

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

IDA LOUISE DAVIS, Complainant

vs.

CHARLIE DAVIS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 IDA LOUISE DAVIS is forever divorced from the

said CHARLIE DAVIS for and on account of ~~ADULTRY. It is further ORDERED, ADJUDGED AND DECREED that the Respondent Charlie Davis pay to Complainant the sum of Fifty dollars as her counsel fees in this cause and that he pay all expenses including infirmity and obstetrical charges attendant upon the impending birth of the child of the marriage.~~

~~This Court reserves control of this cause for such further orders and decrees as may from time to time seem to the interest of the child of the marriage.~~

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

This 2nd day of January, 1947.

P. 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 _____ 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

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

IDA LOUISE DAVIS

Complainant

VS.

CHARLIE DAVIS

Respondent
Answer andThis cause coming on to be heard was submitted upon Bill of Complaint, ~~XXXXXX~~~~XXXXXX~~ Waiver

and Testimony as noted by the Register, and upon consideration 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said IDA LOUISE DAVIS is forever divorced from the said CHARLIE DAVIS

for and on account of Adultery. It is further ORDERED, ADJUDGED AND DECREED that the Respondent CHARLIE DAVIS pay to Complainant the sum of FIFTY DOLLARS as her Counsel fees in this cause and that he pay all expenses including infirmity and obstetrical charges attendant upon the impending birth of the child of the marriage.

This Court reserves control of this cause for such further orders and decrees as may from time to time seem to the interest of the child of the marriage.

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

This 2nd day of January, 1947J. 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

RECORDED

No. Page

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

IDA LOUISE DAVIS

Complainant

VS.

CHARLIE DAVIS

Respondent

DIVORCE DECREE

Filed this day of

..... 194.....

Register

IDA LOUISE DAVIS
Complainant

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Vs.

CHARLIE DAVIS
Respondent

Comes IDA LOUISE DAVIS, Complainant in the above styled cause and respectfully shows:

FIRST: That the parties to this cause were legally divorced on to-wit: January 2nd, 1947 and a decree granted containing this order: "IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT THE RESPONDENT, CHARLIE DAVIS PAY TO COMPLAINANT THE SUM OF FIFTY DOLLARS FOR HER COUNSEL FEES IN THIS CAUSE AND THAT HE PAY ALL EXPENSES INCLUDING INFIRMARY AND OBSTETRICAL CHARGES ATTENDANT UPON THE IMPENDING BIRTH OF THE CHILD OF THE MARRIAGE.

THIS COURT RESERVES CONTROL OF THIS CAUSE FOR SUCH FURTHER ORDERS AND DECREES AS MAY FROM TIME TO TIME SEEM TO THE INTERESTS OF THE CHILD OF THE MARRIAGE."

SECOND: Complainant further shows that Respondent pursuant to said order paid the fees of Complainant's Solicitors.

THIRD: That shortly after the birth of the child of the marriage on April 8th 1947 she presented Respondent with the Bills incurred during her accouchement amounting to \$85.00 for doctor, nurse and medicine. These expenses Respondent, on demand of Complainant's solicitors, agreed to pay in installments. This promise he has not kept and Complainant is reliably informed and believes that the Respondent has publicly stated that he does not intend to pay any part of these expenses although his promise to do so evidenced by the decree of this Court has been recalled to his attention both personally and by letter by Complainant's solicitors as shown by copy of said letter hereto attached as Exhibit "A".

FOURTH: That Respondent is now regularly employed by the Gaston Motor Company in Fairhope, Alabama, lives with his parents, and is financially able to make payments upon the obligation aforesaid in reasonable weekly installments, if not in position to pay the entire sum at this time.

THE PREMISES CONSIDERED, Complainant prays that an order be made requiring Charlie Davis to appear at a time and place to be therein fixed and thereto show cause why he should not be adjudged in contempt for disobedience to the order of this Court,

Respectfully submitted,

Reis Carly + Reis Carly

Solicitors for Complainant- Petitioner

Before me the undersigned Notary Public personally Ida Louise Davis who being sworn says that the matters alledged in the foregoing petition are true.

Ida Louise Davis

IN WITNESS WHEREOF I hereunto set my hand and official seal
this the 31st day of May 1947

Elliot B. Reis Carly

Notary Public, Baldwin County, Alabama

April 28, 1947

Mr. Charlie Davis,
Fairhope, R. F. D.
Alabama.

Dear Charlie,

Ever since the first of February we have been writing you for compliance with the promise made at the time of the divorce. This was, that if no alimony or claim of support for the child was asked, you would pay all expense incidental to bringing the baby into the world. Before he came, you will recall we asked you to care for some minor expenses for medicines ordered by the Doctor and later asked you to care for his agreed charge. Neither Louise nor we have heard from you in answer to our repeated letters.

