

The State of Alabama, { No. 957 Circuit Court, in Equity.
Baldwin County.

Mamie G. Byrd Complainant
vs.

Van Byrd Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

.....on account of cruelty.....

It further ordered, that the said Mamie G. Byrd be, and s. he is hererby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Mamie G. Byrd pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Van Byrd

It is further ordered, adjudged and decreed that said Mamie G. Byrd shall not again marry except to said Van Byrd until sixty days after this date, and that if an appeal is taken within sixty days s. he shall not marry again except to said Van Byrd during the said pendency of appeal

This 11th day of March 1931
J. W. Hare
Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, { Circuit Court, in Equity.
Baldwin County.

I, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 11th day of March 1931, in the cause of

Mamie G. Byrd Complainant
vs.
Van Byrd Defendant
as appears of record in said Court.

Witness my hand and the seal of said Court, this the day of 1931

Register

Presnell

NO. 957

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,
BALDWIN COUNTY, ALA.

Nemie G. Byrd

vs.

Van Byrd

DECREE OF DIVORCE.

Filed in office this *11th*

day of *March*, 192*3*

Wm. H. Bellman
Register.

E. O. M.

Moore Printing Co. :::: Bay Minette, Ala.

Opelika Presnell

VAN BYRD

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

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

Your Petitioner, VAN BYRD, respectfully represents unto your Honor that a decree of divorce was granted by your Honor against your Petitioner and in favor of Mamie G. Byrd, on the 11th day of March, 1931, on the ground of cruelty, said cause being numbered 957; that more than two years have elapsed since said decree was granted as aforesaid, during all of which time your Petitioner has been sober and industrious and a peaceable citizen; that there is no reason, so far as your Petitioner knows, why he should not be granted the right to re-marry.

WHEREFORE, your Petitioner prays that your Honor will take jurisdiction of this petition, and that upon consideration of same and of the evidence submitted herewith, that Petitioner may be granted the right to re-marry.

Van Buren
Petitioner

RECORDED 7-374

Book

EX PARTE,
VANI BYRD,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed January 11, 1938.
H. S. Davis, Clerk*

~~1. Your overall allegations and charges as a fact, that while said Van Dyke was living with her in Bay Linette and since she had to abandon him on so-
lately of his small cruel treatment of her, on tonight, July 14th, 1930, he did
only go out with other women and was seen in their company often and did
totally and entirely neglect your daughter to her great grief and hostility
in all of which she put up with until she could do it no longer without -
doing violence either to herself or to the respondent Van Dyke and by his
cruelty and mistreatment he forced her to abandon him, which she did~~

Van Wyck were living at the boarding house of Mr. Island in Bay Thicket, N.Y. Respondent, Van Wyck, having got off temper, did strike John Conklin in the mouth with his fist and discharged her lip to bleed profusely; this occurred on or about last July 14th, 1930, and since said time respondent has continued to abuse and mistreat her and also to which so abuse and mistreat her that

people and several months later and actual body loss at times.

[illegible]

To expedite the test and begin to reduce the number of attorneys involved in each case, we intended to have the test cases heard by a single judge, rather than a panel of three judges as was the custom at that time. We intended to do this without any change, except

On the other hand, the fact that the majority of the people who are in the position of being able to do this are the ones who are in the position of being able to do this is a fact that is not to be overlooked.

Respondent in this case, the man at all times a highly able man in every way told to me with the aim of giving me the most complete information; but you

2. During all the time your brother lived with her husband, Van Byrd, the Baldwin County, Alabama and longer.

years and both reside in Del Norte County, Arizona and your Certificate has been for more than the past three years a bona fide resident citizen of

[illegible]

1. Your original, sample 6 type, and handwritten Van Dyke were similarly -
 mounted in Baldwin County, Alabama, on front, December, 21st, 1987 and lived

[illegible]

THE BUREAU OF
THE ARMY OF THE UNITED STATES
OF AMERICA
WASHINGTON, D. C.

Complaint in the District Court of Baldwin County, Alabama.

Memorandum of Understanding

The State of Alabama }
Circuit Court of Baldwin County, Alabama,
(in Equity)

COMPLAINANT

VS.

RESPONDENT

I, T.W. Richardson

as Register and Commissioner of Baldwin County, Alabama

have called and caused to come before me Mamie G. Byrd and Joe Byrd

witnesses, named in the Requirement for Oral Examination, on the 10 day of March

1931, at the office of Register

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Mamie G. Byrd and

Joe Byrd doth depose and say as follows:

Mamie G. Byrd, the Complainant who being duly sworn testified as follows:-

My name is Mamie G. Byrd and I am the Complainant in this cause. Respondent, Van Byrd and myself were lawfully married in Baldwin County, Alabama on to-wit, December 21st., 1927, and we resided at Bay Minette in said County and lived together as husband and wife until recently sometime prior to the filing of the bill in this cause. In January of this year we ceased to live together as man and wife. We are both, Van Byrd and myself ~~xxx~~ over the age of twenty-one years, and we both reside in Baldwin County, Alabama. We have both lived here for more than three years past, in fact all of our lives and we are both bona-fide resident citizens of Baldwin County, Alabama.

While we were living together in Bay Minette, I tried to get along with Van Byrd and be a dutiful and faithful wife to him and gave him no cause whatsoever to complain. All along after about a year after we were married, Van Byrd mistreated me; he would let his temper run away with him, curse and abuse me and domineered over me most cruelly. He caused mental trouble, and worry and mortification by his cruel conduct and at times he did me bodily harm; he slapped me and tried to beat me. On to-wit, July 14th or about that time of last year while we were living at the boarding house of Mr. Elland, in Bay Minette, Van Byrd, the Respondent in a fit of temper struck me in the mouth with his fist and since this time he has continued to abuse and mistreat me and did continue his acts of cruelty against me as heretofore stated up to the time that I quit living with him which I did in January of this year, 1931, when I ceased to live with him as his wife.

