

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama,
(In Equity)

WILLIE REE MATHEWS COMPLAINANT

vs.

JAMES A. MATHEWS RESPONDENT

I, O'Byrne J. Whitley

as ~~Register and~~ Commissioner

have called and caused to come before me Willie Ree Mathews and Dolly Pearl Joyner
(Mrs. J. W. Joyner)

witnesses named in the requirement for Oral Examination, on the 13 day of May
1941, 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 Willie Ree Mathews

doth depose and say as follows:

My name is Willie Ree Mathews. I am over twenty-one years of age and a resident of Baldwin County, Alabama. The Respondent, James A. Mathews, is over twenty-one years of age and now living in Tuscaloosa County.

The Respondent and I were married at Tuscaloosa, Alabama, on June 22nd, 1940, and soon thereafter moved to Baldwin County, Alabama, where we lived together as husband and wife until in December, 1940.

That the Respondent is a man of high and uncontrollable temper, and on several occasions abused the Complainant and tried to shoot her and several times did actual violence to her person by striking her; the conduct of the Respondent was such that it was absolutely impossible for me to live with him, and I had every reasonable apprehension to believe and did actually believe that if I continued to live with him, he would further carry out his threats and do further violence to my person, which would necessarily endanger my life and health.

The Respondent has neither contributed nor offered to contribute anything toward my support since I was forced to leave him in December, 1940. I know it is absolutely impossible for us to again try to live together as husband and wife.

Willie Ree Mathews

DOLLY PEARL JOYNER, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Dolly Pearl Joyner. I live at Bay Minette, in Baldwin County, Alabama, and am the mother of the Complainant, Willie Ree Mathews. My daughter and James A. Mathews married at Tuscaloosa sometime near the middle of 1940, and soon thereafter came to Bay Minette where they stayed with us.

The Respondent is a man of high temper and often threatened and abused

I, O' Byrne J. Whitley 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 witness es and read over to them and they signed the same in the presence of myself and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 13th day of May 1941

O' Byrne J. Whitley (L. S.)
Commissioner.

No. 701 Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

WILLIE REE MATHEWS

COMPLAINANT

VS.

JAMES A. MATHEWS

RESPONDENT

ORAL DEPOSITION

Filed May 13th, 1941

W. S. Duck, Register.

RECORDED IN

_____ Record

Vol. _____ Page _____

_____, Register

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 701 _____ Term, 193_____

WILLIE REE MATHEWS _____, Complainant

Vs.

JAMES A. MATHEWS _____, Defendant

To HON. R. S. DUCK _____, 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 Reebe & Hall,

_____ 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.

BEEBE & HALL,

By: Wm Hall

Solicitor for Complainant.

The State of Alabama,
Baldwin County.

} No. 701 CIRCUIT COURT IN EQUITY.

..... WILLIE BEE MATHEWS

Complainant

vs.

..... JAMES A. MATHEWS

Defendant

Motion is hereby made for a Decree Pro Confesso against James A. Mathews

..... Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant.....; and that said summons was duly served according to law, and that said Defendant...ha...e...failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 12th day of May 19 41

BEEBE & HALL,

By: *Wm Hall*

Solicitor.

701

WILLIE REE MATHEWS

VS.

JAMES A. MATHEWS

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, _____
 Motion for Decree Pro Confesso on Personal Service; Decree Pro Confesso on
 Personal Service; Commission to take testimony; Testimony of Willie Ree
 Mathews and Dolly Pearl Joyner (Mrs. J. W. Joyner); Request for Decree in
 Vacation;

and in behalf of Defendant upon _____

R. S. Dush

Register.

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

WILLIE REE MATHEWS

vs.

JAMES A. MATHEWS

NOTE OF TESTIMONY

Filed in Open Court this 13th
day of May 1934

R. S. Durb

REGISTER

RECORDED

No.

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

WILLIE REE MATHEWS

vs.

JAMES A. MATHEWS

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed May 12th 19 41

R. S. Dyer

Register.

Recorded in Record,

Vol. Page

Register.

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

WILLIE REE MATHEWS

Vs.

JAMES A. MATHEWS

REQUEST FOR DECREE IN VACATION

Filed May 13th, 1941

R. S. Beck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

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Vertical text on the far right edge of the page, possibly a page number or reference number.

WILLIE REE MATHEWS,
COMPLAINANT

VS

JAMES A. MATHEWS,
RESPONDANT

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

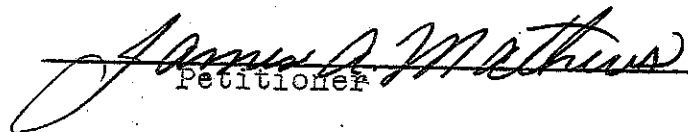
Case 701

TO THE HONORABLE JUDGE OF SAID COURT, SITTING IN EQUITY:

Your petitioner, herein, James A. Mathews, would respectfully show unto Your Honor that he is the respondent in the above styled cause and that a decree of divorce was rendered against him in said cause on the 15th day of May, 1941. That the said decree of divorce did not give your petitioner the right to remarry.