Recently we have heard that you have said that you did not expect to do anything toward payment of expenses of the baby's birth. We hope that this is not true for it would mean that you have overlooked not only your promise but that you have not carefully read your divorce decree. That contains these words:

"It is further ORDERED, ADJUDGED and DECREED that the Repondent Charlie Davis pay to Complainant--- all expenses, including infirmery and obstetrical charges attendant upon the impending birth of the child of the marriage.

This Court reserves control of the cause for such further orders and decrees as may from time to time seem to be to the interest of the child of the marriage."

You see by this that you are directly ordered by the Judge of the Circuit Court to make these payments and your refusal to do so shows contempt for the Court. That will be a hard thing for you to explain when brought before the Judge and called on to show a good reason why you should not be sent to jail for wilful disobedience of a solemn Court order.

Think this over and if you doubt what we say, take this letter to any reputable lawyer and act on his advice. We do not want to embarrass you so spare yourself trouble by seeing either Louise or us before the first of May.

We are sending a copy of this letter to Louise and are trying to be considerate. Now do your part.

Yours very truly,

for;

RICKARBY & RICKARBY

IDA LOUISE DA VIS,
Complainant

#1793
E Q U I T Y

VS.

IN THE CIRCUIT COURT OF

CHARLIE DAVIS,
Respondent

BALDWIN COUNTY, ALABAMA

This cause coming on to be heard upon the
prayer of Complainant that the Respondent be adjudged in
contempt for failure to obey the command of this Court for the
payment of the sum decreed to be paid in lieu of alimony, and
it appearing to the Court from the admissions of Respondent
that said sum has not been paid, other than a small proportion
thereof.

It is further considered by the Court that the
Respondent is in contempt for disobedience of the orders of this
Court and IT IS FURTHER ORDERED that he be confined in the jail
of Baldwin County for ten days because of such disobedience
and contempt.

IT IS FURTHER ORDERED that should the balance
of Fifty-five dollars together with the costs of this proceeding
be paid by the said Charlie Davis, Respondent within the said
ten days then said Charlie Davis be released.

IT IS FURTHER ORDERED that this proceeding is
continued for such further orders as from time to time seem
proper and that the Respondent Charlie Davis pay the costs of
this proceeding.

Done at Bay Minette this the 31st day of July,
1947.

J. W. Hare
Judge

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY

FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

May 31, 1947

Mrs. Alice J. Duck,
Register,
Bay Minette,
Alabama.

Dear Mrs. Duck:

DAVIS VS DAVIS: With this we hand you petition with copy asking that the Respondent, Charlie Davis be ordered to show cause why he should not be adjudged in contempt for disobedience of the Court's orders to pay the expense attendant on his child's birth.

This petition should be sent to Judge Hare who will sign the order also enclosed, setting a time when the Sheriff will serve the summons on Charlie who will then have to show cause why he should not be sent to jail. As a rule, however, the issue of this order alone brings results.

Yours very truly,

Elliott G. Rickarby
for:
RICKARBY & RICKARBY

EGRjr:ra
2700
2 Incls

July 22, 1947

This letter was written nearly sixty days ago, but held up hoping to get some action from Davis without resorting to this drastic procedure. In something over four months he has paid \$30.00 and is apparently indifferent to his obligations to pay this highly satisfactory settlement. We also send two copies of the Court's order and an extra copy of our petition to be attached to the order served on the Defendant.

IDA LOUISE DAVIS
Complainant

E Q U I T Y
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Vs.

CHARLIE DAVIS
Respondent

Comes IDA LOUISE DAVIS, Complainant in the above styled cause and respectfully shows:

FIRST: That the parties to this cause were legally divorced on to-wit: January 2nd, 1947 and a decree granted containing this order: "IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT THE RESPONDENT, CHARLIE DAVIS PAY TO COMPLAINANT THE SUM OF FIFTY DOLLARS FOR HER COUNSEL FEES IN THIS CAUSE AND THAT HE PAY ALL EXPENSES INCLUDING INFIRMARY AND OBSTETRICAL CHARGES ATTENDANT UPON THE IMPENDING BIRTH OF THE CHILD OF THE MARRIAGE.

THIS COURT RESERVES CONTROL OF THIS CAUSE FOR SUCH FURTHER ORDERS AND DECREES AS MAY FROM TIME TO TIME SEEM TO THE INTERESTS OF THE CHILD OF THE MARRIAGE."

