

2637

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

MARY ELIZABETH CAIN

vs.

DONALD CAIN

, Complainant

, 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 Mary Elizabeth Cain is forever divorced from the said Donald Cain for and on account of Cruelty.

IT IS FURTHER ORDERED ADJUDGED AND DECREED by the court that the Complainant shall resume the use of her maiden name, Mary Elizabeth Thames.

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

This 7<sup>th</sup> day of May, 1951

*Jeffair J. Matthews*  
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.

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The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

MARY ELIZABETH CAIN

Complainant

vs.

DONALD CAIN

Respondent

**DIVORCE DECREE**

*Filed 5-7-57  
A. J. [unclear]  
[unclear]*

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are commanded to summons DONALD CAIN, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint, filed in the Circuit Court of Baldwin County, Alabama, in Equity, by MARY ELIZABETH CAIN, as Complainant and against DONALD CAIN, as Respondent.

WITNESS my hand this the \_\_\_\_ day of May, 1951.

Register

*Bill of Complaint*

MARY ELIZABETH CAIN  
COMPLAINANT  
VS  
DONALD CAIN  
RESPONDENT

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

TO THE HONORABLE TELPAIR J. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Mary Elizabeth Cain, respectfully represents unto  
your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of eighteen years and a bona  
fide resident of Baldwin County, Alabama, that your Respondent is over  
the age of twenty-one years and a bona fide resident of Baldwin County,  
Alabama.

2.

That your Complainant and the Respondent married at Lucedale,  
Mississippi on September 26, 1949 and lived together as husband and  
wife in Baldwin County, Alabama until on to-wit, November 12, 1950.

3.

That on November 12, 1950, and on several occasions prior thereto  
the Respondent threatened and abused the Complainant and threatened to  
do actual violence to her person which would necessarily endanger her

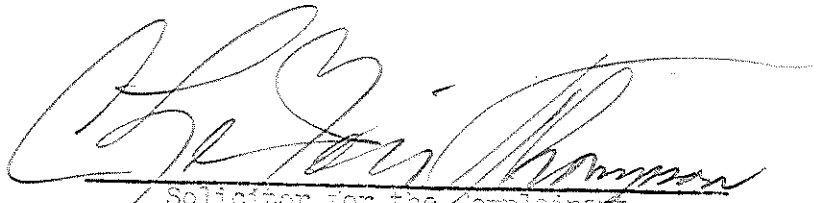
life and health. The conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

4.

That your Complainant and the Respondent have no children as fruits of this marriage.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Donald Cain 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.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

  
Solicitor for the Complainant.

RECORDED

NO 2637

MARY ELIZABETH CAIN

COMPLAINANT

VS

DONALD CAIN

RESPONDENT

SUMMONS AND COMPLAINT

FILED

MAY 4 1951

ALICE L. RUCK, Register

From the law offices of  
C. Lenoir Thompson  
Bay Minette, Alabama.

MARY ELIZABETH CAIN

DONALD CAIN

VS.

THE STATE OF ALABAMA  
Baldwin CountyIN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,  
answer and waiver, testimony of Mary Elizabeth Cain, and Nancy  
Langham.

and in behalf of Defendant upon

*C. J. Thompson*  
Attorney

*David A. Smith*

Register.

m

No. 2637.....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

MARY ELIZABETH CAIN

vs.

DONALD CAIN

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of **FILED** ....., 194.....

**MAY 4 1951**

Register.

**ALICE J. Priddy** By **Reed** Baldwin Times

**THE STATE OF ALABAMA**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARY ELIZABETH CAIN

Complainant

VS.

DONALD CAIN

Respondent

I, Lois Paul

as Register and Commissioner

have called and caused to come before me Mary Elizabeth Cain and Nancy Langham

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 1st day of May  
1945<sup>1</sup>, at the office of C. LeNoir Thompson  
in Bay Minette, Alabama, and having first sworn said Witness<sup>es</sup> to speak the  
truth, the whole truth, and nothing but the truth, the said Mary Elizabeth Cain and  
Nancy Langham doth depose and say as follows:

That my name is Mary Elizabeth Cain, I am over the age of eighteen and a resident of Baldwin County, Alabama and have been more than two years next preceeding, the Respondent is over the age of 21 and a resident of Baldwin County Alabama and has been more than two years next preceeding. We were married September 26, 1949 at Lucedale, Mississippi, and lived together as husband and wife until we separated on or about November 12, 1950.