That more than six months has expired since said decree was rendered, and during all of said time since date of decree your petitioner has lived a moral, upright, sober, and industrious life; that all of said time except a few weeks has been spent as a member of the Armed Forces of the United States; that your petitioner knows of no reason why he should not be again permitted to contract marriage.

WHEREFORE your petitioner prays that your Honor will take jurisdiction of this petition and the supporting affidavit attached hereto and will render a decree authorizing your petitioner, herein, to again contract marriage.


Petitioner

Sworn to and subscribed before me this 10 day of November, 1945


Notary Public


Solicitor for Petitioner

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon JAMES A. MATHEWS 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 WILLIE REE MATHEWS against said JAMES A. MATHEWS, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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, R. S. DUCK, Register of said Circuit Court, this 3rd day of March, 1941.

R. S. Duck
Register.

WILLIE REE MATHEWS,
Complainant,
VS.
JAMES A. MATHEWS,
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:

And now comes your Complainant, WILLIE REE MATHEWS, and humbly complaining against the Respondent, JAMES A. MATHEWS, respectfully represents and shows unto your Honor and this Honorable Court as follows:

FIRST:

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

SECOND:

That your Complainant and Respondent were married at Tuscaloosa, Alabama, on June 22nd, 1940, and lived together as husband and wife until, on to-wit, in December, 1940.

THIRD:

That, on to-wit, in December, 1940, the Respondent, on various occasions threatened and abused the Complainant, tried to shoot her with a gun and did actual violence to her person by striking her several times; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to be-

701 1/2

Expert
James A Mathew

Pilote to Remary

July 12 1945
R. H. Black
Regular

EZ-PARTE
JAMES A MATHWS

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

This cause coming to be heard, was submitted for decree upon the ex-parte petition of James A. Mathews for leave to again contract marriage, and the ex parte affidavit submitted herewith and upon consideration thereof the Court is of the opinion that the petitioner is entitled to the relief prayed for,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Petitioner be, and he is hereby, granted leave to again contract marriage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Petitioner be taxed with the costs thereof, for which let execution issue.

Dated this 12th day of November 1945

J. W. Hall
Judge

WILLIE REE MATHEWS,
Complainant,
VS.
JAMES A. MATHEWS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY,
NO. 701.

This cause coming on to be heard was submitted upon the original Bill of Complaint, Decree Pro Confesso, and Proof as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of cruelty.

IT IS FURTHER ORDERED that the Complainant be and she is hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said WILLIE REE MATHEWS shall not again marry, except to the said JAMES A. MATHEWS, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said JAMES A. MATHEWS, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay the costs herein taxed, for which execution may issue.

Dated at Monroeville, Monroe County, Alabama, this 15th day of May, 1941.


Judge of the 21st Judicial Circuit of Alabama.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO MRS. D'BYRNE J. WHITLEY

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 Willie Ree Mathews and Dolly Pearl Joyner

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

is Complainant and James A. Mathews

is Defendant,

on oath to be by you administered, upon them

to take and certify the deposition-s of the witness-es and return the same to our Court, with all convenient speed, under your hand.

Witness 13th day of May, 1941.

R. S. Auch
REGISTER

Commissioner's Fee \$


Witness' Fees, \$

lieve and she did actually believe that if she continued to live with the Respondent he would further carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said JAMES A. MATHEWS party respondent to this Bill of Complaint, 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 upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, JAMES A. MATHEWS; Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL,

By: 
Solicitors for Complainant.

WILLIE REE MATHEWS
Complainant,
Vs.
JAMES A. MATHEWS
Respondent.



In the Circuit Court.
In Equity No. 701.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent
JAMES A. MATHEWS

by the Sheriff of Tuscaloosa County, on the 5th day of March
1941.

And it further appears to the Register, that the said JAMES A. MATHEWS

the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
on motion of Beebe & Hall Solicitors
for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,
and it hereby is, in all things taken as confessed against the said JAMES A. MATHEWS

This 13th day of May, 1941.

R. S. Bush

Register.

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

WILLIE REE MATHEWS

Complainant

VS.

JAMES A. MATHEWS

Defendant

Commission To Take Deposition

COMMISSIONER:

Mrs. O' Byrne J. Whitley

Witnesses:

Willie Ree Mathews

Dolly Pearl Joyner

RECORDED

FINAL DECREE OF DIVORCE:

WILLIE REE MATHEWS,

Complainant,

VS.

JAMES A. MATHEWS,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY,

NO. 701.

Filed May 17, 1941.
R.S. Ditch, Register

Handwritten: Tuscaloosa Co., Ala.
RECORDED

701

Received in Sheriff's Office
this 3 day of March, 1941
W. R. STUART, Sheriff

BILL OF COMPLAINT

RECORDED

WILLIE REE MATHEWS,

Complainant,

VS.

JAMES A. MATHEWS,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Executed this 5 day of March, 1941
by handing a copy of the within to

James A. Mathews

J. FOSTER KING, Sheriff,
Tuscaloosa Co., Ala.

By AW Reed D. S.

*Filed March 3rd, 1941,
R. S. Duck, Register*

RECORDED

No. 701

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.
IN EQUITY

WILLIE REE MATHEWS

Complainant,

Vs.

JAMES A. MATHEWS

Respondent.

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued this 13th day of May,
1941.

R. S. Duch

Register.