DIVORCE DECREE

Printed by Moore Ptg. Co

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Ruby Frances Boutwell, Complainant

vs.

C.L. Boutwell, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on <u>Waiver and Answer</u> 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 ______ Ruby Frances Eoutwell______ is forever divorced from the

said <u>C. L. Boutwell</u>

_____ for and on account of ____

Cruelty

and the said Ruby Frances Boutwell is granted the custody and control

of the infant, Alma Jean Boutwell.

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 Ruby Frances Boutwell

the <u>Complainant</u> pay the cost herein to be taxed, for which execution may issue.

December This _ _ 19 49 - day of -MADI Judge Circuit Court, In É -Register of the Circuit Ι, . 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 ---dav of_ _. 19_____ Register of Circuit Court, In Equity.



THE	STATE C	OF ALABAMA'
	Baldwin	County.

Circuit Court of Baldwin County, Alabama (In Equity)

Complainant

Ruby Frances Boutwell

VS.

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C. L. Boutwell

Respondent

I. Grace Waite

as Register and Commissioner _____ in the above styled cause

have called and caused to come before me Ruby Frances Boutwell and J. J. Langley

witnesses named in the Requirement for Oral Examination, on the <u>26</u> day of <u>November</u> 1949, at the office of <u>C. LeNoir Thompson, Attorney</u>

in <u>Bay Minette</u>, Alabama, and having first sworn said Witness <u>OS</u> to speak the truth, the whole truth, and nothing but the truth, the said <u>Ruby Frances Boutwell and</u> J. J. Langley doth depose and say as follows:

That my name is Ruby Frances Boutwell. I am the Complainant in said cause. I am over the age of twenty years and a citizen of the State of Alabama, and have been a citizen of Alabama all my life. The Respondent is over the age of twenty-one years and is also a citizen of the State of Alabama and has been more than two years next preceding.

We were married at Bay Minette, Ala., on January 28, 1946 and lived as man and wife until we separated on or about June 5, 1949. The cause of our separation was cruelty. My husband drank, and when he would come home under the influence of liquor, would abuse me and mistreat me, which he did from time to time, and on June 5, 1949 he came in drinking and struck me and threatened me, so that I knew that my life or health was in danger if I stayed with him any longer, so I left, taking my baby with me.

We had as fruits of our marriage, one child, a girl, Alma Jean Boutwell, now aged about sixteen months. I have kept Alma Jean with me at all times, and would like to have her care and custody permanently. My husband has not supported her since our separation, nor has he supported me. I do mot know of any cause he had to mistreat me.

Ruby Frances Soutie

That my name is J. J. Langley. I know both parties to this cause. I know that they were married in Bay Minette, Alabama on January 26, 1945, and that they lived together until June 1949 when Ruby Frances left C. L. Boutwell because of the way he treated her. When she left her husband in June, Ruby Frances was thin and in need of care, and the baby needed a doctor's attention even more than her Mother. I know that C. L. Boutwell drank alcoholic intoxicants and that he was mean to his wife while under the influence of liquors. Ruby Frances left him begause of the abuse and mistreatment he put on her when he was drinking. I believe that her life or health was in danger during those drinking occasions of her husband, C. L. Boutwell. I know of no cause she gave him to mistreat her.

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ORAL EXAMINATION.

I, <u>Grace Waite</u>	as Register and Commissioner hereby certify that
the foregoing deposition Oral Examination	was taken down by me in writing in the words
of the witness esand read over tothem	and they signed the same in the presence of
myself and C. LeNoir Thompson, Attorney	y weier entring the second state of the
at the time and place herein mentioned; that I	have personal knowledge of personal identity of
said witness <u>es</u> or had proom 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 c	ause, or any manner interested in the result thereof
I enclose the said Oral Examination in an er	nyelope to the Register of said Court.

Given under my hand and seal, this 26		
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RUBY	FRANCES	LANGLEY	BOUTWELL
		Complai	inant

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

IN EQUITY

C. L. BOUTWELL Respondent

-vs-

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

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The Respondent admits the allegations as to ages, residences and marriage, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

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

C. J. Boutavel

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STATE OF COUNTY OF

Given under my hand and seal on this the 2/ day of November, 1949

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RUBY FRANCES BOUTWELL	X	IN THE CIRCUIT COURT OF
Complainant	Q	BALDWIN COUNTY, ALABAMA,
	Q	IN EQUITY
C. L. EOUTWELL Respondent	Q	

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TO THE HONORABLE TELEAIR J. MASHBURN, JR. JUDGE OF THE TWENTY* EIGTH JUDICIAL CIRCUIT, BAY MINETTE, BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes the Complainant Ruby Francis Boutwell, who shows unto your Honor the following State of facts:

12 That Complainant is over the age of twenty and Respondent is over the age of twenty-one years of age and both bona-fide residents of Baldwin County, Alabama but Respondent is temporarily sojourning at Jay, Florida.

2. That your Complainant and Respondent married at Eay Minette, Baldwin County, Alabama on January 28, 1946 and lived together as husband and wife until separated on to-wit June 5, 1949.

3. That as fruits of their marriage there was born to their union, one child, Alma Jean Boutwell, age sixteen months and that said Alma Jean Boutwell resides with the Complainant.

4. Complainant futher avers that Respondent has repeatedly threatened your Complainant sparticularly when the Respondent was drinking Alcoholic Intoxicants and had abused and mistreated your Complainant on prior occasions, also that on to-wit June 5, 1949, your Complainant because of Respondents treatment had reasons to believe that her life or health was endangered and did so believe, hence they separated.

PRAYER

WHEREFORE, THE PREMISES CONSIDERED, your complainant prays that your Honor will by proper process, make the said C. L. Boutwell, party respondent to this cause of action in order that Complainant may have the relief hereinafter prayed for, requiring him to plead, answer or demur to the same within the time and under the penalities prescribed by law and the practice of this Honorable Court.

That on final hearing of this cause, that Your Honor will grant unto her a absolute divorce, forever dissolving the bonds of matrimony existing between your Complainant and the Respondent, and at the time of rendering this decree, Your Honor will grant unto each of them the right to again contract marriage; that Your Honor will grant to your Complainant the care, control and custody of their daughter, Alma Jean Boutwell.

Manjacon

Solicitor for Complainant



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	of Defendant upon		c and Waiver

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No. 391 THE STATE OF ALABAMA **Baldwin County** IN EQUITY Circuit Court of Baldwin County VS. NOTE OF TESTIMONY no day of , 194 9 Register. Printed By The Baldwin Times

Post Office Department OFFICIAL BUSINESS PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF MAIL EC 91 EAR 4 PM FOR 1949 RISTMA Return to _ NAME OF SENDER) Street and Number,] or Post Office Box, { REGISTERED ARTICLE Bay Mune 5025 Post Office NO. INSURED PARCEL State 16-12421 No. 2398 Form 3811 Rev. 1-4-40 **RETURN RECEIPT** Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card. -10-2 (Signature or name of addressee) Rey 2 (Signature of addressee's agen - Agent should enter addressee's name on line ONE above) DEC 9 1949 Date of delivery 194__ U. S. GOVERNMENT PRINTING OFFICE 16-12421 PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300 Post Office Department POSTMARK OF DELIVERING OFFICIAL BUSINESS OFFICE REGISTEREL ARTICLEECI No. 4 INSURED PARCEL AND DATE OF DELIVERY No. ____ Return to. 1 1 (NAME OF SENDER) Street and Number, or Post Office Box, Post Offi State_ Rev. 3-24 05-0

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