Mamie G. Byrd

Joe Byrd, a witness for the Complainant, who being duly sworn, testified as follows:-

My name is Joe Byrd. I reside in Bay Minette, Alabama and have lived here all my life. I know Mamie G. Byrd and Van Byrd and have known them all my life. I remember when they were married: they were married in Bay Minette, Baldwin County, on December 21st., 1927. They lived as man and wife in Bay Minette, and lived here as husband and wife for about three years. Along in December or January, last, they ceased to live together as man and wife. They are both twenty-one years of age and both are bona-fide resident citizens of Baldwin County, Alabama, and they have lived here all of their lives. While they were living together I had occasion to see them often when passing in and out and to observe their conduct, one towards the other. I have seen them fussing and quarreling at times and numerous times I have seen Van Byrd cruelly treat her by slapping her and also by striking her with his fist. In July 1930 I was living here in Bay Minette with my mother at the time that Van Byrd and his wife Mamie G. Byrd were living at Mr. Eiland's boarding house here in Bay Minette. I passed in and out with them while they were living there at Mr. Eiland's and most of the time they were fussing and quarreling. I did not see him strike her in the mouth at this time, but I heard about it, and I have seen him strike her at other times. Van Byrd is a man of high temper and easily provoked, and would he and wife would get to quarreling it would usually end in a fight and by Van Byrd striking her.

Joe Byrd

ORAL EXAMINATION

I, T.W. Richerson, 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 witnesses and read over to them and they signed the same in the presence of myself the Register at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses ; 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 10th day of March 1931.

T W Richerson (L. S.)

No. 957 Page

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Mamie G. Byrd

COMPLAINANT

vs.

Van Byrd

RESPONDENT

ORAL DEPOSITION

Filed March 10th, 1931

RECORDED IN

T W Richerson, Register

Record

Vol. Page

 , Register

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon van Byrd,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Memie Byrd,

against said Van Byrd,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 5th day of

March, 1931. 193

T. W. Richerson Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

RECORDED

SERVE ON _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Mamie W. Byrd

vs.

Van Byrd,

S.C. Jenkins,
Solicitor for Complainant

Recorded in Vol _____ Page _____

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this _____

day of _____ 19 _____

Sheriff,

Executed this _____ day of _____

Wm. Byrd 1931

by leaving a copy of the within Summons with

Van Byrd

Wm. Byrd Defendant.

Sheriff.

By A.B. Brantley
Deputy Sheriff.

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 957

Vacation

Term, 1923

Mamie G. Byrd

, Complainant.

vs.

Van Byrd

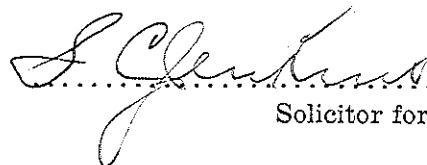
, Defendant.

To T.W. Richerson

, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by S.C. Jenkins

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.



Solicitor for Complainant.

No. 937
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THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Mamie G. Byrd

vs.

Van Byrd

REQUEST FOR DECREE IN
VACATION

FILED March 10th 1921

Register

RECORDED IN

PAGE

Register

Mamie G Byrd,
Complainant
vs
Van Byrd,
Respondent .

In The Circuit Court of Baldwin County,
Alabama.
In Equity.

Comes Van Byrd, the respondent in the above styled cause and for answer to the same denies every allegation contained therein or alleged in the Bill of complaint filed therein and demands strict proof of same. He waives service of subpoena by the sheriff of said Bill of Complaint, notice of advertising, notice of the filing of interrogatories or the taking of testimony on either oral or written examination, as well as the right to cross examine and consents that this cause may be submitted for decree on note of testimony either in term time or vacation.

Dated this

Van Byrd

Witnesses :

W. H. Hawkins
J. Jenkins

8581 NOTE OF TESTIMONY

.....
..... Mamie G. Byrd

.....
..... vs.

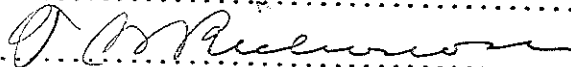
..... Van Byrd

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

.....
..... This cause is submitted in behalf of Complainant upon the original Bill of Complaint,
..... service on Defendant, answer of Defendant and Testimony
..... of Mamie G. Byrd and Joe Byrd

.....
..... and in behalf of Defendant upon
.....
.....
.....
.....

..... 

Register.

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RECORDED

No. 957.

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Hammie G. Byrd

VS

Van Byrd

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of March 1931

Jay Piccure

Register

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NEGOTIATED
No. 957

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Marie G. Byrd

vs

Van Byrd

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of March 1921

For Register
Register

DECREE OF DIVORCE

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

NO. 957

Circuit Court, in Equity.

Mamie G. Byrd , Complainant
vs
Van Byrd , Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register: and upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant, on account of cruelty.

It further ordered, that the said Mamie G. Byrd be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Mamie G. Byrd pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Van Byrd.

It is further ordered, adjudged and decreed that said Mamie G. Byrd shall not again marry except to said Van Byrd until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Van Byrd during the said pendency of appeal.

This 11th day of March, 1931.

F. W. Hare
Judge of the Circuit Court of Baldwin County

STATE OF ALABAMA,)
BALDWIN COUNTY.)

Circuit Court in Equity.

I, T. W. Richerson, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 11th day of March, 1931, in the cause of

Mamie G. Byrd Complainant
vs
Van Byrd Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the 12th day of March, 1931.

T. W. Richerson, Register