

3343

**DIVORCE DECREE**

Printed by Moore Printing Co.

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

Emma Louise Bethea, Complainant

vs.

Louis James Bethea, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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

Emma Louise Bethea is forever divorced from the said Louis James Bethea for and on account of

Cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Complainant be and she is hereby awarded the care, custody and control of the two minor children, Jackie Louise Bethea 3 years old and Vivian Louise Bethea 1 year old.

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 Emma Louise Bethea the Complainant pay the cost herein to be taxed, for which execution may issue.

This 24<sup>th</sup> day of February, 1954

Hubert M. Hall  
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.

M

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

EMMA LOUISE BETHEA

Complainant

vs.

LOUIS JAMES BETHEA

Respondent

**DIVORCE DECREE**

FILED

FEB 14 1954

ALICE L. DICK, Register

Emma Louise Bethea

vs.

Louis James Bethea

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 Emma Louise Bethea and Carrie Williams

and in behalf of Defendant upon decree pro confesso on publication

W. J. Walker, Jr.  
att'y

W. J. Walker, Jr.  
Register.

7m  
No. ....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Emma Louise Bethea

vs.

Louis James Bethea

NOTE OF TESTIMONY

Filed in Open Court this 22nd

day of Feb, 1942

Register.

Printed by the Baldwin Times

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon

Lewis James Butera

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State.

Emma Louise Butera <sup>by</sup>

against

Lewis James Butera

Herein fail not. Due return make of this writ as the law directs.

Witness this 19th day of Nov, 1953

Heide J. Luck, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts

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 Emma Louise Bethea and Carrie Williams

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

Emma Louise Bethea

, Complainant  
and Louis James Bethea

Respondent  
on oath, to be by you administered, upon Emma Louise Bethea and Carrie Williams  
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 9<sup>th</sup> day of Feb, 1954

Amel J. Smith  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. \_\_\_\_\_

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

**CIRCUIT COURT**

Emma Louise Bethea

Complainant—

**vs.**

Louis James Bethea

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

WITNESSES:

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Emma Louise Bethea

Complainant

VS.

Louis James Bethea

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Emma Louise Bethea and Carrie Williams

witnesses named in the Requirement for Oral Examination, on the 20 day of February

1954, at the office of Wilters & Brantley

in Bay Minette, Alabama, and having first sworn said Witness to speak the

truth, the whole truth, and nothing but the truth, the said Emma Louise Bethea and Carrie Williams

doth depose and say as follows:

My name is Emma Louise Bethea. I am the Complainant in the above styled cause and am over the age of twenty-one years and a resident of State of Alabama and the County of Baldwin, and have been for more than one year next preceding the filing of this bill of complaint. Louis James Bethea, the Respondent, in this cause is over the age of twenty-one, and a resident of the State of Alabama, and has been for more than one year next preceding the filing of this bill of complaint. The Respondent and I were lawfully married on or about March 12, 1949, at Lucedale, Mississippi. The Respondent on or about the 18th day of September, 1953, threatened to kill me with a knife which he had open in his hand. Many times prior to this he had assaulted, beat and hit me and has committed actual violence upon my person with danger to my life and health. He, on numerous times, threatened to do me physical harm and his manner and conduct toward me has convinced me he will commit actual violence upon my person attended with danger to my life and health. There were two children born to us out of the union of this marriage; Jackie Louise Bethea, a girl three years old and Vivian Louise Bethea, a girl one year old. I now have the custody, control and care of these two children and have had them all their lives. Your Complainant is the proper and fit person to have the care, control and custody of these two children and she has a suitable and fit home in which a christian atmosphere prevails to keep these children, and I am able both physically and financially to care for these children. The Respondent in this cause is not a fit and proper person to have the care, control and custody of these children because he has many times left the children in the custody of your Complainant for unusually long periods and his contribution to the support and maintenance of these children have been negligible. He moves about from place to place and does not keep his job for more than a few days at a time.

*Emma Louise Bethea*

My name is Carrie Williams. I am the mother of Emma Louise Bethea, the Complainant in the above styled cause. I have known the Respondent ever since he has been married to my daughter, Emma Louise. I have, on several occasions, seen the Respondent commit actual violence upon the person of my daughter, Emma Louise, and I know that he has threatened her many times and I believe he will commit more violence upon her person which will endanger her life and health. My daughter, the Complainant and the Respondent have two children, one age three and one age one. The Respondent has spent very little time with the children and has made little or no contributions to their support and maintenance. The Complainant and her children are living with me in my home at the present time and they are welcome to live there so long as they desire because I feel that my home is my daughter's and her Family's.