There are no children as fruits of this marriage and no property to be divided. We have not lived together as husband and wife since our separation. The cause of the separation being cruelty. There had been some arguments and because of his mistreatments I could not go on living under those conditions and when I made that known to him he flew into a rage and grabbed me so roughly that I was afraid for my life or health and when I got loose I left. This was on or about November 12, 1950 and have not lived with him since as his wife. I would like to resume the use of my maiden name, Mary Elizabeth Thames.

Mary Elizabeth Cain

That my name is Nancy Langham, I know both parties to this cause and I know that Mary Elizabeth Cain is over the age of 18 and the respondent is over the age of 21. They were married the last of September, 1949 at Lucedale, Mississippi and lived together as husband and wife in Baldwin County until about the middle of November, 1950, at which time they separated. There are no children as fruits of this marriage. Since they separated on the date given, they have not lived together as husband and wife so far as I know. There had been, on several occasions, considerable unpleasantness because the Complainant was required to live with her in-laws and while I was not present at the time of the separation, I saw the Complainant shortly after she had to leave her husband, she was in fear of her life or health because of her treatment which was caused by her insisting of having a home of her own.

Nancy Langham



**ORAL EXAMINATION.**

I, Lois Paul, as Register and Commissioner hereby certify that the foregoing deposition<sup>s</sup> on Oral Examination was taken down by me in writing in the words of the witness<sup>es</sup> and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness<sup>es</sup> or had proom made before me of the identity of said witness<sup>es</sup>; 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 1st day of May, 1941.

Lois Paul (L. S.)

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THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

MARY ELIZABETH CAIN

vs. Complainant

DONALD CAIN

Respondent.

Oral Deposition

Filed \_\_\_\_\_, 194\_\_\_\_

Register.

Recorded in

**FILED**

Record

Vol. MAY 4 Page \_\_\_\_\_

1951

Register.

*ALICE J. DICK, Register*

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Lois Paul

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 Mary Elizabeth Cain and Nancy Langham.

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

Mary Elizabeth Cain

and Donald Cain, Complainant

Respondent

on oath, to be by you administered, upon Lois Paul  
to take and certify the deposition<sup>s</sup> of the witness<sup>es</sup> and return the same to our Court, with all  
convenient speed, under your hand.

Witness 1st day of May, 1941

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2637

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

MARY ELIZABETH CAIN

Complainant

vs.

DONALD CAIN

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS PAUL

WITNESSES:

MARY ELIZABETH CAIN

NANCY LANGHAM

MARY ELIZABETH CAIN  
COMPLAINANT  
VS  
DONALD CAIN  
RESPONDENT

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

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

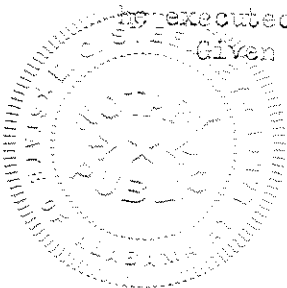
The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demand strict proof of the same.

The Respondent waives notice of the time of taking of testimony on 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.

Donald Cain

STATE OF ALABAMA  
BALDWIN COUNTY

I, R. C. H. H. H., a Notary Public, in and for said County, in said State, hereby certify that Donald Cain, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.  
Given under my hand and seal on this the 1st day of May, 1951.



R. C. H. H. H.  
Notary Public, Baldwin County, Alabama.

RECORDED

2637

MARY ELIZABETH GAIN

COMPLAINANT

VS

DONALD GAIN

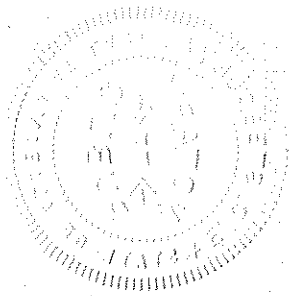
RESPONDENT

ANSWER AND WAIVER

FILED

MAY 4 1951

ALICE J. DUCK, Register



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