

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY AGNES SMITH, Complainant
vs.

FOY D. SMITH, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Conesso~~ on Answer and Waiver 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 Mary Agnes Smith is forever divorced from the

said Foy D. Smith for and on account of

Intolerable Cruelty It is further ordered, adjudged and decreed that Complainant shall have the care and custody and control of the children, William Gene Smith, Edna E. Smith and Foy Otto Smith, and that Respondent shall have the right of reasonable visitation and that Respondent shall pay the sum of eighty (80) dollars each month hereafter for the support of said children to Complainant.

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

This 23rd day of October, 1956

F. W. Hare

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 12th day of _____, 19____

Register of Circuit Court, In Equity.

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

DIVORCE DECREE

Printed by THE BALDWIN TIMES

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

MARY AGNES SMITH

Complainant

VS.

FOY D. SMITH

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Con~~
~~cess~~ on Answer, Waiver and Testimony as noted by the Register, and upon con-
sideration thereof, the Court is of the opinion that the Complaint 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said Mary Agnes Smith
is forever divorced from the said Foy D. Smith

for and on account of Intolerable Cruelty

It is further ordered, adjudged and decreed that Complainant shall have the
care and custody and control of the children, William Gene Smith, Edna E. Smith
and Foy Otto Smith, and that Respondent shall have the right of reasonable vis-
itation and that Respondent shall pay the sum of eighty (80) dollars each month
hereafter for the support of said children to Complainant.

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

This 23 day of Oct, 1946

J. M. Hare
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. Page

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

.....
.....
Complainant

VS.

.....
.....
Respondent

DIVORCE DECREE

Filed this day of

....., 194.....

.....
Register

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Mary Agnes Smith

Complainant

VS.

Foy D. Smith.

Respondent

I, Frances G. Crawford

as Register and Commissioner

have called and caused to come before me Mary Agnes Smith

witness—named in the Requirement for Oral Examination, on the 4th day of September
1946, at the office of E. A. Cramer, Attorney.
in Fairhope, Alabama, and having first sworn said Witness— to speak the
truth, the whole truth, and nothing but the truth, the said Mary Agnes Smith

doth depose and say as follows:

Foy D. Smith and I were married on August 23rd 1936 at Samson, Alabama, and we have both lived in Alabama ever since, in Fairhope, Baldwin County, since 1940. I am 27 years old and my husband is 28 years of age. We have three children, William Gene, aged 8 years, Edna E., aged 5 years and Foy Otto, aged 1 1/2 years. For more than six months past, my husband has been beating me and mistreating me until I cannot stand it any longer. Last Saturday, he beat me badly and threatened me with a gun. I left him then, taking the children with me. I am afraid of what he may do to me and to the children and would be deathly afraid to resume living with him. If I am granted a divorce, I would like to have custody and control of my children and would be satisfied to permit him to visit them at reasonable times. I can get along on \$80.00 a month and would like the Court to order him to pay that amount.

Mary Agnes Smith

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 4th day of September, 1946.

Frances G. Crawford (L. S.)

NO. 1746 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Smith

vs. Complainant

Smith

Respondent.

Oral Deposition

Filed FILED, 1946

OCT 21 1946, Register.

R. Reddick REGISTER

Record

Vol. _____ Page _____

Register.

MARY AGENS SMITH

vs.

FOY D. 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,

Testimony of Complainant

and in behalf of Defendant upon Answer and Waiver

E. Cramer Solicitor For Complainant

P. D. Smith
Register

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

MARY AGNES SMITH

VS.

FOY D. SMITH

NOTE OF TESTIMONY

Filed in Open Court this

day of , 194.....

R. S. DUCK, REGISTER

Register.

Printed By The Baldwin Times

Mary Agnes Smith
Complainant,

VS.

Foy D. Smith
Respondent

Circuit Court

Baldwin County

Alabama

In Equity.

Comes Foy D. Smith, Respondent in the above titled action and, for answer to the Bill of Complaint therein says that he denies each and every allegation therein contained except such allegations as relates to dates, residence, ages and the existence of said marriage.

Further, Respondent hereby waives the right to demand for oral examination, to cross examine Complainants' witness or to introduce evidence in his own behalf and agrees that this cause may be submitted for a final decree upon a hearing and evidence as noted by the Register at any time without further notice to Respondent herein.

Foy D. Smith

State of Alabama
Baldwin County

Personally appeared Foy D. Smith, known to me, and heacknowledged that he executed the foregoing answer and waiver voluntarily with full knowledge of the contents thereof.