*Carrie Williams*



ORAL EXAMINATION

I, Evelyn Watts, 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<sup>es</sup> and read over to them and they signed the same in the presence of myself and Harry J. Wilters Jr.

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 20 day of February, 1954

Evelyn Watts (L.S.)

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
Baldwin County.

In Circuit Court, In Equity

Emma Louise Pethca

vs.

Complainant

Louis James Pethca

Respondent

Oral Deposition

Filed \_\_\_\_\_, 19\_\_\_\_

**FILED**

Recorded in \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon

Louis James Bethea

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by

Emma Larose Bethea

against

Louis James Bethea

Herein fail not. Due return make of this writ as the law directs.

Witness this 1<sup>st</sup> day of Nov, 1953

Beulah, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

EMMA LOUISE BETHEA

COMPLAINANT

VS

LEWIS JAMES BETHEA

RESPONDENT

Ø

IN THE CIRCUIT COURT OF

Ø

BALDWIN COUNTY, ALABAMA,

Ø

IN EQUITY

Ø

Ø

TO THE HONORABLE H. M. HALL, Judge of the Circuit Court of Baldwin County,  
Alabama, Sitting in Equity:

Your Complainant, Emma Louise Bethea, respectfully represents and  
shows unto Your Honor:

1.

That your Complainant is over the age of twenty-one years and is a  
resident citizen of said State and County, and has been a bona fide resident  
citizen of said state for more than one year next preceding the filing of  
this bill of complaint; that Lewis James Bethea is over the age of twenty-  
one years and a resident citizen of the State of Alabama, for more than  
one year next preceding the filing of the bill of complaint.

2.

That your Complainant and Respondent were lawfully married on or about  
to-wit: March 12, 1949, at Lucedale, Mississippi.

3.

Your Complainant avers and charges that the said Respondent did on  
or about 18th day of September, 1953, threatened to kill her with a knife  
which he had in his hand and opened, and many times prior thereto assaulted,  
beat, hit and struck your Complainant; that said Respondent has committed  
actual violence on her person attended with danger to her health and life.  
The Complainant avers and charges that the Respondent has made numerous  
threats of doing her physical harm and from his manner and conduct toward  
her she is reasonably convinced that he will commit an actual violence upon  
her person, attended with danger to her life and health.

4.

Your Complainant further represents and shows unto your Honor that  
there was born to the union of this marriage two children; Jackie Louise  
Bethea, a girl three years old and Vivian Louise Bethea, a girl one year  
old; that your Complainant has had the custody, control and care of these  
two children all of their lives until on to-wit, September 10, 1953, at  
which time the Respondent did by trickery obtain possession of Jackie Louise  
Bethea by telling your Complainant he wanted to have the child visit him

for a week end at Flomaton, Alabama. The Respondent has not to this day returned the child to its mother's home.

5.

That your Complainant further represents unto Your Honor that she is a fit and proper person to have the care, control and custody of these two minor children; that she is residing with her mother, Carrie Williams of Loxley, Alabama, and that this is a suitable and fit home in which a Christian atmosphere prevails; that your Complainant is both physical and financially able to maintain the children herein involved.

6.

Your Complainant further represents and shows unto Your Honor that the Respondent is not a fit and proper person to have the care, control and custody of these children; that he has many times left the children in the custody of your Complainant for unusually long periods of time and that his contributions to the support and maintenance of these children has been negligible; that he moves about from place to place and does not keep a job for more than a few days at a time.

#### PRAYER FOR PROCESS

To the end that equity may be had in the premises your Complainant prays that Lewis James Bethea be made a party Respondent oto this bill of complaint and that service be perfected on him and that he be required to plead, answer or demur to the within bill of complaint within the time and under the penalties prescribed by the laws and rules of this Honorable Court.

#### PRAYER FOR RELIEF

Premises considered, your Complainant prays that on a final hearing of this cause that Your Honor will make and enter a decree forever divorcing her from the said Lewis James Bethea for an on account of his cruelty and that she will be awarded a full and absolute divorce. Your Complainant prays that Your Honor award the care, control and custody of the minor children, Jackie Louise Bethea and Vivian Louise Bether, to her; Complainant prays for all other, further and different relief to which she may be entitled, premises considered.

