

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

DOROTHY SMITH DUKES, Complainant
vs.

JAMES W. DUKES, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ 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 DOROTHY SMITH DUKES is forever divorced from the said JAMES W. DUKES 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 minor child, Joseph Robert Dukes.

IT IS FURTHER ORDERED ADJUDGED AND DECREED by the court that the said James W. Dukes, Respondent, shall pay to Dorothy Smith Dukes, Complainant, the sum of Twenty-five (\$25.00) Dollars per month for the maintenance and support of the minor child, Joseph Robert Dukes.

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 DOROTHY SMITH DUKES the Complainant pay the cost herein to be taxed, for which execution may issue.

This 4th day of September, 1951

Jeffair J. Mashburn, Jr.
Judge Circuit Court, In Equity.

I, Alice J. Duck 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 September, 1951

Register of Circuit Court, In Equity.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

DOROTHY SMITH DUKES

Complainant

vs.

JAMES W. DUKES

Respondent

DIVORCE DECREE

*Final
Decree
9-4-51
R. H. H. H.*

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

DOROTHY SMITH DUKES

Complainant

VS.

JAMES W. DUKES

Respondent

I, Lois Paul

as Register and Commissioner

have called and caused to come before me Dorothy Smith Dukes and Nomie Smith

witnesses named in the Requirement for Oral Examination, on the 31 day of August
1961, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Dorothy Smith Dukes and
Nomie Smith doth depose and say as follows:

That my name is Dorothy Smith Dukes, I am over the age of 16 and a resident of Baldwin County, Alabama and have been more than two years next preceding. The Respondent is over the age of 21 and is at this time temporarily residing at 756 Craft Highway, Prichard, Alabama. We were married at Lucedale, Mississippi on May 27, 1950 and lived together as husband and wife until February 14, 1951. On or about February 14, 1951 and several occasions thereto James W. Dukes, the Respondent, would come home drinking and under the influence of intoxicant and the way he abused me put me in fear of my life or health and I was afraid for it, because he would twist my arms until they would be sore for days and threaten to choke me. There is one child fruit of our marriage, Joseph Robert Dukes, age five months who is in my care, custody and control. I have had Joseph Robert in my care, custody and control since his birth and I believe that I am a fit and proper person to have the permanent care, custody and control of my child, Joseph Robert Dukes. I know that from the treatment the Respondent gave me we can never live together again as husband and wife as I would not feel safe with him.

I feel that \$25.00 per month would be reasonable support for my child.

Dorothy Smith Dukes

That my name is Nomie Smith, I am the mother of Dorothy Smith Dukes, and I know both parties to this cause and I know that on May 27, 1950 they were married at Lucedale, Mississippi and lived together as husband and wife until about February 14, 1951 when my daughter, Dorothy, came home. She was confined while at home and has not lived with her husband as his wife since then. I know that she has had the full care and control of their infant son since the child's birth. I believe that she is a fit and proper person to have the permanent care, custody and control of her child, Joseph Robert Dukes. I believe that the Respondent's drinking of which I have personal knowledge was the cause of his mistreating her and I know that she is afraid to live with him because of the way he does when he is drinking. I do not believe that she will ever live with him again as his wife.

Mrs. Nomie Smith

ORAL EXAMINATION.

I, Lois Paul

, 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 es 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 es or had proom 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 31st day of August

, 1945

Lois Paul

(L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

DOROTHY SMITH DUKES

vs. Complainant

JAMES W. DUKES

Respondent.

Oral Deposition

Filed _____, 194_____

_____, Register.

Recorded in
FILED

_____, Record
AUG 30 1951

Vol. _____ Page _____

ALICE J. DUCK, Register, Register.

DOROTHY S. DUKES

COMPLAINANT

VS

JAMES W. DUKES

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.

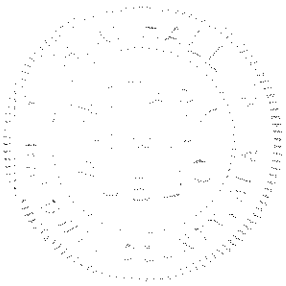
The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

James W. Dukes

STATE OF ALABAMA
BALDWIN COUNTY

I, Sam Lacy, a Notary Public, in and for said County, in said State, hereby certify that James W. Dukes, 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 9 day of August, 1951.

Sam Lacy
Notary Public, Baldwin County, Alabama.



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 Dorothy Smith Dukes and Nomie Smith

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

James W. Dukes, Complainant
and James W. Dukes

Respondent
on oath, to be by you administered, upon Dorothy Smith Dukes and Nomie Smith
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 31st day of Aug, 1941

Alice J. Luck

Register.

Commissioner's Fee, \$

Witness' Fees, \$

DOROTHY SMITH DUKES

vs.

JAMES W. DUKES

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 Dorothy Smith Dukes and Nomie Smith.

and in behalf of Defendant upon Answer and Waiver.

Alicia Duck

Register.

Charles Thompson,
Attorney

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

DOROTHY SMITH DUKES

vs.

JAMES W. DUKES

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of

AUG 30 1951

ALICE J. DUCK, Register.

Printed by The Baldwin Times, Bay Minette.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons JAMES W. DUKES 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 DOROTHY S. DUKES as Complainant and against JAMES W. DUKES, as Respondent.

WITNESS my hand this the 21st day of May, 1951.

Deice L. Remick
Register

DOROTHY S. DUKES

COMPLAINANT

VS

JAMES W. DUKES

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

TO HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Dorothy S. Dukes, respectfully represents
unto Your Honor and this Honorable Court as follows:

1.

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

2.

That your Complainant and the Respondent married at Lucedale, Mississippi, on May 27, 1950, and lived together as husband and wife until February 14, 1951.

3.

That on to-wit February 14, 1951, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her persons 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.

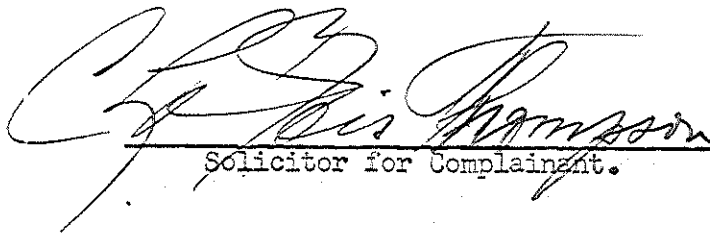
4.

That there was born between the marriage of your Complainant and the Respondent one child, Joseph Robert Dukes age less than one year; that your Complainant is the suitable, fit and proper person to have the care, custody and control of a child of such tender age.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said JAMES W. DUKES 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.

Your Complainant further prays that upon final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your Complainant and Respondent.

That the care, custody and control of the child be awarded to the Complainant, and that upon a final hearing of this cause, that your Complainant be awarded as maintenance for the child named herein the sum of Seven Dollars and Fifty Cents (\$7.50) per week, and 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 Complainant.

Received in Sheriff's Office
this 1 day of June 1951
TAYLOR WILKINS, Sheriff

W. H. HOLCOMBE, Sheriff

Received 6 Day of July 1951
and on 9 Day of July 1951
I served a copy of the within
on James W. Dukes
by service on _____

RECEIVED 6-22-51
RETURNED 6-25-51

Not found in my County after diligent search
and inquiry.

W. H. HOLCOMBE, Sheriff

By _____ D.S.

2656-
RECORDED

DOROTHY S. DUKES

COMPLAINANT

VS

JAMES W. DUKES

RESPONDENT

SUMMONS AND COMPLAINT

FILED
MAY 31 1951

ALICE J. DUCK, Register

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

Proven Field