SECOND: Complainant further shows that Respondent pursuant to said order paid the fees of Complainant's Solicitors.

THIRD: That shortly after the birth of the child of the marriage on April 8th 1947 she presented Respondent with the Bills incurred during her accouchement amounting to \$85.00 for doctor, nurse and medicine. These expenses Respondent, on demand of Complainant's solicitors, agreed to pay in installments. This promise he has not kept and Complainant is reliably informed and believes that the Respondent has publicly stated that he does not intend to pay any part of these expenses although his promise to do so evidenced by the decree of this Court has been recalled to his attention both personally and by letter by Complainant's solicitors as shown by copy of said letter hereto attached as Exhibit "A".

FOURTH: That Respondent is now regularly employed by the Gaston Motor Company in Fairhope, Alabama, lives with his parents, and is financially able to make payments upon the obligation aforesaid in reasonable weekly installments, if not in position to pay the entire sum at this time.

THE PREMISES CONSIDERED. Complainant prays that an order be made requiring Charlie Davis to appear at a time and place to be therein fixed and thereto show cause why he should not be adjudged in contempt for disobedience to the order of this Court,

Respectfully submitted,

Richarby D. Richarby

Solicitors for Complainant- Petitioner

Before me the undersigned Notary Public personally Ida Louise Davis who being sworn says that the matters alledged in the foregoing petition are true.

IN WITNESS WHEREOF I hereunto set my hand and official seal
this the 31st day of May 1947

Notary Public, Baldwin County, Alabama

IDA LOUISE DAVIS,
Complainant

VS.

CHARLIE DAVIS,
Respondent

E Q U I T Y #1793

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF BALDWIN COUNTY;

Pursuant to an order made by the Honorable F. W. HARE, Judge of the Circuit Court of Baldwin County, Alabama you are hereby commanded to summon CHARLIE DAVIS to appear before said Judge in the Court room of the Circuit Court of Baldwin County, Alabama on Thursday, July 31st, 1947 at 9:00 o'clock A.M. then and there to show cause why he should not be held in contempt for disobedience of the orders of said Court embodied in the decree rendered in the above styled cause on the 2nd day of January, 1947 and have you then and there this writ.

Alise J. Smith
Register Circuit Court

Received in Sheriff's Office
this 27 day of July, 1947
TAYLOR WILKINS, Sheriff

1793 RECORDED

Sealed under Seal

IDA LOUISE DAVIS,
Complainant

VS.

CHARLIE DAVIS,
Respondent

.....

CITATION FOR CONTEMPT

.....

Excluded By Sheriff as
copy of citation for
Contempt on Charlie
Davis, 7-30-47

Taylor Wilkins Sheriff
Zella B. Hiffman S. L.

FILED

JUL 25 1947

ALICE J. DUCK, Register

IDA LOUISE DAVIS
Complainant

No. 1793

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Vs.

CHARLIE DAVIS
Respondent

This cause coming on to be heard upon the prayer of the Complainant that the Respondent Charlie Davis be adjudged in contempt of this Court for failure to make the payments ordered in the decree made January 2nd 1947, and it appearing from the sworn averments in the petition that the Respondent has disobeyed the order of this Court.

It is therefore ordered that the Register of this court issue a summons to said Respondent, Charlie Davis to appear before the Judge of this Court at *Bay Minette* Alabama on the *31st* day of *July* 1947, then and there to show cause why he shall not be held in contempt of this Court.

Done at Monroeville, Alabama this the *29* day of

July 1947.

D. W. Hare

Judge

IDA LOUISE DAVIS,
Complainant

E Q U I T Y

VS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

CHARLIE DAVIS,
Respondent

DEPOSITIONS OF IDA LOUISE DAVIS AND
H. L. COX, WITNESSES FOR COMPLAINANT.

Said witnesses, being first duly sworn, upon examination by
counsel for Complainant, testified as follows:

IDA LOUISE DAVIS

I am the Complainant in this cause and a lifelong resident of Baldwin County, as is Charlie Davis, who is over the age of twenty-one years and to whom I was married on October 25, 1946. We both live near Fairhope. Since our marriage, I have learned that he has been untrue to me, but with whom and when and where I do not know of my own knowledge; only by what has been told me. On this information, however, I state that he has been guilty of adultery at various times since our marriage and this I have not condoned since I learned of it. We are expecting a child and I am willing that he should have his freedom if he makes arrangements for my care and that of the child when it is born. He has agreed to this and also to pay the expenses of the divorce and this is all that I am asking of him for myself.

