GRAFF,
RESPONDENT.

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

And now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent denies each and every allegation contained in the Complainant's bill of complaint and demands strict proof of the same.

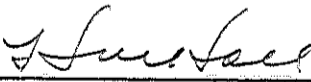
The Respondent waives notice of the time of taking testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses, and agrees that this cause be submitted forthwith for final decree without notice.


Respondent

STATE OF ALABAMA,
BALDWIN COUNTY.

I, H. M. Hall, a Notary Public, in and for said County, in said State, hereby certify that Clyde de Graff, 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, he executed the same voluntarily on the day the same bears date.

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


Notary Public, Baldwin County, Ala.

BERTHA de GRAFF,
COMPLAINANT,
VS.
CLYDE de GRAFF,
RESPONDENT.

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

WHEREAS, the parties hereto are husband and wife and have come to the conclusion that it is impossible for them to live together as husband and wife; and

WHEREAS they have two children, Charles Donald de Graff and Leslie Eugene de Graff, ages three and one respectively; and

WHEREAS they have reached a full and complete agreement as to the custody of the children and as to alimony to be paid by the Respondent to the Complainant for maintenance and support of herself and children.

NOW THEREFORE THESE PRESENTS WITNESSETH:

That the Complainant shall have the custody, care and control of the said children, and the Respondent will pay to the Complainant for herself support and the support of the children as permanent alimony the sum of \$10.00 per week, the first payment to be made as of Saturday, September 29th, 1945, and a like payment on the same day of each and every week thereafter, provided however, that if the Complainant shall again marry, she immediately forfeits her right to any support, or the custody of the children, however, this shall in no wise affect the Respondent's responsibility to support the children.

IN WITNESS WHEREOF, they have hereunto set their hands and seals on this the 26th day of September, 1945.

Clayde de Graff (SEAL)
Bertha de Graff (SEAL)

STATE OF ALABAMA,
BALDWIN COUNTY.

I, H. M. Hall, a Notary Public, in and for said County, in said State, hereby certify that Clyde de Graff, and Bertha de Graff, husband and wife, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

And I do further certify that on the 26th day of September, 1945, came before me the within named Bertha de Graff, known to me to be the wife of the within named Clyde de Graff, and who being examined separate and apart from her husband, touching her signature to the within instrument, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of her husband.

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

H. M. Hall

Notary Public, Baldwin County, Ala.

1416

BERTHA de GRAFF,

COMPLAINANT,

VS.

CLYDE de GRAFF,

RESPONDENT.

RECORDED

AGREEMENT.

Filed Sept 28 1945.
R. J. [Signature]