WILTERS & BRANTLEY

By: 

Solicitor for the Complainant

Received in Sheriff's Office  
this 19 day of Nov, 1953  
TAYLOR WILKINS, Sheriff

77 3143

RECORDED

EMMA LOUISE BETHEA

COMPLAINANT

VS

LEWIS JAMES BETHEA

RESPONDENT

By Taylor Wilkins, Sheriff  
W. F. Hall  
Deputy Sheriff

BILL OF COMPLAINT

FILED

NOV 19 1953

ALICE J. BARK, Register

CM -  
Flomaton, Ala

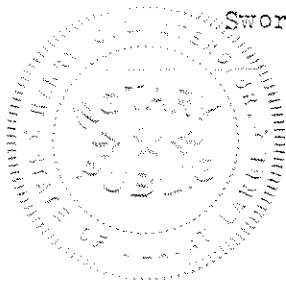
EMMA LOUISE BETHEA  
COMPLAINANT  
VS  
LEWIS JAMES BETHEA  
RESPONDENT

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

Before me the undersigned authority, in and for said County, in said State, personally appeared Emma Louise Bethea, who is known to me, and who having been by me first duly sworn, deposes and says: That she is the Complainant in the above styled cause; that she is a bona fide resident of Baldwin County, Alabama, living at Duxley; that she is over twenty one years of age; that the Respondent, Lewis James Bethea, is over twenty-one years of age and that his residence and post office address are unknown and cannot be ascertained after a diligent search and inquiry.

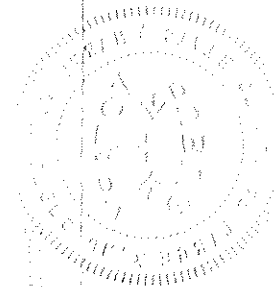
Emma Louise Bethea

Sworn to and subscribed before me on this the 10 day of December, 1953.



W. J. Williams, Jr.  
Notary Public, State of Ala. at Large

RECORDED



EMMA LOUISE BETHEA

COMPLAINANT

VS

LEWIS JAMES BETHEA

RESPONDENT

AFFIDAVIT OF

FILED

DEC

1953

ALICE J. DUCK, Register

EMMA LOUISE BETHEA

COMPLAINANT

VS

LEWIS JAMES BETHEA

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

~~ORDER OF PUBLICATION BY THE REGISTER~~

In this cause, it appearing to the Register from the affidavit of Emma Louise Bethea the Complainant, that the residence and post office address of the Respondent, Lewis James Bethea, are unknown and further that in the belief of the affiant, the Respondent is over the age of twenty-one, it is therefore Ordered by the Register that publication be made once a week for four consecutive weeks in the Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Lewis James Bether to plea, answer or demur to the bill of complaint in this cause by the 15th day of January, 1953, on, in default thereof, thirty days thereafter a decree pro confesso may be taken against said Respondent.

Done in office, this 14<sup>th</sup> day of Dec, 1953.

Deice J. Smith  
Register

Winters & Brantley,  
Solicitors for Complainant



RECORDED

EMMA LOUISE BETHEA

COMPLAINANT

VS

LEWIS JAMES BETHEA

RESPONDENT

ORDER OF PUBLICATION BY  
THE REGISTER

FILED

DEC 12 1953

ROSE A. BAKER, REGISTER

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT, IN EQUITY

No. \_\_\_\_\_, Term, 19\_\_\_\_

Emma Louise Bethea

Complainant

Vs.

Louis James Bethea

Defendant

Motion is hereby made for a Decree Pro Confesso against

Louis James Bethea

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 19 day of February, 1951.

746 Code

*[Signature]*

Solicitor.

RECORDED  
No. \_\_\_\_\_ Page \_\_\_\_\_

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

Emma Louise Bethe

Complainant \_\_\_\_\_

Vs.

Louis James Bethea

Defendant \_\_\_\_\_

**Motion for Decree Pro Confesso**  
**On Publication**

Filed 2-19, 1934

*W. J. H. H. H.*  
Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. \_\_\_\_\_, Term, 19\_\_\_\_

Emma Louise Bethea \_\_\_\_\_ Complainant

Vs. \_\_\_\_\_

Louis James Bethea \_\_\_\_\_ Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 17th day of December, 1954, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 17th day of Dec. 1954 and \_\_\_\_\_

And it now further appearing to the Register Alice J. Duck that the said Louis James Bethea

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant\_\_\_\_\_, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Louis James Bethea

This 29th day of February 19 54

Alice J. Duck Register.

RECORDED

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Emma Louise Bethea

Vs.

Louis James Bethea

Decree Pro Confesso of Publication

Issued 2-19 1934

*Henry J. Nichols*  
Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

Moore Printing Co., Bay Minette, Ala.

3343

EMMA LOUISE BETHEA  
COMPLAINANT  
VS  
LEWIS JAMES BETHEA  
RESPONDENT

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

TO THE HONORABLE H. M. HALL, Judge of the Circuit Court of Baldwin County, Alabama, Sitting in Equity:

Your Complainant, Emma Louise Bethea, respectfully represents and shows unto Your Honor:

1.