Louise Davis

H. L. COX

I am a resident of Fairhope, Alabama, and am acquainted with Charlie Davis, the Respondent in this cause. I know of my personal knowledge that Charlie Davis has been guilty of adultery. On one occasion, the latter part of November, he and I with two girls whom we knew from experience to be "easy," after going to a night club, between eleven and eleven-thirty, went down on the beach. He stayed in the car with his girl, and the other girl and I went off some distance up the beach where we stayed for about twenty minutes or a half hour and then came back to the car where we joined Charlie and his girl and came back to Fairhope. While I did not see the act, I know that he committed adultery with this girl at the time because that was what we brought the girls down there for and from what both of them said afterwards, I know that he had had intercourse with her at that time. That was what we went down there for. I do not remember the exact date, but know that this took place on the beach south of Fairhope.

H. L. Cox

I, Joseph Pose, acting as commissioner by agreement of parties hereby certify that in the case of IDA LOUISE DAVIS vs CHARLIE DAVIS, pending on the Equity side of the Circuit Court of Baldwin County, I caused IDA LOUISE DAVIS and H. L. COX, witnesses for the Complainant, to appear before me in the offices above the Banking Building, Fairhope, Alabama, where, after being duly sworn, upon examination by the solicitor for the Complainant, they testified as is above written and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 28th day of December, 1946.


Commissioner.

IDA LOUISE DAVIS
COMPLAINANT

vs

CHARLIE DAVIS
Respondent

DEPOSITIONS OF IDA LOUISE DAVIS
AND H. L. COX
WITNESSES FOR COMPLAINANT

Filed

12-31-46

*Alice J. Duck
Register*

IDA LOUISE DAVIS

Complainant

VS

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

CHARLIE DAVIS

Respondent.

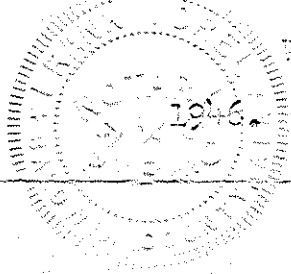
Comes CHARLIE DAVIS Respondent in the above styled cause, and for answer to the bill of complaint denies each allegation of same.

Respondent waives notice of demand for oral examination of Complaint's witnesses; of the issue of commission to take testimony of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

Charlie Davis
Respondent

Before me the undersigned Notary personally appeared CHARLIE DAVIS who is known to me to be the Respondent above named and who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal the 7 day of December



Frank Vogel
Notary Public, Baldwin County, Alabama

1793

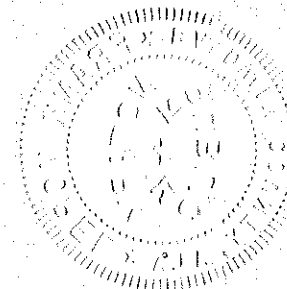
EQUITY RECORDED

IDA LOUISE DAVIS
Complainant

vs.

CHARLIE DAVIS
Respondent

ANSWER AND WAIVERS.



Filed

12-30-46

Alice J. Erick
Register

IDA LOUISE DAVIS

vs.

CHARLIE DAVIS

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 H. L. Cox

and in behalf of Defendant upon

Answer and waiver

Rickarby and Rickarby

Alvin J. Smith
Register.

RECORDED

No. 1793.....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

IDA LOUISE DAVIS

vs.

CHARLIE DAVIS

NOTE OF TESTIMONY

Filed in Open Court this 1st.....

day of January....., 1947.....

Alice J. Luck
Register.

Printed By The Baldwin Times

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

Comes IDA LOUISE DAVIS, and by this her Bill of Complaint,
presented against CHARLIE DAVIS, respectfully shows:

FIRST: That Complainant is seventeen years of age and Defendant over the age of twenty-one years and both are lifelong residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married at Lucedale, Mississippi on October 25, 1946, but have not lived together since November 15, 1946.

THIRD: That Complainant has been reliably informed and avers that Defendant has been untrue to her and has committed adultery with parties at times and places to her unknown, which acts she has not condoned since they came to her knowledge.

THE PREMISES CONSIDERED, Complainant prays that CHARLIE DAVIS be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that upon hearing of this cause a decree be rendered forever divorcing her from the said CHARLIE DAVIS; granting her the right to marry again should she so desire; that the Defendant be required to pay her counsel fees of fifty dollars in this cause and be further required to pay for the expenses attended upon the birth of the child of the marriage and that she have such other, further or different relief as to equity may seem meet.

R. L. R. R.
Solicitors for Complainant.

1793

RECORDED

IDA LOUISE DAVIS,
Complainant

vs

CHARLIE DAVIS,
Defendant

BILL OF COMPLAINT

Filed

12-30-46

*Alice J. Smith
Clerk*