Given under my hand and seal this 4th day of September, A. D. 1946.

E. Cramer
Notary Public, Bal. Co. Ala.

Complaint
Smith vs. Smith

Official Court
Alaska

Between County

vs.

Alaska

Respondent
John D. Smith

In Response

Comes now John D. Smith, Respondent in the above titled action and, for answer to the Bill of Complaint therein says that he denies each and every allegation therein contained except such allegations as relate to dates, residence, ages and the existence of said marriage.

Further, Respondent hereby waives the right to demand for oral examination to cross examine Compaintant's witnesses or to introduce evidence in his behalf and agrees that this case may be submitted for a final decree upon a non-verbal transcript as noted in the register at any time without further notice and evidence as hereinbefore stated.

John D. Smith

Subscribed to state
District Court

That before me, John D. Smith, Clerk of said Court, has appeared personally and executed the foregoing answer and waiver voluntarily with full knowledge of the contents thereof.

Filed, Oct. 21, 1946
R. S. Duck, Register

SMITH VS SMITH

ANSWER

Given under my hand and seal this 21st day of October, 1946.

Notary Public, Dist. Ct. Alaska
H. C. Grier

Mary Agnes Smith
Complainant

vs

Foy D. Smith
Respondent

Circuit Court
Baldwin County
Alabama
In Equity.

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

Your Complainant, Mary Agnes Smith, respectfully represents unto Your Honor
and this Honorable Court as follows:

1. Complainant, who is 27 years of age, and Respondent, Foy D. Smith, who is 28 years of age, intermarried on August 23rd 1936 at Samson, Alabama, and both parties have been residents of the State of Alabama ever since, presently living in Fairhope, Baldwin County, since 1940.
2. Since said marriage, on numerous occasions, Respondent committed acts of violence upon the person of Complainant attendant with danger to her life, limb and health, and, from his conduct, there is reasonable apprehension that he would again commit such violence and that he has, by such acts, put Complainant in fear of her life limb and health.
3. That there are three children, issue of said marriage, and their names and ages are as follows: William Gene Smith, age 8 years, Edna E. Smith, age 5 years and Foy Otto Smith, age 1 1/2 years.

The premises considered, Complainant prays that Your Honor will, by proper process make said Foy D. Smith 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 for her divorcing her from said Respondent, Foy D. Smith, granting her the custody and control of said minor children, granting her such amounts for the support of said minor children as to Your Honor may appear meet and proper and granting her such other, further or general relief as she may be in Equity and good conscience entitled to receive and as in duty bound she will ever pray.

E. A. CRAMER
Solicitor for Complainant.

Collector for Complaints
D. S. CROOKER

Filed Oct. 21, 1946

R. S. Duck Register

COMPLAINT

Will over bond. Good conscience satisfied. I advise and as in duty bound she be in R. S. with said good conscience satisfied. I advise and as in duty bound she and proper and sending her such other, further General letter to the said amount for the support of said minor children to John Honor and other need granting her the custody and control of said minor children. Granting her such an order and decree for her divorcing her from John and Respondent, Roy D. Smith. Complaints I further advise that John Honor will upon a hearing period, enter prescribed by law and the practice of this Honorable Court.

Prescribed by law and the practice of this Honorable Court.

to be, answer or deny to the same within the time and under the penalties make said Roy D. Smith party Respondent to this cause of action, redressing him the premises considered, Complaints have that John Honor will, in proper process

years and Roy Otto Smith, age 12 years.

3. That there are three children, name of said marriage, and their names and name in term of her life and health. he would agree and if such divorce and that he want to have, but Complaints him and health, and from his conduct, there is reasonable expectation that divorce upon the basis of Complaints attending with damages to her life.

2. Since said marriage, on numerous occasions, Respondent committed acts of

living in Legimode, Belvoir County, since 1940. parties have been residents of the State of Alabama ever since, presently, 38 years of age, intermarried on August 23rd 1909 at Gadsden, Alabama, and both 1. Complaints, who is 32 years of age, and Respondent, Roy D. Smith, who is

and wife Honorable Court as follows: your Complaints, Mary Anne Smith, respectfully recommends unto John Honor

ALABAMA, IN EQUITY: TO THE HONORABLE J. W. HARRIS, JUDGE OF THE CIRCUIT COURT OF EATON COUNTY,

Respondent
Roy D. Smith

Complainant
Mary Anne Smith

IN EQUITY.
Alabama
Belvoir County
Circuit Court

Mary Agnes Smith
Complainant

vs

Foy D. Smith
Respondent

Circuit Court
Baldwin County
Alabama
In Equity.