That your Complainant is over the age of twenty-one years and is a resident citizen of said State and County, and has been a bona fide resident citizen of said state for more than one year next preceding the filing of this bill of complaint; that Lewis James Bethea is over the age of twenty-one years and a resident citizen of the State of Alabama, for more than one year next preceding the filing of the bill of complaint.

2.

That your Complainant and Respondent were lawfully married on or about to-wit: March 12, 1949, at Lucedale, Mississippi.

3.

Your Complainant avers and charges that the said Respondent did on or about 18th day of September, 1953, threatened to kill her with a knife which he had in his hand and opened, and many times prior thereto assaulted, beat, hit and struck your Complainant; that said Respondent has committed actual violence on her person attended with danger to her health and life. The Complainant avers and charges that the Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life and health.

4.

Your Complainant further represents and shows unto your Honor that there was born to the union of this marriage two children; Jackie Louise Bethea, a girl, three years old and Vivian Louise Bethea, a girl one year old; that your Complainant has had the custody, control and care of these two children all of their lives until on to-wit, September 10, 1953, at which time the Respondent did by trickery obtain possession of Jackie Louise Bethea by telling your Complainant he wanted to have the child visit him

for a week end at Flomaton, Alabama. The Respondent has not to this day returned the child to its mother's home.

5.

That your Complainant further represents unto Your Honor that she is a fit and proper person to have the care, control and custody of these two minor children; that she is residing with her mother, Carrie Williams of Loxley, Alabama, and that this is a suitable and fit home in which a Christian atmosphere prevails; that your Complainant is both physical and financially able to maintain the children herein involved.

6.

Your Complainant further represents and shows unto Your Honor that the Respondent is not a fit and proper person to have the care, control and custody of these children; that he has many times left the children in the custody of your Complainant for unusually long periods of time and that his contributions to the support and maintenance of these children has been negligible; that he moves about from place to place and does not keep a job for more than a few days at a time.

#### PRAYER FOR PROCESS

To the end that equity may be had in the premises your Complainant prays that Lewis James Bethea be made a party Respondent oto this bill of complaint and that service be perfected on him and that he be required to plead, answer or demur to the within bill of complaint within the time and under the penalties prescribed by the laws and rules of this Honorable Court.

#### PRAYER FOR RELIEF

Premises considered, your Complainant prays that on a final hearing of this cause that Your Honor will make and enter a decree forever divorcing her from the said Lewis James Bethea for an on account of his cruelty and that she will be awarded a full and absolute divorce. Your Complainant prays that Your Honor award the care, control and custody of the minor children, Jackie Louise Bethea and Vivian Louise Bether, to her; Complainant prays for all other, further and different relief to which she may be entitled, premises considered.

WILTERS & BRANTLEY

BY

*W. J. Wilters Jr.*  
Solicitor for the Complainant





JIMMY FAULKNER  
PUBLISHER

# THE BALDWIN TIMES

## BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

### LEGAL NOTICE

EMMA LOUISE BETHEA, Complainant  
Vs.  
LEWIS JAMES BETHEA, Respondent.  
In the Circuit Court of Baldwin County,  
Alabama, In Equity  
ORDER OF PUBLICATION BY THE  
REGISTER

In this cause, it appearing to the Register from the affidavit of Emma Louise Bethea, the Complainant, that the residence and post office address of the Respondent, Lewis James Bethea, are unknown and further that in the belief of the affiant, the Respondent is over the age of twenty-one, it is therefore Ordered by the Register that publication be made once a week for four consecutive weeks in The Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Lewis James Bethea to plead, answer or demur to the bill of complaint in this cause by the 15th day of January, 1953, on, in default thereof, thirty days thereafter a decree pro confesso may be taken against said Respondent.

Done in office, this 14th day of Dec. 1953.

ALICE J. DYCK  
Register

Winters & Brantley  
Solicitors for Complainant.

48-4tc.

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.  
BALDWIN COUNTY.

E. R. Monisette, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Emma Louise Bethea Vs.

Lewis James Bethea

### COST STATEMENT

183 WORDS @ 6 1/2 cents \$ 11 89

I hereby certify this it correct, due and unpaid (paid).

E. R. Monisette Jr.  
Editor Publisher.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Dec. 17, 1953 Vol. 64 No. 48

Date of 2nd publication Dec. 24, 1953 Vol. 64 No. 49

Date of 3rd publication Dec. 31, 1953 Vol. 64 No. 50

Date of 4th publication \_\_\_\_\_, 195\_\_\_ Vol. 64 No. 51

Subscribed and sworn before the undersigned this 8 day of Jan, 1954

Dorothy Martin  
Notary Public, Baldwin County.

E. R. Monisette Jr.  
Editor Publisher.

FILED

JAN 11 1954

ALICE J. DEAN, Registrar