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

Your Complainant, Mary Agnes Smith, respectfully represents unto Your Honor
and this Honorable Court as follows:

1. Complainant, who is 27 years of age, and Respondent, Foy D. Smith, who is 28 years of age, intermarried on August 23rd 1936 at Samson, Alabama, and both parties have been residents of the State of Alabama ever since, presently living in Fairhope, Baldwin County, since 1940.
2. Since said marriage, on numerous occasions, Respondent committed acts of violence upon the person of Complainant attendant with danger to her life, limb and health, and, from his conduct, there is reasonable apprehension that he would again commit such violence and that he has, by such acts, put Complainant in fear of her life limb and health.
3. That there are three children, issue of said marriage, and their names and ages are as follows: William Gene Smith, age 8 years, Edna E. Smith, age 5 years and Foy Otto Smith, age 1 1/2 years.

The premises considered, Complainant prays that Your Honor will, by proper process make said Foy D. Smith 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 for ver divorcing her from said Respondent, Foy D. Smith, granting her the custody and control of said minor children, granting her such amounts for the support of said minor children as to Your Honor may appear meet and proper and granting her such other, further or general relief as she may be in Equity and good conscience entitled to receive and as in duty bound she will ever pray.

E. A. CRAMER
Solicitor for Complainant.

Mary Agnes Smith
Complainant

vs

Foy D. Smith
Respondent

Circuit Court
Baldwin County
Alabama
In Equity.

Comes Foy D. Smith, Respondent in the above titled action and, for answer to the Bill of Complaint therein says that he denies each and every allegation therein contained except such allegations as relate to dates, residence, ages and the existence of said marriage.

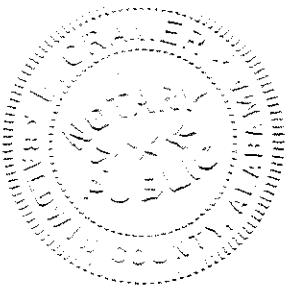
Further, Respondent hereby waives the right to demand for oral examination, to cross examine Complainants' witness or to introduce evidence in his own behalf and agrees that this cause may be submitted for a final decree upon a hearing and evidence as noted by the Register at any time without further notice to Respondent herein.

Foy D. Smith

State of Alabama
Baldwin County

Personally appeared Foy D. Smith, known to me, and he acknowledged that he executed the foregoing answer and waiver voluntarily with full knowledge of the contents thereof.

Given under my hand and seal this 4th day of September, A. D. 1946.



E. Cramer
Notary Public, Baldwin County, Ala.

1746

RECORDED

Smith

VS

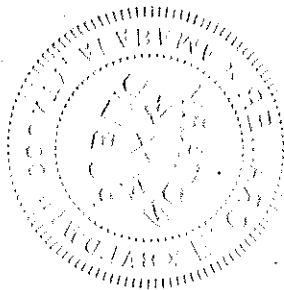
Smith

Answer

FILED

OCT 21 1946

R. S. DUCK, REGISTER



MARY AGNES SMITH
COMPLAINANT

VS

FOY D. SMITH
RESPONDENT

Circuit Court
Baldwin County
Alabama
In Equity

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

Your Complainant, Mary Agnes Smith, respectfully represents unto Your Honor
and this Honorable Court as follows:

1. Complainant, who is 27 years of age, and Respondent, Foy D. Smith, who is 28 years of age, intermarried on August 23rd 1936 at Samson, Alabama, and both parties have been residents of the State of Alabama ever since, presently living in Fairhope, Baldwin County, since 1940.
2. Since said marriage, on numerous occasions, Respondent committed acts of violence upon the person of Complainant attendant with danger to her life, limb and health, and, from his conduct, there is reasonable apprehension that he would again commit such violence and that he has, by such acts, put Complainant in fear of her life, limb and health.
3. That there are three children, issue of said marriage, and their names and ages are as follows: William Gene Smith, age 8 years, Edna E. Smith, age 5 years and Foy Otto Smith, age 1 1/2 years.

The premises considered, Complainant prays that Your Honor will, by proper process, make said Foy D. Smith 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 forever divorcing her from said Respondent, Foy D. Smith, granting her the custody and control of said minor children, granting her such amounts for the support of said minor children as to Your Honor may appear meet and proper and granting her such other, further or general relief as she may be in Equity and good conscience entitled to receive and as in duty bound she will ever pray.

E. A. CRAMER


Solicitor for Complainant.